

1 SEWARD PENINSULA ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6  
7 Aurora Inn  
8 Nome, Alaska  
9 October 13, 2010  
10 8:30 a.m.

11  
12 COUNCIL MEMBERS PRESENT:

13  
14 R. Weaver Ivanoff, Chairman  
15 Peter Buck  
16 Fred Eningowuk  
17 Anthony Keyes  
18 Peter Martin  
19 Mike Quinn  
20 Elmer Seetot  
21  
22  
23 Regional Council Coordinator - Alex Nick

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45  
46 Computer Matrix Court Reporters, LLC  
47 135 Christensen Drive, Suite 2  
48 Anchorage, AK 99501  
49 907-243-0668/907-227-5312  
50 sahile@gci.net

1 P R O C E E D I N G S  
2  
3 (Nome, Alaska - 10/13/2010)  
4  
5 (On record)  
6  
7 CHAIRMAN IVANOFF: Roll call and  
8 establishment of the quorum.  
9  
10 Mr. Buck or Alex.  
11  
12 MR. NICK: Alex Nick for the record. Mr.  
13 Anthony Keyes.  
14  
15 MR. KEYES: Present.  
16  
17 MR. NICK: Peter Buck.  
18  
19 MR. BUCK: Here.  
20  
21 MR. NICK: Ralph Ivanoff.  
22  
23 CHAIRMAN IVANOFF: Here.  
24  
25 MR. NICK: Peter Martin.  
26  
27 MR. MARTIN: Here.  
28  
29 MR. NICK: Fred Eningowuk.  
30  
31 MR. F.D. ENINGOWUK: Present.  
32  
33 MR. NICK: Elmer Seetot, Jr.  
34  
35 MR. SEETOT: Here.  
36  
37 MR. NICK: Michael Quinn.  
38  
39 MR. QUINN: Here.  
40  
41 MR. NICK: Mr. Chair. You have a quorum.  
42  
43 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
44 Continue on with the agenda.  
45  
46 I'd like to welcome everybody for coming  
47 into Nome for those from out of town and those from here  
48 in Nome, come to the Subsistence Regional Advisory  
49 Committee meeting and the importance of it.  
50

1 I notice going through the packet that  
2 there's a lot of work that's been done by staff, both by  
3 the State and the Federal government and OSM staff and I  
4 appreciate the work that's been going on. This book is  
5 very extensive and it's thorough and appreciate the  
6 diligent work.

7  
8 And welcome the Regional Advisory  
9 Committee members from out of town too, I'm glad you guys  
10 made it with the weather just in time.

11  
12 Review and approval of the agenda. I do  
13 have a question.

14  
15 Joannie, you wanted to make a general  
16 report for organizations. Are you asking to be put on  
17 the agenda?

18  
19 MS. SWEETMAN: Yes, please.

20  
21 CHAIRMAN IVANOFF: Okay. If there's no  
22 objection I'll add Bering Sea Fisherman's Association,  
23 Joannie Sweetman, for a report under 11 C.

24  
25 Any other additions or deletions?

26  
27 (No comments)

28  
29 CHAIRMAN IVANOFF: Hearing none, I'll  
30 entertain a motion to accept the agenda as changed.

31  
32 MR. MARTIN: So moved.

33  
34 CHAIRMAN IVANOFF: Motion on the floor by  
35 Mr. Martin.

36  
37 MR. QUINN: Second.

38  
39 CHAIRMAN IVANOFF: Seconded by Mr. Quinn.  
40 Any discussion on the motion.

41  
42 (No comments)

43  
44 CHAIRMAN IVANOFF: None.

45  
46 MR. SEETOT: Question.

47  
48 CHAIRMAN IVANOFF: All in favor of the  
49 motion signify by saying aye.

50

1 IN UNISON: Aye.  
2  
3 CHAIRMAN IVANOFF: Any opposed, the same  
4 sign.  
5  
6 (No opposing votes)  
7  
8 CHAIRMAN IVANOFF: Motion carries.  
9  
10 Review and adopt the draft minutes from  
11 March 9 through 10 meeting here in Nome. Any changes to  
12 the draft minutes.  
13  
14 (Pause)  
15  
16 MR. F.D. ENINGOWUK: This is Fred. On  
17 the minutes I'd like to have my name changed to Fred D.  
18 Eningowuk as there is another Fred Eningowuk, middle  
19 initial D added on there.  
20  
21 CHAIRMAN IVANOFF: Okay. Noted. Any  
22 other changes.  
23  
24 Mr. Nick.  
25  
26 MR. NICK: Mr. Chair. Members of the  
27 Council. The minutes are just the outline of your  
28 meeting, last meeting, we do have transcripts to backup  
29 your meeting.  
30  
31 Mr. Chair.  
32  
33 CHAIRMAN IVANOFF: Okay. Appreciate  
34 that. From going through the minutes it's looks pretty  
35 -- looks really good to the point that I don't have any  
36 changes or additions. Any other change -- any changes or  
37 additions to the minutes.  
38  
39 (No comments)  
40  
41 CHAIRMAN IVANOFF: If not I would  
42 entertain a motion to adopt.  
43  
44 MR. MARTIN: So moved.  
45  
46 CHAIRMAN IVANOFF: Motion on the floor by  
47 Mr. Martin.  
48  
49 MR. QUINN: Second.  
50

1 CHAIRMAN IVANOFF: Seconded by Mr. Quinn.  
2 Any discussion on the motion.  
3  
4 (No comments)  
5  
6 MR. SEETOT: Question.  
7  
8 CHAIRMAN IVANOFF: Question called for on  
9 the motion. All in favor of the motion signify by saying  
10 aye.  
11  
12 IN UNISON: Aye.  
13  
14 CHAIRMAN IVANOFF: Any opposed, the same  
15 sign.  
16  
17 (No opposing votes)  
18  
19 CHAIRMAN IVANOFF: Motion carries.  
20  
21 Council member reports. We'll start from  
22 the left.  
23  
24 Mr. Quinn.  
25  
26 MR. QUINN: Well, I don't know that I  
27 have a lot to report. Nobody in the Region has really  
28 come to me with any concerns on the Federal side. I know  
29 there's dissatisfaction with the -- some things, but I  
30 think State and as far as fisheries go since most of the  
31 last period has been fishing time, people are working to  
32 improve things around here where things need to be  
33 improved.  
34  
35 And I guess that's all I got.  
36  
37 CHAIRMAN IVANOFF: Thank you.  
38  
39 MR. KEYES: Well, I really don't have  
40 anything to say right now. I want -- I wanted to hear  
41 what's going on first.  
42  
43 Thank you.  
44  
45 MR. F.D. ENINGOWUK: This is Fred. The  
46 only comments been -- I've been hearing from our  
47 community is about the bears, too many bears in our area  
48 and they would like to see some -- something being done  
49 about that.  
50

1                               Otherwise I don't have anything else.  
2  
3                               CHAIRMAN IVANOFF: Thank you, Fred.  
4 Neither do I.  
5  
6                               Mr. Martin.  
7  
8                               MR. MARTIN: Stebbins had a good spring  
9 hunt, enjoyed some of that good fishing, the good fall  
10 hunting too for moose and now we're going after some  
11 birds. And for the first time since a long time we're  
12 having a lot of snow goose in our area.  
13  
14                              MR. KEYES: This is Anthony Keyes, I'd  
15 kind of back up to myself. We are starting to have  
16 problems with bears in our region, they're starting to  
17 accumulate, they're starting to grow at a certain pace  
18 and nobody's really doing any hunting for that region  
19 with the bears a one day count of riding on a four-  
20 wheeler, eight bears in one day and another 15 the next  
21 day. So our bear population is getting a little too big  
22 and I need to do something about that.  
23  
24                              Thank you.  
25  
26                              CHAIRMAN IVANOFF: Thank you.  
27  
28                              (Cell phone ringing)  
29  
30                              MR. QUINN: I'm sorry, I meant to turn  
31 that off.  
32  
33                              CHAIRMAN IVANOFF: Yeah, I had a reminder  
34 note to have the cell phones turned off during the  
35 meeting if possible.  
36  
37                              Mr. Seetot.  
38  
39                              MR. SEETOT: On the fishing side the  
40 first few fish caught by residents of Teller -- I mean,  
41 Brevig, from Brevig to Nuk which is a spit. They caught  
42 some fish that when they cooked them that the -- they  
43 smelled like petroleum products, the first wave, that was  
44 pretty much the first wave, maybe the first two weeks of  
45 the season and they were the chum variety at least four  
46 to five from Brevig at least, one from Teller noticed the  
47 petroleum taste after cooking salmon. And after that --  
48 after the first two weeks no one really ever caught fish  
49 that tastes like petroleum. So that was kind of a  
50 concern for Teller/Brevig for a while, but they continued

1 on fishing, the majority of the fish was chum salmon, a  
2 very few red salmon were caught and also a very few  
3 silver salmon were caught for gillnetters along the  
4 coastal area.

5  
6 Snow geese were still present last week,  
7 usually they're gone by the third, fourth week in  
8 September. And so everything's been kind of changed in  
9 a way that the migration is just taking place two weeks  
10 later than -- two to four weeks later than normal. And  
11 pretty much that's all I have on that.

12  
13 Thank you.

14  
15 MR. BUCK: Yes, Peter Buck from White  
16 Mountain. And the fishing was satisfactory where there  
17 was good seal, but it wasn't too good. And like Elmer  
18 was saying the seasons are changing really fast for us  
19 and things are happening that -- we noticed that the  
20 swallows came earlier and left earlier and the -- two  
21 weeks ahead of schedule. So the concern is for to watch  
22 out for these things and see what we can do about what's  
23 going to happen to the fish and game.

24  
25 Thank you.

26  
27 CHAIRMAN IVANOFF: The -- Mr. Seetot, in  
28 regards to the fish that smelled like petroleum in the  
29 first few weeks in Brevig to Nuk, there might be a  
30 possibility to get with staff and OSM and talk about that  
31 Fishery Monitoring Program that's -- the proposals will  
32 be out for 2012 and might be able to work with one of the  
33 agencies in monitoring or taking samples of those fish  
34 for the next two or three years to see if indeed  
35 contaminants are in there. But it's a salmon related  
36 topic and for this year or 2012 -- we're coming to 2012,  
37 they're putting out proposals, and that might be a way to  
38 take a look at seeing what the contamination is if indeed  
39 there is some.

40  
41 Continue then with the -- go on to Item  
42 number 7, 2011-2013 Federal subsistence fisheries  
43 proposals for the Council review. The presentation  
44 procedures are outlined for you from steps one to eight.  
45 We'll begin with FP11-01/06. Are those two proposals or  
46 one?

47  
48 MR. RIVARD: Good morning, Mr. Chair. My  
49 name is Don Rivard. Those two proposals were analyzed  
50 together and I'll be giving you one presentation on the

1 two of them.

2

3

CHAIRMAN IVANOFF: Okay.

4

5

MR. RIVARD: Again, good morning, Mr. Chair and Members of the Council. My name is Don Rivard, I'm a fish biologist with the Office of Subsistence Management. This is my first time attending the Seward Pen Council meeting. I've been with the Office of Subsistence Management for about 10 and a half years and again first time here and it's really a pleasure to be with you.

12

13

14

I will be presenting five of the eight analysis to change subsistence fisheries regulations on the Yukon River. These analyses are being presented to you because the community of Stebbins has a positive customary and traditional use for salmon in the Yukon River drainage.

19

20

21

We're going to begin with the analyses for Proposals FP11-01 and FP11-06, it's a combined analysis for two similar proposals. And this analysis can be found in your Council book beginning on Page 20.

24

25

26

Proposal FP11-01 was submitted by the Eastern Interior Alaska Subsistence Regional Advisory Council. It requests that all gillnets, both subsistence and commercial, with greater than six inch stretch mesh be restricted to not more than 35 meshes in depth in Federal public waters of the Yukon River drainage.

31

32

33

Proposal FP11-06, submitted by the Mountain Village Working Group would restrict the depth of seven and a half inch stretch mesh gillnets to 20 meshes in depth in Yukon River Districts 4 and 5. You can see on Page 17 at the map there Yukon River Districts 4 and 5 start just south of Anvik and go all the way to the Canadian border.

39

40

41

FP11-01 specifically addresses regulatory change that the Eastern Interior Council felt would enhance the quality of escapement. The proposal is based on the concern that the average length and weight of returning adult Chinook salmon is declining -- are declining and because of the belief that the existing allowable gillnets deeper than 35 meshes disproportionately harvest larger size female Chinook salmon over males. This proposal would be applied to all gillnet fisheries occurring in Federal public waters.

49

50

1                   The stated purpose for Proposal FP11-06  
2 is to increase the amount of escapement by decreasing the  
3 catch efficiency of gillnets in two upper Yukon River  
4 fishing districts. Again just south of Anvik to the  
5 Canadian Border.

6  
7                   The analysis indicates that reducing  
8 depth of gillnets would likely result in reduced fishing  
9 efficiency of gear for commercial and subsistence  
10 fishermen. However there is no way to quantify reliably  
11 if a reduction of mesh depth to 20 meshes would be more  
12 effective on reducing harvest numbers than reducing  
13 fishing time which managers routinely do in order to  
14 reduce harvest levels. In addition there are no  
15 quantifiable data available to predict what affect mesh  
16 depth reduction would have on the harvest of the larger  
17 and older age female chinook salmon. No new information  
18 supporting decreasing size selectivity of gillnets by  
19 reducing mesh depth has been identified since the Federal  
20 Subsistence Board last considered and rejected a similar  
21 in April of 2010.

22  
23                   Key information used in the analysis  
24 summarized published studies that examined the spacial  
25 distribution of migrating salmon in rivers. This  
26 research suggests that migrating salmon generally swim  
27 near the river bottom to avoid the stronger current.  
28 Larger fish swim farther offshore in deeper water to  
29 avoid surface wave drag. Evidence for Yukon River  
30 Chinook salmon from a large archival tag project suggests  
31 that Yukon Chinooks swim along the bottom following  
32 submerged river channels at depths ranging from less than  
33 a few feet to 90 feet. This information can be found on  
34 Pages 24 and 25 and summarized in Figure 1 on Page 26.

35  
36                   Test fishing with gillnets at the Pilot  
37 Station sonar did not show any difference in size of fish  
38 between shallower inshore catches and deeper offshore  
39 catches. Sonar traces show that fish disperse rapidly to  
40 avoid fishing activity.

41  
42                   If adopted either proposal would pose an  
43 additional burden on some if not all affected users since  
44 they would have to modify existing gillnets and/or buy  
45 new nets. In addition adoption of either proposal would  
46 expand the differences between Federal and State  
47 subsistence regulations while increasing regulatory  
48 complexity and enforcement concerns. Commercial and  
49 subsistence users fishing in State managed waters under  
50 State regulations would still be able to use the deeper

1 gillnets.

2

3 Mr. Chair. The OSM preliminary  
4 conclusion is to oppose Proposal FP11-01 and FP11-06.

5

6 Thank you, Mr. Chair.

7

8 CHAIRMAN IVANOFF: Thank you. Any  
9 questions for Mr. Rivard.

10

11 (No comments)

12

13 CHAIRMAN IVANOFF: Are you going to be  
14 going through each proposal or is this something that  
15 we'll handle one at a time?

16

17 MR. RIVARD: Mr. Chair. It's up to your  
18 preference, but we usually do one proposal at a time  
19 and.....

20

21 CHAIRMAN IVANOFF: Okay, that sounds  
22 logical. Thank you. Does that include your introduction  
23 analysis?

24

25 MR. RIVARD: Yes, Mr. Chair.

26

27 CHAIRMAN IVANOFF: If there's no other  
28 questions will continue with the Alaska Department of  
29 Fish and Game concerns.

30

31 MR. LINDERMAN: Good morning, Mr. Chair.  
32 Council Members. My name is John Linderman with the  
33 Alaska Department of Fish and Game, Division of  
34 Commercial Fisheries, AYK Regional supervisor. And I'll  
35 be here to provide State comments on the proposals before  
36 you.

37

38 As a bit of a note the written comments  
39 from the State of Alaska, Department of Fish and Game  
40 have been incorporated in full into your meeting  
41 notebooks. What I'll be doing here is summarizing our  
42 comments in the interest of time and brevity. A lot of  
43 it's a little bit repetitious so we try and move things  
44 along as much as possible.

45

46 On Proposals FP-01 and FP-06 the  
47 proponents are concerned that deeper gillnets select for  
48 older and larger Chinook salmon which are believed to  
49 migrate in deepwater. The Federal Subsistence Board and  
50 the Alaska Board of Fisheries previously reviewed similar

1 proposals to restrict gillnet depth in the Yukon River  
2 fisheries and took no action or opposed these proposals.  
3 Data from recent radio tagging projects on the Yukon  
4 River Chinook salmon indicate that they utilize the  
5 entire depth of the water column during migration. Even  
6 if net depth restrictions could alter harvest in a  
7 specific location fishermen could compensate for reduced  
8 net depth by fishing in shallower locations where a  
9 shallower net would not impede harvest of larger and more  
10 valuable Chinook salmon. There are insufficient data to  
11 demonstrate that gillnet depth restrictions would  
12 effectively alter size and age composition of the  
13 harvest.

14

15                   If Proposals FP11-01 and FP11-06 are  
16 adopted harvest of Chinook and other salmon species in  
17 Federally regulated subsistence fisheries on the Yukon  
18 River could be negatively impacted. These fishermen  
19 would potentially need to fish longer hours to harvest  
20 the same number of fish with less efficient nets.  
21 Modification of existing nets or purchase of new nets  
22 might be necessary in order to comply with gear type  
23 restrictions that differ between the Federal and State  
24 fisheries. If Federal regulations regarding allowable  
25 gear types are not the same as State regulations it would  
26 create a conflicting patchwork of waters under differing  
27 State and Federal regulations and might be difficult for  
28 subsistence users to know the boundaries for each.

29

30                   The Yukon River Chinook salmon stock is  
31 currently classified as a stock of yield concern. Salmon  
32 may be harvested under State regulations throughout the  
33 majority of the Yukon River watershed, including a  
34 liberal subsistence fishery. Under State regulations  
35 subsistence is the priority for consumptive use,  
36 therefore State subsistence fishing opportunity is  
37 directly linked to the abundance and is not restricted  
38 unless run size is inadequate to meet escapement needs.

39

40                   Recommendation from the State of Alaska  
41 is to oppose both Proposals FP11-01 and FP11-06.

42

43                   Thank you, Mr. Chair.

44

45                   \*\*\*\*\*  
46                   STATE OFFICIAL WRITTEN COMMENTS  
47                   \*\*\*\*\*

48

49                   Alaska Department of Fish and Game  
50                   Comments to the Regional Advisory Council

1 Fisheries Proposals FP11-01 and FP11-06:  
2 Yukon River gillnet depth restrictions.

3

4 Introduction:

5

6 The Eastern Interior Regional Advisory  
7 Council submitted proposal FP11-01 to limit all gillnets  
8 (state commercial, state subsistence, and federal  
9 subsistence fisheries gear) with a stretched mesh size  
10 greater than six inches to a maximum of 35 meshes in  
11 depth in the Yukon River where federal subsistence  
12 regulations apply. Stanislaus Sheppard of the Mountain  
13 Village Working Group submitted proposal FP11-06 to limit  
14 gillnets with a stretched mesh size of 7.5 inches to a  
15 maximum depth of 20 meshes for federal subsistence  
16 fishing in districts 4 and 5 of the Yukon River. The  
17 proponents are concerned that deeper gillnets select for  
18 older and larger Chinook salmon, which are believed to  
19 migrate in deep water. Proposal FP11-06 was also  
20 submitted to allow more salmon to escape to the spawning  
21 grounds and did not differentiate between species or  
22 sizes of salmon.

23

24 The Federal Subsistence Board previously  
25 reviewed similar proposals to restrict gillnet depth in  
26 the Yukon River fisheries (FP05-03, FP06-04, FP09-13) and  
27 took no action or opposed those proposals. The Alaska  
28 Board of Fisheries unanimously opposed a proposal to  
29 restrict subsistence and commercial gillnets to 35 meshes  
30 in depth in the Yukon Area during its meeting January 26  
31 31, 2010, after thorough review in an open public process  
32 that included numerous oral and written reports. The  
33 Alaska Board of Fisheries adopted a maximum mesh size of  
34 7.5 inches for subsistence and commercial gillnets  
35 effective in 2011 in the Yukon Area. The Federal  
36 Subsistence Board took no action on deferred proposal  
37 FP09-13 to limit mesh depth at the April 13 14, 2010,  
38 meeting after adopting deferred proposal FP09-12, which  
39 paralleled the Alaska Board restriction of a maximum mesh  
40 size of 7.5 inches. The change in mesh size effectively  
41 reduces the maximum depth of commercial gillnets in  
42 districts 1 3 by approximately three feet compared to the  
43 depth of an 8.5-inch mesh gillnet (commensurate with the  
44 current gillnet commercial fishery). Most subsistence  
45 fishermen will likely use their commercial gillnets for  
46 commercial fishing.

47

48 Data from a recent radio-tagging project  
49 on Yukon River Chinook salmon indicate that Chinook  
50 salmon utilize the entire depth of the water column

1 during migration. (John Eiler, National Marine Fisheries  
2 Service Auke Bay Laboratory, Juneau; personal comm.  
3 2009). Even if net depth restrictions could alter  
4 harvest in a specific location, fishermen could  
5 compensate for a reduced net depth by fishing in  
6 shallower locations, where a shallower net would not  
7 impede harvest of larger and more valuable Chinook  
8 salmon. There are insufficient data to demonstrate that  
9 gillnet depth restrictions would effectively alter size  
10 and age composition of the harvest.

11

12 Impact on Subsistence Users:

13

14 If FP11-01 and FP11-06 are adopted,  
15 harvest of Chinook and other salmon species in  
16 federally-regulated subsistence fisheries on the Yukon  
17 River could be negatively impacted. These fishermen  
18 would potentially need to fish longer hours to harvest  
19 the same number of fish with less efficient nets.  
20 Modification of existing nets or purchase of new nets  
21 might be necessary in order to comply with gear type  
22 restrictions that differ between the federal and state  
23 fisheries. If federal regulations regarding allowable  
24 gear types are not the same as state regulations, it will  
25 create a conflicting patchwork of waters under differing  
26 state and federal regulations and might be difficult for  
27 subsistence users to know the boundaries for each.

28

29 Conservation Issues:

30

31 The Yukon River Chinook salmon stock is  
32 currently classified as a stock of yield concern. Since  
33 2001, subsistence harvest levels have reached the amounts  
34 reasonably necessary for subsistence use within state  
35 regulations, except for 2002, 2008, and 2009. A majority  
36 of the Yukon River drainage escapement goals have been  
37 met or exceeded since 2000, including the Chena and  
38 Salcha rivers, which are the largest producers of Chinook  
39 salmon in the United States portion of the drainage. The  
40 agreed-to escapement objective for the Canadian mainstem  
41 was met every year from 2001 through 2006, with 2001,  
42 2003, and 2005 being the three highest spawning  
43 escapement estimates on record. However, the escapement  
44 objective for the Canadian mainstem was not met in 2007  
45 and 2008. Exploitation rate on the Canadian-origin stock  
46 by Alaskan fishermen has decreased from an average of  
47 about 55% (1989 1998) to an average of about 44% from  
48 2004 2008 (Howard et al. 2009). Although the subsistence  
49 harvest remains stable at nearly 50,000 Chinook salmon  
50 annually, commercial harvests have decreased over 60%

1 from an average of 100,000 annually (1989 1998) to the  
2 recent 5-year average (2005 2009) of nearly 23,000 fish.  
3 It is not possible to determine if size-selective  
4 harvests, variations in environment, or a combination of  
5 factors are causing a decrease in harvest of age-7 fish  
6 or decreasing size trends of older fish (JTC SSS 2006).  
7 Decreasing size of Chinook salmon has been anecdotally  
8 noted across much of the state in recent years. However,  
9 increasing the number of larger and older Chinook salmon  
10 in spawning escapements through mesh size regulations  
11 should provide better future production potential.

12

13 Opportunity Provided by State:

14

15 Salmon may be harvested under state  
16 regulations throughout the majority of the Yukon River  
17 watershed, including a liberal subsistence fishery. Gear  
18 types allowed are gillnets, beach seines, hook and line  
19 attached to a rod or pole, hand lines, and fish wheels.  
20 Although all gear types are not used or allowed in all  
21 portions of the Yukon River drainage, drift and set  
22 gillnets and fish wheels harvest the majority of fish  
23 taken for subsistence uses. Under state regulations,  
24 subsistence is the priority consumptive use. Therefore,  
25 state subsistence fishing opportunity is directly linked  
26 to abundance and is not restricted unless run size is  
27 inadequate to meet escapement needs. When the Yukon  
28 River Chinook salmon run is below average, state  
29 subsistence fishing periods may be conducted based on a  
30 schedule implemented chronologically throughout the  
31 Alaska portion of the drainage, which is consistent with  
32 migratory timing as the salmon run progresses upstream.  
33 Federal regulations under Special Actions to restrict  
34 federally-eligible users have been rare and mirrored  
35 in-state, in-season actions necessary to meet escapement  
36 goals, except where state and federal regulations differ  
37 in subdistricts 4-B and 4-C. Amounts reasonably  
38 necessary for subsistence Chinook salmon (5AAC 01.236  
39 (b)), as determined by the Alaska Board of Fisheries,  
40 were met in the Yukon River drainage for six of the last  
41 nine years.

42

43 Jurisdictional Issues:

44

45 A large percentage of the lands along the  
46 Yukon River are state or private lands on which  
47 subsistence users must use gear types consistent with  
48 state regulations. Detailed maps are needed that depict  
49 land ownership and specific boundaries of areas where  
50 federal regulations are claimed to apply, so that

1 fishermen can know whether they are on state or private  
2 lands (including state-owned submerged lands and  
3 shorelands) where they must comply with state laws and  
4 regulations. The Federal Subsistence Board does not have  
5 authority to apply gear restrictions, such as gillnet  
6 mesh size and depth regulations, to state-regulated  
7 commercial and subsistence fisheries.

8

9 Recommendation:

10

11 Oppose proposals FP11-01 and FP11-06.

12

13 Cited References:

14

15 Howard, K. G., S. J. Hayes, and D. F.  
16 Evenson. 2009. Yukon River Chinook salmon stock status  
17 and action plan 2010; a report to the Alaska Board of  
18 Fisheries. Alaska Department of Fish and Game, Special  
19 Publication No. 09-26, Anchorage.

20

21 JTC SSS (Joint Technical Committee Salmon  
22 Size Committee of the Yukon River US/Canada Panel). 2006.  
23 Potential causes of size trends in Yukon River Chinook  
24 salmon populations. Alaska Department of Fish and Game,  
25 Division of Commercial Fisheries, Regional Information  
26 Report No. 3A06-07, Anchorage.

27

28 CHAIRMAN IVANOFF: Thank you. Any  
29 questions.

30

31 MR. KEYES: Yes. This is Anthony Keyes  
32 from Wales. Of all the sizes on your fish nets, you  
33 bring them down and you're letting -- you know, you're  
34 letting the people catch more of these small fish species  
35 that we are trying to let grow, I think it would be  
36 better to get the bigger fish with bigger mesh instead of  
37 having to go and go after all our small fishes because  
38 those are the ones -- are trying to grow and the ones  
39 that are carrying the eggs and they -- you know, cutting  
40 down the size on the fish net -- fish net sizes is going  
41 to ruin our fishing habitat, catching all the smaller  
42 ones that are trying to grow is not going to help our  
43 communities at all.

44

45 Thank you.

46

47 CHAIRMAN IVANOFF: Mr. Linderman.

48

49 MR. LINDERMAN: Through the Chair. Mr.  
50 Keyes. I can understand the concern with respect to you

1 shift your size of harvest from one larger size to  
2 potentially a smaller size. If your comments or  
3 questions are in reference to recent changes to mesh size  
4 on the Yukon River, one of the focuses of selecting that  
5 mesh size was that it selects for a range of size of  
6 Chinook salmon more specifically. So throughout all of  
7 their age, size and sex classes, it focuses the harvest  
8 on a wider range as opposed to large mesh gillnets or  
9 larger mesh gillnets focused specifically on one size.  
10 Another factor that was taken into account in looking at  
11 different mesh sizes was whether or not they exclude chum  
12 salmon. You start to get below a certain mesh size and  
13 then you start to pick up a lot of those smaller chum  
14 salmon. So we wanted to ensure that we were going to  
15 have a mesh size that provided for harvest across all  
16 age, size and sex classes on king salmon while also  
17 minimizing the harvest of chum salmon so that we don't  
18 have a lot of incidental take on those fish.

19

20 MR. KEYES: Yes, this is Anthony Keyes.  
21 Back to this, I'm still kind of leery of having -- you  
22 know, having the mesh size that -- so small because the  
23 majority of our fish we've been catching throughout these  
24 years are -- you know, they -- they've been really tiny,  
25 they're not as big as they used to be, nowadays they're  
26 shrinking and they're getting too small. And the taste  
27 of the fish is starting to -- you know, it's starting to  
28 get -- it's starting to worry -- worry us Natives up in  
29 this region. So putting down mesh sizes we're going to  
30 catch more of the small fish which we are trying to let  
31 them grow through the years so we can have more  
32 productive fish. Instead of, you know, letting all the  
33 big ones go I don't know why, you should get all the big  
34 ones and let all the little ones go or those are the  
35 strongest fish that we're trying to encounter now.

36

37 Thank you.

38

39 CHAIRMAN IVANOFF: Mr. Keyes, are your  
40 comments relating to the Yukon River or.....

41

42 MR. KEYES: Yes.

43

44 CHAIRMAN IVANOFF: Okay.

45

46 MR. KEYES: All of our regions.

47

48 CHAIRMAN IVANOFF: All right. Thank you.  
49 Any further questions.

50

1 (No comments)

2

3 CHAIRMAN IVANOFF: Hearing none, we'll  
4 continue on. Thank you, Mr. Linderman. We'll continue  
5 with the Federal, State, Tribal Agency comments.

6

7 (No comments)

8

9 CHAIRMAN IVANOFF: Hearing none,  
10 InterAgency Staff Committee comments. Please introduce  
11 yourself and.....

12

13 MR. KESSLER: Good morning, Mr. Chairman.  
14 Council Members. I'm Steve Kessler, I'm on the  
15 InterAgency Staff Committee, representing the Forest  
16 Service and I think I'm the only Staff Committee member  
17 here at your meeting.

18

19 And just wanted to let you know on this  
20 proposal and all the other proposals that you will be  
21 addressing today there will not be InterAgency Staff  
22 Committee comments. We felt that the analyses spoke for  
23 themselves, that were very complete.

24

25 CHAIRMAN IVANOFF: Thank you, very much.  
26 That saves a lot of time. Appreciate that.

27

28 Fish and Game Advisory Committee  
29 comments. Anyone from the Fish and Game Advisory here?

30

31 (No comments)

32

33 CHAIRMAN IVANOFF: If not, summary of  
34 written public comments. You should have that -- we  
35 should have that in your book for the Council members'  
36 comments. And we've had some opposition and some in  
37 support. A majority of the public comments that were  
38 written are coming from the Interior of the Yukon River  
39 opposing the two proposals.

40

41 MR. NICK: Mr. Chair.

42

43 CHAIRMAN IVANOFF: Yes, Mr. Nick.

44

45 MR. NICK: The written public comments  
46 begin on Page 34. And we received a total of 15 written  
47 public comments for these two proposals. Three in  
48 support of Proposal FP-01, four in opposition of Proposal  
49 FP-01 and eight in opposition of Proposal FP-06.

50

1 Mr. Chair.  
2  
3 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
4 Appreciate that. Any public testimony. Anyone from the  
5 public that would like to testify on the two proposals.  
6  
7 (No comments)  
8  
9 CHAIRMAN IVANOFF: If not we'll go into  
10 deliberations.  
11  
12 MR. NICK: Mr. Chair.  
13  
14 CHAIRMAN IVANOFF: Mr. Nick.  
15  
16 MR. NICK: With your permission I would  
17 like to give you the Council recommendations YK provided  
18 along with the justifications. These are in draft stage  
19 right now, they're still being reviewed by our staff in  
20 Anchorage and who is the Council -- rather my supervisor.  
21  
22  
23 YK Council opposed Proposal FP-01 and  
24 they also opposed Proposal FP-06. And they provided  
25 justification. Again these are just draft justification.  
26 And the justification is these two proposals are analyzed  
27 together. It does not make sense to restrict mesh of  
28 gillnets when deepwater reaches 70 to 100 feet. Council  
29 concurs with the Office of Subsistence Management  
30 analysis and justification to oppose these two proposals.  
31 Window fishing schedules are causing an effect on  
32 subsistence fishing. If these proposals are adopted it  
33 would cost subsistence salmon fishermen a lot of money to  
34 buy new nets.  
35  
36 Mr. Chair.  
37  
38 CHAIRMAN IVANOFF: Mr. Nick. Mr. Nick,  
39 I do have a question. Do you have anything from the  
40 Eastern Interior Regional Advisory Committee on the  
41 actions that have taken on Proposals 01 and 06.  
42  
43 Mr. Nick.  
44  
45 MR. NICK: Mr. Chair. I'm -- give me a  
46 minute here. Western Interior, okay, up comes our -- on  
47 FP-01, FP-06, depth of gillnets, they opposed the  
48 proposal -- two proposals, right.  
49  
50 Mr. Chair, one more thing. Eastern

1 Interior is meeting today according to Helen and they  
2 will be providing their recommendations as well.

3

4 Mr. Chair.

5

6 CHAIRMAN IVANOFF: Okay. My  
7 understanding is that the proposals come from the Eastern  
8 Interior, but the Western Interior did go on record on  
9 opposing two proposals. Okay.

10

11 Any questions or comments from the  
12 Regional Advisory Committee members regarding Proposals  
13 01/06.

14

15 (No comments)

16

17 CHAIRMAN IVANOFF: I'd like a motion to  
18 adopt so we can begin deliberations.

19

20 MR. QUINN: So moved.

21

22 CHAIRMAN IVANOFF: Motion on the floor by  
23 Mr. Quinn.

24

25 MR. KEYES: Second.

26

27 CHAIRMAN IVANOFF: Seconded by Mr. Keyes.  
28 Discussion on the proposals.

29

30 Mr. Quinn.

31

32 MR. QUINN: Much of this -- well, I guess  
33 the region is within the realm of both the Western and  
34 Eastern RACs, correct? I guess you're sitting there on  
35 the hot seat so I'll ask you.

36

37 MR. RIVARD: Through the Chair. Mr.  
38 Quinn. The Proposal 01 is for all of the Yukon, but  
39 Proposal 06 was just for Districts 4 and 5 which are  
40 basically east -- Western and Eastern Interior.

41

42 MR. QUINN: Yeah, and so both Western and  
43 Eastern are going to be -- residents are going to be  
44 affected by the proposals.

45

46 Okay. Well, I got a little experience  
47 fishing over in that country with gillnets. The Yukon  
48 River's pretty big, there's a decent current, I mean, you  
49 don't just put a net anywhere, you got to put it in an  
50 eddy and the eddies are limited. So there's already an

1 awful lot of limitation on how many fish a gillnet user  
2 can pull out of that river between where you can fish and  
3 openings and closings for subsistence fishing. I'm a  
4 little skeptical that there -- that these two proposals  
5 will accomplish much and I can definitely see the  
6 potential for impact on subsistence users having to  
7 somehow alter nets to meet the requirements. And seems  
8 to be a lot of opposition from people within the area.

9

10 CHAIRMAN IVANOFF: Further discussion.

11

12 (No comments)

13

14 CHAIRMAN IVANOFF: I agree. I feel  
15 the same way, this restricted size definitely doesn't  
16 address the issue of concern. And the other thing that's  
17 being pointed out as Mr. Quinn has already stated is that  
18 there's going to a lot of expense that's going to be  
19 incurred by the subsistence users along the Yukon River  
20 altering their gear. And that was a concern that was  
21 brought forth by just about everyone along the river.  
22 And I would be voting no against the proposal myself.

23

24 Any other questions or comments.

25

26 (No comments)

27

28 CHAIRMAN IVANOFF: Hearing none I'd  
29 entertain a motion -- question.

30

31 MR. QUINN: Question.

32

33 CHAIRMAN IVANOFF: Question called for on  
34 the motion to adopt.

35

36 All in favor of the motion signify by  
37 saying aye.

38

39 MR. MARTIN: Aye.

40

41 MR. F.D. ENINGOWUK. Aye.

42

43 CHAIRMAN IVANOFF: One, two.

44

45 REPORTER: One, then or.....

46

47 CHAIRMAN IVANOFF: Mr. Martin and Mr.  
48 Eningowuk.

49

50 MR. F.D. ENINGOWUK: But -- okay. Can

1 you recall that motion?  
2  
3 CHAIRMAN IVANOFF: Yeah, motion was in  
4 favor of the motion that we would pass it, pass the  
5 proposal.  
6  
7 MR. F.D. ENINGOWUK: Okay. I retract  
8 mine.  
9  
10 REPORTER: And you didn't really.....  
11  
12 CHAIRMAN IVANOFF: One, yes. One in  
13 favor.  
14  
15 All opposed, same sign.  
16  
17 IN UNISON: Aye.  
18  
19 CHAIRMAN IVANOFF: Motion has not passed.  
20 Is that -- you're shaking your head. Do you have a  
21 problem -- do you want to have a roll call?  
22  
23 REPORTER: Yeah, everybody opposed,  
24 right?  
25  
26 CHAIRMAN IVANOFF: Everybody opposed  
27 except one.  
28  
29 REPORTER: Who?  
30  
31 CHAIRMAN IVANOFF: Mr. Martin.  
32  
33 REPORTER: No, he said no.  
34  
35 CHAIRMAN IVANOFF: Oh, he said no? Okay.  
36 Everybody opposed then. All right. We'll continue.  
37  
38 FP11-02, Yukon River Chinook salmon  
39 conservation plan. Continue Mr. Rivard.  
40  
41 MR. RIVARD: Thank you, Mr. Chair. The  
42 analysis for Proposal FP11-02 begins on Page 39 in your  
43 book.  
44  
45 CHAIRMAN IVANOFF: I'm sorry, my remiss.  
46 The justification was agreeing with the staff on OSM on  
47 the proposal that we opposed and also the costs that  
48 would be incurred by the subsistence users are  
49 prohibitive and doesn't address the concern.  
50

1 MR. NICK: Mr. Chair. I think I captured  
2 that. You could look at it.

3  
4 CHAIRMAN IVANOFF: Okay. You captured  
5 it. Thank you.

6  
7 We'll continue then. Sorry, Mr. Rivard,  
8 continue.

9  
10 MR. RIVARD: Proposal FP11-02 submitted  
11 by Jack Reakoff from Wiseman requests that Federal public  
12 waters of the Yukon River be periodically closed to  
13 subsistence and commercial fishing from the river mouth  
14 to the Canadian border. These rolling closures would  
15 correspond to periods of the Chinook salmon migration  
16 when stocks returning to Canadian waters constitute the  
17 majority of the run. No harvest on these stocks would be  
18 allowed for at least 12 years or until such time as the  
19 stock's abundance and escapement quality is restored to  
20 a level that provides sustained yields to support  
21 historic harvest levels and commercial and subsistence  
22 fisheries. The proponent submitted this proposal to  
23 address long-standing concerns expressed by Yukon River  
24 fishers and Regional Advisory Councils members regarding  
25 diminished quality of escapement for Yukon River Chinook  
26 salmon that spawn in Canada.

27  
28 In order for the State and Federal  
29 programs to cooperatively address this issue the existing  
30 State Chinook salmon management plan would have to be  
31 revised to establish an optimal escapement objective  
32 rather than a maximum sustainable yield approach  
33 currently in place. This issue is addressed on Page 40  
34 under Existing State Regulations and on Page 57  
35 Understanding Escapement Goals of the analysis.

36  
37 In the biological background section  
38 beginning on Page 44 there are updates on the Chinook  
39 salmon stock status information which originally was  
40 provided to the Federal Subsistence Board in April, 2010  
41 when it considered mesh size changes and which  
42 specifically addresses measures of quality of escapement  
43 and managing for escapement goals in Alaska. In addition  
44 the analysis provides new information on the run timing  
45 of Canadian stocks provided by a study of radio tagged  
46 Chinook salmon. This information is summarized in Figure  
47 7 on Page 51. Individual Canadian Chinook stocks enter  
48 the Yukon over a protracted period of time. This  
49 information suggests that simply closing the fishery  
50 during the first pulse may not be an effective means to

1 conserve all Canadian origin stocks, rather reducing  
2 exploitation over the run by reducing fishing time when  
3 necessary may be a more effective conservation measure.

4  
5 Mr. Chair, the OSM preliminary conclusion  
6 is to oppose Proposal FP11-02. This recommendation is  
7 largely -- is based largely on the Canadian stock run  
8 timing information that would support taking conservation  
9 measures throughout the run rather than just the first  
10 pulse or pulses. This type of protection could be  
11 accomplished during years when poor runs -- with poor  
12 runs by pulling fishing periods during the scheduled  
13 windows subsistence openings throughout the run or until  
14 such time that in-season assessment of the run determined  
15 that the run was large enough to allow additional fishing  
16 opportunity.

17  
18 Thank you, Mr. Chair.

19  
20 CHAIRMAN IVANOFF: Thank you, Mr. Rivard.  
21 Any questions.

22  
23 (No comments)

24  
25 CHAIRMAN IVANOFF: If not, we'll come to  
26 you, Mr. Linderman.

27  
28 MR. LINDERMAN: Mr. Chair. Council  
29 Members. State comments on Proposal FP-02. Jack Reakoff  
30 submitted this proposal to establish a 12 year management  
31 plan to prohibit harvest of Chinook salmon in  
32 sequentially rolling statistical area closures during the  
33 first pulse of returning salmon or the second pulse if  
34 the first pulse does not materialize in waters claimed  
35 under Federal jurisdiction from the mouth of the Yukon  
36 River to the Canadian border.

37  
38 If adopted Federal subsistence users  
39 would be required to forego harvest of Chinook salmon  
40 during the first or second pulse returning to the Yukon  
41 River in waters claimed under Federal jurisdiction  
42 through the year 2022 unless stock status and conditions  
43 improve before that time. The proponent anticipates  
44 Federal subsistence users who fish in Federal claimed  
45 waters will likely see a reduction in harvest during  
46 enactment of this fisheries management plan. If Federal  
47 regulations differ from State regulations fishing for  
48 Chinook salmon may be more liberal in waters not claimed  
49 under Federal jurisdiction. This would increase the  
50 responsibility of subsistence users to identify the

1 applicability of differing subsistence laws and  
2 regulations based on land ownership and claimed Federal  
3 jurisdiction.

4  
5                   Salmon may be harvested under State of  
6 Alaska regulations throughout the majority of the Yukon  
7 River watershed, including in a liberal subsistence  
8 fishery. Under State regulations subsistence is the  
9 priority consumptive use, therefore State subsistence  
10 fishing opportunity is directly linked to abundance and  
11 is not restricted unless run size is inadequate to meet  
12 escapement needs. When the Yukon River Chinook salmon  
13 run is below average the State subsistence fishing  
14 periods may be conducted based on a schedule implemented  
15 chronologically throughout the Alaska portion of the  
16 drainage which is consistent with migratory timing as the  
17 salmon run progresses upstream.

18  
19                   The Yukon River Chinook salmon stock is  
20 currently classified as a stock of yield concern. Since  
21 2001 subsistence fishing time in the Yukon area has been  
22 limited by a windows schedule. A majority of the Yukon  
23 River drainage escapement goals have been met or exceeded  
24 since 2000 including the Chena and Salcha Rivers which  
25 are the largest producers of Chinook salmon in the United  
26 States portion of the drainage. The escapement objective  
27 for the Canadian mainstem was met every year from 2001  
28 through 2006 with 2001, 2003 and 2005 being the three  
29 highest spawning escapement estimates on record. The  
30 escapement objective for the Canadian mainstem was not  
31 met in 2007 and 2008 and, I guess, adding to that also in  
32 2010.

33  
34                   Although the subsistence harvest  
35 continues to remain stable at nearly 50,000 Chinook  
36 salmon annually, commercial harvests have decreased over  
37 60 percent from an average of 100,000 annually to the  
38 recent five year average of nearly 23,000 fish.  
39 Considering all salmon species together, the overall  
40 total subsistence salmon harvest in the Yukon area has  
41 declined by approximately 30 percent since 1990.  
42 Specifically fall chum salmon harvests have fallen within  
43 amounts necessary for subsistence ranges only three times  
44 since 2001. It is not possible to determine whether size  
45 selective harvest, variations in environment or a  
46 combination of factors are causing a decrease in harvest  
47 of age seven fish or decreasing size trends of older  
48 fish. Decreasing size of Chinook salmon has been  
49 anecdotally noted across much of the state in recent  
50 years, however increasing the number of larger and older

1 Chinook salmon in spawning escapements through mesh size  
2 regulations should provide for better future production  
3 potential.

4  
5                   It is not necessary to prohibit harvest  
6 of all Chinook salmon during the first pulse by  
7 regulation for a 12 year period if harvestable surplus is  
8 available. A management strategy of fisheries closures  
9 during the first pulse poses a hardship to subsistence  
10 users and would likely increase exploitation on other  
11 stocks or stock groupings. As part of preseason planning  
12 with public involvement this type of action can be taken  
13 by managers through emergency order authority as a  
14 conservation measure to meet escapement goals and Yukon  
15 River Treaty obligations. However managers and fishermen  
16 need flexibility in order to adjust this management  
17 strategies. For example, given the variation in stock  
18 specific run timing it may be better biologically to  
19 distribute subsistence closures over the first two  
20 pulses rather than singling out the first pulse  
21 throughout the river.

22  
23                   The Department's recommendation to this  
24 proposal is to oppose.

25  
26                   Thank you, Mr. Chair.

27  
28                   \*\*\*\*\*  
29                   STATE OFFICIAL WRITTEN COMMENTS  
30                   \*\*\*\*\*

31  
32                   Alaska Department of Fish and Game  
33                   Comments to the Regional Advisory Council

34  
35                   Fisheries Proposal FP11-02:

36  
37                   Establish a new Yukon River chinook  
38 salmon fisheries management plan for all fisheries in  
39 order to protect the first pulse of returning salmon.

40  
41                   Introduction:

42  
43                   Jack Reakoff submitted this proposal to  
44 establish a 12-year management plan to prohibit harvest  
45 of chinook salmon in sequentially rolling statistical  
46 area closures during the first pulse of returning salmon  
47 (or the second pulse if the first pulse does not  
48 materialize) in waters claimed under federal jurisdiction  
49 from the mouth of the Yukon River to the Canadian border.  
50 The proponent indicates this first pulse protection plan

1 will provide greater protection of the chinook salmon  
2 stocks without negatively impacting conservation of other  
3 stocks. The proposal requests the pulse protection plan  
4 be implemented for at least 12 years or until such time  
5 that chinook salmon stock abundance and quality are  
6 restored to a level that provides sustained yields from  
7 normal commercial and subsistence fisheries. Note that  
8 approximately half of Yukon River chinook salmon spawn in  
9 Alaska and do not migrate the full 1,900 miles of river.

10

11 Impact on Subsistence Users:

12

13 If adopted, federal subsistence users  
14 would be required to forgo harvest of chinook salmon  
15 during the first or second pulse of chinook salmon  
16 returning to the Yukon River in waters claimed under  
17 federal jurisdiction through the year 2022 unless stock  
18 status and conditions improve before that time. The  
19 proponent anticipates federal subsistence users who fish  
20 in federal-claimed waters will likely see a reduction in  
21 harvest during enactment of this fisheries management  
22 plan. If federal regulations differ from state  
23 regulations, fishing for chinook salmon may be more  
24 liberal in waters not claimed under federal jurisdiction.  
25 This would increase the responsibility of subsistence  
26 users to identify the applicability of differing  
27 subsistence laws and regulations based on land ownership  
28 and claimed federal jurisdiction.

29

30 Opportunity Provided by State:

31

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

1 federally-eligible users have been rare and mirrored the  
2 state in-season actions necessary to meet escapement  
3 goals, except where state and federal regulations differ  
4 in subdistricts 4-B and 4-C. Amounts reasonably  
5 necessary for subsistence (ANS) for chinook salmon (5AAC  
6 01.236 (b)), as determined by the Alaska Board of  
7 Fisheries, have been met in the Yukon River drainage for  
8 six of the last nine years (below ANS in 2002, 2008, and  
9 2009).

10

11

#### Conservation Issues:

12

13

The Yukon River chinook salmon stock is  
14 currently classified as a stock of yield concern. Since  
15 2001, subsistence fishing time in the Yukon Area has been  
16 limited by a windows schedule, which was further  
17 restricted in 2008 and 2009 because of conservation  
18 concerns for chinook salmon. Subsistence harvest levels  
19 for chinook salmon have been within the amounts  
20 reasonably necessary for subsistence (ANS) ranges since  
21 2001, except for 2002, 2008, and 2009. A majority of the  
22 Yukon River drainage escapement goals have been met or  
23 exceeded since 2000, including the Chena and Salcha  
24 rivers, which are the largest producers of chinook salmon  
25 in the United States portion of the drainage. The  
26 escapement objective for the Canadian mainstem was met  
27 every year from 2001 through 2006, with 2001, 2003, and  
28 2005 being the three highest spawning escapement  
29 estimates on record. The escapement objective for the  
30 Canadian mainstem was not met in 2007 and 2008.  
31 Exploitation rate on Canadian-origin stock by Alaskan  
32 fishermen decreased from an average of about 55% (1989  
33 1998) to an average of about 44% from 2004 through 2008  
34 (Howard et al. 2009). Although the subsistence harvest  
35 continues to remain stable at nearly 50,000 chinook  
36 salmon annually, commercial harvests have decreased over  
37 60%, from an average of 100,000 annually (1989 1998) to  
38 the recent 5-year average (2005 2009) of nearly 23,000  
39 fish. Considering all salmon species together, the  
40 overall total subsistence salmon harvest in the Yukon  
41 Area has declined by approximately 30% since 1990 (Fall  
42 et al. 2009:39). Specifically, fall chum salmon harvests  
43 have fallen within ANS ranges only three times since 2001  
44 (Fall et al. 2009:43).

45

46

It is not possible to determine whether  
47 size-selective harvests, variations in environment, or a  
48 combination of factors are causing a decrease in harvest  
49 of age-7 fish or decreasing size trends of older fish  
50 (JTC SSS 2006). Decreasing size of chinook salmon has

1 been anecdotally noted across much of the state in recent  
2 years. However, increasing the number of larger and  
3 older chinook salmon in spawning escapements through mesh  
4 size regulations should provide for better future  
5 production potential. The Alaska Board of Fisheries  
6 adopted a maximum mesh size of 7.5 inches for subsistence  
7 and commercial gillnets effective in 2011 in the Yukon  
8 Area. The Federal Subsistence Board took no action on  
9 deferred proposal FP09-13 to limit mesh depth at the  
10 April 13 14, 2010, meeting after adopting deferred  
11 proposal FP09-12 parallel to the Alaska Board restriction  
12 to a maximum net mesh size restriction of 7.5 inches.

13

14 Jurisdiction Issues:

15

16 A large percentage of the lands along the  
17 Yukon River are state or private lands on which  
18 subsistence users must use gear types consistent with  
19 state regulations. If this proposal is adopted, detailed  
20 maps are needed that depict land ownership and specific  
21 boundaries of areas where federal regulations are claimed  
22 to apply, so that fishermen know when they are on state  
23 or private lands (including state-owned submerged lands  
24 and shorelands) where they must comply with state laws  
25 and regulations.

26

27 Other Issues:

28

29 It is not necessary to prohibit harvest  
30 of all chinook salmon during the first pulse by  
31 regulation for a 12-year period if a harvestable surplus  
32 is available. A management strategy of fisheries  
33 closures during the first pulse poses a hardship to  
34 subsistence users and would likely increase exploitation  
35 on other stocks or stock groupings. As part of preseason  
36 planning with public involvement, this type of action can  
37 be taken by managers through emergency order authority as  
38 a conservation measure to meet escapement goals and Yukon  
39 River Treaty commitments. However, managers and  
40 fishermen need flexibility in order to adjust this  
41 management strategy. For example, given the variation in  
42 stock specific run timing, it may be better biologically  
43 to distribute subsistence closures over the first two  
44 pulses rather than singling out the first pulse  
45 throughout the river.

46

47 Recommendation:

48

49 Oppose.

50

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2

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9 346, Anchorage.

10

11 Howard K.G., S.J. Hayes, and D.F.  
12 Evenson. 2009. Yukon River chinook salmon stock status  
13 and action plan 2010; a report to the Alaska Board of  
14 Fisheries. Alaska Department of Fish and Game, Special  
15 Publication No. 09-26, Anchorage.

16

17 JTC SSS (Joint Technical Committee Salmon  
18 Size Committee of the Yukon River US/Canada Panel). 2006.  
19 Potential causes of size trends in Yukon River chinook  
20 salmon populations. ADF&G, Division of Commercial  
21 Fisheries, Regional Information Report No. 3A06-07,  
22 Anchorage, AK.

23

24 CHAIRMAN IVANOFF: Thank you, Mr.  
25 Linderman. Any questions from the RAC.

26

27 Mr. Quinn.

28

29 MR. QUINN: Is it really possible for  
30 managers to identify a pulse and then monitor it through  
31 the whole migration up that river?

32

33 MR. LINDERMAN: Through the Chair. Mr.  
34 Quinn. We have estimates based -- run timing estimates  
35 based upon radio telemetry and tagging studies that allow  
36 us to estimate when specific portions of the run, once  
37 they're identified in the lower river either through test  
38 fisheries or sonar, arrive in certain districts further  
39 up river. Are they dead on accurate down to the  
40 individual villages, there can be slight variability, but  
41 it gives us an adequate picture from a management  
42 precision perspective to be able to identify when those  
43 closures should occur. Is it going to be exactly the  
44 same in every district, no, but it's likely adequate to  
45 provide protections that are being sought from any type  
46 of restrictions or closures on individual sections or  
47 portions of the run.

48

49 MR. QUINN: Okay. And Mr. Rivard said  
50 that the first and second pulse constitutes 50 percent of

1 the king run in the river?  
2  
3 MR. LINDERMAN: Is that question for me?  
4  
5 MR. QUINN: Yeah, I'm asking if you agree  
6 with that, I guess.  
7  
8 MR. LINDERMAN: In general I'd say yeah,  
9 through the first and second pulses typically you'll see  
10 about half of the run coming through, yeah.  
11  
12 MR. QUINN: So if we -- if this proposal  
13 passed the second half of the run's going to absorb all  
14 of the subsistence fishing?  
15  
16 MR. LINDERMAN: There is the possibility  
17 to shift your exploitation away from the first portion of  
18 the run to the second portion of the run, that's correct.  
19  
20 MR. QUINN: Okay. Thanks.  
21  
22 CHAIRMAN IVANOFF: Further questions.  
23  
24 (No comments)  
25  
26 CHAIRMAN IVANOFF: Hearing none, thank  
27 you.  
28  
29 MR. LINDERMAN: Thank you.  
30  
31 CHAIRMAN IVANOFF: Federal, State, Tribal  
32 Agency comments.  
33  
34 (No comments)  
35  
36 CHAIRMAN IVANOFF: There are no  
37 InterAgency Staff Committee comments.  
38  
39 Fish and Game Advisory Committee  
40 comments.  
41  
42 (No comments)  
43  
44 CHAIRMAN IVANOFF: Summary of written  
45 public comments.  
46  
47 Mr. Nick.  
48  
49 MR. NICK: Mr. Chair. We received a  
50 total of six written public comments, one in support of

1 the proposal and five in opposition.

2

3 Mr. Chair.

4

5 CHAIRMAN IVANOFF: Thank you. Public

6 testimony.

7

8 MR. NICK: Mr. Chair.

9

10 CHAIRMAN IVANOFF: Mr. Nick.

11

12 MR. NICK: The Yukon-Kuskokwim Delta  
13 opposed Proposal FP-02 and they provided justification  
14 for opposing that by stating that Figure 7 indicates  
15 closing subsistence salmon fishing when first pulse  
16 arrives may not resolve problem with decrease of run  
17 strength. Restrictions is not necessary given current  
18 regulations in place and in-season management. Women  
19 should be interviewed more because they do all the work  
20 when salmon is harvested. This proposal seemed that it  
21 is only trying to make a point. And during their  
22 deliberation the reason why they mention women is because  
23 they felt that men go commercial fishing and then when  
24 they -- the harvested fish are brought back women do all  
25 the work and they know all about what's been harvested  
26 for subsistence.

27

28 Mr. Chair.

29 CHAIRMAN IVANOFF: Thank you, Mr. Nick.

30 I'm not arguing with that.

31

32 (Laughter)

33

34 MR. RIVARD: Mr. Chair. I have the  
35 recommendation of the Western Interior Council.

36

37 CHAIRMAN IVANOFF: Very good. Thank you.

38 I'd appreciate that.

39

40 MR. RIVARD: For FP11-02 the Western  
41 Interior Regional Advisory Council supports with  
42 modification to reduce the effective period from 12 years  
43 to four and modify the language to read as follows. And  
44 if you look on the top of Page 40 you'll see this  
45 difference in the -- top of Page 40 there's some --  
46 that's Item B and it's bolded. And they're asking to  
47 change what's there, it's a slight change. I'm going to  
48 read what they are proposing for this Item B. Federal  
49 public waters of the Yukon River will be closed or  
50 predominantly closed to the taking of Chinook salmon by

1 all users sequentially from the river mouth to the  
2 Canadian border during the first pulse of Chinook salmon  
3 through very short or no openings using statistical area  
4 closures to provide greater protection to expressly  
5 protect the US/Canadian Yukon River Panel agreed upon  
6 escapement goal which negatively impacts conservation of  
7 other stocks. This regulation will be in place for four  
8 years.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN IVANOFF: Thank you.

13

14 MR. BUCK: Mr. Chair.

15

16 CHAIRMAN IVANOFF: Yes, Mr. Buck.

17

18 MR. BUCK: I think that the commercial  
19 harvesters should be stopped before they can make the --  
20 but the subsistence users should have their own access  
21 even during these two runs.

22

23 Thank you.

24

25 CHAIRMAN IVANOFF: Okay. Questions or  
26 comments from the Committee.

27

28 (No comments)

29

30 CHAIRMAN IVANOFF: I'll be voting against  
31 the proposal. There are two real concerns I've got is  
32 that there would be a fragmented management approach.  
33 And I think as Mr. Linderman has stated, the managers  
34 need the flexibility. The other really big reason is  
35 that we've heard a lot of -- through last summer and the  
36 summer before the subsistence users along the Yukon River  
37 have been very dissatisfied with closures and inability  
38 to fish. With this closure of 12 years it doesn't give  
39 them that ability to fish when the fish are there should  
40 there be a harvestable surplus. And really, really  
41 contentious issue of really concern by the Yukon River  
42 fishermen, subsistence fishermen along the Yukon just  
43 feeling over really restricted and so I'll be voting  
44 against this proposal.

45

46 Further questions or comments.

47

48 (No comments)

49

50 CHAIRMAN IVANOFF: Oh, I guess I'm

1 getting ahead of myself. I need a motion to adopt.  
2  
3 MR. QUINN: So moved.  
4  
5 CHAIRMAN IVANOFF: Motion on the floor,  
6 Mr. Quinn.  
7  
8 MR. BUCK: Second.  
9  
10 MR. KEYES: Second.  
11  
12 CHAIRMAN IVANOFF: Seconded by Mr. Buck  
13 and Mr. Keyes.  
14  
15 Discussion on the motion. I'd refer to  
16 my statements I just made and be involved in that  
17 discussion purpose. Any further discussion.  
18  
19 (No comments)  
20  
21 CHAIRMAN IVANOFF: If there are none I  
22 would entertain a motion to.....  
23  
24 MR. QUINN: Question.  
25  
26 CHAIRMAN IVANOFF: .....call for a  
27 question. Question called for on a motion. '  
28  
29 All in favor of the motion signify by  
30 saying aye.  
31  
32 MR. MARTIN: Aye.  
33  
34 CHAIRMAN IVANOFF: One aye. All those  
35 opposed the same sign.  
36  
37 IN UNISON: Aye.  
38  
39 CHAIRMAN IVANOFF: The motion has failed.  
40 We are in opposition to Yukon River FP11-02.  
41  
42 FP11-03, defining the additional  
43 subdistricts along the Yukon River.  
44  
45 Mr. Rivard.  
46  
47 MR. RIVARD: Thank you, Mr. Chair.  
48  
49 CHAIRMAN IVANOFF: On Page 68.  
50

1 MR. RIVARD: The analysis for Proposal  
2 FP11-03 begins on Page 69 in your book. This proposal  
3 submitted by Andrew Firmin of Fort Yukon requests that  
4 Federal public waters of Yukon River Subdistrict 5-D be  
5 further subdivided into three subdistricts to provide  
6 managers additional flexibility to more precisely  
7 regulate harvests while conserving the Chinook salmon run  
8 that spawns in the upper Yukon River. This proposal as  
9 submitted appears to change existing State regulations.  
10 If the Federal Subsistence Board were to adopt the  
11 proposal in Federal regulations and redefine this  
12 subdistrict's boundaries, State and Federal regulations  
13 would not be aligned and could result in confusion for  
14 fishermen. The intent of the proposal is to provide  
15 managers enhanced capability to manage subsistence  
16 fisheries in Subdistrict 5-D thereby conserving upper  
17 river Chinook salmon spawning stocks. And again you can  
18 look on Page 17 in your book for this map and you can see  
19 that 5-D is the one up -- that goes from the -- basically  
20 the southwest border of the Yukon Flats National Wildlife  
21 Refuge to the Canadian border.

22  
23 MR. KEYES: There's a better map on Page  
24 20.

25  
26 MR. RIVARD: Well, but I'm also going to  
27 refer you to another map. I apologize for that. Map 2  
28 found on Page 71 and Table 1 on Page 75 provide a summary  
29 of the relevant information associated with this  
30 proposal. So it shows you the existing -- Map 1 shows  
31 the existing current fishing districts and then the  
32 proposed fishing districts on Map 2.

33  
34 This subdistrict is very long, 5-D,  
35 requiring over a week for migrating fish to travel  
36 through it. Therefore the intent of the proposal makes  
37 sense and should be supported. However other options are  
38 available to address the positive intent of this proposal  
39 without placing State and Federal regulations potentially  
40 in conflict. In the short term both State and Federal  
41 managers could agree with the benefit of modifying  
42 existing boundaries of Subdistrict 5-D. During the 2009  
43 fishery season managers used emergency order authority to  
44 divide the subdistrict into upper and lower subdistricts  
45 during management of the fall chum salmon fishery. This  
46 could potentially be done for the Chinook salmon fishery  
47 as well. A longer term option would be for the proponent  
48 to submit the proposal to the Alaska Board of Fisheries  
49 during its 2013 meeting for the AYK Region. If adopted  
50 as State regulation existing Federal regulations would

1 automatically adjust so that State and Federal  
2 regulations were consistent.

3

4 Mr. Chair. The OSM preliminary  
5 conclusion is to oppose Proposal FP11-03.

6

7 Thank you.

8

9 CHAIRMAN IVANOFF: Thank you, Mr. Rivard.  
10 Questions.

11

12 (No comments)

13

14 CHAIRMAN IVANOFF: We'll continue with  
15 Mr. Linderman.

16

17 MR. LINDERMAN: Thank you, Mr. Chair.  
18 Council Members. On Proposal FP-03 this proposal was  
19 submitted to further divide Yukon River area fisheries  
20 Subdistrict 5-D into three new subdistricts of 5-E, 5-F  
21 and 5-G, for the purpose of improving management  
22 efficiency of the Federal subsistence fishery. The  
23 proposal was also submitted to the Alaska Board of  
24 Fisheries.

25

26 The intent of the proposal is to give  
27 management a finer tool to more precisely regulate  
28 harvest while protecting portions of the salmon runs.  
29 The proponent indicates the size of Subdistrict 5-D,  
30 which is approximately 400 miles in length, is too large  
31 to effectively manage if pulses of fish require  
32 protection.

33

34 Federal subsistence users could benefit  
35 from sequential closures due to increased opportunities  
36 to harvest fish when salmon pulses are present. Federal  
37 subsistence users within the proposed subdistricts could  
38 benefit from more precise and succinct area closures.

39

40 Adoption of this proposal has the  
41 potential to more evenly distribute Federal subsistence  
42 harvest within Subdistrict 5-D during salmon runs that  
43 require reduced exploitation for conservation purposes.

44

45 The Federal Board does not have authority  
46 to establish regulatory boundaries for State regulated  
47 commercial and subsistence fisheries. If the Federal  
48 Subsistence Board adopts fisheries subdistrict boundaries  
49 that are different from the existing boundaries  
50 authorized by the Alaska Board of Fisheries, subsistence

1 users will be responsible for knowing where the claimed  
2 Federal jurisdiction applies. Difficulty in enforcement  
3 may result.

4  
5                   The Alaska Department of Fish and Game  
6 and the Federally designated officials already have  
7 delegated or regulatory authority to close and open  
8 fisheries by area as necessary. In other words open and  
9 close fishing areas such as requested in this proposal.  
10 As long as State managers and designated Federal  
11 officials continue the current cooperative consultation  
12 process for management adoption of this proposal is not  
13 necessary to manage salmon runs through Subdistrict 5-D.  
14 If State resource managers determine that subdistricts  
15 are needed on a reoccurring basis -- that new  
16 subdistricts are needed on a reoccurring basis, a  
17 proposal to the Alaska Board of Fisheries to formalize  
18 further subdivision of Subdistrict 5-D could be  
19 developed.

20  
21                   The Department's recommendation is to  
22 oppose.

23  
24                   \*\*\*\*\*  
25                   STATE OFFICIAL WRITTEN COMMENTS  
26                   \*\*\*\*\*

27  
28                   Alaska Department of Fish and Game  
29                   Comments to the Regional Advisory Council

30  
31                   Fisheries Proposal FP11-03:

32  
33                   Further subdivide Upper Yukon River Area  
34 Subdistrict 5-D.

35  
36                   Introduction:

37  
38                   Andrew Firmin submitted this proposal to  
39 further subdivide Yukon River Area fisheries Subdistrict  
40 5-D into three new subdistricts, 5-E, 5-F, and 5-G, for  
41 the purpose of improving management efficiency of the  
42 federal subsistence fishery. The proposal was also  
43 submitted as a proposal to the Alaska Board of Fisheries.  
44 The intent of the proposal is to give management a finer  
45 tool to more precisely regulate harvest while protecting  
46 portions of the salmon runs. The proponent indicates  
47 adoption of this proposal will enhance fisheries managers  
48 abilities to manage a large stretch of the Yukon River  
49 for the benefit of fish populations as well as user  
50 groups during times when it is necessary to reduce

1 subsistence fishing time for conservation purposes. The  
2 proponent indicates the size of Subdistrict 5-D  
3 (approximately 400 miles in length) is too large to  
4 effectively manage if pulses of fish require protection.  
5 In 2008 and 2009, Subdistrict 5-D was divided into two  
6 sections when subsistence fishing time was restricted in  
7 order to meet escapement goals. This proposal would  
8 define three new subdistricts as follows:

9  
10                   5AAC05.200 (e)(4)(i) Subdistrict 5E  
11 consists of the Yukon River drainage from ADF&G  
12 regulatory markers located approximately two miles  
13 downstream from Waldron Creek upstream to the Hadweenzic  
14 River.

15  
16                   5AAC05.200 (e)(4)(ii) Subdistrict 5F  
17 consists of the Yukon River drainage from Hadweenzic  
18 River upstream to 22 Mile Slough.

19  
20                   5AAC05.200 (e)(4)(iii) Subdistrict 5G  
21 consists of the Yukon River drainage from 22 Mile Slough  
22 upstream to the United States Canada border.

23  
24                   Impact on Subsistence Users:

25  
26                   The proposal would establish three new  
27 subdistricts in which the federal subsistence fisheries  
28 could be sequentially opened or closed for conservation  
29 purposes as pulses of salmon migrate through this section  
30 of the Yukon River. Federal subsistence users could  
31 benefit from sequential closures due to increased  
32 opportunities to harvest fish when salmon pulses are  
33 present. Federal subsistence users within the proposed  
34 subdistricts could benefit from more precise and succinct  
35 area closures. Adoption of this proposal has the  
36 potential to more evenly distribute federal subsistence  
37 harvest within Subdistrict 5-D during salmon runs that  
38 require reduced exploitation for conservation purposes.

39  
40                   Opportunity Provided by State:

41  
42                   Salmon may be harvested under state  
43 regulations throughout the majority of the Yukon River  
44 watershed, including a liberal subsistence fishery. Gear  
45 types allowed are gillnet, beach seine, hook and line  
46 attached to a rod or pole, hand line, and fish wheel.  
47 Although all gear types are not used or allowed in all  
48 portions of the Yukon River drainage, drift and set  
49 gillnets, and fish wheels harvest the majority of fish  
50 taken for subsistence uses. Under state regulations,

1 subsistence is the priority consumptive use. Therefore,  
2 state subsistence fishing opportunity is directly linked  
3 to abundance and is not restricted unless run size is  
4 inadequate to meet escapement needs. When the Yukon  
5 River chinook salmon run is below average, the state  
6 subsistence fishing periods may be conducted based on a  
7 schedule implemented chronologically throughout the  
8 Alaska portion of the drainage, which is consistent with  
9 migratory timing as the salmon run progresses upstream.  
10 The regulatory schedule for Subdistrict 5-D allows  
11 subsistence fishing seven days per week. If the run is  
12 not large enough to meet escapement goals, Alaska  
13 Department of Fish and Game will restrict fishing time or  
14 close subsistence fishing. Amounts reasonably necessary  
15 for subsistence for chinook salmon (5AAC 01.236 (b)), as  
16 determined by the Alaska Board of Fisheries, have been  
17 met in the Yukon River drainage for six of the last nine  
18 years.

19

20

#### Conservation Issues:

21

22

23 The Yukon River chinook salmon stock is  
24 currently classified as a stock of yield concern. Since  
25 2001, subsistence fishing time in the Yukon Area has been  
26 limited by a windows schedule which was further  
27 restricted in 2008 and 2009 because of conservation  
28 concerns for chinook salmon. Subsistence harvest levels  
29 for chinook salmon have been within the amounts  
30 reasonably necessary for subsistence (ANS) ranges since  
31 2001, except for 2002, 2008, and 2009. A majority of the  
32 Yukon River drainage escapement goals have been met or  
33 exceeded since 2000, including the Chena and Salcha  
34 rivers, which are the largest producers of chinook salmon  
35 in the United States portion of the drainage. The  
36 escapement objective for the Canadian mainstem was met  
37 every year from 2001 through 2006, with 2001, 2003, and  
38 2005 being the three highest spawning escapement  
39 estimates on record. The escapement objective for the  
40 Canadian mainstem was not met in 2007 and 2008.  
41 Exploitation rate on Canadian-origin stock by Alaskan  
42 fishermen decreased from an average of about 55% (1989  
43 1998) to an average of about 44% from 2004 through 2008  
44 (Howard et al. 2009). Although the subsistence harvest  
45 continues to remain stable at nearly 50,000 chinook  
46 salmon annually, commercial harvests have decreased over  
47 60% from an average of 100,000 annually (1989 1998) to  
48 the recent 5-year average (2005 2009) of nearly 23,000  
49 fish. Considering all salmon species together, the  
50 overall total subsistence salmon harvest in the Yukon  
Area has declined by approximately 30% since 1990 (Fall

1 et al. 2009:39).

2

3

Jurisdiction Issues:

4

5

6 The federal board does not have authority  
7 to establish regulatory boundaries for state-regulated  
8 commercial and subsistence fisheries. If the Federal  
9 Subsistence Board adopts fisheries subdistrict boundaries  
10 that are different from the existing boundaries  
11 authorized by the Alaska Board of Fisheries, subsistence  
12 users will be responsible for knowing where the claimed  
13 federal jurisdiction applies. Difficulty in enforcement  
14 may result.

14

15

16 A large percentage of the lands along the  
17 Yukon River are state or private lands on which  
18 subsistence users must use gear types consistent with  
19 state regulations. If this proposal is adopted, detailed  
20 maps are needed that depict land ownership and specific  
21 boundaries of areas where federal regulations are claimed  
22 to apply, so that fishermen know when they are on state  
23 or private lands (including state-owned submerged lands  
24 and shorelands) where they must comply with state laws  
25 and regulations.

25

26

Other Issues:

27

28

29 The Alaska Department of Fish and Game  
30 and the federally designated officials already have  
31 delegated or regulatory authority to close and open  
32 fisheries by area as necessary; i.e., open and close  
33 fishing areas such as requested in this proposal. As  
34 long as the state managers and designated federal  
35 officials continue the current cooperative consultation  
36 process for management, adoption of this proposal is not  
37 necessary to manage salmon runs through Subdistrict 5-D.  
38 If state resource managers determine that subdistricts  
39 are needed on a re-occurring basis; a proposal to the  
40 Alaska Board of Fisheries to formalize further  
41 subdivision of Subdistrict 5-D could be developed.

41

42

Recommendation:

43

44

Oppose.

45

46

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47

48

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5  
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7 Evenson. 2009. Yukon River chinook salmon stock status  
8 and action plan 2010; a report to the Alaska Board of  
9 Fisheries. Alaska Department of Fish and Game, Special  
10 Publication No. 09-26, Anchorage.

11  
12 CHAIRMAN IVANOFF: Thank you. There are  
13 no questions or comments.

14  
15 (No comments)

16  
17 CHAIRMAN IVANOFF: Continue then with the  
18 Federal, State and Tribal Agency comments. Any comments.

19  
20 (No comments)

21  
22 CHAIRMAN IVANOFF: No InterAgency  
23 Comments.

24  
25 (No comments)

26  
27 CHAIRMAN IVANOFF: Fish and Game Advisory  
28 Committee comments.

29  
30 (No comments)

31  
32 CHAIRMAN IVANOFF: Hearing none. Summary  
33 of written public comments.

34  
35 Mr. Nick.

36  
37 MR. NICK: Mr. Chair. We received one  
38 written public comment in support of the proposal and  
39 it's on Page 83.

40  
41 Mr. Chair.

42  
43 CHAIRMAN IVANOFF: Okay. Any public  
44 testimony.

45  
46 (No comments)

47  
48 CHAIRMAN IVANOFF: Hearing none, Mr.  
49 Nick, actions from the other RAC members and.....

50

1 MR. NICK: Mr. Chair. On Proposal FP11-  
2 03, YK Council opposed that proposal and again this is  
3 just a draft justification. One of the Council members  
4 wanted to suggest to take no action on this proposal, but  
5 he wanted the Council to discuss that and then the  
6 Council believes what this proposal requests is  
7 unnecessary.

8

9 Mr. Chair.

10

11 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
12 Mr. Rivard.

13

14 MR. RIVARD: Mr. Chair. The Western  
15 Interior Regional Advisory Council voted to defer this  
16 proposal to allow for more local input and submission to  
17 the State process while also being considered in the  
18 Federal process.

19

20 CHAIRMAN IVANOFF: Thank you very much.

21

22

23 MR. BUCK: Mr. Chair.

24

25 CHAIRMAN IVANOFF: Yes, Mr. Buck.

26

27 MR. BUCK: With the Council of the  
28 Athabaskan Tribal Government I'd like to backup their  
29 opinion to support.

30

31 CHAIRMAN IVANOFF: Mr. Buck, thank you.

32

33

34 We -- in order to start deliberations, we  
35 would need to entertain a motion to place this on for  
36 discussion, but my recommendation is it's so far up the  
37 river from where we are on the Seward Peninsula although  
38 we have Stebbins fishing in the Yukon River, but they're  
39 mostly at the mouth, I would hate to get into a boundary  
40 dispute that's going on up in the middle part of the  
41 Yukon River when basically we have no dealings with it.  
42 And my recommendation is that we take no action on this  
43 proposal just because of that fact. And it's just way up  
44 out of our boundary. That would be my recommendation.  
45 Any objections.

46

47 MR. QUINN: I'll make a motion.

48

49 CHAIRMAN IVANOFF: Mr. Quinn.

50

1 MR. QUINN: I move that we take no action  
2 on this proposal.  
3  
4 CHAIRMAN IVANOFF: Motion on the floor.  
5  
6 MR. BUCK: Second.  
7  
8 CHAIRMAN IVANOFF: Seconded by Mr. Buck.  
9  
10 MR. KEYES: This is Anthony Keyes. Why  
11 couldn't we let the Yukon people take care of this  
12 instead of us up here at the Bering Strait region. We  
13 have nothing much to do with that part of the region.  
14 I'd like to see the Yukon RAC -- Yukon and Kuskokwim RAC  
15 take care of this on their own because that -- you know,  
16 they're the ones that are on that Yukon River and we're  
17 not. We just hear about what they do and we can't do  
18 nothing about it.  
19  
20 CHAIRMAN IVANOFF: Thank you, Mr. Keyes.  
21 Further discussion.  
22  
23 (No comments)  
24  
25 MR. RIVARD: Mr. Chair.  
26  
27 CHAIRMAN IVANOFF: Yes, Mr. Rivard.  
28  
29 MR. RIVARD: To answer Mr. Keyes'  
30 question.....  
31  
32 CHAIRMAN IVANOFF: Yes.  
33  
34 MR. RIVARD: .....I believe that probably  
35 the next time this will be taken up will be at the State  
36 Board of Fisheries meeting in 2013 is when their next  
37 scheduled meeting is for the AYK Region.  
38  
39 CHAIRMAN IVANOFF: Okay. Thank you.  
40 Further discussion.  
41  
42 (No comments)  
43  
44 CHAIRMAN IVANOFF: Hearing none.  
45  
46 MR. QUINN: Question.  
47  
48 CHAIRMAN IVANOFF: Question called for on  
49 the motion.  
50

1 All in favor of the motion to take no  
2 action on this signify by saying aye.  
3  
4 IN UNISON: AYE.  
5  
6 CHAIRMAN IVANOFF: Any opposed the same  
7 sign.  
8  
9 (No opposing votes)  
10  
11 CHAIRMAN IVANOFF: Motion carries. Thank  
12 you very much.  
13  
14 MR. QUINN: Mr. Chair.  
15  
16 CHAIRMAN IVANOFF: Yes.  
17  
18 MR. QUINN: I see you look at your watch,  
19 maybe you're thinking the same thing as me, I was going  
20 to request a short break.  
21  
22 CHAIRMAN IVANOFF: Okay. We'll have a 10  
23 minute break.  
24  
25 Thank you.  
26  
27 (Off record)  
28  
29 (On record)  
30  
31 CHAIRMAN IVANOFF: I'll call the meeting  
32 back to order. Continue with the proposals. FP11-04,  
33 permitting use of fish wheels to harvest salmon in Yukon  
34 River Districts 4 and 5.  
35  
36 Mr. Don Rivard.  
37  
38 MR. RIVARD: Thank you, Mr. Chair. The  
39 analysis for Proposal FP11-04 begins on Page 85 in your  
40 book.  
41  
42 This proposal submitted by Stanislaus  
43 Sheppard with the Mountain Village Working Group requests  
44 the use of fish wheels be prohibited for the harvest of  
45 salmon in Districts 4 and 5 of the Yukon area to allow  
46 more fish to escape to the spawning grounds. Current  
47 Federal and State regulations allow subsistence users to  
48 utilize fish wheels to harvest salmon in the mainstem  
49 Yukon River from the mouth to the Canadian border. It  
50 should be noted that if this proposal were adopted

1 Federally-qualified users would still be able to utilize  
2 fish wheels to harvest salmon under State regulations in  
3 State waters in Districts 4 and 5 from just south of  
4 Anvik to the Canadian border. You can see these fishing  
5 districts again on Page 86 in your book, there's another  
6 map, a little different type of map, but that does show  
7 you the districts.

8  
9 Fish wheels comprise only 7 percent of  
10 the reported combined subsistence and personal use gear  
11 types on the Yukon River with set gillnets comprising 48  
12 percent and drift gillnets 37 percent. The use of fish  
13 wheels is on the decline in the Yukon River and gillnets  
14 have become the predominant gear type for salmon  
15 subsistence fishing. Eliminating the use of fish wheels  
16 in Districts 4 and 5 in Federal regulations would not  
17 accomplish the proponent's objective to allow more fish  
18 to escape to the spawning grounds as again Federally-  
19 qualified users would still be able to utilize fish  
20 wheels to harvest salmon under State regulations. When  
21 run projections indicate that escapement shortfalls are  
22 likely fisheries managers have the ability and authority  
23 to restrict harvest under the existing regulatory  
24 management framework such as reducing fishing time or not  
25 opening fishing periods to increase escapement as was  
26 done for Chinook salmon escapement into Canada in 2009 as  
27 an example.

28  
29 Mr. Chair. The OSM preliminary  
30 conclusion is to oppose Proposal FP11-04.

31  
32 Thank you.

33  
34 CHAIRMAN IVANOFF: Thank you. Any  
35 questions for Mr. Rivard.

36  
37 (No comments)

38  
39 CHAIRMAN IVANOFF: Hearing none, Mr.  
40 Linderman.

41  
42 MR. LINDERMAN: Mr. Chairman. Council  
43 Members. On Proposal FP-04.

44  
45 Subsistence fisheries on the Yukon River  
46 employ a number of gear types including fish wheels to  
47 harvest salmon at different times of year. The method  
48 and timing of harvest are based on traditional and  
49 customary uses in different areas of the Yukon River  
50 drainage. Studies conducted by the Department have found

1 that between 2003 and 2007 the average proportion of  
2 primary gear types used for subsistence salmon fishing in  
3 the Yukon River drainage were set gillnets at 53 percent,  
4 drift gillnets at 38 percent and fish wheels at 8  
5 percent. And you can see more details on those  
6 percentages over those years on Page 91 in the State  
7 comments of your booklets.  
8

9                   Impact on subsistence users. If adopted  
10 Federal subsistence users would be prohibited from using  
11 fish wheels in Districts 4 and 5 on the Yukon River where  
12 Federal jurisdiction is claimed. Fish wheels are highly  
13 effective gear type for harvesting salmon in the upper  
14 Yukon River. Even though fish wheels comprise only 8  
15 percent of the gear types used to harvest salmon for some  
16 subsistence fishermen it is their only means of  
17 harvesting salmon. Prohibiting the use of fish wheels as  
18 a gear type for Federal subsistence users in these  
19 districts is expected to significantly reduce salmon  
20 harvest for some subsistence fishermen and may eliminate  
21 harvest for others.  
22

23                   Salmon may be harvested under State  
24 subsistence regulations throughout the Yukon River  
25 District 4 and Subdistricts 5-A, 5-B and 5-C, during two  
26 48 hour periods per week from June 15th through September  
27 30th as established by emergency order. The subsistence  
28 fishery in Subdistrict 5-D is open 24 hours per day,  
29 seven days per week. The State subsistence fishery is  
30 open during commercial fishing periods, but is closed  
31 during the 24 hours prior to a commercial fishing  
32 opening. The State subsistence fishing periods are  
33 normally linked to abundance or commercial fishing  
34 periods and are conducted based on a schedule implemented  
35 chronologically which is consistent with migratory timing  
36 as the salmon run progresses upstream.  
37

38                   The Yukon River Chinook stock is  
39 currently classified as a stock of yield concern.  
40

41                   The Department of Fish and Game opposes  
42 this proposal. We suggest that more information is  
43 needed on the size distribution of fish harvested in fish  
44 wheels and more investigation of the type of gear  
45 modifications that could be implemented and would be  
46 consistent with gillnet mesh size action taken by both  
47 the Federal Subsistence Board and the Alaska Board of  
48 Fisheries for the entire Yukon River drainage. Such a  
49 research project would be appropriate to fund through the  
50 Fisheries Resource Monitoring Program.

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Mr. Chair.

\*\*\*\*\*  
STATE OFFICIAL WRITTEN COMMENTS  
\*\*\*\*\*

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

Fisheries Proposal FP11-04: Prohibit use  
of fish wheels in districts 4 and 5 of the Yukon River.

Introduction:

Stanislaus Sheppard of the Mountain  
Village Working Group submitted this proposal to prohibit  
use of fish wheels on the Yukon River in districts 4 and  
5 where federal jurisdiction is claimed in order to  
increase fish escapement to the spawning grounds.

Subsistence fisheries on the Yukon River  
employ a number of gear types, including fish wheels, to  
harvest salmon at different times of year. The method  
and timing of the harvest are based on traditional and  
customary uses in different areas of the Yukon River  
drainage. Studies conducted by the department found that  
between 2003 and 2007, the average proportion of primary  
gear types used for subsistence salmon fishing in the  
Yukon River drainage were set gillnets (53%), drift  
gillnets (38%), and fish wheels (8%) (Table 1).

Impact on Subsistence Users:

If adopted, federal subsistence users  
would be prohibited from using fish wheels in districts  
4 and 5 on the Yukon River where federal jurisdiction is  
claimed. Fish wheels are a highly effective gear type  
for harvesting salmon in the upper Yukon River. Even  
though fish wheels comprise only 8% of the gear types  
used to harvest salmon, for some subsistence fishermen it  
is their only means of harvesting salmon. Prohibiting  
use of fish wheels as a gear type for federal subsistence  
users in these districts is expected to significantly  
reduce salmon harvest for some subsistence fishermen and  
may eliminate harvest for others.

Opportunity Provided by State:

Salmon may be harvested under state  
regulations throughout the majority of the Yukon River

1 watershed, including a liberal subsistence fishery.  
2 Salmon may be harvested under state subsistence  
3 regulations throughout Yukon River District 4 and  
4 subdistricts 5-A, 5-B, and 5-C during two 48-hour periods  
5 per week from June 15 through September 30, as  
6 established by emergency order. The subsistence fishery  
7 in Subdistrict 5-D is open 24 hours per day, seven days  
8 per week. The state subsistence fishery is open during  
9 commercial fishing periods but is closed during the 24  
10 hours prior to a commercial fishing opening. The state  
11 subsistence fishing periods are normally linked to  
12 abundance or commercial fishing periods and are conducted  
13 based on a schedule implemented chronologically, which is  
14 consistent with migratory timing as the salmon run  
15 progresses upstream.

16  
17                                   Legal gear for the state subsistence  
18 salmon fishery in subdistricts 4-B and 4-C and District  
19 5 includes fish wheels, hand lines, set gillnets, and  
20 beach seines. Drift gillnets may be used for subsistence  
21 fishing in Subdistrict 4-A to target chinook salmon from  
22 June 10 through July 14, and chum salmon may be taken  
23 with drift gill nets after August 2. There are no  
24 household harvest limits for the state subsistence  
25 fisheries in districts 4 or 5. Amounts reasonably  
26 necessary for subsistence (ANS) (5AAC 01.236 (b)), as  
27 determined by the Alaska Board of Fisheries, have been  
28 met for chinook salmon in the Yukon River drainage for  
29 six of the last nine years (below ANS in 2002, 2008, and  
30 2009).

31  
32                                   Conservation Issues:

33  
34                                   The Yukon River chinook salmon stock is  
35 currently classified as a stock of yield concern.  
36 Subsistence harvest levels have reached the amounts  
37 reasonably necessary for subsistence, except for 2002,  
38 2008, and 2009. A majority of the Yukon River drainage  
39 escapement goals have been met or exceeded since 2000,  
40 including the Chena and Salcha rivers, which are the  
41 largest producers of chinook salmon in the United States  
42 portion of the drainage. The agreed-to escapement  
43 objective for the Canadian mainstem was met every year  
44 from 2001 through 2006, with 2001, 2003, and 2005 being  
45 the three highest spawning escapement estimates on  
46 record. However, the escapement objective for the  
47 Canadian mainstem was not met in 2007 and 2008.  
48 Exploitation rate on the Canadian-origin stock by Alaskan  
49 fishermen has decreased from an average of about 55%  
50 (1989 1998) to an average of about 44% from 2004 2008

1 (Howard et al. 2009). Although the subsistence harvest  
2 continues to remain stable at nearly 50,000 chinook  
3 salmon annually, commercial harvests have decreased over  
4 60%, from an average of 100,000 annually (1989 1998) to  
5 the recent five-year average (2005 2009) of nearly 23,000  
6 fish.

7

8

Jurisdiction Issues:

9

10

The department continues to request  
11 correction of the Yukon River map labeled Federally  
12 Managed Waters in the federal staff analysis. This label  
13 incorrectly implies the federal government manages more  
14 than federal subsistence fisheries. The State of Alaska  
15 manages the sustainability of fish, including  
16 subsistence, commercial, sport, and personal use  
17 fisheries, in all waters except where waters are closed  
18 to non-federally qualified subsistence users. The state  
19 also manages other uses of and public activities in these  
20 waters, which uses are not managed by the Federal  
21 Subsistence Board or federal land management agencies.

22

23

Recommendation:

24

25

Oppose.

26

27

We suggest that more information is  
28 needed on the size distribution of fish harvested in fish  
29 wheels and more investigation of the type of gear  
30 modifications that could be implemented and would be  
31 consistent with the gillnet mesh size actions taken by  
32 both the Federal Subsistence Board and Alaska Board of  
33 Fisheries for the entire Yukon River drainage. Such a  
34 research project would be appropriate to fund through the  
35 Fisheries Resource Monitoring Program.

36

37

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44

45

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50

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11 Subsistence Salmon Fisheries 2006 Annual Report. Alaska  
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13 Technical Paper No. 344, Anchorage.

14  
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20 and Game, Division of Subsistence, Technical Paper No.  
21 346, Anchorage.

22  
23                   Howard K.G., S.J. Hayes, and D.F.  
24 Evenson. 2009. Yukon River chinook salmon stock status  
25 and action plan 2010; a report to the Alaska Board of  
26 Fisheries. Alaska Department of Fish and Game, Special  
27 Publication No. 09-26, Anchorage.

28  
29                   CHAIRMAN IVANOFF: Any questions or  
30 comments. Thank you.

31  
32                   Mr. Quinn.

33  
34                   MR. QUINN: I kind of played around with  
35 a fish wheel up around Ruby in the past. My memory says  
36 that Areas 1, 2 and 3 aren't even legally allowed to use  
37 fish wheels for subsistence purposes; is that true?

38  
39                   MR. LINDERMAN: Mr. Chair. I don't  
40 believe there's any specific prohibitions on that, but it  
41 is not a gear type that's used in those areas primarily  
42 because there isn't adequate hydrology, adequate areas  
43 that would be conducive to success using fish wheels in  
44 those areas.

45  
46                   MR. QUINN: Yeah, fish wheels are very  
47 specific to location, you need certain conditions.

48  
49                   MR. LINDERMAN: Correct.

50

1 MR. QUINN: And then I see that in 2008  
2 there was 68 fish wheel users, but I'm willing to bet  
3 that a fish wheel often feeds more than one family, do  
4 you think that's correct?

5  
6 MR. LINDERMAN: Through the Chair. Mr.  
7 Quinn. It's variable, but yes, they can be considered  
8 either family wheels or even community wheels to some  
9 extent. Sometimes you'll have one to a half a dozen  
10 fishermen in a specific community that will be providing  
11 and distributing those fish to multiple families and  
12 individuals.

13  
14 MR. QUINN: And then they're using fish  
15 wheels all the way up to Eagle, correct?

16  
17 MR. LINDERMAN: Correct.

18  
19 MR. QUINN: Okay. Thanks.

20  
21 CHAIRMAN IVANOFF: Mr. Quinn. Any  
22 further questions or comments.

23  
24 (No comments)

25  
26 CHAIRMAN IVANOFF: Hearing none we'll  
27 continue with the Federal, State, Tribal Agency comments.

28  
29 (No comments)

30  
31 CHAIRMAN IVANOFF: Hearing none, Fish and  
32 Game Advisory Committee comments.

33  
34 (No comments)

35  
36 CHAIRMAN IVANOFF: Summary of written  
37 public comments. Mr. Nick.

38  
39 MR. NICK: Mr. Chair. We received 12  
40 written public comments in opposition to the proposal.  
41 And it's -- it can be found on Page 94.

42  
43 CHAIRMAN IVANOFF: Thank you.

44  
45 MR. NICK: And also Yukon Delta RAC  
46 opposed the proposal. And their justification is Council  
47 does not support this proposal and Council believes this  
48 is anti-productive. Council does not believe that this  
49 proposal -- proposed regulation is necessary. There is  
50 no reason to adopt this proposal, potentially this

1 proposal would create controversy.  
2  
3 Mr. Chair.  
4  
5 CHAIRMAN IVANOFF: Mr. Rivard. You have  
6 a.....  
7  
8 MR. RIVARD: Yes, Mr. Chair. The Western  
9 Interior Regional Advisory Council also opposed Proposal  
10 11-04. Thank you.  
11  
12 CHAIRMAN IVANOFF: Thank you. Public  
13 testimony.  
14  
15 (No comments)  
16  
17 CHAIRMAN IVANOFF: Hearing none, rather  
18 than going through all this deliberation, my  
19 recommendation is we take no action, it's in District 4  
20 and 5, on the proposal.  
21  
22 MR. QUINN: Mr. Chair.  
23  
24 CHAIRMAN IVANOFF: Mr. Quinn.  
25  
26 MR. QUINN: I'll move that we take no  
27 action on Proposal FP11-04.  
28  
29 CHAIRMAN IVANOFF: Motion on the floor  
30 with Mr. Quinn.  
31  
32 MR. KEYES: Second.  
33  
34 MR. MARTIN: Second.  
35  
36 CHAIRMAN IVANOFF: Seconded by Mr. Martin  
37 and Mr. Keyes. Discussion on the motion.  
38  
39 MR. QUINN: Just a very quick discussion.  
40 I've seen this stuff in use and I think they're pretty  
41 neat. Some of the stuff you talk about in the analysis  
42 isn't true anymore, you don't need big trees to build a  
43 fish wheel anymore, I've seen people build them out of  
44 steel rods and put bearings on them and it's interesting  
45 to watch the evolution of this stuff. I'd sure to see it  
46 go away and I was trying to point out that one fish wheel  
47 feeds more than just -- often more than one family. And,  
48 you know, that would be really rude for us to try and  
49 take that away from people where we don't even live.  
50

1 MR. KEYES: This is Anthony Keyes.  
2  
3 CHAIRMAN IVANOFF: Mr. Keyes.  
4  
5 MR. KEYES: I grew up in Marshall through  
6 my growing up days and the majority of their catching  
7 their fish was with fish wheels. And they were in  
8 practice of using that. And they got better as they  
9 learned how to use this fish wheel through the years. I  
10 wouldn't want to take that fish wheel away from the  
11 Native people because they started that when they were  
12 young, before fish nets came around and I think it would  
13 be a shame to take something away from the Natives that  
14 they grew up with.  
15  
16 Thank you.  
17  
18 CHAIRMAN IVANOFF: Thank you, Mr. Keyes.  
19  
20 MR. BUCK: Mr. Chair.  
21  
22 CHAIRMAN IVANOFF: Mr. Buck.  
23  
24 MR. BUCK: I think we had -- oh, I'm in  
25 opposition for this proposal and I support the  
26 opposition.  
27  
28 CHAIRMAN IVANOFF: The motion for  
29 clarification is that we would take no action on it.  
30  
31 MR. BUCK: Uh-huh. (Affirmative)  
32  
33 CHAIRMAN IVANOFF: Okay. I feel the same  
34 way, it's almost a customary and traditional practice and  
35 going to -- trying to eliminate a fish wheel basically  
36 would almost take away the customary and traditional  
37 practices -- practice along the Yukon River. And I'm in  
38 favor of taking no action at this point.  
39  
40 If there's no further questions I would  
41 entertain a motion for the question.  
42  
43 MR. QUINN: Question.  
44  
45 CHAIRMAN IVANOFF: Question called for on  
46 the motion.  
47  
48 All in favor of the motion signify by  
49 saying aye.  
50

1 IN UNISON: Aye.  
2  
3 CHAIRMAN IVANOFF: Any opposed, the same  
4 sign.  
5  
6 (No opposing votes)  
7  
8 CHAIRMAN IVANOFF: Motion carries, take  
9 no action on 04.  
10  
11 FP11-05, the.....  
12  
13 MR. RIVARD: Mr. Chair. If I may suggest  
14 that we do 07 first.  
15  
16 CHAIRMAN IVANOFF: Okay. There are other  
17 requests on both 5, 8 and 9 to be taken at a later time  
18 if there's no objection from the Committee.  
19  
20 (No opposition)  
21  
22 CHAIRMAN IVANOFF: We'll continue then  
23 with FP11-07, prohibiting the use of drift gillnets to  
24 harvest salmon in the Yukon River Districts 4 and 5.  
25  
26 Mr. Rivard.  
27  
28 MR. RIVARD: Thank you, Mr. Chair. This  
29 proposal is very similar to 04. The analysis for  
30 Proposal FP11-07 begins on Page 119 in your book.  
31  
32 The proposal submitted by Stanislaus  
33 Sheppard with the Mountain Village Working Group requests  
34 that the use of drift gillnets be prohibited for the  
35 harvest of salmon in Districts 4 and 5 of the Yukon area  
36 to allow more fish to escape to the spawning grounds.  
37 Current Federal and State regulations allow subsistence  
38 users to utilize drift gillnets to harvest salmon in the  
39 lower 500 miles of the Yukon River from the mouth  
40 upstream through Subdistrict 4-A near the village of  
41 Koyukuk. In Subdistricts 4-B and 4-C only Federally-  
42 qualified users may utilize drift gillnets for the  
43 harvest of Chinook salmon from June 10th to July 14th.  
44 Both Federal and State regulations do not allow the use  
45 of drift gillnets for the harvest of salmon in District  
46 5. Therefore this proposal only applies to the use of  
47 drift gillnets for the harvest of salmon by Federally-  
48 qualified users in the Federal public waters of District  
49 4 which is Subdistricts 4-A, 4-B and 4-C. It should be  
50 noted that if this proposal were adopted Federally-

1 qualified users would still be able to fish with drift  
2 gillnets for Chinook and chum salmon under State  
3 regulations in Subdistrict 4-A.

4  
5                   The Federal drift gillnet fishery in 4-B  
6 and 4-C has been in place since 2005. The majority of  
7 Federally-qualified subsistence users fishing with drift  
8 gillnets in Subdistricts 4-B and 4-C are residents of  
9 Galena and Ruby. In the first five years of this fishery  
10 an average of 35 permits have been issued per year with  
11 an average of seven permits actually fished. A total of  
12 188 Chinook salmon have been harvested which is an  
13 average of 38 fish per year. This information is  
14 provided in Table 2 on Page 126.

15  
16                   When run projections indicate that  
17 escapement shortfalls are likely fisheries managers have  
18 the ability and authority to restrict harvest under the  
19 existing regulatory management framework such as reducing  
20 fishing time or not opening fishing periods to increase  
21 escapement.

22  
23                   Mr. Chair. The OSM preliminary  
24 conclusion is to oppose Proposal FP11-07.

25  
26                   Thank you.

27  
28                   CHAIRMAN IVANOFF: Thank you, Mr. Rivard.  
29 Any questions or comments for Mr. Rivard.

30  
31                   (No comments)

32  
33                   CHAIRMAN IVANOFF: Hearing none, we'll  
34 continue with Mr. Linderman.

35  
36                   MR. LINDERMAN: Mr. Chairman. Council  
37 Members. On Proposal FP-07.

38  
39                   This proposal was submitted to prohibit  
40 use of drift gillnets in Yukon River Districts 4 and 5 by  
41 Federal subsistence users in order to allow more fish to  
42 escape to the spawning grounds. The creation in 2005 of  
43 the Federal subsistence drift gillnet fishery in  
44 Subdistricts 4-B and 4-C of the Yukon River by the  
45 Federal Subsistence Board expanded fishing opportunity on  
46 a fully utilized stock classified as a stock of yield  
47 concern. At the time Department staff were concerned  
48 that interest in harvest efficiency in this new fishery  
49 would result in additional pressure on a stock classified  
50 as a yield concern. Based on return permits and reports

1 prepared by the Federal Subsistence Program few fishermen  
2 use this gear type and few fish are harvested. State  
3 resource managers continue to monitor participation and  
4 harvest associated with this fishery.

5  
6 The Alaska Board of Fisheries determined  
7 that drift gillnets are not a customary and traditional  
8 gear type used in Subdistricts 4-B and 4-C and experience  
9 with the fishery has shown that their use is problematic  
10 in this area due to river morphology and amount of large,  
11 woody debris in the water column. Many sections of the  
12 river in Subdistricts 4-B and 4-C are too shallow for  
13 efficient use of drift gillnets and large, woody debris  
14 can entangle nets resulting in great cost to fishermen.

15  
16 The Department considers the use of set  
17 gillnets and fish wheels as providing a meaningful  
18 Federal subsistence priority. Concerns for potential  
19 impacts to other users, Canadian Chinook salmon stocks  
20 and fisheries management are reasons the Yukon-Kuskokwim  
21 Delta and the Eastern Interior Regional Advisory  
22 Councils, Alaska Board of Fisheries, Yukon River Delta  
23 Fisheries Association and the Department originally  
24 opposed the drift gillnet fishery in this area. Despite  
25 recent data that indicate this fishery is having a  
26 limited impact on reducing fishing effort or harvest, the  
27 Department remains concerned about an expanded drift  
28 gillnet fishery in Subdistrict 4-B and 4-C on a stock of  
29 yield concern.

30  
31 Because Subdistrict 4-A has large  
32 tributary streams with different salmon stocks  
33 prohibiting drift gillnets in Subdistrict 4-A could have  
34 a negative impact on Federal subsistence users fishing  
35 for Chinook and fall chum salmon. Prohibiting use of  
36 drift gillnets as a gear type for Federal subsistence  
37 users in Subdistricts 4-B and 4-C is not expected to  
38 reduce salmon harvest by many fish if at all. Since  
39 establishment of the Federal subsistence drift gillnet  
40 fishery in 2005 there have been relatively low fishing  
41 effort and harvest of Chinook salmon based on return  
42 permits and reports prepared by the Federal program.  
43 Thus the impact upon Federal subsistence users is  
44 expected to be minimal. Drift gillnets may be used from  
45 June 10th through July 14th for subsistence fishing in  
46 Subdistrict 4-A to target Chinook salmon and chum salmon  
47 may be taken with drift gillnets after August 2nd.

48  
49 Individuals are responsible for knowing  
50 what gear type is allowed in a particular area. While

1 standing on State and private lands, including Stated  
2 owned submerged lands and shorelands, persons must comply  
3 with State laws and regulations regarding subsistence  
4 harvest. If this proposal is adopted State and Federal  
5 regulations will be the same for Subdistricts 4-B and 4-  
6 C, but will be different in Subdistrict 4-A.

7  
8 The Department's recommendation is to  
9 support this proposal with modification. One would be to  
10 oppose prohibition of drift gillnets in Subdistrict 4-A  
11 and support prohibition of drift gillnets in Subdistricts  
12 4-B and 4-C.

13  
14 Mr. Chair.

15 \*\*\*\*\*  
16 STATE OFFICIAL WRITTEN COMMENTS  
17 \*\*\*\*\*  
18

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

22  
23 Fisheries Proposal FP11-07:

24  
25 Prohibit use of drift gillnets in  
26 districts 4 and 5 of the Yukon River Management Area.

27  
28 Introduction:

29  
30 Stanislaus Sheppard of the Mountain  
31 Village Working group submitted this proposal to prohibit  
32 use of drift gillnets in Yukon River districts 4 and 5 by  
33 federal subsistence users in order to allow more fish to  
34 escape to the spawning grounds. Federal subsistence  
35 regulations allow subsistence fishing with drift gillnets  
36 in District 4 (including subdistricts 4-A, 4-B, and 4-C)  
37 but not in District 5.

38  
39 The creation in 2005 of the federal  
40 subsistence drift gillnet fishery in subdistricts 4-B and  
41 4-C of the Yukon River by the Federal Subsistence Board  
42 expanded fishing opportunity on a fully utilized stock  
43 classified as a stock of yield concern. At the time,  
44 department staff were concerned that interest and harvest  
45 efficiency in this new fishery would result in additional  
46 pressure on a stock classified as a yield concern. Based  
47 on returned permits and reports prepared by the federal  
48 subsistence program, few fishermen use this gear type and  
49 few fish are harvested. State resource managers continue  
50 to monitor participation and harvest associated with this

1 fishery. The Alaska Board of Fisheries reviewed this  
2 stock of concern designation in January 2010 and  
3 continued to support the classification.

4  
5 The Alaska Board of Fisheries determined  
6 that drift gillnets are not a customary and traditional  
7 gear type used in subdistricts 4-B and 4-C, and  
8 experience with the fishery has shown that their use is  
9 problematic in this area due to river morphology and  
10 amount of large woody debris in the water column. Many  
11 sections of the river in subdistricts 4-B and 4-C are too  
12 shallow for efficient use of drift gillnets, and large  
13 woody debris can entangle nets, resulting in great cost  
14 to the fisherman. The department considers use of set  
15 gillnets and fish wheels as providing a meaningful  
16 federal subsistence priority. Concerns for potential  
17 impacts to other users, Canadian chinook salmon stocks,  
18 and fisheries management are reasons the Yukon-Kuskokwim  
19 Delta and Eastern Interior Regional Advisory Councils,  
20 Alaska Board of Fisheries, Yukon River Delta Fisheries  
21 Association, and the department originally opposed the  
22 drift gillnet fishery in this area. Despite recent data  
23 that indicate this fishery is having limited impact on  
24 reducing fishing effort or harvests, the department  
25 remains concerned about an expanded drift gillnet fishery  
26 in subdistrict 4-B and 4-C on a stock of yield concern.

27

#### Impact on Subsistence Users:

28

29  
30 Adoption of this proposal would restrict  
31 federal subsistence fishermen from harvesting salmon  
32 using drift gillnets in subdistricts 4-A, 4-B, and 4-C  
33 where it is currently authorized by federal regulations  
34 on waters where federal jurisdiction is claimed. Because  
35 Subdistrict 4-A has large tributary streams with  
36 different salmon stocks, prohibiting drift gillnets in  
37 Subdistrict 4-A could have a negative impact on federal  
38 subsistence users fishing for chinook and fall chum  
39 salmon. Prohibiting use of drift gillnets as a gear type  
40 for federal subsistence users in subdistricts 4-B and 4-C  
41 is not expected to reduce salmon harvest by many fish, if  
42 at all. Since establishment of the federal subsistence  
43 drift gillnet fishery in 2005, there has been relatively  
44 low fishing effort and harvest of chinook salmon, based  
45 on returned permits and reports prepared by the federal  
46 program. Thus, the impact upon federal subsistence users  
47 is expected to be minimal.

48

#### Opportunity Provided by State:

49  
50

1 Current state regulations are based on  
2 customary and traditional fishing patterns and gear  
3 types. The legal gear for the state subsistence salmon  
4 fishery in subdistricts 4-B and 4-C and District 5  
5 includes fish wheels, hand lines, gillnet, and beach  
6 seine. Drift gillnets are not allowed in subdistricts  
7 4-B and 4-C and District 5, but they are allowed in  
8 Subdistrict 4-A under state regulations.

9  
10 Subsistence fishing time is based on the  
11 customary and traditional timing of fisheries and  
12 management strategies of the department. Subsistence  
13 openings correspond with timing of fish returns as they  
14 progress upstream through the system. Drift gillnets may  
15 be used from June 10 through July 14 for subsistence  
16 fishing in Subdistrict 4-A to target chinook salmon, and  
17 chum salmon may be taken with drift gillnets after August  
18 2.

19  
20 Salmon may be harvested under state  
21 regulations throughout the majority of the Yukon River  
22 watershed, including a liberal subsistence fishery.  
23 Salmon may be harvested under state subsistence  
24 regulations throughout District 4 and subdistricts 5-A,  
25 5-B, and 5-C during two 48-hour periods per week from  
26 June 15 through September 30, as established by emergency  
27 order. The subsistence fishery in Subdistrict 5-D is  
28 open 24 hours per day, seven days per week. In addition  
29 to the 48-hour state subsistence fishing periods, the  
30 state subsistence fishery is open during commercial  
31 fishing periods but not during the 24 hours prior to the  
32 opening of the commercial fishing season. State  
33 subsistence fishing periods are normally linked to  
34 abundance or commercial fishing periods and are conducted  
35 based on a schedule implemented chronologically, which is  
36 consistent with migratory timing as the salmon returns  
37 progress upstream. There are no household harvest limits  
38 for state subsistence fisheries in subdistricts 4 and 5.  
39 Amounts reasonably necessary for subsistence (5AAC 01.236  
40 (b)), as determined by the Alaska Board of Fisheries in  
41 January 2001, have been met for chinook salmon in the  
42 Yukon River drainage for six of the last nine years  
43 (below ANS in 2002, 2008, and 2009).

44  
45 Conservation Issues:

46  
47 The Yukon River chinook salmon stock is  
48 currently classified as a stock of yield concern. A  
49 majority of the Yukon River drainage escapement goals  
50 have been met or exceeded since 2000, including the Chena



1 gillnets in Subdistrict 4-A.  
2  
3 2. Support prohibition of drift  
4 gillnets in subdistricts 4-B and  
5 4-C.  
6  
7 Cited References:  
8  
9 Howard K.G., S.J. Hayes, and D.F.  
10 Evenson. 2009. Yukon River chinook salmon stock status  
11 and action plan 2010; a report to the Alaska Board of  
12 Fisheries. Alaska Department of Fish and Game, Special  
13 Publication No. 09-26, Anchorage.  
14  
15 CHAIRMAN IVANOFF: Questions or comments.  
16  
17 Mr. Quinn.  
18  
19 MR. QUINN: Okay. I see that you or the  
20 State continues to request a correction of the Yukon  
21 River map showing Federally managed waters. We got a map  
22 here on Page 120. Is the State satisfied with that map?  
23  
24 MR. LINDERMAN: Mr. Chair. I'm not in a  
25 position to say one way or another what the State's  
26 position is on this specific map. I would have to defer  
27 to other staff members that are taking a much closer look  
28 at these jurisdictional issues.  
29  
30 CHAIRMAN IVANOFF: Mr. Quinn.  
31  
32 MR. QUINN: I'm not satisfied, give me  
33 your opinion.  
34  
35 MR. LINDERMAN: My opinion would be the  
36 opinion of the State of Alaska and again it would be  
37 deferred -- I would defer a direct answer not having  
38 taken a much closer look at this specific issue.  
39  
40 MR. QUINN: Okay. From an enforcement  
41 standpoint would you say this map is accurate, there's no  
42 drift gillnet fishing between Ruby and Galena, there's a  
43 short section between Galena and Koyukuk and then there's  
44 between not quite to Tanana and Ruby, is -- do you know  
45 is that.....  
46  
47 MR. LINDERMAN: Through the Chair. Mr.  
48 Quinn. I guess clarification, could you clarify.....  
49  
50 MR. QUINN: Yeah, I'll.....

1 MR. LINDERMAN: .....what you mean by  
2 enforcement perspective?

3  
4 MR. QUINN: The State is participating in  
5 enforcement actions of this stuff, is this map the way  
6 the State has enforced, if somebody's trying to run a  
7 drift gillnet below Ruby has there been citations issued,  
8 you know, I mean, it -- I don't know, I think you ought  
9 to be able to tell me whether you guys are satisfied with  
10 that particular map or not. All right. Well, I guess  
11 I'll save the rest of my comments for when we discuss it.

12  
13 CHAIRMAN IVANOFF: Thank you, Mr. Quinn.  
14 Mr. Rivard.

15  
16 MR. RIVARD: Through the Chair. Mr.  
17 Quinn. Just so you know when this Federal fishery was  
18 established in 2005 the Nowitna/ Innoko National Wildlife  
19 Refuge staff went out and placed markers on all these  
20 areas so that they would have a clear -- fishermen would  
21 be able to know when they were on Federally managed  
22 waters and when they weren't. So just -- and that was  
23 all established right there in 2005 before the season  
24 began.

25  
26 CHAIRMAN IVANOFF: Mr. Quinn. Any  
27 response, anything.

28  
29 MR. QUINN: No.

30  
31 CHAIRMAN IVANOFF: Okay. Any further  
32 questions or comments from the Committee.

33  
34 (No comments)

35  
36 CHAIRMAN IVANOFF: Well, just looking at  
37 -- boy, I tell you, boundaries and reducing drift  
38 gillnets, District 4 and 5, kind of out of our boundary.  
39 I realize again that the subsistence fishermen in  
40 Stebbins do participate, but not necessarily so in  
41 Districts 4 and 5. Again I would hate to start putting  
42 my foot and start going before the board and trying to  
43 argue one way or another whether in opposition or in  
44 favor of such a motion. So my -- again my recommendation  
45 on this would be to take no action and just keep it  
46 clean.

47  
48 Mr. Rivard.

49  
50 MR. RIVARD: Mr. Chair. Did you want to

1 put on record the public comments and all that as.....  
2  
3 CHAIRMAN IVANOFF: Oh, yeah.  
4  
5 MR. RIVARD: .....you've done with other  
6 proposals?  
7  
8 CHAIRMAN IVANOFF: Okay. Sorry. Getting  
9 my -- ahead of myself again.  
10  
11 Where did I end up. On we on Federal,  
12 State and Tribal?  
13  
14 REPORTER: (Nods affirmatively)  
15  
16 CHAIRMAN IVANOFF: Okay. Any comments  
17 from Federal, State and Tribal Agencies.  
18  
19 (No comments)  
20  
21 CHAIRMAN IVANOFF: If there are none --  
22 InterAgency Staff Committee comments.  
23  
24 (No comments)  
25  
26 CHAIRMAN IVANOFF: There are none. Fish  
27 and Game Advisory Committee.  
28  
29 (No comments)  
30  
31 CHAIRMAN IVANOFF: Hearing none, the  
32 summary of written public comments.  
33  
34 Mr. Nick.  
35  
36 MR. NICK: Mr. Chair. We received 11  
37 written public comments in opposition.  
38  
39 CHAIRMAN IVANOFF: All from the Interior?  
40  
41 MR. NICK: Yeah. And they're on Page 132  
42 of your workbook.  
43  
44 Mr. Chair.  
45  
46 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
47 Mr. Rivard, you have the Western Alaska -- Western.....  
48  
49 MR. RIVARD: The Western Interior  
50 Regional Advisory Council opposed this proposal.

1 Mr. Chair.  
2  
3 CHAIRMAN IVANOFF: Thank you. Any public  
4 testimony on this proposal.  
5  
6 Mr. Nick.  
7  
8 MR. NICK: Mr. Chair. YK also opposed  
9 this proposal. And their justification is written public  
10 comments from the area indicated that there would be some  
11 problems if the proposal -- proposed regulation is  
12 adopted. If this proposed regulation change is adopted  
13 there would be not enough space for subsistence set nets  
14 in limited small areas in the area.  
15  
16 Mr. Chair.  
17  
18 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
19 Then it comes up to the deliberation of the Regional  
20 Advisory Committee. Again my recommendation again is to  
21 take no action on the proposal. I prefer a neutral  
22 position.  
23  
24 MR. QUINN: Mr. Chair.  
25  
26 CHAIRMAN IVANOFF: Mr. Quinn.  
27  
28 MR. QUINN: I make a motion that we take  
29 no action on Fish Proposal 11-07.  
30  
31 CHAIRMAN IVANOFF: Motion on the floor by  
32 Mr. Quinn.  
33  
34 MR. KEYES: Second.  
35  
36 CHAIRMAN IVANOFF:  
37 Second by Mr. Keyes.  
38  
39 MR. BUCK: Question.  
40  
41 CHAIRMAN IVANOFF: Discussion. Question  
42 on the motion is called for. We have discussion before  
43 the question.  
44  
45 Mr. Quinn.  
46  
47 MR. QUINN: I actually participated in  
48 this fishery once a few years ago and I note the comments  
49 of -- all the opposition comments to it. I just want to  
50 bring everybody's attention to the oppose from the people

1 in Ruby. You know, fish along the Yukon River's very  
2 location specific, either you got a spot for a fish wheel  
3 or you got a spot for a set net or you got nothing. So  
4 there's a whole lot of people in that area that got  
5 nothing. And then those -- like this thing says it  
6 changes, the river goes up and down and eddies disappear  
7 and appear and river goes up, it's all full of drift, it  
8 totally messes up fish wheels. You know, so having  
9 another method to fish I see is good, you know, the  
10 Department said -- the State Department says well, that's  
11 not traditional. Well, yeah, I mean, you guys knock it  
12 down it's never going to be traditional, you know, there  
13 was a time when fish wheels weren't traditional, but they  
14 are now. So tradition can sometimes change and --  
15 anyway. But I'm satisfied with take no action.

16

17 CHAIRMAN IVANOFF: Thank you, Mr. Quinn.  
18 Appreciate that, I feel the same way.

19

20 Any further discussion, comments.

21

22 (No comments)

23

24 CHAIRMAN IVANOFF: Is there.....

25

26 MR. QUINN: Question.

27

28 CHAIRMAN IVANOFF: Question on the  
29 motion. Question on the motion's called for.

30

31 All in favor of the motion signify by  
32 saying aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN IVANOFF: Any opposed, the same  
37 sign.

38

39 (No opposing votes)

40

41 CHAIRMAN IVANOFF: Motion carries. And  
42 we take no action on the proposal.

43

44 There has been a request made that we  
45 would take the Proposal number 5, 8 and 9.

46

47 For clarification, Ms. Armstrong, are you  
48 wanting to take all three together or one at a time  
49 or.....

50

1 MS. H. ARMSTRONG: One at a time,  
2 but.....

3  
4 CHAIRMAN IVANOFF: One at a time.

5  
6 MS. H. ARMSTRONG: .....they're all quite  
7 linked so we thought it would be better to do them  
8 sequentially.

9  
10 CHAIRMAN IVANOFF: Thank you, Ms.  
11 Armstrong. We'll continue with FP11-05, prohibiting  
12 customary trade and use of salmon for dog food in the  
13 Yukon River District 4 and 5.

14  
15 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
16 My name is Helen Armstrong, I'm with the Office of  
17 Subsistence Management. I am chief of the Anthropology  
18 Division. I do want to acknowledge that I did not write  
19 these analyses, they were done by David Jenkins, the new  
20 anthropologist in our office. Mike Quinn asked me how it  
21 came that I was doing these so I thought I should note  
22 that. But he is presenting them today at the Eastern  
23 Interior Council meeting and couldn't be here with great  
24 regret.

25  
26 Proposal FP11-05 can be found on Page 90  
27 -- the analysis begins on Page 99. I am going to go  
28 through FP-05 first. This is a proposal to stop  
29 customary trade of salmon in Yukon River Districts 4 and  
30 5 and the related proposal to stop the use of salmon for  
31 dog food in these districts. Then I'll talk about the  
32 proposal to stop customary trade of Chinook salmon when  
33 runs are too small to satisfy subsistence needs and  
34 subsistence fisheries are restricted. And then I'll talk  
35 about the proposal to limit the customary trade of  
36 Chinook salmon in the Yukon River Management Area and the  
37 recommendation for recordkeeping of all customary trades.  
38 And then finally I'll address an alternative for  
39 Proposals FP11-08 and 09 which you may want to consider.

40  
41 So Proposal FP11-05 was submitted by  
42 Stanislaus Sheppard on behalf of the Mountain Village  
43 Working Group and it has two parts. It requests that the  
44 Federal Subsistence Board stop customary trade of salmon  
45 in Yukon River Districts 4 and 5 and it requests that the  
46 Board stop the use of salmon for dog food in Yukon River  
47 Districts 4 and 5 with the exception of whole Chinook  
48 salmon caught incidentally during a subsistence chum  
49 salmon fishery in the Koyukuk River drainage after July  
50 10th. The proponent states that stopping the sale of

1 salmon under customary trade and stopping the use of  
2 salmon for dog food will increase the amount of  
3 subsistence caught salmon available for human consumption  
4 and will result in more salmon escaping to spawning  
5 grounds.

6

7 I'm going to go through the regulatory  
8 history and this -- on customary trade and this would  
9 apply to all three proposals.

10

11 Title VIII of the 1980 ANILCA -- of 1980  
12 ANILCA recognized customary trade as a subsistence  
13 activity. This is in Section 803 of ANILCA. Although  
14 undefined in ANILCA the term customary trade was later  
15 defined in the implementing regulations as the exchange  
16 for cash of fish and wildlife resources. In 2000 the  
17 Federal Subsistence Board recognized that Federal  
18 regulations regarding customary trade needed further  
19 clarification. It is worth emphasizing the customary  
20 trade as defined by Federal regulation refers only to  
21 subsistence caught fish or wildlife exchanged for cash  
22 provided such exchanges do not constitute a significant  
23 commercial enterprise. Any exchanges of subsistence  
24 caught fish for cash that rise to the level of  
25 significant commercial transactions are not customary  
26 trades and are prohibited under current Federal  
27 regulation. However the term significant commercial  
28 enterprise was not defined in regulation and this has  
29 posed a problem. No one knew when customary trade ended  
30 and a significant commercial enterprise began.

31

32 In later years the Federal Board reviewed  
33 and adopted two regional proposals defining upper limits  
34 for customary trade. And I'll just make a side note that  
35 the Board has chosen to allow it to be a region by region  
36 definition. So the Bristol Bay Fishery Management Area,  
37 the Board limited the cash value per household of salmon  
38 caught and exchanged in customary trade between rural  
39 residents to no more than \$500 annually and limited the  
40 cash value per household of salmon exchanged in customary  
41 trade between rural residents and others who are not  
42 rural to no more than \$400 annually. The Board also  
43 imposed a recording requirement for rural to others  
44 customary trade, but not for rural to rural customary  
45 trade. So if you're trading one rural user to another  
46 they didn't have to do a recording, they don't have to  
47 record it, but do if you're doing rural to outside of the  
48 rural community, somebody in Anchorage, for example. For  
49 the upper Copper River District the Board limited the  
50 total number of salmon per household exchanged in

1 customary trade between rural residents to no more than  
2 50 percent of the annual household harvest of salmon.  
3 The Board limited the cash value per household of salmon  
4 exchanged in customary trade between rural residents and  
5 others to no more than \$500 annually. When taken together  
6 customary trade to rural residents and to others may not  
7 exceed 50 percent of the annual household limit.  
8 Additionally the Board imposed a recording requirement  
9 for both rural to rural customary trade and rural to  
10 others customary trade. Customary trade sales must be  
11 immediately recorded on a customary traded recordkeeping  
12 form, the responsibility resides with the seller.

13

14 In 2001 the Federal Subsistence Board  
15 following action by the State Board of Fish adopted  
16 regulations requiring that in the Yukon River drainage  
17 Chinook salmon are to be used primarily for human  
18 consumption and not for dog food with the exception of  
19 fish unfit for human consumption and small fish, that's  
20 jack kings 16 inches or less which may be fed to dogs.  
21 The following year the Board revised the regulation as  
22 shown on Page 99 of this analysis. And you can read  
23 that, I'm not going to go through it, but they -- the  
24 current regulation for Chinook salmon being primarily  
25 used for human consumption is there, it's in Section  
26 27(i)(3)(xxi), it's two-thirds down on the page on Page  
27 99.

28

29 Since 2000 several studies of customary  
30 trade have been funded by the Federal Subsistence Board  
31 including one by Kreig in 2007, Magdanz in 2007 and  
32 Moncrieff. Fishers interviewed in Moncrieff's study  
33 which was done in three communities on the Yukon River,  
34 Alakanuk, Holy Cross and Tanana reported that they engage  
35 in customary trade only if they first harvested  
36 sufficient fish for their family's use and satisfied  
37 obligations to share fish with a network of extended  
38 family and friends. They did not subsistence fish  
39 primarily to sell fish or process salmon. Cash raised  
40 through customary trade appears to support other  
41 subsistence activities and is used to pay for various  
42 household and other expenses. Commercial or market level  
43 transactions were not addressed in this study.

44

45 There were two other studies of customary  
46 trade similar to Moncrieff's. They were in different  
47 regions, but they found some similar findings that  
48 customary trade is common, but infrequent and that cash  
49 sales under customary trade are for relatively small sums  
50 of money with a few exceptions. Customary trade is not

1 part of the market economy, for example, prices for  
2 subsistence caught fish and other resources exchanged  
3 under customary trade are determined by tradition and not  
4 by market forces.

5  
6           The second part of the proposal before  
7 you seeks to stop the use of salmon for dog food. In  
8 1991 David Anderson researched the use of salmon for dog  
9 food in seven communities along or near the Yukon River,  
10 including Fort Yukon, Huslia, Kaltag, Manley Hot Springs,  
11 Russian Mission, Saint Mary's and Tanana and then again  
12 in 2008 Anderson and Cheryl Scott conducted a similar  
13 study in these seven communities. Their intention was to  
14 document the changes in the use of salmon for dog food  
15 between 1991 and 2008. They found in their research that  
16 the number of mushing households declined in that time  
17 period from 95 to 42, the number of sled dogs declined  
18 from about 1,400 to about 700 so almost half. The total  
19 pounds of fish harvested for sled dog food declined from  
20 about 1,212,000 to about 493,000 pounds. Of the fish fed  
21 to sled dogs, the percentage of salmon declined from 86  
22 percent to 71 percent while the percentage of non-salmon  
23 increased from 13 to about 28 percent. In 2008 the use  
24 of sled dogs for sprint racing became the most frequent  
25 use, slightly ahead of hauling and transportation. And  
26 that table is on Pages 106 to 107 in your books showing  
27 the different uses.

28  
29           Two general points should be emphasized.  
30 Both customary trade and customary and traditional uses  
31 of wild renewable resources for transportation purposes  
32 are included in the definition of subsistence. If  
33 limitations based on conservation concerns are necessary  
34 it may be appropriate to conduct an analysis under  
35 Section 804 of ANILCA which requires the Board to select  
36 amongst subsistence users, not uses, based on the premise  
37 that all subsistence uses equally qualify for the  
38 subsistence preference.

39  
40           The effects of this proposal would be  
41 that because the proposal seeks to limit customary trade  
42 of salmon under Section 27(c)(11) which refers to  
43 customary trade between rural residents and then under  
44 27(c)(12) which refers to customary trade between rural  
45 residents and others, non-rural residents. In both cases  
46 the proposal would stop customary trade of salmon in  
47 Yukon River Districts 4 and 5. Note that salmon species  
48 are not identified in the proposal and the limitation  
49 refers to all species of salmon found in the Yukon River.  
50

1                   If adopted the proposal would prohibit  
2 customary trade of salmon and thereby diminish the small  
3 amounts of cash generated by the sale of subsistence  
4 caught salmon in Districts 4 and 5. The proposal also  
5 seeks to preclude the use of salmon by any species for  
6 dog food in Yukon River Districts 4 and 5. However the  
7 use of sled dogs in rural Yukon communities is directly  
8 linked with subsistence fishing which provides the bulk  
9 of sled dog food. The number of mushing households and  
10 the number of dogs has been in decline and without  
11 subsistence caught salmon that trend may accelerate.  
12 Precluding subsistence caught salmon for use as dog food  
13 may effectively end most use of sled dogs in the Yukon  
14 area.

15  
16                   The OSM preliminary conclusion is to  
17 oppose Proposal FP11-05. The reason for this is that the  
18 proposal would prohibit customary trade of salmon.  
19 Customary trade is defined by ANILCA as a subsistence  
20 activity however the target of the proposal appears not  
21 to be legitimate customary trade, but rather sales that  
22 may rise to the level of significant commercial  
23 enterprise. Such sales are already prohibited although  
24 the threshold for a significant commercial enterprise has  
25 not been determined. The central issue appears to be  
26 enforcement of the prohibition which remains problematic  
27 without a threshold determination.

28  
29                   Further regulations limiting customary  
30 trade however which is recognized as a legitimate  
31 subsistence activity may not be the most effective means  
32 to curtail sales that exceed the definition of customary  
33 trade. The proposal also seeks to preclude the use of  
34 salmon of any species for dog food in the Yukon River  
35 District 4 and 5, however the use of sled dogs in rural  
36 Yukon communities is directly linked with subsistence  
37 fishing which provides the bulk of sled dog food. The  
38 number of mushing households and the number of dogs has  
39 been in decline. Without subsistence caught salmon that  
40 trend would accelerate, precluding subsistence caught  
41 salmon for use as dog food may effectively end most use  
42 of sled dogs in the Yukon area.

43  
44                   Two general points must be mentioned and  
45 emphasized. First both customary trade and customary and  
46 traditional uses of wild renewable resources for  
47 transportation purposes are included in the definition of  
48 subsistence. Second if limitations based on conservation  
49 concerns are necessary it may be appropriate to conduct  
50 an analysis under Section 804 of ANILCA which requires

1 the Board to select amongst subsistence users, not uses,  
2 based on the premise that all subsistence users -- uses  
3 equally qualify for the subsistence preference.

4  
5 Thank you, Mr. Chair. That concludes my  
6 presentation.

7  
8 CHAIRMAN IVANOFF: Questions for Ms.  
9 Armstrong.

10  
11 (No comments)

12  
13 CHAIRMAN IVANOFF: The -- I notice in the  
14 packet that there has been a consistent opposition to  
15 restricting customary trade and use by the Federal  
16 Subsistence Board on a number of proposals that were  
17 submitted. And this one almost mirrors those proposals  
18 that the Board rejected.

19  
20 Your analysis -- the analysis that was  
21 stated there states that basically the opposition to this  
22 proposal, which I'm in agreement to, but at the same time  
23 what the proponent of the proposal is trying to do is  
24 limit commercial sales and I think that's where a real --  
25 a real big difference is is that you have customary  
26 trade, but you also have going which is prohibited of  
27 course, sales going on that could be of commercial value  
28 rather than customary trade and to differentiate between  
29 the two -- the proposal doesn't do that, it's targeting  
30 the customary trade and I really don't feel comfortable  
31 restricting customary trade. My feeling -- okay, I'll  
32 wait for deliberation.

33  
34 The question is does that mirror what you  
35 were saying?

36  
37 MS. H. ARMSTRONG: Yes, it does. Mr.  
38 Chair.

39  
40 CHAIRMAN IVANOFF: Okay. Mr. Quinn.

41  
42 MR. QUINN: Well, this proposal just  
43 effects Regions 4 and 5, 1, 2 and 3 still gets the whole  
44 shebang, right, all -- everything that this proposal  
45 wants to make illegal is currently legal in 1, 2 and 3  
46 and would remain so.

47 .  
48 MS. H. ARMSTRONG: That's correct.

49  
50 CHAIRMAN IVANOFF: Wait, could you.....

1 MR. QUINN: Well, this proposal wants to  
2 restrict all this stuff only in Regions 4 and 5 of the  
3 Yukon River drainage. The proposal came from a man who  
4 lives in Region 2.

5  
6 CHAIRMAN IVANOFF: Okay.

7  
8 MR. QUINN: It doesn't affect 1, 2 and 3.

9  
10 CHAIRMAN IVANOFF: Right.

11  
12 MR. QUINN: So those people.....

13  
14 CHAIRMAN IVANOFF: Would continue to do  
15 so.

16  
17 MR. QUINN: .....continue to be able to  
18 participate in these customary activities, both feeding  
19 dogs and trade whereas they want to take it away from  
20 people in another region.

21  
22 CHAIRMAN IVANOFF: Okay. Yeah, thank  
23 you. Any further questions for Ms. Armstrong, comments.

24  
25 (No comments)

26  
27 CHAIRMAN IVANOFF: Thank you very much.

28  
29 MS. H. ARMSTRONG: You're welcome.

30  
31 CHAIRMAN IVANOFF: Let's continue then  
32 with the State of Alaska. John Linderman.

33  
34 MR. LINDERMAN: Mr. Chairman. Council  
35 Members. On Proposal FP-05.

36  
37 State and Federal regulations  
38 specifically allow customary trade of subsistence  
39 harvested salmon and provide for use of salmon for dog  
40 food, but Federal and State regulations differ on the  
41 definition of customary trade specifically regarding the  
42 sale of fish. The State regulations generally prohibit  
43 sale of subsistence harvested fish while Federal  
44 regulations allow for cash sales. Furthermore under  
45 current State regulations all fish processed for commerce  
46 must be processed at a facility approved by the Alaska  
47 Department of Environmental Conservation. Sale of  
48 subsistence harvested fish, both processed and whole, is  
49 occurring in both urban and rural communities in Alaska  
50 contrary to existing State and Federal regulations.

1 Discrepancies in State and Federal regulations plus State  
2 requirements regarding processing of fish to protect  
3 public health and safety may leave some people vulnerable  
4 to citation under State and Federal regulations. This is  
5 a significant issue for State resource managers, law  
6 enforcement agencies and Federal agencies that provide  
7 for the subsistence priority on Federal lands and those  
8 waters where Federal subsistence management priority is  
9 claimed.

10

11 In considering FP11-05, 08 and 09, the  
12 Federal Subsistence Board has the opportunity to adopt  
13 enforceable customary trade regulations that are based on  
14 a history and pattern of this use for this region of the  
15 State.

16

17 It is not possible to accurately predict  
18 how this proposal will change harvest patterns or  
19 escapement of fish to the spawning grounds because  
20 Federal agencies lack information and data regarding  
21 existing levels of harvest and actual sales of Chinook  
22 salmon. Subsistence users in Districts 4 and 5 would  
23 have to secure other sources of food for their dogs  
24 instead of Yukon River salmon harvested in the  
25 subsistence under Federal regulations. Because State and  
26 Federal regulations differ, subsistence fishermen are  
27 vulnerable to prosecution when selling subsistence  
28 harvested salmon on lands and waters outside the  
29 boundaries where Federal subsistence jurisdiction is  
30 claimed. If adopted this proposal would reduce the risk  
31 of citation for subsistence fishermen in the Yukon River  
32 drainage through established limitations on cash sales of  
33 subsistence harvested salmon, a definition of significant  
34 commercial enterprise, specified fish weight or number  
35 limits and reporting requirements for cash sales of  
36 subsistence harvested salmon.

37

38 The Department supports subsistence  
39 harvest and use of salmon consistent with existing State  
40 laws and regulations including customary trade. However  
41 5 AAC 010.010 prohibits sale of subsistence harvested  
42 fish, their parts or their eggs unless otherwise  
43 specified State regulation. There are only two  
44 exceptions listed in Chapter 5 of State regulations,  
45 Norton Sound Port Clarence area for salmon and Sitka  
46 Sound herring roe on kelp for Southeast Alaska. Although  
47 State law allows harvest and use of fin fishes such as  
48 salmon to feed dogs in support of transportation, the  
49 State prohibits targeting of Yukon River drainage Chinook  
50 salmon for dog food with some exceptions.

1                   While standing on State and private  
2 lands, including State owned submerged lands and  
3 shorelands, persons must comply with State laws and  
4 regulations and cannot sell subsistence harvested fish  
5 with the two exceptions specified above. Federal  
6 subsistence regulations, particularly customary trade  
7 regulations, pertain only to fishing on and the use of  
8 fish harvested on Federal public lands and those waters  
9 where Federal subsistence jurisdiction is claimed. The  
10 sale of subsistence fish harvested from all lands and  
11 waters, i.e., Federal, State or private, is restricted by  
12 State regulations except to the extent superseded by  
13 Federal law on Federal lands. The State of Alaska  
14 maintains jurisdiction of food safety and food processing  
15 regulations regardless of where fish are harvested.

16  
17                   While the Department supports prohibition  
18 of use of Yukon River Chinook salmon for dog food to the  
19 extent already in regulations, the Department does not  
20 support prohibiting the use of other salmon species as  
21 dog food. Such a prohibition would represent a  
22 significant and additional restriction to subsistence in  
23 the absence of a conservation concern.

24  
25                   The Alaska Department of Fish and Game  
26 supports adoption of enforceable Federal customary trade  
27 regulations that specify limits on cash sales and  
28 establish reporting requirements. However any  
29 restrictions or regulations that specify limits and  
30 reporting requirements should be applied drainage-wide,  
31 not just specific districts as proposed.

32  
33                   Our recommendations are one, to support  
34 limitations on sale of subsistence harvest salmon for  
35 cash that defines significant commercial enterprise,  
36 specify fish weight or number limits and establish  
37 reporting requirements for cash sales of subsistence  
38 harvested salmon. Regulations for customary trade may  
39 vary within regions, but should be applied drainage-wide.  
40 Two, oppose prohibition -- prohibiting the use of salmon  
41 other than Chinook salmon for dog food in Subdistricts 4  
42 and 5. Three, oppose restricting use of Yukon River  
43 Chinook salmon harvested incidental to other fisheries  
44 for dog food beyond that which is already provided by  
45 State regulation. And four, this issue should be  
46 addressed during a joint Board meeting of the three  
47 Regional Councils within the Yukon River drainage because  
48 this issue potentially affects subsistence users in the  
49 entire Yukon River drainage.

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Thank you, Mr. Chair.

\*\*\*\*\*  
STATE OFFICIAL WRITTEN COMMENTS  
\*\*\*\*\*

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

Fisheries Proposal FP11-05:

Prohibit sale for cash, under customary trade, to rural and non-rural residents of federal subsistence chinook salmon harvested from Yukon River Fishery districts 4 and 5. Prohibit use of all salmon for dog food in districts 4 and 5, while allowing use of whole fish unfit for human consumption, scraps, or small fish (16 inches or less) in the remainder of the Yukon River drainage. In the Koyukuk drainage, restrict use of chinook salmon incidentally caught during a subsistence chum salmon fishery for use as dog food to the time period after July 10.

Introduction:

This proposal, submitted by Stanislaus Sheppard of the Mountain Village Working Group, seeks to prohibit sale of subsistence chinook salmon for cash under existing federal regulations for customary trade and to limit use of salmon for dog food. State and federal regulations specifically allow customary trade of subsistence-harvested salmon and provide for use of salmon for dog food, but federal and state regulations differ on the definition of customary trade (i.e., sale of fish). State regulations generally prohibit sale of subsistence-harvested fish while federal regulations allow for cash sales. Furthermore, under current state regulations in 18 AAC 34.005, all fish processed for commerce must be processed at a facility approved by Alaska Department of Environmental Conservation.

Sale of subsistence-harvested fish, both processed and whole, is occurring in both urban and rural communities in Alaska, contrary to existing state and federal regulations. Discrepancies in state and federal regulations, plus state requirements regarding processing of fish to protect public health and safety, may leave some people vulnerable to citation under state and federal regulations. This is a significant issue for state resource managers, law enforcement agencies, and

1 federal agencies that provide for the subsistence  
2 priority on federal lands and those waters where a  
3 federal subsistence management priority is claimed. In  
4 considering FP11-05, FP11-08, and FP11-09, the Federal  
5 Subsistence Board has the opportunity to adopt  
6 enforceable customary trade regulations that are based on  
7 the history and patterns of this use for this region of  
8 the state.

9

10 Impact on Subsistence Users:

11

12 It is not possible to accurately predict  
13 how this proposal will change harvest patterns or  
14 escapement of fish to the spawning grounds, because  
15 federal agencies lack information and data regarding  
16 existing levels of harvest and actual sales of chinook  
17 salmon. Subsistence users in Districts 4 and 5 would  
18 have to secure other sources of food for their dogs,  
19 instead of Yukon River salmon harvested for subsistence  
20 under federal regulations. Because state and federal  
21 regulations differ, subsistence fishermen are vulnerable  
22 to prosecution when selling subsistence-harvested salmon  
23 on lands and waters outside the boundaries where federal  
24 subsistence jurisdiction is claimed. If adopted, this  
25 proposal would reduce the risk of citation for  
26 subsistence fishermen in the Yukon River drainage through  
27 established limitations on cash sales of  
28 subsistence-harvested salmon, a definition of significant  
29 commercial enterprise, specified fish weight or number  
30 limits, and reporting requirements for cash sales of  
31 subsistence-harvested salmon.

32

33 Opportunity Provided by State:

34

35 The department supports subsistence  
36 harvest and use of salmon consistent with existing state  
37 laws and regulations, including customary trade.  
38 However, 5 AAC 01.010 prohibits sale of  
39 subsistence-harvested fish, their parts, or their eggs  
40 unless otherwise specified in state regulation. There  
41 are only two exceptions listed in Chapter 5 of state  
42 regulations: Norton Sound-Port Clarence Area for salmon  
43 and Sitka Sound herring roe on kelp in Southeast Alaska.#  
44 Although state law allows harvest and use of finfishes  
45 such as salmon to feed dogs in support of transportation  
46 (i.e. AS 16.05.940(33)), the state prohibits targeting of  
47 Yukon River drainage chinook salmon for dog food, with  
48 some exceptions.#

49

50 Conservation Issues:

1                   The Yukon River chinook salmon stock is  
2 currently classified as a stock of yield concern. Since  
3 2001, subsistence fishing time in the Yukon Area has been  
4 limited by a windows schedule, which was further  
5 restricted in 2008 and 2009 because of conservation  
6 concerns for chinook salmon. Subsistence harvest levels  
7 for chinook salmon have been within the amounts  
8 reasonably necessary for subsistence (ANS) ranges since  
9 2001, except for 2002, 2008, and 2009. A majority of the  
10 Yukon River drainage escapement goals have been met or  
11 exceeded since 2000, including the Chena and Salcha  
12 rivers, which are the largest producers of chinook salmon  
13 in the United States portion of the drainage. The  
14 escapement objective for the Canadian mainstem was met  
15 every year from 2001 through 2006, with 2001, 2003, and  
16 2005 being the three highest spawning escapement  
17 estimates on record. The escapement objective for the  
18 Canadian mainstem was not met in 2007 and 2008.  
19 Exploitation rate on Canadian-origin stock by Alaskan  
20 fishermen decreased from an average of about 55% (1989  
21 1998) to an average of about 44% from 2004 through 2008  
22 (Howard et al. 2009). Although the subsistence harvest  
23 continues to remain stable at nearly 50,000 chinook  
24 salmon annually, commercial harvests have decreased over  
25 60%, from an average of 100,000 annually (1989 1998) to  
26 the recent five-year average (2005 2009) of nearly 23,000  
27 fish. Considering all salmon species together, the  
28 overall total subsistence salmon harvest in the Yukon  
29 Area has declined by approximately 30% since 1990 (Fall  
30 et al. 2009:39).

31

#### 32                   Jurisdiction Issues:

33

34                   While standing on state and private lands  
35 (including state-owned submerged lands and shorelands),  
36 persons must comply with state laws and regulations and  
37 cannot sell subsistence-harvested fish, with two  
38 exceptions specified above. Federal subsistence  
39 regulations, particularly customary trade regulations,  
40 pertain only to fishing on and use of fish harvested on  
41 federal public lands and those waters where federal  
42 subsistence jurisdiction is claimed. The sale of  
43 subsistence fish harvested from all lands and waters  
44 (federal, state, or private) is restricted by state  
45 regulations except to the extent superseded by federal  
46 law on federal lands. The State of Alaska maintains  
47 jurisdiction of food safety and food processing  
48 regulations, regardless of where fish are harvested.

49

#### 50                   Other Issues:

1                   While the department supports prohibition  
2 of use of Yukon River chinook salmon for dog food to the  
3 extent already in regulation, the department does not  
4 support prohibiting use of other salmon species as dog  
5 food. Such a prohibition would represent a significant  
6 and additional restriction to subsistence in the absence  
7 of a conservation concern.  
8

9                   The Alaska Department of Fish and Game  
10 supports adoption of enforceable federal customary trade  
11 regulations that specify limits on cash sales and  
12 establish reporting requirements. However, any  
13 restrictions or regulations that specify limits and  
14 reporting requirements should be applied drainage-wide,  
15 not just to specific districts as proposed.  
16

17                   Recommendations:  
18

- 19                   1.       Support limitations on sale of  
20                           subsistence-harvested salmon for  
21                           cash that define significant  
22                           commercial enterprise, specify  
23                           fish weight or number limits,  
24                           and establish reporting  
25                           requirements for cash sales of  
26                           subsistence-harvested salmon.  
27                           Regulations for customary trade  
28                           may vary within regions but  
29                           should be applied drainage-wide.  
30
- 31                   2.       Oppose prohibiting use of salmon  
32                           other than chinook salmon for  
33                           dog food in subdistricts 4 and  
34                           5.  
35
- 36                   3.       Oppose restricting use of Yukon  
37                           River chinook salmon harvested  
38                           incidental to other fisheries  
39                           for dog food beyond that which  
40                           is already provided by state  
41                           regulation.  
42
- 43                   4.       This issue should be addressed  
44                           during a joint meeting of the  
45                           three Regional Councils within  
46                           the Yukon River drainage because  
47                           this issue potentially affects  
48                           subsistence users in the entire  
49                           Yukon River drainage.  
50

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2

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8 and Game Division of Subsistence, Technical Paper No.  
9 346, Anchorage.

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14 Fisheries. Alaska Department of Fish and Game, Special  
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16

17 CHAIRMAN IVANOFF: Questions or comments  
18 for Mr. Linderman.

19

20 Mr. Seetot.

21

22 MR. SEETOT: Mr. Chair. Who -- State of  
23 Alaska. How would you define customary or the length of  
24 years, you know, that a person has been doing it or an  
25 organization has been doing it, customary trade because  
26 State of Alaska became a state in 1959, Federal  
27 government was before that and then it went into 51  
28 years. Do you have enough data from statehood to the  
29 present to determine if, you know, this was customary for  
30 people that use these resources. All I'm asking is what  
31 does the State determine how many years, you know, when  
32 people have been doing that for a number of years like if  
33 I was -- let me put it this way. If I come to Nome every  
34 year to harvest eggs from a resource, maybe herring, and  
35 then I've been doing that before state -- before Alaska  
36 became a state how would they know that I've been doing  
37 it for a number of years before they determine that it  
38 became customary or how would you define customary in  
39 that sense, that it was customary for me, you know, to  
40 come to Nome to get eggs for -- from herring and stuff  
41 like that, but that was, you know, something that needs  
42 to be really clarified because I'll -- they're talking  
43 about customary use and trade of pretty much all the  
44 resources, but without Alaska becoming a state in 1959  
45 who does all the recordkeeping and stuff like that to  
46 determine you know, such things like that because we have  
47 people living in the state, you know, that were pretty  
48 much regulated first by US government and then by State  
49 of Alaska which is more restrictive and then we abide  
50 under State of Alaska regulations because majority of the

1 state is under State jurisdiction.

2

3 Thank you.

4

5 MR. LINDERMAN: Through the Chair. Mr.  
6 Seetot. I would say that it's looked at throughout the  
7 history of that use even prior to statehood. It's not  
8 specifically limiting it to looking at that customary and  
9 traditional use just with or since statehood, it looks at  
10 the entire history of that use. When it comes to  
11 customary trade there is a finding of customary trade  
12 under State regulations. The one difference between  
13 State and Federal at least in regards to the Yukon River,  
14 is the customary trade for cash sales. But when it comes  
15 to barter, traditional barter and trade practices, those  
16 have been found to be a customary use. The one  
17 difference being is the cash sale of those fish.

18

19 I'm not sure if that answers your  
20 question in total, but there is quite a bit of similarity  
21 between State and Federal regulations and findings and  
22 customary trade findings or customary and traditional use  
23 findings. But in this case specifically it is the  
24 difference between cash sales -- allowing for cash sales  
25 or not allowing for cash sales.

26

27 MR. SEETOT: That pretty much answered my  
28 question because I wasn't really too sure on the  
29 recordkeeping on the State side, you know, on historical  
30 use and, you know, there might be some differences in the  
31 way Federal government gives out information, you know,  
32 to other entities or to State of Alaska. So, you know,  
33 there's a big difference in how they operate.

34

35 CHAIRMAN IVANOFF: For clarification was  
36 that -- for clarification the cash sales are allowed  
37 between -- cash sales -- you're saying there's a  
38 difference between cash sales between the Federal regime  
39 and the State regime. Who has cash sales and who  
40 doesn't?

41

42 MR. LINDERMAN: Mr. Chair. With respect  
43 to the Yukon River specifically, the State regulations do  
44 not allow for cash sales under customary trade.

45

46 CHAIRMAN IVANOFF: All right. Thank you.  
47 That was my question. Thank you.

48

49 Further questions, comments.

50

1 (No comments)  
2  
3 CHAIRMAN IVANOFF: Hearing none, thanks  
4 very much.  
5  
6 Continue then with the process. Federal,  
7 State, Tribal Agency comments.  
8  
9 (No comments)  
10  
11 CHAIRMAN IVANOFF: Hearing none, there  
12 are no InterAgency Staff Committee comments.  
13  
14 (No comments)  
15  
16 CHAIRMAN IVANOFF: Fish and Game Advisory  
17 comments.  
18  
19 (No comments)  
20  
21 CHAIRMAN IVANOFF: Summary of public  
22 comments. Mr. Nick.  
23  
24 MR. NICK: Mr. Chair. We received 11  
25 written public comments, one in support of the proposal  
26 by Mr. Richard Burnham of Kaltag. He supports .27(c)(11)  
27 and (12) portion of Proposal FP11-05 with modification.  
28 And he opposes the .27(i)(3)(xxi) portion of Proposal  
29 FP11-05.  
30  
31 Mr. Chair.  
32  
33 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
34 Do we have the Western Interior actions.  
35  
36 Ms. Armstrong.  
37  
38 MS. H. ARMSTRONG: Yes, Mr. Chair. The  
39 Western Interior did vote to oppose this proposal. They  
40 also -- and I wanted to note that Western Interior  
41 Council met after the Yukon-Kuskokwim Council and this  
42 was actually -- it ties into this proposal, but it links  
43 more to the next ones. The Western Interior Council  
44 passed a motion to establish a working group to address  
45 Yukon River Chinook salmon customary trade regulation  
46 development to consist of participants from each of the  
47 three Yukon River Councils and relevant State ACs.  
48 Council -- the Council named Robert Walker and Mickey  
49 Stickman to serve on this working group with Ray Collins  
50 and Jenny Pelkola named as alternates. So the YK Council

1 didn't have the opportunity to address this because they  
2 met first, but this will be -- this idea of having a  
3 working group will be taken up by the Eastern Interior  
4 Council today I believe.

5  
6 CHAIRMAN IVANOFF: So.....

7  
8 MS. H. ARMSTRONG: They opposed this  
9 proposal, but.....

10  
11 CHAIRMAN IVANOFF: Right.

12  
13 MS. H. ARMSTRONG: .....then they want to  
14 have a working group on customary trade.

15  
16 CHAIRMAN IVANOFF: Okay. Mr. Nick.

17  
18 MR. NICK: The YK RAC opposed this  
19 proposal and their justification is the majority of the  
20 written public comments from the affected area opposed  
21 this proposal. The area does not have a limit how many  
22 salmon should be harvested for dog food.

23  
24 Mr. Chair.

25  
26 CHAIRMAN IVANOFF: Okay. Any further  
27 questions.

28  
29 (No comments)

30  
31 CHAIRMAN IVANOFF: Any public testimony.

32  
33 (No comments)

34  
35 CHAIRMAN IVANOFF: Regional Advisory  
36 Council deliberation, recommendation and justification.

37  
38 (No comments)

39  
40 CHAIRMAN IVANOFF: Pushes up a committee.  
41 For discussion purpose I'd entertain a motion to adopt.

42  
43 MR. QUINN: So moved.

44  
45 CHAIRMAN IVANOFF: Motion on the floor by  
46 Mr. Quinn to adopt the proposal.

47  
48 MR. BUCK: Seconded.

49  
50 CHAIRMAN IVANOFF: Seconded by Mr. Buck.

1 Discussion.

2

3 Mr. Quinn.

4

5 MR. QUINN: Well, again I participated in  
6 this stuff in that region, spent a few years, taken some  
7 serious time during the month of September to catch fish,  
8 cut them, dry them, late in the year, throw them on the  
9 bank to freeze and fed them to the dogs all winter. I  
10 can't say I participated in customary and traditional  
11 trade with such stuff, but I know many, many people who  
12 have. I don't like this proposal. I don't want to see  
13 its effects come into our Region. I want to see the  
14 managers manage the harvest. And what happens with that  
15 harvest after that is up to the people who have legally  
16 harvested those fish. And I certainly want to see all my  
17 subsistence neighbors get the most benefit they can from  
18 the resources they have legally harvested within the law.  
19 So I'll be -- and I'll note as YK did that comments of  
20 opposition from people who live in the region. So I'm  
21 going to be opposed to this.

22

23 CHAIRMAN IVANOFF: Thank you, Mr. Quinn.

24

25 MR. BUCK: Mr. Chair.

26

27 CHAIRMAN IVANOFF: Mr. Buck.

28

29 MR. BUCK: I recommend opposing for all  
30 the proposals, 05, 08 and 09.

31

32 CHAIRMAN IVANOFF: Mr. Seetot.

33

34 MR. SEETOT: Mr. Chair. On that  
35 executive summary on 97, for those that don't -- for us  
36 that are not very familiar with words, you know, the  
37 definition of preclude, if a person wants to read, you  
38 know, simple language structure, all that, preclude would  
39 -- preclude would mean to the average reader what?

40

41 CHAIRMAN IVANOFF: Preclude means --  
42 preclude, wouldn't have included.

43

44 MR. SEETOT: Not included. Okay.

45

46 CHAIRMAN IVANOFF: Any further  
47 discussion, comments.

48

49 (No comments)

50

1                   CHAIRMAN IVANOFF: In regards to the  
2 recommendation by the State of Alaska to support  
3 limitations on the sale of subsistence harvested salmon  
4 for cash that defines significant commercial enterprise  
5 and establish reporting requirements for cash sales of  
6 harvested salmon, regulations for customary trade may  
7 vary within Regions should be applied drainage-wide. I  
8 agree with the statement, but I -- I really am -- I think  
9 there's a real big difference between significant  
10 commercial enterprises as well as cash sales for  
11 customary trade and use. There's -- I realize talking  
12 with several people along the Yukon that it occurs, but  
13 because -- and there's a stock of concern in regards to  
14 the Chinook, and I realize what the proponent is trying  
15 to do, but I don't think this proposal does that. And  
16 I'm really not in favor of any customary trade  
17 restrictions on the Yukon or here. And being not  
18 familiar with the Yukon River drainage customary trade  
19 and use as well as significant commercial cash sales, I  
20 really would not want to go into that arena of trying to  
21 define those two especially on the Yukon River Districts  
22 4 and 5. I do agree that if indeed something was done  
23 that it be drainage-wide. So I would be in favor of  
24 opposition also to the proposal that restricts customary  
25 trade and use. The Federal Subsistence Board has gone on  
26 record on a number of occasions opposing proposals that  
27 were of the same or pretty much the same issue before  
28 them and rejected. So I'd be in opposition also to this  
29 proposal.

30  
31                   Any further questions or comments.

32  
33                   (No comments)

34  
35                   MR. BUCK: Question.

36  
37                   CHAIRMAN IVANOFF: Question on the motion

38  
39                   All in favor of the motion signify by  
40 saying aye.

41  
42                   (No aye votes)

43  
44                   CHAIRMAN IVANOFF: All opposed, same

45 sign.

46  
47                   IN UNISON: Aye.

48  
49                   CHAIRMAN IVANOFF: Well, we are in  
50 opposition to FP11-08 [sic].

1 FP11-07.  
2  
3 MR. NICK: No, we did that.  
4  
5 CHAIRMAN IVANOFF: Oh, we did that. Oh,  
6 thank you.  
7  
8 FP11-08 forbidding customary trade of  
9 salmon in the Yukon River Fish Management Area in any  
10 Chinook harvests are restricted.  
11  
12 Ms. Helen Armstrong. Page 135.  
13  
14 MS. H. ARMSTRONG: Mr. Chair. If I can  
15 just clarify. I think you -- mistakenly you just said  
16 that it was in opposition to FP11-08 and you meant 05,  
17 correct?  
18  
19 CHAIRMAN IVANOFF: I'm sorry.  
20  
21 MS. H. ARMSTRONG: Yeah, I just wanted to  
22 clarify it for the record.  
23  
24 CHAIRMAN IVANOFF: Thank you.  
25  
26 MS. H. ARMSTRONG: All right.  
27  
28 CHAIRMAN IVANOFF: You're correct.  
29  
30 MS. H. ARMSTRONG: No problem. It's --  
31 a lot of proposal here.  
32  
33 Okay. This one I promise will be a  
34 little bit shorter since we went through a lot of  
35 information already on customary trade.  
36  
37 FP11-08 as the Chair said is on Page 135.  
38 Submitted by the Yukon-Kuskokwim Delta Subsistence  
39 Regional Advisory Council, it requests that customary  
40 trade in the Yukon River Fisheries Management Area be  
41 prohibited in any year when Chinook salmon runs are  
42 insufficient to fully satisfy subsistence harvest needs  
43 and subsistence fisheries are restricted.  
44  
45 As submitted the prohibition would only  
46 affect customary trade between rural residents. It does  
47 not prohibit customary trade between rural residents and  
48 other people who are not rural.  
49  
50 The proponent states that prohibiting

1 customary trade is years of poor Chinook runs would have  
2 significant and positive effects on fish populations as  
3 well as on the lawful subsistence fishers. The proponent  
4 also states that under current regulations when Chinook  
5 runs are low subsistence users are restricted, but not  
6 subsistence uses. In the case of customary trade the  
7 emphasis should be reversed and customary trade should be  
8 restricted before subsistence users are restricted. The  
9 proponent is particularly concerned with numerous reports  
10 of Yukon River rural residents selling large numbers of  
11 Yukon Chinook salmon in the urban areas of our state.

12  
13                   However you need to note that the  
14 proposal seeks to limit customary trade under 27(c)(11)  
15 which refers to customary trade between rural residents.  
16 The proponent however is also concerned with customary  
17 trade between rural residents and others, that is the  
18 people in the urban areas, which is governed under  
19 27(c)(12). 27(c)(12) reads in part in customary trade a  
20 rural resident may trade fish, their parts or their eggs  
21 for cash from individuals other than rural residents if  
22 the individual who purchases the fish, their parts or  
23 their eggs uses them for personal or family consumption.

24  
25                   As it stands the current proposal does  
26 not target all of the relevant regulations. So you can  
27 see the problem, it only targeted rural to rural and not  
28 rural to non-rural.

29  
30                   If the proposal is adopted the proposal  
31 would prohibit all customary trade of any subsistence  
32 caught fish between rural residents under the following  
33 condition. If in any given year in the Yukon River  
34 Fisheries Management Area Chinook runs are insufficient  
35 to fully satisfy subsistence harvest needs and  
36 subsistence fisheries are restricted. The amount of cash  
37 exchanged in customary trade would thereby be diminished.

38  
39                   If the proposal is adopted then a  
40 definition of when Chinook salmon runs are insufficient  
41 to fully satisfy subsistence harvest needs would need to  
42 be created. There is no definition at this time.  
43 Although State subsistence regulations include amounts  
44 needed for subsistence, Federal subsistence regulations  
45 do not.

46  
47                   If adopted the proposal would limit the  
48 ability of Federally-qualified subsistence users to  
49 engage in customary trade under the conditions specified  
50 above. Presumably non-Federally-qualified subsistence

1 users as recipients would also find their engagement in  
2 customary trade curtailed.

3  
4 The total number of fish exchanged in  
5 customary trade is unknown, therefore the effect of this  
6 proposal on fish populations is also unknown.

7  
8 The OSM preliminary conclusion is to  
9 oppose Proposal FP11-08. This because customary trade is  
10 recognized as a legitimate subsistence activity under  
11 ANILCA. And as defined by Federal subsistence management  
12 regulation customary trade refers only to subsistence  
13 caught fish or wildlife exchanged for cash provided such  
14 exchanges do not constitute a significant commercial  
15 enterprise. Any exchanges of subsistence caught fish for  
16 cash that rise to the level of significant commercial  
17 transactions are not customary trades and such commercial  
18 level transactions are prohibited under current  
19 regulation. In other words existing regulations  
20 governing customary trade prohibit turning subsistence  
21 foods into commodities for sale in the open market.

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

25  
26 CHAIRMAN IVANOFF: Okay. Thank you. Any  
27 questions or comments for Ms. Armstrong.

28  
29 MR. SEETOT: Mr. Chair.

30  
31 CHAIRMAN IVANOFF: Mr. Seetot.

32  
33 MR. SEETOT: To Helen, the Chinook  
34 harvests are restricted, would that go into other fish  
35 like the chum and the jack or other fish if this was  
36 approved by RAC and by the Federal Subsistence Board  
37 would it go into other areas or other fish?

38  
39 MS. H. ARMSTRONG: That is one of the  
40 issues is that the intention was it be focused on Chinook  
41 salmon, but instead the proposed regulation -- I mean, it  
42 is on Chinook runs, but it was only between rural and  
43 rural, rural to rural and not rural to non-rural which is  
44 actually where the concerns are is people going to  
45 Anchorage and, you know, what we've heard is, you know,  
46 at AFN selling, you know, Chinook strips and that sort of  
47 thing. So it wouldn't prohibit that. You can see that  
48 on Page 138 in the bold there, proposed federal  
49 regulation, when the runs are insufficient then it would  
50 be prohibited. The -- and the other concern in

1 addressing the analysis is that there's no definition of  
2 what does it mean when the runs are insufficient.

3  
4 MR. SEETOT: Regardless of that customary  
5 trade will still go on because when people have a taste  
6 for certain food items, you know, they'll buy it or get  
7 it at any cost just to savor, you know, the -- whatever  
8 they've been enjoying over the years.

9  
10 MS. H. ARMSTRONG: Uh-huh. (Affirmative)

11  
12 MR. KEYES: This is Anthony Keyes from  
13 Wales. You know, listening to all that is pretty bad and  
14 making people -- this was an ongoing process with our  
15 Native people from day one before State laws were put in  
16 effect for all Alaskan members. Anybody that does good  
17 fishing in one village and another village that doesn't  
18 do too good would like to have -- would like to go to  
19 that other village that did real good and get fish  
20 because, you know, they got a lot and everybody's related  
21 to the -- village to village down there. Taking away the  
22 customary of -- this customary stuff away from there is  
23 just going to make the Natives go wild and crazy and, you  
24 know, this is an ongoing process that's been traded from  
25 our elders and it's been passed on from generation to  
26 generation. Whatever task that they have and what they  
27 want, they will get it regardless of what the cost is or  
28 whatever they have to do they will do it. They're not  
29 going to go through this book and say hey, I'm going to  
30 be fined for doing this and that's going to make my  
31 family look bad. And when the family is affected by this  
32 the whole village will start being affected by the whole  
33 -- you know, this taking away this stuff thing here.  
34 It's not right. I'm just going to say no.

35  
36 Thank you.

37  
38 CHAIRMAN IVANOFF: Thank you, Mr. Keyes.  
39 Further questions for Ms. Armstrong.

40  
41 (No comments)

42  
43 CHAIRMAN IVANOFF: Hearing none, thank  
44 you. Continue with the State of Alaska and Mr. John  
45 Linderman.

46  
47 MR. LINDERMAN: Thank you, Mr. Chair.  
48 Council Members. On proposal FP-08.

49  
50 The Yukon-Delta Regional Advisory Council

1 submitted this proposal to prohibit customary trade of  
2 Chinook salmon harvested in Federal subsistence fisheries  
3 on the Yukon River during years when returns are  
4 insufficient to satisfy subsistence user needs and  
5 subsistence fishing restrictions are implemented. The  
6 intent was to curb sales of subsistence harvested Chinook  
7 salmon made into strips while other subsistence fisheries  
8 were closed due to insufficient returns. State  
9 regulations generally prohibit the sale of subsistence  
10 harvested fish while Federal regulations allow for cash  
11 sales. State regulations at 18 AAC 34.005 require that  
12 all fish processed for commerce be processed at a  
13 facility approved by the Alaska Department of  
14 Environmental Conservation.

15

16 Existing Federal customary trade is  
17 limited to whole fish unless processed fish are produced  
18 in compliance with Alaska Department of Environmental  
19 Conservation food safety rules.

20

21 Adoption of limitations on cash sales of  
22 subsistence harvested salmon for cash would remove the  
23 risk of citation for subsistence fishers in the Yukon  
24 River drainage, particularly regulations that define  
25 significant commercial enterprise, specify fish weight or  
26 number limits, clarify where subsistence harvested fish  
27 may be sold under Federal regulation and establish  
28 reporting requirements for cash sales of subsistence  
29 caught salmon.

30

31 The Yukon River Chinook salmon stock is  
32 currently classified as a stock of yield concern. The  
33 Alaska Department of Fish and Game supports adoption of  
34 enforceable Federal customary trade regulations that  
35 specify limits on cash sales and establish reporting  
36 requirements, however restrictions or regulations that  
37 specify limits and reporting requirements should be  
38 applied drainage-wide. Violation of existing Federal  
39 customary trade and State fish processing regulations is  
40 an enforcement problem that has significant implications  
41 for subsistence users and the public. More education on  
42 State and Federal regulations and an enforceable  
43 definition on what constitutes a significant commercial  
44 enterprise are needed. We propose implementing a  
45 monitoring program to produce needed resource data. We  
46 request clarification of roles and responsibilities of  
47 Federal and State enforcement agencies. The Department  
48 proposes this issue be addressed through a joint meeting  
49 of the Regional Councils within the Yukon drainage  
50 because this issue potentially affects subsistence users

1 in the entire Yukon River.

2

3 Our recommendation is to support a  
4 modified proposal that requires reporting and regulates  
5 sales of subsistence harvested fish during all years, not  
6 just those of low salmon returns, adopts a definition of  
7 significant commercial enterprise and address education  
8 and enforcement issues.

9

10 Thank you, Mr. Chair.

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\*\*\*\*\*  
STATE OFFICIAL WRITTEN COMMENTS  
\*\*\*\*\*

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

Fisheries Proposal FP11-08:

Prohibit customary trade of chinook  
salmon harvested in the Yukon River Fisheries Management  
Area during years of insufficient chinook salmon returns.

Introduction:

The Yukon-Delta Regional Advisory Council  
submitted this proposal to prohibit customary trade# of  
chinook salmon harvested in federal subsistence fisheries  
on the Yukon River during years when returns are  
insufficient to satisfy subsistence user needs and  
subsistence fishing restrictions are implemented. The  
intent was to curb sales of subsistence harvested chinook  
salmon made into strips while other subsistence fisheries  
were closed due to insufficient returns. State  
regulations generally prohibit sale of subsistence  
harvested fish# while federal regulations allow for cash  
sales. State regulations at 18 AAC 34.005 require that  
all fish processed for commerce be processed at a  
facility approved by Alaska Department of Environmental  
Conservation.#

Sale of subsistence harvested fish, both  
processed and whole, is occurring in both urban and rural  
communities in Alaska, contrary to existing state and  
federal regulations. Discrepancies in state and federal  
regulations and state requirements regarding processing  
of fish to protect health and safety of the public may  
leave some people vulnerable to citation under state and  
federal regulations. This is a significant issue for

1 state resources managers, law enforcement agencies, and  
2 federal agencies that provide for the subsistence  
3 priority on federal lands and those waters where federal  
4 subsistence jurisdiction is claimed. In considering  
5 FP11-05, FP11-08, and FP11-09, the Federal Subsistence  
6 Board has the opportunity to adopt enforceable customary  
7 trade regulations for the Yukon region that are based on  
8 the history and patterns of this use for this region of  
9 the state.

10

11 Impact on Subsistence Users:

12

13 This proposal may reduce harvest of  
14 chinook salmon for cash sale of chinook salmon. It is  
15 not possible, however, to accurately predict how this  
16 proposal will affect changes in subsistence harvest  
17 patterns because federal agencies lack information and  
18 data regarding existing levels of harvest and actual  
19 sales of subsistence harvested chinook salmon. Existing  
20 federal customary trade is limited to whole fish, unless  
21 processed fish are produced in compliance with Alaska  
22 Department of Environmental Conservation food safety  
23 rules. Because state and federal regulations differ,  
24 subsistence fishermen are vulnerable to prosecution when  
25 selling subsistence harvested salmon on lands and waters  
26 outside the boundaries where federal subsistence  
27 jurisdiction is claimed. Adoption of limitations on cash  
28 sales of subsistence harvested salmon for cash would  
29 remove the risk of citation for subsistence fishers in  
30 the Yukon River drainage, particularly regulations that  
31 define significant commercial enterprise, specify fish  
32 weight or number limits, clarify where subsistence  
33 harvested fish may be sold under federal regulation, and  
34 establish reporting requirements for cash sales of  
35 subsistence caught salmon.

36

37 Opportunity Provided by State:

38

39 The department supports subsistence  
40 harvest and use of salmon consistent with existing state  
41 laws and regulations including customary trade of this  
42 resource. However, 5 AAC 01.010 prohibits sale of  
43 subsistence caught fish, their parts, or their eggs  
44 unless otherwise specified in state regulation.  
45 Currently, there are only two exceptions listed in  
46 Chapter 5 of state regulations: Norton Sound-Port  
47 Clarence Area for salmon and Sitka Sound herring roe on  
48 kelp in Southeast Alaska.#

49

50 Conservation Issues:

1                   The Yukon River chinook salmon stock is  
2 currently classified as a stock of yield concern. Since  
3 2001, subsistence fishing time in the Yukon Area has been  
4 limited by a windows schedule, which was further  
5 restricted in 2008 and 2009 because of conservation  
6 concerns for chinook salmon. Subsistence harvest levels  
7 for chinook salmon have been within the amounts  
8 reasonably necessary for subsistence (ANS) ranges since  
9 2001, except for 2002, 2008, and 2009. A majority of the  
10 Yukon River drainage escapement goals have been met or  
11 exceeded since 2000, including the Chena and Salcha  
12 rivers, which are the largest producers of chinook salmon  
13 in the United States portion of the drainage. The  
14 escapement objective for the Canadian mainstem was met  
15 every year from 2001 through 2006, with 2001, 2003, and  
16 2005 being the three highest spawning escapement  
17 estimates on record. The escapement objective for the  
18 Canadian mainstem was not met in 2007 and 2008.  
19 Exploitation rate on Canadian-origin stock by Alaskan  
20 fishermen decreased from an average of about 55% (1989  
21 1998) to an average of about 44% from 2004 through 2008  
22 (Howard et al. 2009). Although the subsistence harvest  
23 continues to remain stable at nearly 50,000 chinook  
24 salmon annually, commercial harvests have decreased over  
25 60%, from an average of 100,000 annually (1989 1998) to  
26 the recent five-year average (2005 2009) of nearly 23,000  
27 fish. Considering all salmon species together, the  
28 overall total subsistence salmon harvest in the Yukon  
29 Area has declined by approximately 30% since 1990 (Fall  
30 et al. 2009:39). Specifically, fall chum salmon harvests  
31 have fallen within ANS ranges only three times since 2001  
32 (Fall et al. 2009:43).

33

34                   Jurisdiction Issues:

35

36                   While standing on state and private lands  
37 (including state-owned submerged lands and shorelands),  
38 persons must comply with state laws and regulations and  
39 cannot sell subsistence harvested fish, with two  
40 exceptions as specified above. Federal subsistence  
41 regulations, particularly customary trade regulations,  
42 pertain only to fishing on and use of fish harvested on  
43 federal public lands and those waters where federal  
44 subsistence jurisdiction is claimed. Sale of subsistence  
45 fish harvested on all lands and waters (federal, state,  
46 or private) is limited by state regulations except to the  
47 extent superseded by federal law on federal lands. The  
48 State of Alaska maintains jurisdiction of food safety and  
49 food processing regulations, regardless of where fish are  
50 harvested.

1 Other issues:

2

3

4 The Alaska Department of Fish and Game  
5 supports adoption of enforceable federal customary trade  
6 regulations that specify limits on cash sales and  
7 establish reporting requirements. However, restrictions  
8 or regulations that specify limits and reporting  
9 requirements should be applied drainage-wide.

9

10

11 Violation of existing federal customary  
12 trade and state fish processing regulations is an  
13 enforcement problem that has significant implications for  
14 subsistence users and the public. More education on  
15 state and federal regulations and an enforceable  
16 definition on what constitutes a significant commercial  
17 enterprise are needed. We propose implementing a  
18 monitoring program to produce needed resource data. We  
19 request clarification of roles and responsibilities of  
20 federal and state enforcement agencies. The department  
21 proposes this issue be addressed during a joint meeting  
22 of the Regional Councils within the Yukon drainage  
23 because this issue potentially affects subsistence users  
24 in the entire Yukon River drainage.

24

25

26

27

28 Recommendation:  
29 Support a modified proposal that requires  
30 reporting and regulates sales of subsistence harvested  
31 fish during all years, not just those of low salmon  
32 returns, adopts a definition of significant commercial  
33 enterprise, and addresses education and enforcement  
34 issues.

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CHAIRMAN IVANOFF: Thank you, Mr.

1 Linderman. Commission comments.

2

3 (No comments)

4

5 MS. H. ARMSTRONG: Mr. Chair.

6

7 CHAIRMAN IVANOFF: Yes.

8

9 MS. H. ARMSTRONG: If I may. Helen  
10 Armstrong. I think I wasn't clear in my response to the  
11 question about the focus of this proposal that one of the  
12 problems is that it was intended to target Chinook  
13 salmon, but the way it's written it applies to all  
14 salmon. And so if this were to be adopted it would  
15 really need to be made explicit, make it very specific to  
16 Chinook salmon because it wasn't written in a clear way.  
17 So the way it's written there on Page 138, it's under the  
18 section that applies to all salmon. So I wasn't clear in  
19 my response, I just wanted to clarify that.

20

21 Thank you.

22

23 CHAIRMAN IVANOFF: Ms. Armstrong, when  
24 you say you're -- it's relating to all salmon and looking  
25 at Page 138, number 3 in bold letters and it refers  
26 specifically to the management of Chinook runs,  
27 insufficient to fully satisfy, is that what -- what's  
28 that differentiation? I'm just trying to understand  
29 this.

30

31 MS. H. ARMSTRONG: Sorry, could you  
32 repeat your question.

33

34 CHAIRMAN IVANOFF: You were just stating  
35 that the way the proposal is written that it applies to  
36 all salmon?

37

38 MS. H. ARMSTRONG: Correct. It says --  
39 because it says if any given year in the Yukon River  
40 Fisheries Management Area Chinooks runs are insufficient  
41 to fully satisfy subsistence harvest needs and  
42 subsistence fisheries are restricted, customary trade  
43 will be prohibited. It says -- it doesn't say customary  
44 trade of Chinook salmon will be prohibited.....

45

46 CHAIRMAN IVANOFF: Chinook only.

47

48 MS. H. ARMSTRONG: .....it just says  
49 customary trade.

50

1 CHAIRMAN IVANOFF: I see.  
2  
3 MS. H. ARMSTRONG: So it wasn't specific.  
4  
5 CHAIRMAN IVANOFF: Okay.  
6  
7 MS. H. ARMSTRONG: And I -- but we  
8 believe the intent of the proposal was that it address  
9 Chinook salmon, but I'm not sure either.  
10  
11 CHAIRMAN IVANOFF: Okay. Thank you.  
12 Yeah, a little bit ambiguous.  
13  
14 Mr. Quinn.  
15  
16 MR. QUINN: Well, it looks like they  
17 wrote 11-09 to more clarify what they wanted in 11-08.  
18 So you're getting 09 next, right?  
19  
20 MS. H. ARMSTRONG: I am.  
21  
22 MR. QUINN: Okay.  
23  
24 CHAIRMAN IVANOFF: And are -- yeah,  
25 they're related except for 09 is talking about urban and  
26 rural sales. Does that include both?  
27  
28 MS. H. ARMSTRONG: 09 addresses actually  
29 recordkeeping of customary trade.  
30  
31 CHAIRMAN IVANOFF: Only recordkeeping?  
32  
33 MS. H. ARMSTRONG: Uh-huh. (Affirmative)  
34  
35 CHAIRMAN IVANOFF: Okay. Okay. Any  
36 further questions.  
37  
38 Mr. Nick.  
39  
40 MR. NICK: Mr. Chair. Members of the  
41 Council. I thought maybe this would be helpful to you.  
42 YK RAC gets mixed up between customary trade which is the  
43 sale of salmon and -- between the qualified users and  
44 barter, the two are different. Customary trade is sale  
45 for cash and barter is exchange of food between the rural  
46 residents. Even though YK RAC discussed this many times  
47 now, I mean, the issue, they've gotten the two mixed up  
48 in the past.  
49  
50 Mr. Chair.

1 CHAIRMAN IVANOFF: And you're saying  
2 customary trades includes cash sales and the bartering  
3 doesn't?

4  
5 MR. NICK: I think other staff could  
6 explain this better than I can, but the customary trade  
7 is exchange for cash and barter is exchange for whatever.

8  
9 CHAIRMAN IVANOFF: Food items or anything  
10 like that. Okay. All right. Thank you.

11  
12 Are there any further -- any questions,  
13 any further questions or comments.

14  
15 Mr. Seetot.

16  
17 MR. SEETOT: When you mentioned that fish  
18 resources are restricted or limited you pretty much --  
19 not all fish is taken for human consumption. There are  
20 lots of circumstances involving the production from a egg  
21 to a full grown fish. Fish are targeted when they first  
22 spawn because there are other predatory fish mainly trout  
23 and grayling that do a lot of damage or that eat a lot of  
24 salmon eggs when they first come out. That is a number  
25 lost already when they spawn, those fish are -- those  
26 eggs are never going to mature.

27  
28 We kind of talk about these issues when  
29 it becomes to a critical stage, harvest resources are  
30 restricted or limited, but we never talk about the  
31 preventive stage, why don't we go after trout and  
32 grayling because they're eating all the eggs. What --  
33 why don't we look at other circumstances, you know,  
34 ecosystem, you know, everything that goes in a single  
35 year, while -- when the eggs are first put in there by  
36 the fish, you know, they go through a cycle. I seen a  
37 number of small fry that are very numerous in an unnamed  
38 lake around Platford (ph) we call Plat Lake and then  
39 Grantey Harbor. Late July numerous fry go along the  
40 beach and then we -- I see these smaller white fish that  
41 go after whatever is going so it's one fish eating  
42 another.

43  
44 We -- like I said we talk about  
45 everything when it becomes very critical to our  
46 subsistence needs, but we don't really do anything when  
47 they first start up. Like when we train a child, you  
48 know, we train them early so that they know all this  
49 information, but for us that are able to reason we do  
50 everything just like backwards, we tackle projects or

1 issues when they become critical. Biologists have or  
2 they're regulated or they determine how their work space  
3 is because, you know, they get all the information, they  
4 go for the whole state. We who are harvesters pretty  
5 much know the intricate details of what resources are  
6 doing in their natural environment yet we hardly get  
7 questioned or surveyed on what we have seen or what  
8 natural occurrences are occurring, you know, stuff like  
9 that. And I think that's where the majority of the  
10 issues are being discussed is that when resources are  
11 being depleted or become very critical.

12

13                   And then also the other part is the TEK.  
14 We in the communities know fish information that has been  
15 passed on from generation to generation. For those in  
16 the urban community TEK is there, but they have looked  
17 for it in other resource -- I mean, other sources, it's  
18 not really handed down. Everything that is governed in  
19 this universe, it's pretty much goes to one thing and  
20 that's pretty much god's creation of all the -- of  
21 everything. So everything has a purpose.

22

23                   I could go on and on, but I -- that's one  
24 thing that I think that has been really overlooked is  
25 preventing other predatory fish to, you know, decimate  
26 the whole population and to involve local people more on  
27 what natural occurrences that you see other there  
28 because, you know, it's out there, but, you know, we  
29 really get questioned on what unusual activities that we  
30 see out there.

31

32                   Thank you.

33

34                   CHAIRMAN IVANOFF: Thank you, Mr. Seetot.

35 Other comments.

36

37                   (No comments)

38

39                   CHAIRMAN IVANOFF: If there are no  
40 further questions we'll continue with the Federal, State,  
41 Tribal Agency comments.

42

43                   (No comments)

44

45                   CHAIRMAN IVANOFF: If there are none,  
46 Fish and Game Advisory Committee comments.

47

48                   (No comments)

49

50                   CHAIRMAN IVANOFF: Mr. Nick. Summary of

1 public written comments.

2

3 MR. NICK: Mr. Chair. We received a  
4 total of six written public comments, two in support of  
5 the proposal and four in opposition of the proposal.

6

7 Mr. Chair.

8

9 CHAIRMAN IVANOFF: And that's from --  
10 okay. Thank you.

11

12 MR. NICK: And maybe at this time I could  
13 provide information on what YK did.

14

15 CHAIRMAN IVANOFF: Please.

16

17 MR. NICK: Mr. Chair.

18

19 CHAIRMAN IVANOFF: Please.

20

21 MR. NICK: YK Council supported Proposal  
22 FP-08 with modification. And their modification reads  
23 number 3, Yukon River Fishery Management Area, the total  
24 cash value per household of salmon taken within Federal  
25 jurisdiction within the Yukon River Fishery Management  
26 Area and exchanged in customary trade to rural resident  
27 may not exceed \$700 annually. And their justification is  
28 Council supports proposals to prohibit customary trade  
29 until salmon numbers reaches healthy numbers again. This  
30 issue needs to be addressed because for some reason chum  
31 salmon numbers are declining. This is a river-wide issue  
32 and it's up to the people to conserve salmon. Council  
33 will support this kind of proposal because there are  
34 reports of customary trade abuse.

35

36 Mr. Chair.

37

38 MS. H. ARMSTRONG: Mr. Chair.

39

40 CHAIRMAN IVANOFF: Yes, Ms. Armstrong.

41

42 MS. H. ARMSTRONG: I just -- I'm not sure  
43 if I heard Alex correctly or not, but my understanding  
44 from the notes that I had from that meeting it was 750,  
45 not 700. I wasn't sure if he said 700 or 750. So I just  
46 want to clarify that.

47

48 MR. NICK: If I made a mistake, they said  
49 between seven and 750.

50

1 MS. H. ARMSTRONG: Okay.  
2  
3 REPORTER: It's 750.  
4  
5 MS. H. ARMSTRONG: 750 is what we had on  
6 the -- from the record.  
7  
8 MR. NICK: 700.  
9  
10 MS. H. ARMSTRONG: Yeah.  
11  
12 MR. NICK: Whatever. Thank you.  
13  
14 MS. H. ARMSTRONG: Mr. Chair. The YK  
15 Council did oppose this proposal, but they -- I mean,  
16 sorry, Western Interior, but they established the working  
17 group as I said earlier to address these issues. And as  
18 I said they met after the YK Council did so the YK  
19 Council didn't have the opportunity to weigh in on  
20 whether or not they like the idea of the working group.  
21  
22 CHAIRMAN IVANOFF: Okay. And we have no  
23 public testimony that I could see.  
24  
25 (No comments)  
26  
27 CHAIRMAN IVANOFF: We continue then,  
28 Regional Advisory Council deliberation. Motion on the  
29 floor, put it on the table.  
30  
31 MR. QUINN: Mr. Chair.  
32  
33 CHAIRMAN IVANOFF: Mr. Quinn.  
34  
35 MR. QUINN: We've already gone on record  
36 opposing 05, 08 and 09 are somewhat following a similar  
37 thing. I'm going to move that we take no action on this  
38 proposal and the people involved -- more involved in it  
39 can hash -- in that area can hash it out.  
40  
41 CHAIRMAN IVANOFF: Motion has been made  
42 for no action. Do I hear a second.  
43  
44 MR. BUCK: Seconded.  
45  
46 CHAIRMAN IVANOFF: Seconded by Mr. Buck.  
47 Discussion.  
48  
49 (No comments)  
50

1 CHAIRMAN IVANOFF: Discussion.  
2  
3 (No comment)  
4  
5 CHAIRMAN IVANOFF: The -- I support the  
6 motion of no action, but I really like the idea of  
7 establishing a working group with the three Regional  
8 Councils that are involved. I think that should be  
9 really supported, but that's not in the motion, but at  
10 the same time I think as far as discussing purposes when  
11 they do go there that that be -- if there is no objection  
12 from the Committee I really believe the three working  
13 group -- the working -- establishing a working group  
14 would go a long way because it's an ongoing issue as was  
15 stated by Mr. Keyes and several others, an ongoing issue  
16 for a number of years and this really is sorely needed  
17 and I support that.  
18  
19 So having said that I support also the  
20 motion made by Mr. Quinn.  
21  
22 Any further discussion or comments.  
23  
24 (No comments)  
25  
26 MR. QUINN: Question.  
27  
28 CHAIRMAN IVANOFF: Question called for on  
29 the motion.  
30  
31 All in favor of the motion signify by  
32 saying aye.  
33  
34 IN UNISON: Aye.  
35  
36 CHAIRMAN IVANOFF: Any opposed, the same  
37 sign.  
38  
39 (No opposing votes)  
40  
41 CHAIRMAN IVANOFF: Motion carries. Thank  
42 you.  
43  
44 That brings us to our last proposal  
45 before us, 11-09.  
46  
47 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
48 Helen Armstrong again. This proposal begins on Page 148.  
49 Again it was submitted by Yukon-Kuskokwim Delta  
50 Subsistence Regional Advisory Council and it requests

1 that the Federal Subsistence Board limit the customary  
2 trade of Chinook salmon in the Yukon River Management  
3 Area, require a customary trade recordkeeping form and  
4 impose a geographic constraint to the customary trade of  
5 Chinook salmon caught in the Yukon River Management Area.  
6 Such trade including the delivery of fish to a purchaser  
7 should only occur in the Yukon River Management Area.  
8

9                   The proponent states that limiting the  
10 sale of Chinook salmon under customary trade and  
11 requiring the use of customary trade recordkeeping form  
12 would have three consequences. First, the proposed  
13 regulation would curtail abuses of customary trade by  
14 eliminating commercial transactions operating under the  
15 guise of customary trade. Second, the proposed  
16 regulation would provide an enforcement or tracking  
17 mechanism to ensure that customary trade sales are  
18 limited to fish that have been legally taken in Federal  
19 subsistence designated waters, The proposed geographic  
20 restraint would preclude sales of Yukon Chinook salmon  
21 under customary trade outside of the Yukon River  
22 Management Area. That is it would stop sales.  
23

24                   Note that the proposal seeks to limit  
25 customary trade under Section 27(c)(12) which refers to  
26 customary trade between rural residents and others, that  
27 is non-rural residents. The proponent however is also  
28 concerned with rural to rural customary trade which is  
29 governed under 27(c)(11). The proposed geographic  
30 constraint limits customary trade of Chinook salmon to  
31 the Yukon River Management Area which is mostly rural.  
32 As submitted the current proposal does not target all of  
33 the relevant regulations.  
34

35                   I talked in Proposal FP11-05 about the  
36 Federal Subsistence Board adopting two regional proposals  
37 defining the upper limits for customary trade, one in  
38 Bristol Bay Fishery Management Area and the other for the  
39 upper Copper River District. And both of these proposals  
40 submitted by proponents within their regions resulted in  
41 regulations for a customary trade recordkeeping form and  
42 that's shown in Appendix A in this proposal.  
43

44                   The use of the recordkeeping form appears  
45 to be limited. We found that the subsistence coordinator  
46 for Lake Clark National Park and Preserve noted that no  
47 customary trade reporting forms have been distributed for  
48 the Bristol Bay Fishery Management Area since the  
49 regulation was implemented in February of 2004. And a  
50 biologist for the Wrangell-St. Elias National Park and

1 Preserve also reported that fewer than six customary  
2 trade reporting forms have been distributed for the upper  
3 Copper River District in any one year since March of  
4 2005. So the recordkeeping form has not been -- in both  
5 cases has not been utilized very much if at all.

6  
7           Limiting the customary trade of Yukon  
8 River Chinook salmon to the Yukon River Management Area  
9 would effectively stop customary trade in urban centers  
10 such as Anchorage. This geographic constraint would  
11 apply to both the selling and purchasing of subsistence  
12 caught Chinook salmon. Geographic limits on customary  
13 trade were not anticipated in ANILCA and have not been  
14 implemented in other regions, ANILCA however does not  
15 require -- does not appear to preclude the imposition of  
16 geographic limits to customary trade. So it doesn't seem  
17 that there would be anything in ANILCA that would stop  
18 geographic limits.

19  
20           If adopted this proposal would limit  
21 customary trade of unprocessed subsistence caught Chinook  
22 salmon to no more than 200 pounds per household per  
23 calendar year. Adopting such a limitation would diminish  
24 the amount of cash generated by the sale of subsistence  
25 caught Chinook salmon. Such sales subject to geographic  
26 constraint could only occur with the Yukon River  
27 Management Area and this would eliminate customary trade  
28 of subsistence caught Chinook salmon between rural  
29 residents and non-rural residents. The exception would  
30 be customary trade to residents in Fairbanks, an urban  
31 center in the Yukon River Management Area. So you could  
32 still trade because that's within the Yukon River  
33 Management Area, you could still go to Fairbanks and have  
34 customary trade there.

35  
36           The proponent is also concerned with  
37 rural to rural customary trade which is governed under  
38 27(c)(11). And the proposal did not address 27(c)(11) so  
39 a few problems in that.

40  
41           The OSM preliminary conclusion is to  
42 oppose Proposal FP11-09. The justification is that the  
43 target of the proposal is not legitimate customary  
44 trade, but sales that rise to the level of significant  
45 commercial enterprise. Such sales are already  
46 prohibited. The central problem appears to be  
47 enforcement of that prohibition. Further regulations  
48 limiting customary trade which is recognized as  
49 legitimate subsistence activity may not be the  
50 appropriate avenue for curtailing sales that exceed the

1 justification of customary trade. The portion of the  
2 proposal that would allow the sale of salmon processed  
3 using customary and traditional methods falls outside of  
4 the scope of the Federal Subsistence Program. Food  
5 health issues, including fish processing are controlled  
6 by the State of Alaska. The customary trade regulations  
7 do not exempt anyone from complying with State health  
8 regulations for processing foods for sale.

9  
10 The portions of the proposal that refer  
11 to reselling fish obtained in customary trade and selling  
12 subsistence caught fish to fisheries businesses replicate  
13 current regulations that prohibit such actions and are  
14 unnecessary. These issues are already addressed in  
15 Federal subsistence regulation.

16  
17 The proposal also seeks a reporting  
18 requirement and as I said the Bristol Bay and upper  
19 Copper River already have these and it has not been  
20 significantly utilized in these areas.

21  
22 Customary trade is included in the  
23 definition of subsistence, if limitations based on  
24 conservation concerns are necessary it may be appropriate  
25 to conduct an analysis under Section 804 of ANILCA which  
26 requires the Board to select among subsistence users, not  
27 uses based on the premise that all subsistence use is  
28 equally qualified for the subsistence preference.

29  
30 There is one more thing that the analyst  
31 did propose some alternatives for the proposals and I'm  
32 not sure if the Council would like to have me discuss  
33 those since you've already voted that you think that the  
34 three Yukon River Councils should be dealing with this,  
35 but I'm happy to go through those alternatives if you'd  
36 like me to.

37  
38 CHAIRMAN IVANOFF: I would like to hear  
39 your alternatives just to hear what.....

40  
41 MS. H. ARMSTRONG: Okay.

42  
43 CHAIRMAN IVANOFF: .....kind of what.....

44  
45 MS. H. ARMSTRONG: What we were  
46 proposing.

47  
48 CHAIRMAN IVANOFF: Right.

49  
50 MS. H. ARMSTRONG: Okay. Proposal FP11-

1 08 would prohibit customary trade of Yukon River Chinook  
2 salmon when runs were very low, but would only apply to  
3 rural to rural -- to the rural to rural sales. Proposal  
4 FP11 would limit customary trade -- FP11-09 would limit  
5 customary trade of Yukon River salmon to within Yukon  
6 River Fishery Management Area and stipulates provisions  
7 for limiting amounts and requiring reporting, but would  
8 only apply to the rural to others sales. The common  
9 concern across both proposals appears to be better  
10 limiting sales of subsistence caught Yukon River Chinook  
11 salmon that rise to the level of significant commercial  
12 enterprise. One alternative to more closely parallel the  
13 approach adopted in regulation for the Bristol Bay  
14 Fishery Management Area and for the upper Copper River  
15 District by stipulating or establishing a dollar limit on  
16 customary trade of Chinook salmon that more directly  
17 addresses significant commercial enterprise in the Yukon  
18 River. This would need to be specified in both (c)(11)  
19 and (c)(12) and which would address both rural to rural  
20 and rural to non-rural or rural to others sales.

21  
22                   Proposals FP11-08 and 09 were submitted  
23 by one of the three Councils on the Yukon River and would  
24 address the entire drainage. While any of these Councils  
25 can propose river-wide limits, each Council is best able  
26 to characterize customary trade practices and traditions  
27 in its own portion of the large and diverse Yukon River  
28 drainage. Therefore it may be more helpful for the  
29 Federal Subsistence Board to receive recommendations on  
30 appropriate limits from each of the three Councils for  
31 their areas of representation. The Board might find that  
32 the limits recommended for each area are similar and a  
33 single amount could be specified throughout the drainage  
34 simplifying regulations and aiding enforcement. A  
35 reporting system if enacted would likely need to be  
36 river-wide to be effective and in this case each Council  
37 could recommend whether and how a river-wide reporting  
38 system should be instituted.

39  
40                   The regulatory framework for such  
41 recommendations is found on Page 154 of your book. And  
42 if you turn to that page you can see the bolded part. So  
43 this just sets up the framework where you would have the  
44 limits established in each of the districts according to,  
45 you know, YK Delta, Western Interior, Eastern Interior.  
46 This is just to show how it would be done.

47  
48                   So essentially the -- our alternative is  
49 that each Council should address this and establish their  
50 own limits and they may be the same limits, but rather

1 than establishing a limit for the whole river system  
2 which I believe is essentially what Western Interior  
3 Council's proposing, that they have a meeting and discuss  
4 this.

5  
6 CHAIRMAN IVANOFF: Okay.

7  
8 MS. H. ARMSTRONG: Thank you, Mr. Chair.

9  
10 CHAIRMAN IVANOFF: Questions or comments  
11 from the Committee.

12  
13 MR. QUINN: Mr. Chair.

14  
15 CHAIRMAN IVANOFF: Mr. Quinn.

16  
17 MR. QUINN: Is (c)(11) and (c)(12) within  
18 the realm of the Federal Subsistence Board to modify or  
19 change?

20  
21 MS. H. ARMSTRONG: You mean the  
22 regulation?

23  
24 MR. QUINN: Yeah. You said -- you know,  
25 you talked about your alternative and you said it needs  
26 to be specified so can that be.....

27  
28 MS. H. ARMSTRONG: It's Section 27. If  
29 you look at Page 138 the proposed -- if you look at the  
30 existing regulation for 09 it only has (12) in there, but  
31 on Page 149 it's Section 27(c)(11). It's of the Federal  
32 regulations.

33  
34 MR. QUINN: The answer's yes?

35  
36 MS. H. ARMSTRONG: Yes. The Anchorage --  
37 yeah.

38  
39 MR. QUINN: I didn't know.....

40  
41 MS. H. ARMSTRONG: Sorry. I needed to  
42 answer it more simply. Yes, it is under our  
43 jurisdiction.

44  
45 CHAIRMAN IVANOFF: Mr. Quinn. Response.

46  
47 MR. QUINN: No, she answered my question.

48  
49 CHAIRMAN IVANOFF: Okay.

50

1 MR. QUINN: So we -- they -- somebody can  
2 make a proposal to the Board and they can adopt it or not  
3 and then like put some dollar amounts in. Okay.

4  
5 CHAIRMAN IVANOFF: Thank you, Mr. Quinn.  
6 Further questions or comments.

7  
8 (No comments)

9  
10 CHAIRMAN IVANOFF: Thank you, Ms.  
11 Armstrong. Appreciate that. Continue then with Mr.  
12 Linderman.

13  
14 MR. LINDERMAN: Thank you, Mr. Chair.  
15 Council Members. On FP-09, this proposal is modeled  
16 directly after State regulations pertaining to customary  
17 trade and fin fish in Norton Sound which can be found at  
18 5 AAC 01.188. State regulations generally prohibit sale  
19 of subsistence harvested fish while Federal regulations  
20 allow for cash sales.

21  
22 If this proposal is adopted Federal  
23 subsistence users would be required to obtain a Federal  
24 customary trade recordkeeping form and keep accurate  
25 records of Chinook salmon sold, including the date of  
26 each sale, buyer's name and address, amount of Chinook  
27 salmon sold, specific location where the Chinook salmon  
28 were harvested, dollar amount of each sale, type of  
29 processing used and any other information the Federal  
30 agency requires. Federal subsistence fishermen will be  
31 required to return the customary trade recordkeeping form  
32 as prescribed on the form as well as display the form  
33 upon request by a Federal agency or law enforcement  
34 official. It would restrict Federal subsistence  
35 fishermen's customary trade activities to 200 pounds of  
36 unprocessed whole or an amount in pounds to be determined  
37 of Chinook salmon filets, strips or amounts to be  
38 determined in jars of subsistence harvested Chinook  
39 salmon per household in a calendar year.

40  
41 Additionally this proposal would clarify  
42 that a person who receives subsistence harvested Chinook  
43 salmon in exchange for cash in a customary trade is not  
44 allowed to resell the fish and that a person is not  
45 allowed to sell the subsistence harvested fish to a  
46 fisheries business.

47  
48 Finally if adopted it would limit the  
49 sale or purchase of Chinook salmon under customary trade  
50 regulations including delivery of fish to a purchaser to

1 only occur with the Yukon River Fisheries Management  
2 Area.

3

4                   This proposal may reduce subsistence  
5 harvest of Chinook salmon intended for cash sale of whole  
6 or unprocessed and processed Chinook salmon. It is not  
7 possible however to accurately predict how this proposal  
8 will affect changes in subsistence harvest patterns  
9 because Federal and State agencies lack information and  
10 data regarding existing levels of harvest and actual  
11 sales of subsistence harvested Chinook salmon. However  
12 the proposal would result in monitoring the customary  
13 trade of subsistence harvested Chinook salmon in the  
14 Yukon River area such that the actual effects of  
15 customary trade can begin to be measured.

16

17                   Adoption of limitations on cash sale of  
18 subsistence harvested salmon that defines significant  
19 commercial enterprise, specify fish weight or number  
20 limits, clarify where subsistence harvested fish may be  
21 sold under Federal regulations and establish reporting  
22 requirements for cash sales of subsistence harvested  
23 salmon would remove the risk of citation for subsistence  
24 fishermen in the Yukon River drainage.

25

26                   The Yukon River Chinook salmon stock is  
27 currently classified as a stock of yield concern.

28

29                   Adoption of this proposal may provide  
30 enforceable customary trade regulations including limits  
31 and reporting requirements.

32

33                   Adoption of enforceable Federal customary  
34 trade regulations that specify limits on cash sales and  
35 establish reporting requirements is needed because  
36 violation of existing State and Federal customary trade  
37 and fish processing regulations is an enforcement problem  
38 that has significant implications for subsistence users  
39 and the public.

40

41                   This issue should be addressed during a  
42 joint meeting of the Regional Councils within the Yukon  
43 River drainage because this issue potentially affects  
44 subsistence users in the entire river. The Department's  
45 recommendation is to support this proposal.

46

47                   Thank you, Mr. Chair.

48

49

50

\*\*\*\*\*  
STATE OFFICIAL WRITTEN COMMENTS

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

Fisheries Proposal FP11-09:

Establish reporting requirements and limits for customary trade of chinook salmon harvested in Yukon River federal subsistence fisheries.

Introduction:

The Yukon-Kuskokwim Delta Regional Advisory Council proposal requests establishment of reporting requirements and limits for customary trade# of chinook salmon harvested in federal subsistence fisheries in the Yukon River Management Area. The proposal requests that a federal customary trade record be established with defined report requirements, presentation to federal agency staff upon request, sales limitations, prohibits resale of fish sold, prohibits sale of fish to a fishery business, and restricts sales and delivery of fish only within the Yukon River Fisheries Management Area. This proposal is modeled directly after state regulations pertaining to customary trade in finfish in Norton Sound (5 AAC 01.188). State regulations generally prohibit sale of subsistence harvested fish# while federal regulations allow cash sales. Furthermore, under current state regulations at 18 AAC 34.005, all fish processed for commerce must be processed at a facility approved by Alaska Department of Environmental Conservation.#

Sale of subsistence harvested fish, processed and whole, is occurring in urban and rural communities in Alaska contrary to existing state and federal regulations. Discrepancies in state and federal regulations and state requirements regarding processing of fish to protect public health and safety may leave some people vulnerable to citation under state and federal regulations. This is a significant issue for state resource managers, law enforcement agencies, and federal agencies that provide a subsistence priority on federal lands and those waters where a federal subsistence jurisdiction is claimed. FP11-05, FP11-08, and FP11-09 provide an opportunity for the Federal Subsistence Board to adopt enforceable customary trade regulations for the Yukon region that are based on the history and patterns of this use.



1 significant commercial enterprise, specify fish weight or  
2 number limits, clarify where subsistence harvested fish  
3 may be sold under federal regulations, and establish  
4 reporting requirements for cash sales of subsistence  
5 harvested salmon would remove the risk of citation for  
6 subsistence fishermen in the Yukon River drainage.

7

8

Opportunity Provided by State:

9

10

The department supports subsistence  
11 harvest and uses of salmon consistent with existing state  
12 laws and regulations, including customary trade of this  
13 resource. However, 5 AAC 01.010 prohibits sale of  
14 subsistence harvested fish, their parts, or their eggs  
15 unless otherwise specified in state regulation.  
16 Currently, there are only two exceptions listed in  
17 Chapter 5 of state regulations: Norton Sound-Port  
18 Clarence Area for salmon and Sitka Sound herring roe on  
19 kelp in Southeast Alaska#.

20

21

Conservation Issues:

22

23

The Yukon River chinook salmon stock is  
24 currently classified as a stock of yield concern. Since  
25 2001, subsistence fishing time in the Yukon Area has been  
26 limited by a windows schedule, which was further  
27 restricted in 2008 and 2009 because of conservation  
28 concerns for chinook salmon. Subsistence harvest levels  
29 for chinook salmon have fallen within the amounts  
30 reasonably necessary for subsistence (ANS) ranges since  
31 2001, except for 2002, 2008, and 2009. A majority of the  
32 Yukon River drainage escapement goals have been met or  
33 exceeded since 2000, including the Chena and Salcha  
34 rivers, which are the largest producers of chinook salmon  
35 in the United States portion of the drainage. The  
36 escapement objective for the Canadian mainstem was met  
37 every year from 2001 through 2006, with 2001, 2003, and  
38 2005 being the three highest spawning escapement  
39 estimates on record. The escapement objective for the  
40 Canadian mainstem was not met in 2007 and 2008.  
41 Exploitation rate on the Canadian-origin stock by Alaskan  
42 fishermen declined from an average of about 55% (1989  
43 1998) to an average of about 44% from 2004 through 2008  
44 (Howard et al. 2009). Although subsistence harvest  
45 continues to remain stable at nearly 50,000 chinook  
46 salmon annually, commercial harvests have decreased over  
47 60%, from an average of 100,000 annually (1989 1998) to  
48 the recent five-year average (2005 2009) of nearly 23,000  
49 fish. Considering all salmon species together, the  
50 overall total subsistence salmon harvest in the Yukon

1 Area has declined by approximately 30% since 1990 (Fall  
2 et al. 2009:39). Specifically, fall chum salmon harvests  
3 have fallen within ANS ranges only three times since 2001  
4 (Fall et al. 2009:43).

5

6

Jurisdiction Issues:

7

8

9 While standing on state and private lands  
10 (including state-owned submerged lands and shorelands),  
11 persons must comply with state laws and regulations and  
12 cannot sell subsistence harvested fish with two  
13 exceptions as specified above. Federal subsistence  
14 regulations, particularly customary trade regulations,  
15 pertain only to fishing on and use of fish caught on  
16 federal public lands and those waters where federal  
17 subsistence jurisdiction is claimed. Sale of subsistence  
18 fish harvested from all lands and waters (federal, state,  
19 or private) is limited by state regulations except to the  
20 extent superseded by federal law on federal lands. The  
21 State of Alaska maintains jurisdiction of food safety and  
22 food processing regulations regardless of location of  
23 harvest.

23

24

Other Issues:

25

26

27 Adoption of this proposal may provide  
28 enforceable customary trade regulations, including limits  
29 and reporting requirements. Adoption of enforceable  
30 federal customary trade regulations that specify limits  
31 on cash sales and establish reporting requirements is  
32 needed because violation of existing state and federal  
33 customary trade and fish processing regulations is an  
34 enforcement problem that has significant implications for  
35 subsistence users and the public. More education on  
36 state and federal regulations and an enforceable  
37 definition of significant commercial enterprise are  
38 needed. This issue should be addressed during a joint  
39 meeting of the Regional Councils within the Yukon  
40 drainage because this issue potentially affects  
41 subsistence users in the entire Yukon River drainage.

41

42

Recommendation:

43

44

Support.

45

46

Cited References:

47

48

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3 and Game Division of Subsistence, Technical Paper No.  
4 346, Anchorage.

5  
6 Howard K.G., S.J. Hayes, and D.F.  
7 Evenson. 2009. Yukon River chinook salmon stock status  
8 and action plan 2010; a report to the Alaska Board of  
9 Fisheries. Alaska Department of Fish and Game, Special  
10 Publication No. 09-26, Anchorage.

11  
12 CHAIRMAN IVANOFF: Thank you, John.  
13 Questions, comments from the Committee.

14  
15 MR. QUINN: Well, I do.

16  
17 CHAIRMAN IVANOFF: Mr. Quinn.

18  
19 MR. QUINN: Read that last paragraph  
20 again and where is the part about -- you said something  
21 about enforcement?

22  
23 MR. LINDERMAN: Through the Chair. Mr.  
24 Quinn. I'll go ahead and read that section again.  
25 Adoption of this proposal may provide enforceable  
26 customary trade regulations including limits and  
27 reporting requirements. Adoption of enforceable Federal  
28 customary trade regulations that specify limits on cash  
29 sales and establish reporting requirements is needed  
30 because violation of existing State and Federal customary  
31 trade and fish processing regulations is an enforcement  
32 problem that has significant implications for subsistence  
33 users and the public.

34  
35 MR. QUINN: You can stop there. Where is  
36 that in my.....

37  
38 MR. LINDERMAN: I'm sorry.

39  
40 MR. QUINN: Well, I wanted to see it in  
41 print in my book.

42  
43 MR. LINDERMAN: 160.

44  
45 MR. QUINN: Yeah, I'm -- it's on 160  
46 under.....

47  
48 MR. LINDERMAN: At the very end.

49  
50 MR. QUINN: All right. Oh, all right.

1 Yeah, okay. I guess I was -- yeah, I agree with that,  
2 there's a problem with the levels, the numbers, but  
3 there's also a real enforcement problem today and that  
4 kind of -- my problem with a lot of this is that we have  
5 problems because there isn't enough money, time, people  
6 in enforcement to stop the things that drive people to  
7 make these kind of proposals. And if George and  
8 Department of Public Safety and everyone else put my time  
9 and money into enforcement we might not have to deal with  
10 this stuff. Okay.

11  
12 CHAIRMAN IVANOFF: Any questions or  
13 comments.

14  
15 MR. MARTIN: I have a comment.

16  
17 CHAIRMAN IVANOFF: Yes, Mr. Martin.

18  
19 MR. MARTIN: And dodgers are three, you  
20 have these proposals 05, 08 and 09. I keep hearing that  
21 these customary trade because commercial to  
22 (indiscernible), but culturally for us Alaska Natives we  
23 like culturally prepared food and we will never leave  
24 that.

25  
26 And as far as restrictions on the sale,  
27 I feel that's unfair to all our Native people in the  
28 rural communities and it's been going on for ever and  
29 ever.

30  
31 Actually also the sale of the fish is  
32 however -- fish -- processed in the whole is occurring in  
33 every little community in Alaska contrary to existing  
34 StaTe and Federal regulations. It also goes back to the  
35 culture, cultural part of our people.

36  
37 And there was another issue that earlier  
38 when you were reading through this, recordkeeping. And  
39 I understand that you guys are having problem with this  
40 too, reporting process. And I believe that it will be  
41 ongoing. And people -- our people in the state have a  
42 hard time providing for themself and, you know, they  
43 didn't (indiscernible) very -- and this is one way to  
44 support their families and for the young children.

45  
46 Quyana.

47  
48 MR. KEYES: Anthony Keyes from Wales.  
49 I'm very -- I'm wondering about who came up with this  
50 idea of Federal subsistence customary trade recordkeeping

1 form. We don't keep records of what we catch or we don't  
2 keep records of who we give our subsistence to. This is  
3 very embarrassing when you got to write your name down,  
4 your birth date, who's going to be willing to keep  
5 records on these when we never had to do anything like  
6 this from day one when we first started learning how to  
7 do our fishing. I mean now we've got to give you our  
8 birth date, our name, driver's license, my goodness.  
9 This is -- customary trade was ongoing like we said  
10 before from generation to generation, passed down  
11 traditionally. Bartering is done every day, 24 hours,  
12 seven days a week. If a person feels rich enough to buy  
13 what they think they can get they'll buy it, regardless  
14 of the cost or, you know, like I said before if one  
15 village doesn't do good and the other one does these poor  
16 people, these indigenous people are going to go over here  
17 and make a barter and trade, doesn't matter if there's a  
18 guy with a big old patch on his arm, they'll do it in  
19 front of him and they're not going to keep no records on  
20 it.

21

22 CHAIRMAN IVANOFF: Proceed, Mr.  
23 Linderman.

24

25 MR. LINDERMAN: Through the Chair. Mr.  
26 Keyes. With respect it's the proponent that put together  
27 this recommended recordkeeping from and it would only be  
28 required in the case of customary trade, it wouldn't be  
29 required in the case of any other types of subsistence  
30 activities. That is my understanding from the proposal.

31

32 MR. KEYES: Yeah. I asked who made this  
33 recordkeeping form.

34

35 CHAIRMAN IVANOFF: Ms. Armstrong.

36

37 MS. H. ARMSTRONG: Through the Chair.  
38 Mr. Keyes. This is the form that has been -- is in place  
39 in use by the Bristol Bay Fisheries Management Area and  
40 the Cooper River District. And as I said earlier it  
41 hasn't been used by people in Bristol Bay and it's only  
42 been used very limited by people in the Copper River  
43 Area. So I think that it's one of the reasons why I  
44 think that OSM opposed the preliminary -- their  
45 preliminary conclusion was to oppose is that it's not  
46 actually been seen as being particularly effective yet in  
47 those regions.

48

49 CHAIRMAN IVANOFF: Thank you, very much.  
50 Did that address your concern, Mr. Keyes.

1 MR. KEYES: No further questions.  
2  
3 CHAIRMAN IVANOFF: Thank you. Any other  
4 questions or comments.  
5  
6 (No comments)  
7  
8 CHAIRMAN IVANOFF: Hearing none, thank  
9 you very much, Mr. Linderman.  
10  
11 Continue in the process. Federal, State,  
12 Tribal Agency comments.  
13  
14 (No comments)  
15  
16 CHAIRMAN IVANOFF: Fish and Game Advisory  
17 Committee comments.  
18  
19 (No comments)  
20  
21 CHAIRMAN IVANOFF: Summary of written  
22 public comments. Mr. Nick.  
23  
24 MR. NICK: Mr. Chair. We received a  
25 total of six written public comments, one in support of  
26 the proposal and five in opposition of the proposal. And  
27 maybe at this time I could share what YK Council did.  
28  
29 Mr. Chair.  
30  
31 CHAIRMAN IVANOFF: Okay.  
32  
33 MR. NICK: YK RAC supported Proposal FP-  
34 09 with modification to delete all proposed language  
35 under number 3 and replace with the following  
36 modification. The modified regulation should read Yukon  
37 River Fishery Management Area, the total cash value per  
38 household of salmon taken within Federal jurisdiction in  
39 the Yukon River Fishery Management Area and exchanged in  
40 customary trade between rural residents and individuals  
41 other than rural residents may not exceed \$750. And  
42 again, Helen, this comes from the action documents that  
43 I will double check with that when I go back. These  
44 customary trade sales must be immediately recorded on a  
45 customary trade record keeping form. The recording  
46 requirement and the responsibility to ensure the  
47 household limit is not exceeded rests with the seller.  
48  
49 I'm not sure if this is correct, but  
50 that's how it was recorded in the justification.

1 Mr. Chair.  
2  
3 CHAIRMAN IVANOFF: Thank you, Mr. Nick.  
4 Anything from the Western Interior.  
5  
6 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
7 The Western Interior Council opposed this proposal as  
8 well and again they establish a working group to address  
9 this issue.  
10  
11 CHAIRMAN IVANOFF: Okay. Very good.  
12 Thank you. Public testimony.  
13  
14 (No comments)  
15  
16 CHAIRMAN IVANOFF: Hearing none, going to  
17 the Regional Advisory Council deliberation and  
18 recommendations. Wishes of the Committee.  
19  
20 MR. BUCK: Mr. Chairman. This is Peter  
21 Buck. And I so oppose Proposal 09.  
22  
23 CHAIRMAN IVANOFF: I need a motion to put  
24 it on the table. And I realize you're speaking in  
25 opposition to this proposal at this time. But I do need  
26 a motion before I can start deliberation.  
27  
28 MR. SEETOT: Mr. Chair, so move.  
29  
30 CHAIRMAN IVANOFF: Mr. Seetot move.....  
31  
32 MR. F.D. ENINGOWUK: Second.  
33  
34 CHAIRMAN IVANOFF: .....moves to adopt  
35 Proposal 11-09. Seconded by?  
36  
37 MR. F.D. ENINGOWUK: Second.  
38  
39 CHAIRMAN IVANOFF: I missed it.  
40  
41 MR. F.D. ENINGOWUK: Yeah.  
42  
43 CHAIRMAN IVANOFF: Mr. Eningowuk.  
44 Discussion.  
45  
46 (No comments)  
47  
48 MR. KEYES: Question.  
49  
50 CHAIRMAN IVANOFF: Discussion, I think we

1 need.

2

3 (No comments)

4

5 MR. BUCK: Question.

6

7 CHAIRMAN IVANOFF: I'll take the  
8 privilege of the Chair here and I really do need -- think  
9 we need to be on record in regards to 09 also. I like we  
10 did with 08 where we just took no action on it, I was  
11 hoping we'd do the same again with this. However it's on  
12 the table to adopt.

13

14 So I would speak in opposition to this  
15 proposal. Again restricting customary trade on the Yukon  
16 River and establishing a recordkeeping system that  
17 basically is not working anywhere else. But I do like --  
18 again I do like the idea of having the three Regional  
19 Council -- Regional Advisory Committees meeting and  
20 establishing as a working group to establish these  
21 issues. I was at the Federal Subsistence Board when  
22 another fishery proposal came up and you could see the  
23 contention by parties up in the Interior River, Yukon  
24 River as well as the Yukon River and feel the emotions  
25 and the strong need in both parties. It's an ongoing  
26 problem, it's an ongoing issue and I really believe they  
27 got to get together and see if they can work something  
28 out and come to some consensus or decisions that both  
29 sides can support if possible. Again I'd like to see  
30 that happening, I would be in full support.

31

32 But I am in opposition to this proposal  
33 restricting customary trade and establishing  
34 recordkeeping and also establishing geographic boundaries  
35 of which I pretty much don't -- I would prefer not to  
36 take action on it, however I will go in opposition to the  
37 motion.

38

39 Further discussion or questions.

40

41 (No comments)

42

43 CHAIRMAN IVANOFF: There is a real strong  
44 sentiment about selling -- again about selling salmon  
45 while other restrictions are in place on the Yukon River  
46 and I think it's growing. However it's growing -- that's  
47 the healthy part of it, it's growing both on the upper  
48 river as well as on the lower river. However that, I  
49 think, arena to address that issue belongs with the three  
50 Regional Advisory Councils, that's why I would prefer to

1 take no action.  
2  
3 So the alternative to this portion would  
4 be to oppose and that's my recommendation.  
5  
6 MR. QUINN: Question.  
7  
8 CHAIRMAN IVANOFF: The question called  
9 for on the motion.  
10  
11 All in favor of the motion signify by  
12 saying aye.  
13  
14 (No aye votes)  
15  
16 CHAIRMAN IVANOFF: All opposed, the same  
17 sign.  
18  
19 IN UNISON: Aye.  
20  
21 CHAIRMAN IVANOFF: Yeah, we are in  
22 opposition to 09.  
23  
24 MR. QUINN: Mr. Chair.  
25  
26 CHAIRMAN IVANOFF: Yes, Mr. Quinn.  
27  
28 MR. QUINN: While Ms. Armstrong's still  
29 in the hot seat, so probably a lot of people think, you  
30 know, they're okay with heading in a direction where we  
31 can start defining some boundaries with selling stuff for  
32 customary trade. But there's a whole lot of stuff we can  
33 sell. Maybe, Pete, you can help with this too, is -- you  
34 know, are we going in a direction where we're going to  
35 establish an amount and you can't go above that amount  
36 for the whole year or are we going to establish an amount  
37 for fish, an amount for wildlife and, you know, what sort  
38 of stuff have you guys seen and where is this going.  
39  
40 MR. PROBASCO: Mr. Chair. Mr. Quinn.  
41 Pete Probasco, Office of Subsistence Management.  
42  
43 One of my first tasks when I got hired as  
44 a Federal employee was to design a group and it took two  
45 years to develop the current regulations that are before  
46 you, and this group consisted of stakeholders from the  
47 Regional Advisory Councils throughout the State. And  
48 with the exception of Bristol Bay and the Copper River  
49 District all those Councils wrestled with the theme of  
50 what should they limit as far as the cash sales as it

1 pertains to fish. And pretty much landed on the  
2 understanding that the regulations currently in place  
3 particularly under health regulations that are governed  
4 by the State, are of sufficient clarity that if they were  
5 enforced would limit the sale of subsistence harvested  
6 fish sold for cash under customary trade and would  
7 prevent a significant commercial enterprise. That's  
8 where they landed. But Bristol Bay in particular felt  
9 that their concern particularly with the large number of  
10 lodges out there and the large number of tourists flying  
11 in and out and the ability for a loophole to be worked,  
12 they elected to put that value on it. Where it'll go  
13 from here is really up to individual Council working  
14 closely with the Board.

15  
16 But what we have is a parameter here, the  
17 State of Alaska's looking at within -- Fish and Game's  
18 looking at within the regulations that they have on the  
19 table, Department of Health and Public Services have  
20 their regulations, what really needs to take place is all  
21 three entities, Federal, both sides of State to get  
22 together and actually start looking at what can be  
23 enforced and what isn't currently being enforced.

24  
25 Mr. Chair.

26  
27 MR. QUINN: Thanks.

28  
29 CHAIRMAN IVANOFF: And therein lies the  
30 problem, I agree with that. I really think there needs  
31 to be -- like I said it's a growing issue, people are  
32 talking more and more which is good about the issue of  
33 commercial sales or significant cash sales versus  
34 customary trade and I really don't know what the trend is  
35 other than that the people are starting to talk about it  
36 a lot. So a good idea for the Federal and State to get  
37 together along with subsistence and commercial and  
38 whatever and see what actually can come out of it.

39  
40 But at the same time on the RAC level for  
41 the Seward Peninsula area, I really am uncomfortable  
42 trying to define those boundaries in other regions. And  
43 I really have a hard time talking about proposals that  
44 relate to the Yukon River when you go to the Federal  
45 Subsistence Board because basically it's not our  
46 backyard. We do have some participation in that area so  
47 I'm really reluctant trying to establish any kind of  
48 regulation or boundaries relating to customary trade or  
49 limitations thereof on other areas. I think if we are  
50 going to do it as a RAC that we limit it to our area

1 where we're most comfortable and knowledgeable about  
2 these kind of things. Then we could start addressing it  
3 with the Federal Subsistence Board and other areas. But  
4 the exposure and the knowledge that comes with other  
5 areas grappling with the same issue I think is also an  
6 eye opener, gives them some opportunity to see how these  
7 things are handled, what are the pitfalls, what's  
8 working, what's not working, at least those things are  
9 occurring. But at this point in time for conservation as  
10 well as subsistence our area doesn't seem to have the  
11 same magnitude of concern as the other areas.

12

13 But having said that I think we've -- for  
14 me I've really struggled with 05, 08 and 09 and  
15 appreciate everyone's input.

16

17 Mr. Quinn.

18

19 MR. QUINN: Mr. Ivanoff, I also -- I  
20 think your earlier comment where you talked about the  
21 possibility of the three Councils forming a working group  
22 and you as a Council wanted to support that concept. I  
23 think it would be good -- I too support that concept of  
24 getting the groups together. I think when you get down  
25 to your Council business and look at your 2010 annual  
26 report you might want to emphasize that as well as you  
27 might want to emphasize that when you're at the January  
28 meeting addressing these proposals as the Chair to the  
29 Federal Board.

30

31 Mr. Chair.

32

33 CHAIRMAN IVANOFF: Thank you for that.  
34 I appreciate it. And I agree.

35

36 Any further discussions out of the  
37 ordinary.

38

39 (No comments)

40

41 CHAIRMAN IVANOFF: I appreciate you  
42 taking time.

43

44 (Off record comments - lunch)

45

46 MR. QUINN: Are we looking at getting  
47 done today or.....

48

49 MR. KEYES: Are we going to get this one  
50 taken care of before we go to lunch so we start on a new

1 deal when we come back.

2

3 CHAIRMAN IVANOFF: Which one are you  
4 talking about?

5

6 MR. KEYES: The one we were just  
7 fighting.

8

9 CHAIRMAN IVANOFF: 09?

10

11 MR. QUINN: We finished that

12

13 CHAIRMAN IVANOFF: We just -- yeah, we  
14 just finished that, we're in opposition to 09.

15

16 We'll continue with the rest of the  
17 agenda.

18

19 (Off record)

20

21 (On record)

22

23 CHAIRMAN IVANOFF: I'll call the meeting  
24 back to order from lunchtime. We just finished up the  
25 proposals that are in front of us from 01/06 to 11-09 and  
26 continue on then to the report section.

27

28 Before I get started I'd really like to  
29 thank the staff of the OSM for the analysis and hard work  
30 that they've been doing, a real comprehensive list,  
31 appreciate all that work. And, man, I tell you the  
32 amount of information we get here is pretty amazing.

33

34 I'd also like to thank the State of  
35 Alaska for the presentations this morning. John, great  
36 job as usual.

37

38 Continue on then with the Fisheries  
39 Resource Monitoring Program.

40

41 Helen.

42

43 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
44 This presentation begins on Page 163 of your books. I'll  
45 give everybody a second. Actually the actual discussion  
46 begins on 164, the title page is 163.

47

48 Every two years now, we're on a two year  
49 schedule, the Fisheries Resource Monitoring Program puts  
50 out a call for research and so we're at that point in our

1 process. In November we'll be advertising the request  
2 for proposals for the 2012 Fisheries Resource Monitoring  
3 Program. Taking into account commitments for ongoing  
4 projects and assuming stable Congressional funding we  
5 anticipate approximately 2.7 million available for new  
6 projects. The Monitoring Program is designed to provide  
7 information needed for management of Federal subsistence  
8 fisheries.

9

10                   If I can just pause for a minute and that  
11 it's really important to think about this in terms of the  
12 Federal management of fisheries and in the Seward  
13 Peninsula Region there are not a lot of waters managed by  
14 the Federal Subsistence Management Program. If you look  
15 at your maps that you have or if you look at your reg  
16 booklet, if I can just guide you for a moment, the land  
17 -- the waters in the land -- the Bering Land Bridge  
18 National Preserve, all of the waters within that, that  
19 there's a black line that goes around that land  
20 management area. All of the waters within there we  
21 manage, the waters down by Stebbins that are within the  
22 black line boundary of the pink area, the Yukon Delta  
23 National Wildlife Refuge, all of those waters even where  
24 it's white on the map, we manage all of that because it's  
25 within the conservation unit. And then up the Unalakleet  
26 River where it becomes the Wild and Scenic River, we  
27 manage that portion. And that actually isn't very --  
28 it's visible on the maps in your reg booklet, it's not  
29 actually visible on the big table maps. Even though we  
30 have BLM land all the way through the Seward Peninsula,  
31 that land except for the Wild and Scenic River, that land  
32 we do not manage waters on those BLM lands. It's just  
33 the way the regulations are. So there's not a lot, I  
34 mean, every time we come to the Council people have  
35 concerns about the Nome River, the Fish River, you know,  
36 waters around Nome, and we don't manage those waters. So  
37 and that's not to say that we don't do research in those  
38 areas, but because we do have some, but it's just the  
39 focus needs to be if we can on Federal management.

40

41                   Having said that, a key part of the  
42 announcement will be the list of priority information  
43 needs so we go out and we say this is what we think we  
44 need information on, a draft of which we're providing to  
45 you -- to all the 10 Regional Advisory Councils for  
46 review and for your comment. This is an action item from  
47 the Council, we'd like you to either support what's  
48 already in the plan, the proposed plan for the RFP or  
49 provide some additional ideas that you think we should  
50 research. So it is an action item.

1                   The draft document was developed by the  
2 Office of Subsistence Management staff and Forest Service  
3 staff and we've drawn on strategic plans, previously  
4 identified priorities and talked to people in the region  
5 and looked at other work that's already being -- been  
6 done to date. We've also provided an opportunity for  
7 review by the Technical Review Committee and are now  
8 looking for Council input. So do you think that what we  
9 have here are priorities, are there important information  
10 needs that are not included and, you know, if we can get  
11 your input on that.

12  
13                   After the announcement in November  
14 proposals and later investigation plans will be reviewed  
15 and a draft monitoring plan will be compiled for review  
16 by all 10 Regional Councils and that will come to you in  
17 the fall of 2011. And at that time you can tell us what  
18 you think the priorities should be, what you think should  
19 be -- if there's some that you don't agree should be in  
20 there so you get your input. Then that's taken to the  
21 Federal Subsistence Board and then they review the draft  
22 plan in January of 2012 and projects are funded beginning  
23 April of 2012. It's kind of a long process, but we  
24 really value the input from the Councils in all steps of  
25 this process.

26  
27                   So in this actual plan, the analysis  
28 beginning on 164, if you turn to Page 165 you'll see the  
29 Northern Region Priority Information Needs and that's the  
30 part that's pertinent and important to your region. The  
31 Northern Region is divided into the Seward Peninsula,  
32 Northwest Arctic and North Slope. In the past the Seward  
33 Peninsula Council has identified salmon and char  
34 fisheries as being the most important for their areas.  
35 There's also discussion about what the other regions  
36 identify as important. And the Multi-Regional Priority  
37 Information Needs section at the end of the document also  
38 include climate change research needs and those are for  
39 all regions. So it doesn't appear here, but we  
40 emphasized it in this section because the North Slope  
41 Region in particular was very concerned about having  
42 climate change as one of the research needs.

43  
44                   So when you look at the list for the  
45 Northern Region there's baseline harvest assessment and  
46 monitoring of subsistence fisheries in the Northwest  
47 Arctic and North Slope Regions. Historic trends and  
48 variability in harvest locations, harvests and uses of  
49 non-salmon fish. Inupiaq taxonomy of fish species,  
50 Inupiaq natural history of fish, land use, place name

1 mapping, species distribution, methods for and timing of  
2 harvests and the species of interest include sheefish,  
3 northern pike or other subsistence non-salmon fish in the  
4 Northwest Arctic Region. That was one specifically that  
5 came in from the Northwest Arctic. Spawning  
6 distribution, timing and stock structure of the Selawik  
7 River whitefish species.

8  
9 Then if you turn a couple pages further  
10 to Page 168 it's the Multi-Regional Priority Information  
11 Needs. So these would apply to all regions and as I said  
12 we have climate change there, changes in subsistence  
13 fishery resources and uses in the context of climate  
14 change. And then an indexing method for estimating  
15 species-specific whitefish harvests on an annual basis  
16 for Kuskokwim and Yukon drainages. And then an  
17 evaluation of conversion factors used to estimate edible  
18 pounds from individual fish and from unorthodox units  
19 such as tub, sacks or buckets. What this means is that  
20 right now when they're doing household surveys they'll  
21 say -- you know, people will say well, we got so many  
22 tubs or so many buckets of fish. And the it came from  
23 the Alaska Department of Fish and Game Subsistence  
24 Division, they would estimate how many were in a tub.  
25 And there's been a request to evaluate those conversion  
26 factors that they're using currently.

27  
28 I did want to also just note and remind  
29 you that there is a study already going on that just  
30 started from this past 2010 Monitoring Program, it's  
31 Study 10-151 that's studying non-salmon fish in the  
32 Bering Strait Region, Kawerak is doing that study and  
33 they're looking at communities of Brevig, Shishmaref,  
34 Wales, Stebbins and Teller. And those of you who are on  
35 the Council will remember that as an example of where  
36 Council input is quite important, we actually added  
37 Brevig after -- when we had the Council meeting going  
38 over this after Mr. Seetot had brought that forward. And  
39 so we were able to add Brevig. And that study is also  
40 looking at climate change impacts too, so they're looking  
41 at harvest at fish and traditional ecological knowledge.  
42 And then there's another study going on that's just  
43 started as well, 10-102 which is Unalakleet Chinook  
44 salmon. And so those two are ongoing that are currently  
45 being done and have not been completed. And I think the  
46 non-salmon fish one is a four year project.

47  
48 That concludes my presentation if you  
49 have any questions.  
50

1 CHAIRMAN IVANOFF: Thank you. Questions.

2

3

4

(No comments)

5

6

7

CHAIRMAN IVANOFF: The -- it might be an oversight to our or a typo on Page 165.....The northern region 2012 and you list them

8

9

10

MS. H. ARMSTRONG: Mic.

11

12

13

CHAIRMAN IVANOFF: Oh, I'm sorry. Thank you. Keeping us straight all day.

14

15

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On Page 165 in the Northern Region Priority Information Needs in the middle of the paragraph where it says for the Northern Region 2012 RFPs are focused on the following priority information needs and you list them where it says North West Arctic and North Slope Borough, another bullet historic trends, Inupiaq taxonomy another bullet. Is there -- however Seward Peninsula is not included by name in any of that and I'm just worried about the exclusion portion of that one.

MS. H. ARMSTRONG: That -- Mr. Chair. The -- I think those are good points, that's why we brought this to you to get input from you to see do you feel that there are places where we should be including more, you know, for example, adding the Seward Pen to the list of baseline harvest assessment and monitoring. That's exactly what we're looking for.

CHAIRMAN IVANOFF: That would be -- I think that would be appropriate, baseline harvest assessment monitoring of subsistence fisheries in the Northwest Arctic, North Slope as well as the Seward Pen.

MS. H. ARMSTRONG: Okay.

MR. LEAN: Is there a chance for public comment.

CHAIRMAN IVANOFF: Sorry.

MR. LEAN: Is there a chance for public comment on this issue.

CHAIRMAN IVANOFF: Yeah, we don't have anything scheduled on there, but, yeah. Do you have some comments right now?

1 MR. LEAN: Yes.

2

3 CHAIRMAN IVANOFF: Okay. If you could  
4 introduce yourself and who you're with.

5

6 MR. LEAN: Thank you, Mr. Chair. My name  
7 is Charlie Lean and I'm the director of the Norton Sound  
8 Economic Development Corporation's Fisheries Research and  
9 Development Program. And I've been a biologist out here  
10 for 30 years. I strongly suggest that the non-salmon  
11 species are important to this region, Federal waters  
12 include Dolly Vardens on the Iguupuk, burbot in many  
13 rivers or also known as lusck or lingcod. And I would --  
14 whitefish is becoming an issue in the adjacent RAC on the  
15 Yukon, ciscos and other forms of whitefish have some  
16 commercial value and they're likely to be looked at in  
17 the near future as not just a subsistence species, but a  
18 commercial one. And it would behoove all of us to know  
19 more about numbers and historic use patterns and what  
20 potential conflicts on those species. So I think in  
21 speaking with Melinda Reynolds with the Park Service  
22 who's a marine ecologist if I have the title right, and  
23 BLM's Merlin, I forgot, he's a biologist with BLM, but  
24 they're both interested in species on Federal lands and  
25 waters and I am too.

26

27 Thank you.

28

29 CHAIRMAN IVANOFF: Okay. Ms. Armstrong.

30

31 MS. H. ARMSTRONG: Maybe I can just ask  
32 Charlie a question to just clarify. So I'm wondering if  
33 on that fourth bullet if we would want to say spawning  
34 distribution, timing and stock structures of and so  
35 specific rivers for whitefish species including -- I  
36 mean, so we add to the Selawik River, is that what you  
37 were thinking in terms of whitefish or just generically  
38 asking about whitefish or another bullet. I -- just to  
39 be more specific.

40

41 MR. LEAN: Okay. Whitefish I would say  
42 the Port Clarence drainages.

43

44 MS. H. ARMSTRONG: Okay.

45

46 MR. LEAN: Sheefish are said to be  
47 colonizing the -- that area, sheefish the pandelly (ph)  
48 and whitefish for forage for food. Another good reason  
49 to know about whitefish there. A lot of Federal lands  
50 and waters in that drainage.

1 MS. H. ARMSTRONG: Okay.  
2  
3 MR. LEAN: Dolly Varden are historically  
4 a very important species in Eastern Norton Sound and all  
5 the rivers and communities there, Dolly Varden pretty  
6 much spawn on Federal land -- waters. Burbot and pike  
7 are important in the Port Clarence drainages.  
8  
9 MS. H. ARMSTRONG: In -- oh, Port  
10 Clarence, is that what you said.....  
11  
12 MR. LEAN: Right.  
13  
14 MS. H. ARMSTRONG: .....Port Clarence  
15 drainage. Okay. All right.  
16  
17 CHAIRMAN IVANOFF: I think another bullet  
18 would suffice and saying that the Norton Sound non-salmon  
19 species which is the Dolly Varden, burbot, whitefish,  
20 sheefish and pike, we'd like to know more about spawning,  
21 distribution, timing, stock structure as well as baseline  
22 harvest assessment and monitoring. Would that take care  
23 of your concern, Mr. Lean?  
24  
25 MR. LEAN: Yes, it would.  
26  
27 CHAIRMAN IVANOFF: Okay.  
28  
29 MR. BUCK: Mr. Chairman.  
30  
31 CHAIRMAN IVANOFF: And I agree. I mean,  
32 we eat whitefish all the time, sheefish are abundant down  
33 in the Norton Sound area as well as Stebbins, St. Mike  
34 area. And they're showing up more. So yeah, I -- and  
35 they're all important foods for subsistence users up and  
36 down the coast at different times of year. And.....  
37  
38 MR. BUCK: Mr. Chair.  
39  
40 CHAIRMAN IVANOFF: .....so the  
41 relationship that was.....  
42  
43 MR. BUCK: Mr. Chair.  
44  
45 CHAIRMAN IVANOFF: Just a minute. And  
46 the relationship that was established by Elmer Seetot, he  
47 was talking to all the subsistence foods that relate or  
48 interrelate in some form or fashion, salmon also and so  
49 I think that's great.  
50

1 Thank you very much, Mr. Lean.  
2 Appreciate it.

3  
4 Mr. Buck.

5  
6 MR. BUCK: Yes, I have one comment for  
7 Charlie. This is the first time I've heard of the  
8 commercial use of whitefish. I'm kind of opposed to it  
9 because when they first started crabbing in this area we  
10 used to go down and get crab and handlining we'd get 60,  
11 70 crab and I -- and then once they start commercial  
12 fishing we're lucky if we can get 10, 12, 15. So that  
13 really knocked the subsistence down. And if you're going  
14 to be commercializing the fish, the whitefish or pike or  
15 whatever you're going to commercialize, that's going to  
16 affect the subsistence users and I watch that real close.  
17

18 MR. LEAN: I guess people should know  
19 that there's been a whitefish quota and a Dolly Varden  
20 quota on the books of Norton Sound since I started as a  
21 biologist in 1981 that's still there.

22  
23 MR. KEYES: This is Anthony Keyes, Wales.  
24 Why are we going after whitefish and sheefish, they're  
25 non-salmon species?

26  
27 CHAIRMAN IVANOFF: Mr. Keyes. Because  
28 they're a subsistence food item also for Norton Sound  
29 area we just need to know a lot more about them. What  
30 we're saying is that we need to develop a program to see  
31 how much fish we got, how much is used, those kind of  
32 things, develop baseline information. So and how it  
33 relates to the salmon, how do fish relate to the salmon  
34 in the rivers and the ocean and then to subsistence  
35 users, it's just that we don't know, we don't have very  
36 much information on that species of food in the area and  
37 so we need to know more. It's just a matter of study.  
38 It's not so much studying for commercial purposes, it's  
39 studying for our subsistence use purposes.

40  
41 I hope that clarifies.

42  
43 MR. KEYES: (Nods affirmatively)

44  
45 CHAIRMAN IVANOFF: Is there anything else  
46 you have, Ms. Armstrong as regards that.

47  
48 MS. H. ARMSTRONG: We do need this in the  
49 form of a motion to have the Council actually take action  
50 on what you want in the -- to be added, if you don't

1 mind.

2

3 CHAIRMAN IVANOFF: I didn't realize this  
4 was an action item. I thought it was a report, but yeah,  
5 we could do that.

6

7 Entertain a motion to update the  
8 monitoring proposal as presented and amended by the RAC.

9

10 MR. QUINN: Mr. Chair. So moved.

11

12 CHAIRMAN IVANOFF: Motion on the floor by  
13 Mike Quinn.

14

15 MR. BUCK: Seconded.

16

17 CHAIRMAN IVANOFF: Seconded by Mr. Buck.

18 Discussion.

19

20 MR. F.D. ENINGOWUK: Yeah, This is Fred,  
21 Mr. Chair.

22

23 CHAIRMAN IVANOFF: Mr. Eningowuk.

24

25 MR. F.D. ENINGOWUK: We at Shishmaref are  
26 surrounded by Federal lands. I don't know what is our  
27 waters, if it's State or Federal. And the political  
28 waters start at Wells, or in the Chukchi Sea. How would  
29 we go about starting our commercial fishing if any at  
30 all. We are in the Chukchi Sea with Kotzebue and we are  
31 in the Bering Strait Region. I couldn't find anything in  
32 the agenda where I put this comment here.

33

34 MS. H. ARMSTRONG: Through the Chair.

35

36 CHAIRMAN IVANOFF: Ms. Armstrong.

37

38 MS. H. ARMSTRONG: The Federal  
39 Subsistence Management Program doesn't manage commercial  
40 fishing so that would be a question to address to the  
41 State. And I'm sure there's some people here who could  
42 talk to you about that, but that's way out of my realm of  
43 knowledge and experience. Sorry.

44

45 MR. F.D. ENINGOWUK: Okay. Thank you.

46

47 CHAIRMAN IVANOFF: Are you talking about  
48 salmon, commercial salmon or just any kind of non-salmon  
49 species?

50

1 MR. F.D. ENINGOWUK: Just any kind of  
2 fisheries, you know, to help our local economy because we  
3 don't have a very good economy base up there.

4  
5 CHAIRMAN IVANOFF: Okay. Mr. Lean, you  
6 had a -- or Mr. Linderman, a response, please.

7  
8 MR. LINDERMAN: Through the Chair.  
9 There's currently no commercial fishery that exists out  
10 in that area. If there was interest in developing a  
11 commercial fishery it's something that could be looked at  
12 through what's called a Commissioner's permit or it could  
13 be an experimental fishery of some kind, but there would  
14 have to be a process that's gone through where it would  
15 -- a request would be submitted to investigate it and  
16 then a permit and a process of evaluating the permit, the  
17 impacts on subsistence fishing and other uses and so on  
18 would be looked at before such a permit could be issued.  
19 But there is a process that could be followed.

20  
21 CHAIRMAN IVANOFF: And the request is  
22 made to who right at the start?

23  
24 MR. LINDERMAN: It could come directly  
25 through me.

26  
27 MR. F.D. ENINGOWUK: Okay, thank you.  
28 And, you know, we're left out of the NSEDC Program, their  
29 quota, you know, the programs with that and yet we're in  
30 the Bering Strait Region. So just trying to see what I  
31 can do for our people here.

32  
33 MR. LINDERMAN: Through the Chair. I'd  
34 be happy to get you my contact information if you'd like  
35 to have yourself or any of your folks from your area get  
36 in contact with me about it, get more information.

37  
38 MR. F.D. ENINGOWUK: Yes, thank you.

39  
40 CHAIRMAN IVANOFF: Very good, thank you.  
41 Anything else on the Monitoring Program.

42  
43 Yes, Mr. Ashenfelter.

44  
45 MR. ASHENFELTER: Roy Ashenfelter, just  
46 a public person attending. The question I have for Fred  
47 and for the group is -- and maybe for Helen, is in your  
48 Seward Peninsula study would it include Shishmaref and  
49 its desire to have studies done on its streams there that  
50 are in Federal waters?

1 CHAIRMAN IVANOFF: Ms. Armstrong.

2

3 MS. H. ARMSTRONG: It could. Certainly  
4 we -- these are all broad enough that it could be -- if  
5 somebody made a proposal, for example, if Kawerak could  
6 come forward with a proposal to do something, but, I  
7 mean, we have to get the proposals and then -- you know,  
8 then we would -- then what happens once proposals come  
9 in, then the Regional Council can -- you know, maybe you  
10 get five proposals and there's only so much money and  
11 then you would prioritize what you thought was the most  
12 important for your region as well as the whole Northern  
13 Region and then the Board would weigh that. This past  
14 cycle in 2010 we had enough money to fund most of the  
15 research that came forward and not all of it was funded  
16 that came forward because not all of it was considered  
17 research that should be funded. But, for example, we --  
18 there was a strong request from the North Slope for doing  
19 climate change research, but no proposals came forward.  
20 So that's the next step is we need proposals.

21

22 CHAIRMAN IVANOFF: Mr. Ashenfelter.

23

24 MR. ASHENFELTER: Yeah, thank you. Just  
25 a follow-up. I think this part is to include the  
26 language in the plan here on Seward Peninsula and its --  
27 the inclusion of Shishmaref and its streams that are in  
28 Federal waters. That's what you want.

29

30 CHAIRMAN IVANOFF: Okay.

31

32 MR. ASHENFELTER: And then you can  
33 develop proposals from that. But to make sure that that  
34 language is in the plan that's being acted on.

35

36 Thank you.

37

38 CHAIRMAN IVANOFF: Okay.

39

40 MS. H. ARMSTRONG: We could to that if  
41 the Council wanted a specific bullet just the way the  
42 others are very specific to a particular area. We could  
43 do that, it's the pleasure of the Council.

44

45 CHAIRMAN IVANOFF: I have no objection to  
46 that. Any objections from the Council.

47

48 (No objections)

49

50 MR. NICK: Mr. Chair. Just a suggestion.

1 At one of the YK Council meetings there were -- there was  
2 a report by -- I believe it was by Kenai Fisheries that's  
3 been doing some whitefish studies over in the Kuskokwim  
4 area. They've -- their -- some of their findings are  
5 that whitefish species are migratory. Some of the  
6 whitefish species that spawn in Interior Kuskokwim area  
7 were radio tagged or tagged and recovered in the Norton  
8 Sound area and some in the lower Yukon area. So I think  
9 it would be worthwhile, you know, it's just a suggestion  
10 to look into. I think it would be worthwhile to look at  
11 the genetic samples of whitefish. Because when they  
12 reported to the YK Delta RAC they showed the areas where  
13 the whitefish were migrating to and from. And I think  
14 ADF&G's the one that did the -- some of the research in  
15 the lower Kuskokwim area sometime ago in '70s or '80s or  
16 '60s. And they do have records of that at Yukon Delta  
17 Refuge.

18

19 Just a suggestion. Mr. Chair.

20

21 CHAIRMAN IVANOFF: Yeah. Those are  
22 interesting. I think we need to go to the baseline first  
23 and then perhaps do a -- but I didn't know they were  
24 catching all our fish over there.

25

26 (Laughter)

27

28 CHAIRMAN IVANOFF: That's supposed to be  
29 a joke.

30

31 Okay. Thank you. Anything else of the  
32 Fishery Monitoring Program.

33

34 MR. SEETOT: Mr. Chair.

35

36 CHAIRMAN IVANOFF: Do we do have a.....

37

38 Mr. Seetot.

39

40 MR. SEETOT: Even though this is charged  
41 with taking care of Federal lands or Federal waters, do  
42 you coordinate with other agencies because they don't --  
43 I mean, they probably go to the river to spawn, but they  
44 have an origin someplace from birth to death, you know,  
45 they have a lifecycle, not what's in the Federal waters.  
46 Do you coordinate with other organizations, agencies like  
47 the State of Alaska to at least do some research or  
48 surveys or, you know, stuff like that because, you know,  
49 biologists, you know, they study whatever that takes to,  
50 you know, where the natural resource is. I'm talking

1 from our standpoint, just an observation and then giving  
2 that information to, you know, whoever can use it to the  
3 best knowledge such as mass -- mass of the fish, where  
4 they spawn, you know, any normalities that you see, you  
5 know, during the lifecycle of the fish.

6

7 MS. H. ARMSTRONG: Certainly the research  
8 that we do is used by any management agency that needs it  
9 and then -- and certainly in some cases like at the  
10 Unalakleet River study, I believe that's being done by --  
11 with -- it's between the State and the Native Village of  
12 Unalakleet, I think.

13

14 Is that right, Weaver?

15

16 CHAIRMAN IVANOFF: Right.

17

18 MS. H. ARMSTRONG: So we do have  
19 cooperative studies that occur especially in areas where  
20 you've got State waters and Federal waters. So it  
21 depends on the issue, you know, what -- who's doing the  
22 research, who proposes it, how it's done so it's hard to  
23 give, you know, a blanket statement, but definitely  
24 there's a lot of coordination in many places in the  
25 State. Certainly the Subsistence Division has done a lot  
26 of the research for the harvest monitoring and  
27 traditional ecological studies and then we do work  
28 closely with people at ADF&G too. So it varies around  
29 the State.

30

31 Back to the question about Shishmaref and  
32 do you want to add a bullet and is it for -- it's for all  
33 fish, studying all fish in the Shishmaref -- that people  
34 in Shishmaref use. I mean, I wanted maybe a little more  
35 specific bullet on that one.

36

37 CHAIRMAN IVANOFF: Well, I know we can't  
38 do it for commercial purposes, that.....

39

40 MS. H. ARMSTRONG: Right.

41

42 CHAIRMAN IVANOFF: .....has to go through  
43 State of Alaska and the request for that and I'm sure an  
44 assessment will be done and studies will be done by the  
45 State of Alaska to see what's viable for commercial  
46 purposes. We can go into the modern -- or my  
47 understanding is for subsistence uses.....

48

49 MS. H. ARMSTRONG: Sure.

50

1 CHAIRMAN IVANOFF: .....or for -- see  
2 what stocks are healthy. And so those two could almost  
3 work hand in hand together. And that's my -- was my  
4 understanding, Mr. Eningowuk, that would be for all  
5 species including salmon.

6  
7 MR. F.D. ENINGOWUK: Yes.

8  
9 MS. H. ARMSTRONG: And were you looking  
10 at stock status, the stock structure, the timing, the  
11 stock status and trends as well as at harvest assessments  
12 so maybe it would be a dual, is that what you were  
13 thinking. But so you're looking not only at -- you're --  
14 we're looking at what people in Shishmaref are  
15 harvesting, but also what the status of the fisheries  
16 are?

17  
18 CHAIRMAN IVANOFF: Exactly. I think a  
19 baseline study as far as assessment of the stock is  
20 really important.....

21  
22 MS. H. ARMSTRONG: Okay.

23  
24 CHAIRMAN IVANOFF: .....first of all.  
25 That's what we've got to know first, how health is the  
26 stock, how many -- what's the numbers, age, sex and all  
27 that kind of stuff, have an assessment to that prior to  
28 us even looking at. Have one for substance and purposes  
29 as well as anything else, definitely the harvest numbers  
30 are always -- but don't have to be together, it's just a  
31 matter of proposals.

32  
33 MS. H. ARMSTRONG: Okay.

34  
35 CHAIRMAN IVANOFF: And going back to the  
36 question Mr. Seetot asked in regards to coordinating with  
37 other agencies. Yes, that happens a lot. You can work  
38 with the Department -- depending on how you put your  
39 proposal together, you could work with the Alaska  
40 Department of Fish and Game, US Geological Service, BLM  
41 or whoever -- any agency involved to do -- help you do  
42 your study. But the nice thing about this program, this  
43 Monitoring Program, is that they almost have to work with  
44 the village. So that's the really nice part of it if  
45 you're concerned with something about your salmon or non-  
46 salmon fishery, they have to work with you in the village  
47 as capacity building or as coordinate -- or at least  
48 coordination. So you have to be involved.

49  
50 Okay. Anything else in regards to the

1 Monitoring Program discussion. Can I hear a call for the  
2 question. There is none, no further discussion.

3

4 (No comments)

5

6 CHAIRMAN IVANOFF: Mr. Quinn.

7

8 MR. QUINN: Question.

9

10 CHAIRMAN IVANOFF: Question on the  
11 motion.

12

13 All in favor of the motion signify by  
14 saying aye.

15

16 IN UNISON: Aye.

17

18 CHAIRMAN IVANOFF: Any opposed, the same  
19 sign.

20

21 (No opposing votes)

22

23 CHAIRMAN IVANOFF: Thank you very much,  
24 Ms. Armstrong, appreciate it.

25

26 Council business. Identify issues for  
27 2010 annual report. Got me down as doing that.

28

29 I just got onto the Board oh, geez, I  
30 don't know how many years ago, months ago, I mean. And  
31 an annual report, I just heard all about that maybe three  
32 months ago when we start talking we need to submit an  
33 annual report. And I had no idea that was part of our  
34 responsibility was submitting an annual report. So I'm  
35 again into it and talked to several people and it's any  
36 issues that we feel as well as -- Don Rivard has talked  
37 to me extensively just early this morning and said on the  
38 annual report the RAC members, we can identify any issues  
39 that are forthcoming here on the Seward Peninsula or feel  
40 need to be addressed by the Federal Subsistence Board.  
41 And this would be -- this is a good forum of bringing  
42 those issues to attention. And so if you have any issues  
43 to be included into the annual report or a request list,  
44 something that you'd like to see done or changed, then  
45 this is the venue to do it.

46

47 Mr. Nick.

48

49 MR. NICK: Yeah, Mr. Chair. I think the  
50 topic that you just got done is very timely for this.

1 And the way -- what Council's supposed to do is -- one of  
2 the things that Council's supposed to do in their annual  
3 report is to identify subsistence resource -- resources  
4 like fish or game in the area. And some of the things  
5 that you've talked about just a few minutes ago could be  
6 part of your annual report topics. The way it works is  
7 you provide me with your topics, then I draft it for you  
8 and then present it to you in a draft stage in your  
9 winter meeting for your approval or revision. And I  
10 think it would be like I said earlier there are some  
11 things that you've talked about since I started to attend  
12 your meeting in October last year. I didn't know too  
13 much about Seward Peninsula issues, but I've learned a  
14 whole lot since I've attended. This is my third meeting  
15 here as your coordinator and I'm learning about Alaska  
16 issues and some subsistence issues. Some of the things  
17 that you talked about last meeting -- last two meetings  
18 are some problems with muskox, some problems with bears,  
19 you know, those could be your topics.

20

21 Mr. Chair.

22

23 CHAIRMAN IVANOFF: Okay. Thank you, Mr.  
24 Nick.

25

26 MR. QUINN: Mr. Chair.

27

28 CHAIRMAN IVANOFF: Mr. Quinn.

29

30 MR. QUINN: I'll start out by asking Mr.  
31 Sparks a question. Is the Bureau of Land Management  
32 participating in the funding for the Salmon Lake red  
33 salmon projects that are going on?

34

35 MR. SPARKS: Mr. Quinn. Through the  
36 Chair. BLM participated in the five years, the  
37 initial.....

38

39 CHAIRMAN IVANOFF: Would you identify  
40 yourself, please.

41

42 MR. SPARKS: Yeah. Tom Sparks, Bureau of  
43 Land Management, Nome Field Station.

44

45 We participated five years, the initial  
46 work and that was a cooperative agreement and then a  
47 couple years were laid off and actually the field manager  
48 of the Anchorage Field Office came to Nome and I took him  
49 up to the lake and we met with Mr. Lean with NSEDC about  
50 potentially getting into that again. And NSEDC really

1 isn't looking for funding, but they are looking for some  
2 cooperation in terms of some of the baseline science  
3 behind it. So I think we're going to get involved.

4

5 As you know the land status there at the  
6 lake has changed over the last few years. There's a bill  
7 in Congress that's going to convey nearly all the lands  
8 around Salmon Lake except for about nine acres out of  
9 Federal ownership. So we are going to basically keep the  
10 campground area and I'm hoping that we'll participate in  
11 some fashion with NSEDC because that seems to be a  
12 fishery that's very much sought after particularly by  
13 Nome folks as well as Brevig and Teller.

14

15 MR. QUINN: Thanks.

16

17 CHAIRMAN IVANOFF: Follow through, Mr.

18 Quinn.

19

20 MR. QUINN: Well, then I can see the need  
21 in our annual report to request I'll say Federal  
22 involvement in the funding of the program that enhances  
23 that lake's ability to produce salmon so that, you know,  
24 everybody's participating, not just the State and not  
25 just NSEDC, but also something at the Federal level. And  
26 I guess you guys get stuck with that since you're the  
27 ones having the land there.

28

29 CHAIRMAN IVANOFF: Got a follow through,  
30 Mr. Sparks.

31

32 MR. SPARKS: Oh, I just think any  
33 direction you can give the field manager at BLM to add  
34 some more weight and show its importance would be very  
35 well taken on our end.

36

37 CHAIRMAN IVANOFF: Okay. Thank you very  
38 much. I've heard two people, one from Wales and one from  
39 Shishmaref, and this could be related to anything, it  
40 could related to fisheries, it could be related to game,  
41 two people talking about the increase of bear population  
42 in the Northern Region. Is that an issue that you'd like  
43 to be taking a look -- strong look at at some point in  
44 the future. Mr. Keyes.

45

46 MR. KEYES: Yes. Is that McGee's, me my  
47 muskox and bears.

48

49 (Laughter)

50

1 MR. KEYES: Well, last year there was --  
2 the population of our bears were -- we didn't know they  
3 were, you know, starting to get plentiful because we  
4 didn't really ride around out in the country until this  
5 summer. This summer on one whole day's ride within nine,  
6 10 hour ride, one whole day, counted eight bears in one  
7 day. And then took off again the next day, I was even  
8 more surprised, I count 15 bears the next day. You know,  
9 the bears and muskox, I don't know what them two have got  
10 going on, but for sure the bear population now has to be  
11 taken care of because we have a lot of children that are  
12 playing out there in the springtime and we have a lot of  
13 women going out to pick their greens and their berries.  
14 We had a couple of bears almost encounter some of our  
15 pickers this summer. They came home real fast, lucky  
16 thing one of them had a handgun, just to scare it away,  
17 didn't kill it.

18  
19 I would like to make a proposal to where  
20 I can get some outsiders to come in and start, you know,  
21 taking care of this problem because we're not the only  
22 ones that are facing this problem because Shishmaref and  
23 Wales and I'm pretty sure Brevig is going to -- you know,  
24 we're on -- we're all on a chainline there for these --  
25 for all these muskox and bears, it's a nuisance. I would  
26 like to put my proposal in hopefully to get this taken  
27 care of.

28  
29 Thank you very much.

30  
31 CHAIRMAN IVANOFF: Thank you, Mr. Keyes.  
32 Mr. Eningowuk.

33  
34 MR. F.D. ENINGOWUK: Yes, I'd like to add  
35 to Tony's comments on the bears. You know, you hear in  
36 the news wolf control, it's being done, you know,  
37 wintertime. What about bear controls, they're doing the  
38 same thing the wolves are doing, talking calves, calves  
39 from the caribou, calves from the moose. We went and  
40 beachcomb, you know, we walk the majority of us, we have  
41 to pack a rifle just to go beachcombing. We didn't have  
42 to do that. Sows with two cubs over the summers. I'm  
43 not a wildlife scientist, but if you think about it, you  
44 know, if they have two cubs they must be doing well, they  
45 must have a lot of food to subsist. And, you know, we're  
46 -- we've been seeing a lot of bears. And they're -- my  
47 wife and other pickers they keep one eye on the bears and  
48 one eye, you know, for bears, including muskox. Muskox,  
49 you know, we use a rifle to try and scare them away,  
50 shoot up in the air above them. They run a short way,

1 just form their circles and they'll continue to do that,  
2 they won't run away. Bears, you know, some of them won't  
3 stop. And this, you know, needs to be taken care of.

4  
5                   Pretty much all I have on the bears and  
6 muskox.

7  
8                   CHAIRMAN IVANOFF: You're talking about  
9 brown bears, right, both of you, brown bears?

10  
11                   MR. KEYES: Uh-huh. (Affirmative)

12  
13                   MR. F.D. ENINGOWUK: Yes, that's the only  
14 thing that we have is brown bears besides the polar bears  
15 in the wintertime.

16  
17                   CHAIRMAN IVANOFF: Okay. Thank you very  
18 much. Any other topics or issues relating to the annual  
19 report.

20  
21                   Mr. Seetot.

22  
23                   MR. SEETOT: Kind of parallel to what the  
24 gentlemen from Unit 23 are talking about, bear  
25 population. I would think that State Board of Game, the  
26 Federal Subsistence Board, look at proposals on bear  
27 control.

28  
29                   And but we're living in the communities,  
30 bear hunting kind of died down maybe about 20 years ago.  
31 We talk about bears all the time, they're in our backyard  
32 yet the local resident population have no interest in  
33 trying to harvest bears. I would think that -- that's  
34 one of the major problems, also with muskox. Muskox  
35 harvest, if you check with Mr. Ken Adkisson or State of  
36 Alaska it's pretty non-existent within the communities of  
37 Teller and Brevig if I am correct. And that's where a  
38 majority of the resources lie.

39  
40                   Last summer I think in July we went  
41 beachcombing, you know, just beachcombing along the  
42 beach. There was a dead walrus close by. What we didn't  
43 know that there was a bear laying down and there was  
44 three persons onboard. I -- trying to look around and,  
45 you know, see what kind of wood I could use for harpoon  
46 shafts or, you know, the shale hooks. I was just looking  
47 alongside and I kept seeing something, when I look that  
48 bear was about 20, 30 feet away trying to keep pace with  
49 the four-wheeler. And then I just -- that's my nephew  
50 and then tell him to look over your shoulder. By that

1 time I had -- you know, I had to hold onto the seat  
2 because, you know, how people react when they're  
3 surprised, you know, they just pull the throttle. I got  
4 thrown off in different instances, you know, where riding  
5 on the back of a four-wheelers, bye-bye, but that was  
6 kind of close.

7

8 The other one was my nephew has a -- or  
9 his father has a cabin up the Ayiakpuk River. He got  
10 woken at 4:00 o'clock by his common law girlfriend saying  
11 that, you know, there was some noise at the front door.  
12 No more than as soon as he opened the front door there  
13 was a bear standing out in the arctic entry, trying to  
14 ask for permission to come in the door, you know. And he  
15 had a rifle and a shotgun beside him, he forgot all about  
16 it in his excitement and because of his fear of the bear,  
17 you know, he was cussing, cussing, trying to cuss at it  
18 loud, you know, to get that bear to go away. It took  
19 some while, but even though it was dangerous the way he  
20 was telling it, you know, it seemed so comical, you know,  
21 that you just kind of laugh away.

22

23 But I think that's one of the things that  
24 need to be addressed is that we get hunters from outside  
25 to get to our bear resources. And it should be the  
26 residents within the community. Like I said we really  
27 haven't hunted bear, but we would welcome anyone, you  
28 know, to take care of the bear population not only within  
29 Brevig, but also around the Klushoe (ph) Channel where  
30 there's a lot of subsistence, Native allotments and  
31 pretty much everyone of the houses have been broken in  
32 within the past two years. Not only once, maybe once --  
33 two times a year so that's a major problem.

34

35 Thank you.

36

37 CHAIRMAN IVANOFF: Thank you, Mr. Seetot.  
38 Very interesting story. We've all got bear stories, I  
39 won't get started either.

40

41 (Laughter)

42

43 CHAIRMAN IVANOFF: It could last forever.  
44 Any discussion.

45

46 Mr. Seetot.

47

48 MR. SEETOT: Well, one other thing. Also  
49 I think it would be a -- try to determine, you know, why  
50 the first fish that were caught within the Port Clarence

1 District, you know, kind of were tasting like petroleum  
2 after they cook them. You know how Eskimos -- Natives  
3 process -- Alaska Department of Fish and Game tell us to  
4 send a sample. You know, when we're processing we go  
5 from start to finish without any regard to, you know, if  
6 there's any contaminants within the resource. And by the  
7 time everything is all taken care of, you know, the  
8 entrails and whatever is thrown out, fish is cooked and  
9 then, you know, the thing is -- I mean, the fish is --  
10 for hanging is already hung up. The Department of Fish  
11 and Game, Jim Menard, asked us to send samples, but by  
12 that time, you know, the fish were already processed and  
13 we wouldn't know which fish that -- where that came from.  
14 I mean, the ones that were producing that smell, we  
15 wouldn't know which fish it was, where it's at. So I  
16 think that's going to become something that we need to  
17 talk about concerning either something to do with the  
18 climate or that there's too many fishermen out there or  
19 something's happening, you know, to transfer the taste of  
20 petroleum from its natural state to fish, you know, that  
21 consumes other fish. So that's something that we need to  
22 kind of look at.

23

24 Thank you.

25

26 CHAIRMAN IVANOFF: A study or a research.

27

28 MR. SEETOT: Yeah.

29

30 CHAIRMAN IVANOFF: Okay. I do have a  
31 couple. The one is the -- right now we currently have  
32 seven RAC members sitting on the Board we're allocated  
33 10, we have three vacancies. And it takes a long time  
34 and a great deal of time to fill those vacancies  
35 otherwise we'd, you know, at this meeting if one person  
36 did not attend our RAC meeting then we would not have a  
37 quorum to conduct business and all those travel expenses  
38 would have been wasted because the work would be --  
39 wouldn't get done. So we need to streamline the RAC  
40 appointments to where it would be done in a more  
41 efficient manner, possibly here -- do it here in Alaska  
42 rather than having to go to Washington, DC. But my  
43 understanding is that's part of the review that is being  
44 done by the Department of Interior, taking a look at  
45 that. But at the same time we're strapped with seven  
46 members, we need the three extras so we can have quorum  
47 the next time, we're in danger so we need to have that  
48 streamlined a quick as possible and I think that's one of  
49 their priorities.

50

1 MR. BUCK: Mr. Chair.

2

3 CHAIRMAN IVANOFF: Mr. Ashenfelter. Do  
4 you have a comment and then I'll get right to you, Mr.  
5 Buck.

6

7 MR. ASHENFELTER: My name is Roy  
8 Ashenfelter from the public. The way I understand  
9 Robert's Rules of Order and makeups of groups, it's the  
10 majority of the current membership. If you only have  
11 seven members then the majority is four. So, you know,  
12 and you could make sure that that's part of the new  
13 development if it hasn't already been created that that's  
14 the way you would set up your groups in terms of  
15 management.

16

17 CHAIRMAN IVANOFF: Yeah, I understand  
18 that and I agree with that, but at the same time I think  
19 the point is that we do need to streamline the RAC  
20 appointments so that's done in a more quickly and  
21 efficient manner. Okay. That's one.

22

23 We talked a little bit about it at our  
24 last game meeting proposals and we were talking about  
25 community harvests per household rather than setting,  
26 what's the word, seasons and bag limits, et cetera. I  
27 really think that's a good idea, I'd really like to  
28 explore that, see how that would work, maybe have one or  
29 two pilot villages. I know that State of Alaska  
30 currently have some community harvests going on in  
31 different places, we started to -- heard that in the news  
32 sometime back, but we had only preliminary discussions in  
33 regards to that. I think that's a really clean way of  
34 doing it. Currently take for instance in Unalakleet, we  
35 have a quota of 14 moose per year because we have a low  
36 population and the Federal -- through the Federal  
37 Subsistence Board we were able to have a Federal hunt in  
38 August, from August to August 15th, I think. And only on  
39 Federal lands. But the guy from BLM comes in, issues the  
40 permits with a strict reporting requirement of -- because  
41 we have so few moose, a reporting requirement that if we  
42 get a moose we report it within 24 hours or something  
43 like that. And it's worked and each household goes in  
44 there and gets a permit, works very well and it's  
45 restricted only to Unalakleet residents. And that's the  
46 part that it's really favorable by people in the village.  
47 When the State comes in they also have that same permit  
48 if the 14 moose are not taken by the time the State  
49 season opens then we're hunting on State land as well as  
50 Federal lands. But that's open because of their

1 constitution to anybody in the State of Alaska who is a  
2 resident. So there's a big difference there.

3  
4 I'd really like to explore more what the  
5 community harvest will look like, how it would affect the  
6 communities and perhaps start doing more and going more  
7 in that direction so that we'd spend less time with  
8 proposals that are in front of us as far as bag limits,  
9 seasons, all that kind of good stuff, and that would be  
10 determined mostly by community. I think with that  
11 structure in place and it's working on an annual basis so  
12 that's just a customary practice, it would cut a lot of  
13 our time, it would make things more efficient and would  
14 make for a community to bind to the program.

15  
16 And it's more patterned for subsistence  
17 use, it's more patterned of how historically people  
18 hunted and fished in history in the years past because  
19 basically if you remember I -- you guys are about 60  
20 years old most of you, during that time about 50, 40  
21 years ago that's how people hunted, you went out there  
22 and if you saw it and you're hungry then you got what you  
23 needed off the land and ate, you didn't have to worry  
24 about the regulations. But I know we can't go back  
25 historically to the past such as that, but this pattern  
26 or the community harvest I think more fits that need than  
27 anything I've seen.

28  
29 If there's -- Ms. Armstrong.

30  
31 MS. H. ARMSTRONG: If I may, Mr. Chair.  
32 It is community harvest limits are allowed under the  
33 Federal Subsistence Management Program and we do do that  
34 in some communities. And I just wanted to let you know  
35 that the next meeting you have in the winter, I don't  
36 remember when the meeting is, that will be the time when  
37 we will be taking proposals, that time period, and the  
38 Council could make some proposals at that time. So you  
39 might want to put some thought to where you would like to  
40 do that.

41  
42 CHAIRMAN IVANOFF: Okay.

43  
44 MS. H. ARMSTRONG: So it would be  
45 something we could address in the near future if you  
46 like.

47  
48 CHAIRMAN IVANOFF: Yes, I definitely  
49 would. But I think what's needed, what we need to do on  
50 the RAC level is that we need to start letting

1 communities know that this is something that we're taking  
2 a look at, people are interested so that once they bind  
3 to the program, if they want that kind of a program, then  
4 that's something we definitely -- I guess we need more,  
5 what's the word, PR going out to the communities in  
6 regards to community harvests.

7

8                   Is there any objection to that?

9

10                   (No objections)

11

12                   CHAIRMAN IVANOFF: Okay. This one here  
13 I'm not too sure about. It's going to be a little hard,  
14 I think it's going to take a lot of time and money, but  
15 when you're talking only about subsistence fishery, the  
16 State of Alaska have draft Fishery Management Plans for  
17 Norton Sound. It would include fishery, commercial,  
18 personal, sport, all aspects of fishing here in Norton  
19 Sound as well as State of Alaska. However we do not have  
20 a fish -- Subsistence Fishery Management Plan. We might  
21 -- as long as it doesn't duplicate the State Fishery  
22 Management Plan I think it's something that we could have  
23 -- use as a guideline on the RAC to help make decisions  
24 when we start talking about fishing regulations that  
25 relates to Federal subsistence. I don't know if we have  
26 enough Federal subsistence waters to where it could --  
27 where it's actually needed or the amount of fish that is  
28 actually on the Yukon, it -- boy, maybe you didn't think  
29 about that. But it's something to think about. I don't  
30 know if it's something we need to address into the annual  
31 report, but I think it's something that we definitely  
32 need to start thinking about and perhaps in the future we  
33 could start taking a look at that.

34

35                   I don't know. What's your feelings,  
36 staff, on this?

37

38                   MR. PROBASCO: Mr. Chair. Pete Probasco.  
39 I think any concept of developing management plans has  
40 value. I think what the Council needs to do is  
41 articulate what they envision the management plan to do  
42 since it -- since it's addressing subsistence fisheries  
43 and I'm assuming Norton Sound Area, this area here. So  
44 just saying management plans addressing subsistence, you  
45 need more, we need to -- what's the objective, what are  
46 we looking for this management plan to do and what  
47 species is it addressing, is it global, are we looking at  
48 things beyond salmon, whitefish was mentioned, pike,  
49 other species as well. So the concept is always sound,  
50 now we just need to put some -- more clarifications to

1 it.

2

3

Mr. Chair.

4

5

CHAIRMAN IVANOFF: Okay. I agree. I think there's a whole -- it's a big, broad area, I mean, you're talking about salmon area and non-salmon species. But currently salmon is the number 1 concern in the Norton Sound area and I would start with that. I mean, you can't do everything for all species I think because there's so much we don't know about whitefish or burbot or Dolly Varden as far as numbers go. We know that they're there and we use them a lot, but the salmon right now is the priority and a management plan for the salmon because the Nome area as well as all the way down to the Fish River and Norton Sound area and down into Stebbins salmon in each area or each area is different even from the Unalakleet compared to Nome area is different type of fishery, fishing for the salmon. So they all have their problems and when it gets into the subsistence arena, not to mention the commercial and the sport, then it's a big ball game. If we could limit -- we as a Subsistence Board could have a management plan for the subsistence areas then I think it's a great tool.

25

26

MR. PROBASCO: Mr. Chairman. I can't disagree with your concept, what I can caution though is it's a very large task if we -- to look at the Norton Sound as in its entirety. With that said it would also -- we'd also have to work very closely, the Federal agencies with the State because there is a lot of State jurisdiction within Norton Sound. My counsel, having worked on many management plans, is to narrow the focus, look at drainages where there are issues that need to be addressed and maybe put off the table for now those areas that are -- seem to be doing fine. I mean, we've been spending a lot of time on Unalakleet River, that's one that comes to mind, Charlie Lean has a lot experience around here in the Nome area, that there's a lot of history there of subsistence issues and impacts from other fisheries, et cetera. But I would definitely recommend that you narrow it and start off small versus going real large.

44

45

Mr. Chair.

46

47

CHAIRMAN IVANOFF: Okay. I appreciate that perspective.

48

49

50

It sounds like this could bear a lot more

1 discussion, a lot more talking about it before it  
2 actually gets started. And it's -- I know it's a huge  
3 undertaking and that's why I was reluctant to bring it  
4 up, but at least we can start talking about it.

5  
6 And I appreciate you coming forward and  
7 making those suggestions because definitely we could  
8 start not so much now, but at some point in time.

9  
10 Thank you very much, Pete, appreciate it.

11  
12 MR. PROBASCO: Thank you, Mr. Chair.

13  
14 CHAIRMAN IVANOFF: Okay. Any other  
15 issues or concerns related to the annual report?

16  
17 MR. KEYES: Yeah, this is Anthony Keyes.

18  
19 CHAIRMAN IVANOFF: Mr. Keyes.

20  
21 MR. KEYES: Maybe we can put this on the  
22 table for the next meeting, next scheduled meeting.

23  
24 CHAIRMAN IVANOFF: Yes, it will come back  
25 to us in our winter meeting after Alex does all the work.

26  
27 Okay. If there are no other additions --  
28 oh, Mr. Buck, you had something?

29  
30 MR. BUCK: No. I do have. I was going to  
31 say that we've got three vacant seats. Were those  
32 commercial fishing or were they -- the seats were -- that  
33 are vacant who -- they was telling me that's for sports  
34 fishing or sports hunting and what's the other two?

35  
36 CHAIRMAN IVANOFF: Anybody.

37  
38 MR. BUCK: Anyways what I want to say is  
39 that when we get an appointment we should have -- also  
40 have some way to have, an alternate so that you could --  
41 we can have our meetings with the whole Board. So if an  
42 appointment is made, consider an alternate.

43  
44 CHAIRMAN IVANOFF: First it's Pete and  
45 then Alex.

46  
47 MR. PROBASCO: Mr. Chair. And then I'll  
48 go to Alex, but particularly in some of our Regional  
49 Advisory Council areas the issue is getting applicants.  
50 We have difficulty in filling seats from these various

1 Councils, this is one of them where the interest in  
2 serving on the Council -- we have very good Council  
3 members serving, but with the vacancies the number of  
4 applicants we get sometimes falls short.

5  
6 And I'll look to Alex, I can't remember  
7 if we got a complete slate to the Secretary on this go  
8 around or not.

9  
10 Alex.

11  
12 MR. NICK: Mr. Chair. Thank you, Pete.  
13 I think for this go around we do. The vacant seats are  
14 possibly going to be filled by November, December this  
15 year. And then those of you whose terms are ending in  
16 2011, you need to reapply for your seat or nominate  
17 someone to sit on this Council.

18  
19 Mr. Chair.

20  
21 MR. PROBASCO: Mr. Chair. If I may add  
22 to that, this -- so it sounds like you'll have a full  
23 Council for your winter meeting. The key, though,  
24 collectively, my staff working with you from each of your  
25 respective communities needs to help us as well, you  
26 know, grab your buddy and friends and say hey, sign up.  
27 I know Alex does a lot of outreach. If there's area that  
28 we can improve on, we need to hear that. If I need to  
29 send Alex out to each community I'll do that and have him  
30 knock each door -- no, I'm just kidding, but we do need  
31 more applicants.

32  
33 (Laughter)

34  
35 MR. PROBASCO: Mr. Chair.

36  
37 CHAIRMAN IVANOFF: Alex.

38  
39 MR. NICK: Mr. Chair. There is something  
40 that we should be aware of. There's something going on  
41 in at least a couple of regions, this region and also YK  
42 Region. I received at least two calls before YK meeting  
43 that someone was -- someone else was appointed on the RAC  
44 and I told them I didn't have any knowledge about that.  
45 What needs to be done if that question comes up is  
46 there's a nomination process that we have to abide by,  
47 you know, like Pete mentioned people have to apply or  
48 nominate someone. And then the nomination process is  
49 just about almost a year long. So if you apply, for  
50 example, your 2011 seat you won't hear from us until

1 maybe next year around November, December, 2011.

2

3 CHAIRMAN IVANOFF: And if you're like me  
4 you'll forget about it by then.

5

6 (Laughter)

7

8 CHAIRMAN IVANOFF: Okay. Any other  
9 questions, comments.

10

11 (No comments)

12

13 CHAIRMAN IVANOFF: Thank you. I  
14 appreciate -- yeah, I agree with you, I think there -- we  
15 need to have an outreach too, ourselves here in the  
16 Seward Pen as well as other areas and help out trying to  
17 get applicants in there. Yeah, but I think it would help  
18 too though if we could get some appointments in a fairly  
19 quick manner so that the reenforcement of a positive or  
20 a negative is done quickly as possible. One year is too  
21 long.

22

23 Okay. If there's anything else on the  
24 annual.

25

26 Pete, do you have something else.

27

28 MR. PROBASCO: Mr. Chair. Your last  
29 statement saying that the process takes too long, I think  
30 you stated that you'd like that mentioned in the annual  
31 report. I think that's something that we're trying to do  
32 is streamline the process, both the process of going  
33 through the applicants as well as expediting it so if I  
34 may be so bold I'd like to see that as a topic in your  
35 annual report.

36

37 Mr. Chair.

38

39 CHAIRMAN IVANOFF: Yeah, I agree, have it  
40 on our annual report definitely.

41

42 MR. PROBASCO: Okay.

43

44 CHAIRMAN IVANOFF: Any other issues or  
45 comments.

46

47 (No comments)

48

49 CHAIRMAN IVANOFF: Hearing none, I don't  
50 know whether we need to adopt this or not as issues or

1 topics for our annual report. I think some -- okay.  
2 Very good. We'll continue on then with the agenda.

3  
4 It's quarter to 3:00, let's take a 15  
5 minute break and get back onto agency reports and  
6 updates.

7  
8 (Off record)

9  
10 (On record)

11  
12 CHAIRMAN IVANOFF: I'll call the meeting  
13 back to order, we're a little past the time, five after  
14 3:00.

15  
16 (Pause)

17  
18 CHAIRMAN IVANOFF: Call the meeting back  
19 to order at five minutes at 3:00.

20  
21 You'll have to excuse my bad manners. We  
22 have with us today Pat Pourchot who's with the Department  
23 of Interior. And I'd like to have a motion to waive the  
24 rules of order so we can include him into our agenda.

25  
26 MR. QUINN: So moved.

27  
28 CHAIRMAN IVANOFF: Motion on the floor.

29  
30 MR. SEETOT: Second.

31  
32 CHAIRMAN IVANOFF: Seconded by Mr.  
33 Seetot.

34  
35 And all in favor of the motion signify by  
36 saying aye.

37  
38 IN UNISON: Aye.

39  
40 CHAIRMAN IVANOFF: All opposed, same  
41 sign.

42  
43 (No opposing votes)

44  
45 CHAIRMAN IVANOFF: Motion carries. We  
46 then could add onto the agenda Mr. Pat Pourchot. And  
47 appreciate it if you could give us an update on the  
48 subsistence review at this time.

49  
50 MR. POURCHOT: Thank you very much, Mr.

1 Chairman. Members of the Council. I appreciate the  
2 opportunity.

3  
4 As most of you know the Secretary  
5 initiated a review of the Federal Subsistence Program,  
6 actually it's been almost a year ago, and he announced --  
7 made the announcement at the Alaska Federation of Natives  
8 Convention in Anchorage last year. And the review of the  
9 program was conducted out of the Secretary's office, it's  
10 primarily my office in Anchorage, and was pretty much --  
11 we went around the state, met in about 13 different  
12 communities, met with 45 different organizations,  
13 solicited input and comments from a whole variety of  
14 people interested in subsistence. I think we heard from  
15 about 115 different commentors. We put all this  
16 information on a web site and initiated even more  
17 comments on that. And we were pretty much wrapping up  
18 and getting done about the time that the Gulf oil spill  
19 happened. And then we had this big gap and as most of  
20 the Department of Interior's attention was diverted to  
21 the Gulf.

22  
23 But at the end of August the Secretary  
24 put a press release out announcing some of the findings  
25 and the actions that he was recommending for the  
26 subsistence review and I hope most of you have seen that.  
27 It was kind of a summary document and then since then  
28 last week we put a public report with a little more  
29 information about how the review was conducted and some  
30 of the recommendations and the findings, we put that out  
31 and sent that to all of the RACs and all the interested  
32 people who had commented. If you haven't see it it's on  
33 the Department of Interior web site and I apologize, I  
34 don't know quite how to get to it, but I think you can  
35 get to it through the Office of Subsistence Management  
36 web site, there's a link into it and you can get a copy  
37 of the report.

38  
39 Mr. Chairman, if it's okay I just wanted  
40 to highlight two or three of the things that directly  
41 relate to the RACs. The first is the Secretary is  
42 intending that the Federal Subsistence Board put together  
43 regulations to increase the Federal Subsistence Board by  
44 two public members representing subsistence users. We  
45 heard a lot of comments and testimony that the Board is  
46 primarily made up of bureaucrats and I think it was  
47 someone who said in testimony at one of the last Federal  
48 Subsistence Board meetings, you guys all get your  
49 groceries at the store, we get our groceries out on the  
50 land. And there's a lot of truth to that and that was

1 the original plan when it looked like the Federal program  
2 was going to be short-lived, just last a little while  
3 until the State could amend the constitution and regain  
4 management for subsistence resources. But obviously that  
5 was 20 years ago and it doesn't look like that's going to  
6 happen. So it looked like a chance to broaden the Board  
7 out a little bit more to include more subsistence users.  
8 That's going to take regulations, it'll take months  
9 probably, they'll be a public review period of the  
10 regulations and then the regulations hopefully would be  
11 finalized and the Secretary would make two additional  
12 appointments to the Board. That is intended and  
13 recognized in the action item that the RACs would provide  
14 input into that process, both in the regulatory process  
15 to create the positions and to comment on and make  
16 suggestions and nominations for the additional members of  
17 the Federal Subsistence Board.

18  
19 The second thing that affects the Board,  
20 we heard a lot of testimony and particularly from the RAC  
21 Chairs when we met twice with the RAC Chairs and Mr.  
22 Ivanoff was part of both of those, I believe, both those  
23 meetings and heard a lot of testimony about the lack of  
24 deference to the RACs not for takings, the actual  
25 regulations resulting or, you know, involving takings,  
26 but also it was feeling the RACs should be given  
27 deference for other things affecting the subsistence  
28 program. And there are a number of things as you know  
29 that aren't strictly takings that the RACs have offered  
30 comment on from time to time and the feeling was that the  
31 RACS should be given deference for all things that are  
32 directly related with subsistence regulations and  
33 management. So the Secretary is instructing the Federal  
34 Subsistence Board to give deference to the RACs for all  
35 things that are related to subsistence management.

36  
37 Another thing that the RACs -- the  
38 Secretary included for specific mention to include RAC  
39 input on was a review of some of the existing guidelines  
40 and procedures for determination of rural, non-rural,  
41 which is going to come up again with the new census,  
42 again including the RACs in the review of customary and  
43 traditional use and some of those guidelines that are in  
44 regulation and the procedures for determining those uses.

45  
46  
47 And then also he has asked the Board to  
48 review the MOU with the State of Alaska, the so called  
49 memorandum of understanding, which has been quite of  
50 controversial. And in that review he's asked the Board

1 specifically to consult with the RACs on reviewing that  
2 MOU to see if it's needed, whether it needs improvement  
3 or changes and with the idea of making sure that the  
4 Federal authorities are protected in that MOU.

5  
6 So those are some of the things, Mr.  
7 Chair, that I would just bring to the Council's attention  
8 that involve the RACs and hopefully will lead to a more  
9 effective program as we look at this for, you know, years  
10 to come.

11  
12 CHAIRMAN IVANOFF: Do you have any  
13 questions. Mr. Quinn.

14  
15 MR. QUINN: Thank you. So you're going  
16 to give more deference to the RACs and we're going to be  
17 part of this process to make some changes, specifically  
18 like the two new members, you're going to take input from  
19 the RACs on who those members are; is that correct?

20  
21 MR. POURCHOT: Yes.

22  
23 MR. QUINN: Okay. But we only meet twice  
24 a year, our next meeting won't be until February.  
25 So.....

26  
27 MR. POURCHOT: Yeah.

28  
29 MR. QUINN: .....then within that realm  
30 of two meetings a year statewide, you're going to let the  
31 RACs at their meetings talk and contribute to that  
32 process?

33  
34 MR. POURCHOT: Hopefully it would  
35 coincide at some period in that. There would be other  
36 opportunities just for direct communication from either  
37 the RAC Chair or Rac Members directly, for example, into  
38 the regulatory process. It's hard to predict when that  
39 30 day or 60 day public comment period would be, but  
40 hopefully that would be another opportunity for RACs  
41 either individually or as a group to contribute comments.  
42 Certainly in the nomination process there would be ample  
43 opportunity for RACs to endorse or submit applications  
44 for public members, for example.

45  
46 MR. QUINN: And I was talking with one of  
47 the Subsistence Board members this morning, but these are  
48 going to be paid positions?

49  
50 MR. POURCHOT: Correct. They -- I'm

1 trying to think what the -- they're special government  
2 employees, like the Chair of the Board is now. And they  
3 would be paid for the work -- directly for the work that  
4 they do, attending -- what is envisioned would be  
5 attending Board meetings and preparing for Board meetings  
6 -- I'm sorry, Council meetings, a certain amount of time.  
7 And they're at a hourly wage to be determined.

8

9 MR. QUINN: Oh.

10

11 MR. POURCHOT: It would not be the same  
12 rate as the Chair probably.

13

14 MR. QUINN: Certainly. Thank you.

15

16 CHAIRMAN IVANOFF: Okay. Questions or  
17 comments.

18

19 (No comments)

20

21 CHAIRMAN IVANOFF: On behalf of the RAC,  
22 Mr. Pourchot, I'd really like -- I really thank you for  
23 your endeavors in the review of the subsistence. I  
24 realize it's taken a lot of work and I appreciate the  
25 outreach, I really do. I think that's where you're  
26 getting a lot of good feedback from is people out there  
27 in the communities who are actually hearing that yeah,  
28 there need to be some changes as well as people who are  
29 involved with the RAC and people who are involved with  
30 different agencies have a different perspective and I  
31 know it takes a lot of work in that and we'll look  
32 forward to the changes that are being implemented to make  
33 more efficient and also more user friendly. And if  
34 there's any way that we can act as a team on the RAC  
35 level to help in the process, we're glad to help.

36

37 MR. POURCHOT: Well, thank you so much.  
38 And again thank you for serving on the Councils. And  
39 kind of this -- the earlier discussion you all had with  
40 -- on recruitment of Council members and needing Council  
41 members, it's true all over the State with all 10 RACs,  
42 the whole program is really dependent on people being  
43 willing to serve and contributing your time and efforts.  
44 And even more than that your expertise obviously from  
45 being in the rural areas by and large and having the long  
46 time experience with subsistence uses and users. And  
47 that really contributes to the program. And as I said  
48 before we met a couple times with most of the RAC Chairs  
49 and we got a lot of good feedback and good information on  
50 the program, the whole program, from the RAC Chairs. So

1 we're greatly appreciative of that and obviously it's not  
2 an over and done deal at any given point, it's a rolling  
3 thing that we all need to continue to look at ways of  
4 improving the process, just as again you were looking at  
5 ways of streamlining this appointment process. And by  
6 the way, that's not just an OSM function, in the  
7 Secretary's office we own some responsibility for trying  
8 to make the approval of those appointments go faster,  
9 frankly it can really get bogged down on the DC approval  
10 of all those names that come through every year. And I  
11 need to do more and we need to do more at that end to  
12 shorten up that process because as you said, Mr.  
13 Chairman, I mean, up to a year is -- I mean, that's  
14 ridiculous, I mean, it really needs to be shortened up.  
15 So we'll continue to work on that and other aspects.

16

17 I do have one extra copy with me if  
18 someone would like a copy and welcome to it.

19

20 CHAIRMAN IVANOFF: Okay.

21

22 MR. POURCHOT: I didn't mean to -- I  
23 short cut a lot of the recommendations, there's other  
24 recommendations involved, budget and organizational  
25 review and a number of other things, the way the Board  
26 functions and some of its duties. So I would recommend  
27 taking a look at the public report if you have the  
28 chance.

29

30 Thank you so much.

31

32 CHAIRMAN IVANOFF: I do have one question  
33 and that -- I don't want to take so much time on this  
34 because we've got other things to do, but I appreciate  
35 you being here. And I'm not sure if this was ever talked  
36 about when we attended the meetings is that would the  
37 RACs have the ability to make some decisions on  
38 harvesting fish or game rather than going through the  
39 Federal Subsistence Board on issues that are non-  
40 contention. The Federal Subsistence Board passes an  
41 agenda, consent agenda, issues that are not controversial  
42 or need no discussion and then they go into areas that  
43 are picked -- that are pulled from the proposals. And I  
44 don't know whether it's in the purview of the Regional  
45 Advisory Committees because they're advisory in general  
46 and, you know, don't actually make decisions, but the  
47 fact that the Regional Advisory Committees are in the  
48 region and are knowledgeable about -- along with the  
49 coordination of other biologists' reports, are  
50 knowledgeable about the resource and have some limited

1 ability to make some decisions on the take?

2

3 MR. POURCHOT: Well, I think there is  
4 this question of deference and obviously the Board within  
5 the three exceptions does grant a lot of deference to RAC  
6 recommendations. So in one sense there may be a -- not  
7 a rubber stamping, but a.....

8

9 CHAIRMAN IVANOFF: Uh-huh.

10

11 MR. POURCHOT: .....you know, an  
12 acceptance of RAC proposals. Legally it's interesting,  
13 ANILCA Title VIII speaks specifically to a system of  
14 advisory councils and makes it very clear that they're  
15 advisory councils and they shall be given deference  
16 except in those certain instances. The Federal  
17 Subsistence Board was created to act for the Secretary if  
18 he or she were taking over subsistence on Federal lands  
19 which is what happened. So their -- they have the  
20 rulemaking authority of the Secretary that's not given to  
21 the RACs. So probably legally it would be difficult  
22 without the Federal Subsistence Board, you know,  
23 approving, stamping approval.....

24

25 CHAIRMAN IVANOFF: Okay.

26

27 MR. POURCHOT: .....of something. But it  
28 -- in certain circumstances I could see how it could --  
29 they could give deference to proposals coming from a RAC  
30 maybe on a -- you know, on a continual type basis. But  
31 they are the people charged in law to actually approve  
32 the regulations.

33

34 CHAIRMAN IVANOFF: And if I'm not  
35 mistaken the Federal subsistence review, those legal  
36 issues, are kind of set aside at this point until.....

37

38 MR. POURCHOT: There were several, I  
39 would call them major legal recommendations that had been  
40 made by a number of groups, things that got kind of to  
41 the heart of Title VIII of ANILCA, things like who is a  
42 subsistence user, changing the definition of rural  
43 resident, changing the definition of public lands and  
44 what the Federal government has the ability to make  
45 subsistence rules over like, for example, Native  
46 corporation land. The Secretary did not have the  
47 authority to do those kinds of things, we did itemize  
48 what they were and the Secretary will be sending a letter  
49 to Congress forwarding those recommendations for  
50 Congress' review and possible action since they are --

1 they would involve changing the law. So there are a  
2 number of things that, you know, people have suggested in  
3 changing the law, but it really goes beyond the  
4 Secretary's authority to do so, it would be ultimately up  
5 to Congress.

6

7 CHAIRMAN IVANOFF: Okay. Very good.  
8 Glad to that again.

9

10 MR. POURCHOT: Yeah.

11

12 CHAIRMAN IVANOFF: Thank you very much.  
13 Appreciate it, Pat, and thanks again for taking the  
14 opportunity.....

15

16 MR. POURCHOT: Thank you for the  
17 opportunity.

18

19 CHAIRMAN IVANOFF: Continue with our  
20 agenda. Going to the Office of Subsistence Management  
21 staff and to the Bear Claw Handicraft Working Group  
22 update.

23

24 Ms. Armstrong.

25

26 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
27 The briefing for this is on Page 169 of your books and  
28 this is not an action item, don't have to vote on it,  
29 just a briefing. It's a status report of the Brown Bear  
30 Working Group and our thanks to Peter Buck, he's been on  
31 the working -- or he came to that meeting that we had.  
32 It was held for the -- the group met for the third time  
33 in July of 2010 in Anchorage. All of the Councils except  
34 for the Western Interior Council were represented as were  
35 State and Federal agencies and this was done in  
36 conjunction with ADF&G, Fish and Game, people. And Larry  
37 Van Daele and I were chairing the committee and so it was  
38 done some -- quite cooperatively. It was an excellent  
39 meeting I think, I think Peter would agree.

40

41 As at other meetings the discussion of  
42 the meeting focused on the central question is there a  
43 need to change regulations to sell handicrafts made from  
44 brown bear claws. And if so can regulations be developed  
45 that are non-burdensome for subsistence users. After  
46 much discussion, the details of which are included in the  
47 briefing document, the Working Group came to the  
48 consensus in principle that there could be regulations  
49 developed that would protect the subsistence user and  
50 satisfy existing regulatory frameworks. The Working

1 Group also agreed that the original proposal that was  
2 submitted by the State should be rejected and a new  
3 proposal developed. The new proposal will be developed  
4 by agency staff and the proposal and a staff analysis  
5 will be presented to all Councils at a later date. Once  
6 the Councils have provided their input it will be voted  
7 on by the Federal Subsistence Board. So you'll be seeing  
8 a proposal developed and submitted in a wildlife  
9 regulatory proposal cycle time period that I was talking  
10 about earlier in the winter and then analysis will be  
11 done and it'll be presented to you in the fall. And  
12 there are -- in the briefing there's a question and  
13 answer section that was presented to you last year and or  
14 last -- I believe it was last fall, and there's more  
15 detail on the proposal that the group actually came up  
16 with.

17

18 So if you have any questions, if you've  
19 had a chance to look at that I'm happy to answer them.

20

21 CHAIRMAN IVANOFF: Mr. Buck.

22

23 MR. BUCK: My name's Peter Buck and I  
24 attended this black handicraft workshop and I learned a  
25 lot and but I also recommended to the staff of Fish and  
26 Game, law enforcement officers, and everybody that was  
27 there that they -- the people didn't harvest bears that  
28 much all over Alaska. But there's -- I was wondering if  
29 Kawerak was here because we talked about the bear claws,  
30 bear artifacts and the things that you can do there, you  
31 can get bear paws and make -- and they buy it for soup,  
32 you know, expensive soup. You got the bladder, you've  
33 got all of those and you're talking about the bear  
34 problem that you have in the Shishmaref area. I told  
35 them why don't we all get on a web site with the law  
36 enforcement officers, the people that make regulations,  
37 the people that buy the claws, the people that buy  
38 everything, all the parts of the bears, get all on a web  
39 site and get together and Alaska State can put in what  
40 the regulations is and then you can sell your whole bear  
41 on site -- on-line. And I don't know, it didn't.....

42

43 (Laughter)

44

45 MR. BUCK: Well, that's what I  
46 recommended anyway. I was -- Kawerak can do something  
47 like this with the Tribal Councils and the hunters. I  
48 think that would be a good idea, but that was my  
49 recommendation.

50

1 CHAIRMAN IVANOFF: Thank you, Peter.  
2 Anything else to add on the Working Group?  
3  
4 And I'd like to thank you for taking part  
5 in it, I couldn't attend and appreciate you taking the  
6 opportunity to attend that Working Group.  
7  
8 Thanks, Peter.  
9  
10 MR. QUINN: Mr. Chair.  
11  
12 CHAIRMAN IVANOFF: Mr. Quinn.  
13  
14 MR. QUINN: Yeah, I want to thank Peter  
15 for going. I'd expressed an interest in going, but the  
16 times haven't worked for me and I'm certainly glad he was  
17 able to attend.  
18  
19 Helen, on -- I read through this, you  
20 need the CITES tag number to send the stuff out of the  
21 country is my understanding. There's other species of  
22 wildlife in the state that we get tags for that have  
23 CITES numbers. Of course it only applies to fur or  
24 hides, you know, there's -- the animals that we get,  
25 other animals, we can send the stuff all over the place,  
26 maybe not out of the country, without any marking. And  
27 in this stuff here on -- in the middle of Page 170 it  
28 says if you intend to sell a handicraft incorporating  
29 claws, hide sealed, the CITES tag number must accompany  
30 the handicraft. Well, that statement's not completely  
31 true, I believe, it only must accompany the handicraft if  
32 it leaves the country, within the country we are free to  
33 sell and move these bear parts without any tag number,  
34 there's no law requiring tag numbers on claws and stuff  
35 like that until it leaves the state. I'm sorry, until it  
36 leaves the country.  
37  
38 MS. H. ARMSTRONG: What this is is a  
39 proposed regulation. It's not an existing right.....  
40  
41 MR. QUINN: Okay. I see.  
42  
43 MS. H. ARMSTRONG: Yeah, that's correct.  
44 No, the bold is proposed. And it actually would have no  
45 or little effect in 22-C because right now in 22-C, if  
46 I'm -- I believe I'm correct on this, the -- you already  
47 have to seal a brown bear if it's -- when it's harvested.  
48 In the rest of Unit 22 you don't have to seal the brown  
49 bear. And when you seal it you get the CITES tag number,  
50 that's part of the sealing process. So it would have

1 absolutely no real effect for people who like yourself  
2 live in Nome. And what -- the way this reads is you only  
3 have to -- if you live in a place where it's not required  
4 to seal the bear then you would only do it if you were  
5 intending to sell it. And it's the intention to sell  
6 because when you sell it you don't know if it will end up  
7 leaving the country or not.

8

9 MR. QUINN: Certainly. So you -- you  
10 know, I guess there were some ideas thrown around about  
11 how to mark claws and you haven't really come up with  
12 anything concrete so far.

13

14 MS. H. ARMSTRONG: We didn't get that far  
15 in the actual marking, what we would do with it. There'd  
16 be like a little sticker that would go on the claw, I  
17 mean, obviously if you did some kind of permanent thing  
18 on the claw you'd destroy the value of it. So we didn't  
19 have that much time in that -- in the day, we got down  
20 to, you know, 4:00 p.m., we got to consensus on this part  
21 of the regulations. So we probably will end up meeting  
22 again probably -- perhaps by teleconference as we just  
23 flesh this out a little bit more.

24

25 MR. KEYES: Helen, this is Anthony Keyes.  
26 As I just heard you mentioning about don't have to tag a  
27 hide, can I go backwards from there. When I did get --  
28 you know, when I did get a bear I had to have mine sealed  
29 and I'm in 22-E.

30

31 MS. H. ARMSTRONG: Well.....

32

33 MR. KEYES: And you just got through  
34 mentioning that we don't have to get a tag.no

35

36 MS. H. ARMSTRONG: .....what -- you know,  
37 I didn't say the complete part. Was it being removed  
38 from Unit 22?

39

40 MR. KEYES: No.

41

42 MS. H. ARMSTRONG: No. Well.....

43

44 MR. KEYES: It just.....

45

46 MS. H. ARMSTRONG: .....and how long.....

47

48 MR. KEYES: .....you know, I had it and  
49 I had to get it tagged.

50

1 MS. H. ARMSTRONG: Was it harvested on  
2 State land?  
3  
4 MR. QUINN: Well, Helen.....  
5  
6 MS. H. ARMSTRONG: It's different if it's  
7 State land or Federal land.  
8  
9 MR. KEYES: Even if it was Federal.  
10  
11 MS. H. ARMSTRONG: Okay. Then let me go  
12 to the place in the regs. If you all have -- do you all  
13 have wildlife books or not?  
14  
15 CHAIRMAN IVANOFF: No.  
16  
17 MS. H. ARMSTRONG: No. Okay. I'm sorry.  
18 Yeah, it says you do not need to seal the skin and skull  
19 of a brown bear taken under a registration permit in  
20 units, da, da, da, da, I won't read them all, and 22,  
21 except 22-C. And.....  
22  
23 MR. KEYES: Yeah, but the question is why  
24 did I had to get mine tagged.  
25  
26 MS. H. ARMSTRONG: I don't know.  
27  
28 MR. QUINN: Yeah, let me -- can I -- I'll  
29 venture in there. The key -- the key -- there's two  
30 words in what you just read that are key, registration  
31 permit. There's -- the State actually has two hunts,  
32 your sport hunt which you don't need anything except a  
33 license for and that's what you more than likely  
34 harvested your bear with, a registration hunt which you  
35 need a license and a registration permit. The State now  
36 considers or you -- the Feds now consider that  
37 registration permit to be the Federal permit as well, I  
38 believe, and if you want you can harvest a bear on  
39 Federal land with that Federal permit and then you don't  
40 have to get it tagged, but there are restrictions  
41 associated with what -- where that hide goes if you chose  
42 that registration permit. And, of course, you have to  
43 send in your information after you're done and all that.  
44  
45 MS. H. ARMSTRONG: I believe it says in  
46 the regulations that it's with one bear by State  
47 registration permit only. So I think it's just -- it is  
48 a State registration permit so I think everybody has to  
49 get a registration permit. And unless you're removing  
50 the skin and skull from these area, but I don't know what

1 happened, Anthony, I'm -- I don't know.

2

3 MR. KEYES: Well, to tell you the truth,  
4 Helen, there was a so called -- an undercover law  
5 enforcement in my town at that time. And he tried to  
6 think that he was undercover. He gave himself away when  
7 he said ticket. So I told him straight up, I told him I  
8 caught this bear because I had to, I had to defend  
9 myself, it was attacking me and I ain't going to have  
10 something like that come encounter, you know, with me and  
11 I'm going to shoot anything that's going to bother me,  
12 I'm going to take care of it. But I had to get a tag and  
13 I still up to this day I have to still get the skull, the  
14 hide, tagged.

15

16 CHAIRMAN IVANOFF: Can we refer comments  
17 over to the Working Group, comments limited to the  
18 working group, please.

19

20 If there are any questions.

21

22 (No comments)

23

24 CHAIRMAN IVANOFF: Not. Thank you for  
25 your report, Helen.

26

27 MS. H. ARMSTRONG: Thank you very much,  
28 we'll be back with more on bear handicraft -- bear --  
29 brown bear claw handicrafts in the future.

30

31 CHAIRMAN IVANOFF: Continue on with the  
32 agency reports. An update on salmon bycatch in the  
33 Bering Sea.

34

35 Don Rivard.

36

37 MR. RIVARD: Good afternoon, Mr. Chair.  
38 Members of the Council. Don Rivard with the Office of  
39 Subsistence Management.

40

41 I'm just going to highlight a couple of  
42 things that are already in your book on Page 173. And  
43 it's not specifically on your agenda, but it's also  
44 something that's related to this. I got a response from  
45 the North Pacific Fishery Management Council on your  
46 letter that you sent in June.....

47

48 CHAIRMAN IVANOFF: Okay.

49

50 MR. RIVARD: .....that you probably would

1 want to hear. Okay. On Page 173 it's just giving an  
2 update on Chinook salmon bycatch management. That's  
3 pretty much done now and they're going to be starting the  
4 new regulations in January, 2011.

5  
6 And then for chum salmon bycatch  
7 management there's still -- the North Pacific Fishery  
8 Management Council is still dealing with that issue. I  
9 attended the meeting in Sitka where they finalized the  
10 management alternatives for their staff to analyze and I  
11 have copies of what they came up with, if any of you  
12 would like to see that I can provide you a copy of that.

13  
14 And then there's some other things as you  
15 can see that are going to be happening between now and  
16 January, 2012. I thought -- the ones of particular  
17 interest, I think, are what's going to happen in February  
18 and March of 2011. The North Pacific Fishery Management  
19 Council members and staff plan to attend five Federal  
20 Subsistence Regional Advisory Council meetings including  
21 yours. So you might want to just reiterate your interest  
22 in having them come and we will relay that to them, to  
23 the appropriate staff and highly encourage them to come  
24 and visit you at your next meeting.

25  
26 And then in June of 2011 they're planning  
27 on meeting here in Nome, the North Pacific Fishery  
28 Management Council, to select the preliminary preferred  
29 alternative which must be within the range of  
30 alternatives that they identified in June.

31  
32 And then in October of 2011, this is  
33 still tentative, they plan to do the final action and  
34 select their final preferred alternative which will be  
35 provided to the Secretary of Commerce for a decision and  
36 then rulemaking process will follow after that.

37  
38 CHAIRMAN IVANOFF: That's restricted to  
39 chum, right, this.....

40  
41 MR. RIVARD: Yes, we're talking about  
42 chum salmon bycatch.....

43  
44 CHAIRMAN IVANOFF: All right.

45  
46 MR. RIVARD: .....management now, yes.

47  
48 CHAIRMAN IVANOFF: Okay.

49  
50 MR. RIVARD: So that's all I have. If

1 somebody has any questions, I'd be -- feel free to answer  
2 those.

3

4

(No comments)

5

6

CHAIRMAN IVANOFF: The -- as far as the  
7 Chinook bycatch that's going on now in the Bering Sea,  
8 the cap was set at 60,000 incentive plan agreement to  
9 47,000. Have you heard anything update or anything new  
10 on what the bycatch is current level?

11

12 MR. RIVARD: I haven't look recently so  
13 I don't know what it was or has been so far for 2010. I  
14 think it's been fairly low again this year.

15

16 CHAIRMAN IVANOFF: Uh-huh. (Affirmative)

17

18 MR. RIVARD: But that's something that  
19 could be found on the web site, I think I've got it  
20 listed there as well. And I could find that out and  
21 relay that to you within a week or so, I'll just get --  
22 once I get back to the office I'll find that out and send  
23 it to you by e-mail or through Alex.

24

25 CHAIRMAN IVANOFF: Yeah. I'd appreciate  
26 that. You said you had an answer from the Northwest  
27 Fishery Management Council in regard to the letter we  
28 wrote and that was in regards to the additional Council  
29 seats or which one it was.....

30

31 MR. RIVARD: Yes, it's.....

32

33 CHAIRMAN IVANOFF: .....I know we sent  
34 several.

35

36 MR. RIVARD: It's -- if you'd like I'll  
37 -- what I would like to do is read your letter to Mr.  
38 Oliver so that you -- kind of refresh everybody's  
39 memory.....

40

41 CHAIRMAN IVANOFF: That'll be fine.

42

43 MR. RIVARD: .....of what you ask and  
44 then I'll give you his response. So this is a letter  
45 from your Council signed by Chair -- Mr. Chair, Ralph  
46 Weaver Ivanoff, it's dated June 1st, to Chris Oliver, the  
47 Executive Director of the North Pacific Fishery  
48 Management Council.

49

50 Dear Mr. Oliver. The Seward Peninsula

1 Subsistence Regional Advisory Council wishes to bring to  
2 your attention an important matter regarding the lack of  
3 rural Tribal representation on the North Pacific Fishery  
4 Management Council. The Council's concern is to preserve  
5 and protect resources vital to rural subsistence users.  
6 We continue to believe that rural subsistence users  
7 should have representation equal to commercial interest  
8 on the North Pacific Fishery Management Council. The  
9 Council, and that's your Council, believes that adequate  
10 rural Tribal subsistence representation on the North  
11 Pacific Fishery Management Council would help to provide  
12 for a fair and balanced Council. As it stands the North  
13 Pacific Fishery Management Council is heavily weighted  
14 towards commercial interest. In the view of your Council  
15 the addition of rural Tribal subsistence representation  
16 on the North Pacific Fishery Management Council would  
17 better accommodate all users and would allow the concerns  
18 of rural Tribal members an appropriate and necessary  
19 forum. The Council, that's your Council, writes to you  
20 as Executive Director of the North Pacific Fishery  
21 Management Council to advocate on behalf of the Council,  
22 yours, and the people it represents for more balanced  
23 representation on the North Pacific Fishery Management  
24 Council. Thank you for your time and attention to this  
25 important matter. Sincerely, Ralph W. Ivanoff.

26  
27 And as I was getting ready, starting to  
28 think about this meeting in late September, I realized  
29 that I hadn't seen a response so I emailed Mr. Oliver and  
30 prompted him to look at it again. I sent him the letter  
31 by email. So here's his response dated September 27th.

32  
33 Don, just got back from extended travel.  
34 As I think you are aware neither the Council, the North  
35 Pacific Fishery Management Council, nor its staff have  
36 input on the selection of Council members. Nominations  
37 are done by the Governor and approved by the Secretary of  
38 Commerce. The number of seats on the Council are  
39 identified by the Magnuson-Stevens Act. The Council and  
40 its members are explicitly prohibited from lobbying  
41 Congress, because you had asked for them -- him to  
42 advocate on your behalf. It's is the Governor's choice  
43 whether to nominate Council members who represent Tribal  
44 or other interests.

45  
46 And then I have a little something that  
47 I found on their web site that kind of explains a little  
48 bit further how this all works. The North Pacific  
49 Fishery Management Council is composed of 15 members, 11  
50 voting and 4 non-voting. Seven of the voting members are

1 appointed by the Secretary of Commerce upon the  
2 recommendations of the Governors of Alaska and  
3 Washington. The Governors must submit three names for  
4 each vacancy occurring on the Council and may indicate a  
5 preferred choice. The Governor of Alaska nominates  
6 candidates for five seats, the Governor of Washington two  
7 seats. Each member is appointed to a three year term and  
8 may be reappointed, but may not exceed three consecutive  
9 terms. There are four mandatory voting members, they are  
10 the leading fishery officials from the states of Alaska,  
11 Washington and Oregon and the Alaska Regional Director  
12 for the National Marine Fisheries Service. The four non-  
13 voting members are the Executive Director of the Pacific  
14 States Marine Fisheries Commission, the Regional Director  
15 for the US Fish and Wildlife Service, the Commander of  
16 the 17th Coast Guard District and a representative from  
17 the U.S. State Department. One option for rural Tribal  
18 organizations is to let the Governor of Alaska know, and  
19 this is kind of what Chris said, directly of their  
20 interest in serving on the North Pacific Fishery  
21 Management Council.

22

23 So that's all I have. Thank you, Mr.  
24 Chair.

25

26 CHAIRMAN IVANOFF: Thank you, Mr. Rivard.  
27 Any questions, comments.

28

29 (No comments)

30

31 CHAIRMAN IVANOFF: I did hear on the news  
32 and not from the reply, but I did hear on the news that  
33 the -- you have to see the Governor if you need to get  
34 onto the Board, on the North Pacific Fishery Management  
35 Council and I think it's up to people who are interested  
36 from different organizations if they want to indeed serve  
37 on the North Pacific Fishery Management Council to get  
38 themselves be known especially who are from rural Alaska.  
39 It's a tough road, hard to get on, but it's doable if  
40 you've got the support from the public.

41

42 Okay. Any other questions, comments.

43

44 (No comments)

45

46 CHAIRMAN IVANOFF: Thank you for the  
47 update, Mr. Rivard, appreciate it.

48

49 A briefing on the new Federal subsistence  
50 permit, Page 174 in your book.

1 Ms. Helen Armstrong.

2

3 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
4 This is just a briefing, just -- it's for your  
5 information only, just that we have a new data base for  
6 tracking the permit -- Federal permits, it's really  
7 great, it's very cool, we're all excited about it in our  
8 office because we can see so much and do so much. They  
9 are going to -- this is for wildlife only right now, they  
10 are moving towards doing fisheries management and then we  
11 are hoping to move towards web based reporting for those  
12 people who have access to computers that we are entering  
13 a new age of technology. That's all, it was just  
14 information.

15

16 Thank you, Mr. Chair. That's conclude  
17 anything I'm presenting. I just wanted to thank the  
18 Council, I always enjoy being here and it's good to see  
19 all of you again. Thank you.

20

21 CHAIRMAN IVANOFF: Well, appreciate that.  
22 Very brief, concise. And thank you for taking the time,  
23 Helen, it's good to see you.

24

25 Next anything from the National Park  
26 Service. Is Ken here?

27

28 MR. ADKISSON: Mr. Chair. Ken Adkisson,  
29 National Park Service and also Jeanette Palmrenke, our  
30 Park Superintendent. And I'll briefly review some of our  
31 activities for the year and some things we're planning  
32 for the upcoming year, especially as related to wildlife.  
33 And then Jeanette has some material she wants to quickly  
34 share with you in terms of a nationwide Park Service  
35 initiative to revise some regulations related to the  
36 gathering of plants, minerals and stuff by Tribal members  
37 for traditional cultural purposes.

38

39 Briefly in terms of the activities  
40 related to the program here, you've heard me speak before  
41 that a lot of our wildlife efforts especially are  
42 integrated with a larger Park Service program known as  
43 the Inventory and Monitoring Program. And our four  
44 Arctic parks are really integrated with the Arctic  
45 Network which provides and manages this Inventory and  
46 Monitoring Program. And there's a great deal of exchange  
47 both in terms of funding and staffing that goes on there  
48 to accomplish the things. But in general the Arctic  
49 Network is charged with developing first of all an  
50 inventory of resources and they pretty much accomplished

1 that and they're moving on to the monitoring stage. Many  
2 of the -- and they've done that through the  
3 identification of a whole series of vital signs. And  
4 many of these are larger system drivers like weather,  
5 climate, ice cover, land cover, you know, soils,  
6 vegetation, things like that that do affect many of our  
7 wildlife and fishery resources. But they also have  
8 identified a number of signs specifically related to  
9 various species. Key ones for us are muskox and Dall  
10 sheep, moose, brown bear. And the way they approach that  
11 is in some cases the Inventory Program funds and largely  
12 handles certain aspects of that under a protocol system  
13 where they may concentrate on abundance and distribution  
14 of the species. A lot of the other may be population  
15 information that we like to have for better management,  
16 may fall down to the Park level. So as we go on in the  
17 future of this you'll probably hear more about how all  
18 this is working. But you've got a handout, several page  
19 handout, which kind of lays out the diversity of project  
20 activities that we've been engaged with in 2010  
21 throughout the -- actually four Arctic Parks which  
22 includes Bering Land Bridge -- five actually, includes  
23 the three up around Kotzebue and then the Gates of the  
24 Arctic National Park. They're all part of the Inventory  
25 and Monitoring Program.

26  
27                   Specifically in terms of -- and then  
28 you've also got a series of resource briefs. The sheep  
29 one's kind of a quicky that looks at what we've been  
30 doing with Dall sheep and also on the back page a list of  
31 vital signs. And mostly resource briefs give contact  
32 points and everything and people you can contact, but you  
33 can also, you know, contact the Park here in Nome. And  
34 you'll see some of the ones like weather and climate and  
35 the climate change resource brief. And one on the  
36 caribou and there are some things I would like to say on  
37 caribou in addition.

38  
39                   The protocol is coming along, it's in a  
40 draft stage, but we are actively working in conjunction  
41 with like the Department of Fish and Game and we're  
42 actually supplementing and expanding on collaring  
43 projects. For example, this year a Park Service  
44 biologist worked with them at the Onion Portage site in  
45 Kobuk Valley and we installed 15 additional new GPS  
46 collars in addition to 39 others that we had out. So  
47 we're expanding our ability to develop these and  
48 integrating into a GIS system for better understanding of  
49 that.

50

1                   Another thing is in terms of caribou, we  
2 participate actively with the Western Arctic Caribou Herd  
3 Working Group and ADF&G will probably say more about this  
4 later, but one of the things that the Working Group has  
5 really gotten behind is the development of a range-wide  
6 harvest survey. As you know, the current population  
7 estimate of the Western Arctic Herd is over 400,000  
8 animals and it ranges over roughly more than 140,000  
9 square or 104,000 square miles so it's a huge territory  
10 and developing subsistence harvest estimates for that is  
11 quite an undertaking. And we're currently seeking  
12 funding to cooperate with ADF&G which will allow us to  
13 build on that and add to their efforts and also in the  
14 process develop a series of consecutive years of data  
15 from a number of key villages which we hope may help us  
16 to address some of the issues related to caribou harvest  
17 and activities in Unit 23.

18  
19                   In terms of moose we have participated  
20 with ADF&G this year in Unit 23 and moose surveys down on  
21 the Seward Peninsula. We've, of course, participated  
22 cooperatively with ADF&G and other agencies in the  
23 muskoxen work and that included both -- in 2010 it  
24 included the composition work as well as the population  
25 estimate work. And, you know, upcoming for 2011 we'll be  
26 working with ADF&G again on moose work, both composition  
27 work and population estimate work in the Northern Seward  
28 Peninsula as well as in Unit 23 in the Kobuk River area.  
29 And then we'll also be doing muskoxen work in 2011, both  
30 some population survey as well as composition work  
31 largely in conjunction with the three year research  
32 project that we've discussed before which is sort of a  
33 multi-agency effort, multi-organization effort looking  
34 and comparing muskox populations in Cape Krusenstern  
35 National Monument and Bering Land Bridge National  
36 Preserve. And hopefully the next time we meet we'll have  
37 some more updates on that project. I don't have a lot  
38 right now at this point.

39  
40                   So that's basically what I've got for  
41 this meeting.

42  
43                   CHAIRMAN IVANOFF: Any questions for Mr.  
44 Adkisson. Thank you.

45  
46                   Mr. Quinn.

47  
48                   MR. QUINN: Is this the first year you  
49 guys have put money in for collars on the caribou?

50

1 MR. ADKISSON: I think two maybe, I'd  
2 have to go check. Mr. Quinn. Through the Chair. I  
3 believe at least two and but it may be a little more than  
4 that, but I think about two, I'd have to.....

5  
6 MR. QUINN: Are your collars viewable on  
7 the Reindeer Herders Association web site?

8  
9 MR. ADKISSON: No.

10  
11 MR. QUINN: But we can stop by your  
12 office?

13  
14 MR. ADKISSON: No. I don't even have  
15 that data at least right now.

16  
17 MR. QUINN: What do you mean, you're  
18 using my tax dollars, I can't get the information?

19  
20 (No comments)

21  
22 MR. QUINN: All right. Well, you've  
23 heard three people on this Council raise concerns about  
24 brown bears and I think at a previous meeting I quizzed  
25 you guys about a guide concession on the Preserve.  
26 Currently as far as I know this is the only Preserve in  
27 the State that doesn't have any commercial concessions.  
28 Have you made any efforts to open up the Preserve to  
29 commercial concessions?

30  
31 MS. PALMRENKE: This is Jeanette  
32 Palmrenke, we'll -- sorry. Right now we're going to be  
33 taking public comment, there will be notice for public  
34 comment about big game guiding, an assessment of that for  
35 Bering Land Bridge. They -- you're right, it's been over  
36 20 years. Past meetings with the villages did not  
37 support big game guiding contracts within Bering Land  
38 Bridge, but certain atmospheres about certain species and  
39 changes to the abundance of those have change in  
40 villages. So we will be taking public comment, there  
41 will be a notice probably beginning in November where  
42 people can tell us how they feel about big game guiding  
43 in general, what areas in the park, what species, should  
44 it be open to every species that are in the Park,  
45 anything and everything about big game guiding that you  
46 ever wanted to say you can say at that meeting. So  
47 they'll be meetings in Nome, Kotzebue, maybe Fairbanks,  
48 Shishmaref, Wales, Deering, maybe Brevig.

49  
50 CHAIRMAN IVANOFF: All through, Mr.

1 Quinn.

2

3 MR. QUINN: How long will that go on, I  
4 mean, like if we meet again in February would we have a  
5 chance to do something as a group and then comment or is  
6 that too late?

7

8 MS. PALMRENKE: The meetings will begin  
9 in November and the assessment -- there could be a draft  
10 by February, but probably not until later in the spring.  
11 So -- for that assessment.

12

13 MR. QUINN: Okay.

14

15 MR. ADKISSON: Mr. Quinn. Through the  
16 Chair. It'll all -- it's actually sort of a more  
17 complicated process and it is going to involve an EA and  
18 an 810. And part of the scoping that Superintendent  
19 Jeanette just mentioned is the, you know, initial scoping  
20 for the laying out of the EA. And most of -- and almost  
21 as far as I know the bulk of our EAs go onto a web site  
22 and they're accessible by the public and you can, you  
23 know, follow the process and comment.....

24

25 MR. QUINN: Okay.

26

27 MR. ADKISSON: .....and that sort of  
28 thing into it.

29

30 CHAIRMAN IVANOFF: Okay. Thank you, Mr.  
31 Adkisson.

32

33 MR. ADKISSON: One more thing I might  
34 mention and that Mr. Quinn and others through the Chair  
35 who have mentioned the bear problem. You've also heard  
36 me mention that we're and the Park Service is sort of  
37 working on the development of a protocol for surveying  
38 brown bears which hopefully is going to result in a  
39 cheaper, effective method to survey brown bears and  
40 enable us to get more frequent population estimates  
41 across a time interval. And that is still in progress,  
42 it's -- perhaps the development of the protocol isn't as  
43 far along as we had hoped, but rest assured that I'll  
44 carry to our biologists the concerns that we've heard  
45 today from especially folks in 22-E, Mr. Keyes and Mr.  
46 Eningowuk that hopefully we can move that protocol  
47 development along a little faster than what it's been.

48

49 CHAIRMAN IVANOFF: Okay. Appreciate  
50 that.

1                   Part of the problem seems to be, and I'm  
2 not an expert on the bear stuff, but part of the problem  
3 seems to be when you're -- protection of life and  
4 property, then you go through a number of steps to report  
5 it, to tag it, to -- maybe not tag it, but to skin it and  
6 bring it back to the responsible parties for the State or  
7 wherever. I don't want to make it to where it's just an  
8 open season on the brown bear just willy nilly, you know,  
9 that's -- I think there's still -- they serve a large  
10 purpose in spreading berry seeds all over the country and  
11 I like that part, the idea.

12

13                   (Laughter)

14

15                   CHAIRMAN IVANOFF: The other part of the  
16 thing though is that you definitely need to protect your  
17 life and property and the fish you hang up and you got a  
18 problem bear that comes and visits you every night, you  
19 know, it gets to be a problem and so there's a real  
20 reluctance by the homeowner or the protector of the  
21 property to shoot the animal because of the regulations  
22 that are in place. So I think that needs to be  
23 simplified somehow. I don't have the answer that, but it  
24 should be the residents -- my feeling, the residents in  
25 that area should have at least a first crack at trying to  
26 control a bear problem. And then after that whatever.  
27 But that's just my feelings. So I don't want to  
28 complicate the matter any more than already there. Okay.

29

30                   Mr. Keyes.

31

32                   MR. KEYES: Yeah, Mr. Keyes from Wales.  
33 When you were on the caribou -- on this caribou deal, I  
34 noticed when I was home before I got here I was looking  
35 through my handout, I was wondering why we were -- why we  
36 can't hunt caribou when we finally start seeing caribou  
37 in our area after so many years, now we can't even go out  
38 there and hunt them. Our area is covered off to where --  
39 it was blocked off to where we cannot hunt caribou and we  
40 got caribou finally in Wales after how many years of not  
41 seeing them. And the village people are very excited to  
42 have caribou near the villages now and that's what they  
43 were -- there was a -- other than reindeer that was their  
44 main source of food at one time or another. I don't see  
45 why we can't hunt the caribou, how come we were -- how  
46 come we're in the gray in Wales. Shishmaref can get it,  
47 Brevig can get them, Buckland, Deering and we can't and  
48 they're right there in our range, backyard.

49

50                   MR. ADKISSON: Mr. Keyes. Through the

1 Chair. And other Council Members as well. When I first  
2 came to Nome in 1985, you know, the caribou were largely  
3 on the eastern part of the peninsula and extended down to  
4 about the Kuzitrin Lake area in there and the bulk of the  
5 peninsula at least to the west, say past, you know,  
6 pretty much past the Kougarok Road was all closed and  
7 there were special provisions. And I don't have all the  
8 regulatory changes that the -- you know, at my fingertips  
9 right now, but, I mean, there were areas that were  
10 basically closed, there were other areas that could be  
11 opened by emergency order when the caribou were present  
12 and closed when they weren't. There were a lot of issues  
13 surrounding and concerns from the reindeer herders over,  
14 you know, an expansion of caribou and people shooting  
15 reindeer in lieu of caribou when they thought they were,  
16 you know, shooting caribou and that sort of thing.

17  
18 And basically what's happened over the  
19 years is that as the caribou clearly have expanded  
20 westward regulatory proposals have been submitted and  
21 those -- gradually the hunting areas have been opened up  
22 further and further to the west. And so, you know, I'm  
23 sure if there's sufficient caribou people would entertain  
24 a regulatory proposal. And given the land status, you  
25 know, basically those would, you know, have to probably  
26 both go through the State Board of Game and the Federal  
27 Subsistence Board. But, you know, if there are animals  
28 there there may be possibilities to open up additional  
29 hunting opportunities. But, you know, it -- I can tell  
30 you the last time around was very difficult to get the  
31 line extended to where it is now which is about halfway  
32 over toward the Shishmaref Inlet down there, roughly down  
33 towards Serpentine Hotsprings. And that took a number of  
34 public meetings and some real effort to balance the  
35 concerns of the herders with the hunters and, you know,  
36 get that opened up and now there's a regular season there  
37 for it. So it's possible and, you know, I haven't, you  
38 know, been looking really at the distribution of the  
39 caribou that far west and stuff, but, you know, you might  
40 ask -- you might ask ADF&G when they -- during their  
41 presentation. But if there's sufficient animals I'm sure  
42 people would entertain a hunt.

43  
44 And Roy Ashenfelter is the Chairman of  
45 the Local Fish and Game Advisory Committee here and I was  
46 involved in years -- for years in a lot of these  
47 questions about trying to get hunt areas opened up and  
48 expanded hunting opportunities. So he could give you  
49 probably the whole historic rundown.

50

1 MR. KEYES: Okay. Let me get in depth  
2 with this. As you know we have reindeer herders in  
3 Wales, they go up and gather their reindeer for antler  
4 cutting. Every now and then I will see a dead caribou  
5 that was shot by a reindeer herder and it's out there  
6 laying on the ground. And they don't even want to bring  
7 it back in the village and try and distribute it. That  
8 made it to where I felt so embarrassed when I seen that,  
9 I even asked one of them how come you shot that animal  
10 and didn't even try to bring it back just because it was  
11 in your group, you could have -- yeah, you could have --  
12 shoot it, gut it and bring it to the village and  
13 distribute it. No, they do what they do is they go out  
14 there, if they see a caribou in their -- in that reindeer  
15 herd they will shoot it and knock it down and never bring  
16 it back. And this is a -- this has been ongoing for  
17 several years since the caribou started coming down this  
18 way. And these guys, I don't know if they're telling you  
19 the truth or a lie, the people in Wales, the reindeer  
20 herders. But I'm pretty sure I always do see a dead  
21 caribou every now and then and I know a caribou from a  
22 reindeer and reindeer from a caribou and that's so  
23 embarrassing not to bring back a nice, healthy food back  
24 into the village.

25  
26 CHAIRMAN IVANOFF: That best could be  
27 addressed with the Reindeer Herders Association inquiry.  
28 But as far as the hunting on the Federal lands for  
29 caribou and I think pointed in the right direction, the  
30 Northern Advisory Committee, submit a proposal to them so  
31 you can open up a caribou hunt in that area and work  
32 through the process. Doesn't relate to the Park Service  
33 that I can see at this point.

34  
35 We're in -- could we, please, restrict  
36 the comments to the report's on, I appreciate it.

37  
38 Do you have anything else to report.

39  
40 Mr. Martin.

41  
42 MR. MARTIN: Stebbins has a -- Peter  
43 Martin, Sr., from Stebbins. We have a (indiscernible)  
44 reindeer herd on us in Stebbins, Stebbins, St. Michael  
45 and Katchjack (ph) herd. And someone told me that on the  
46 bear problem as herd owners we are entitled to take only  
47 one bear, is that correct, to protect our herd?

48  
49 MR. ADKISSON: Mr. Martin. Through the  
50 Chair. You probably better address that one to ADF&G.

1 We really don't have that much to -- Park Service land or  
2 whatever over by Stebbins and St. Michael. It sounds  
3 like in a way a kind of a defense of life and property  
4 issue, but you should probably address that to ADF&G.

5

6 CHAIRMAN IVANOFF: Are there any other  
7 questions for the National Park Service.

8

9 (No comments)

10

11 CHAIRMAN IVANOFF: Do you have a  
12 presentation to make? Okay. We'll continue with that.

13

14 MS. PALMRENKE: Jeanette Palmrenke,  
15 National Park Service. In front of you is a handout that  
16 talks about Tribal consultation meetings to consider new  
17 regulations allowing gathering in National Parks by  
18 Federally recognized Alaskan Tribes for traditional  
19 purposes. I'm just going to go ahead and read the  
20 background, the current status and the consultation  
21 process. There is behind that a question and answer  
22 pages for people to read separately and also the steps in  
23 rulemaking for this process.

24

25 The background. Current national  
26 regulations only allow traditional gathering in National  
27 Parks when Congress has recognized and allowed for the  
28 activity in a specific Park by statute or treaty. The  
29 National Park Service is considering changes to current  
30 regulations to allow Tribal members to continue and renew  
31 their cultural traditions on NPS lands. The proposed  
32 regulation change would only affect plants and minerals  
33 to be used for traditional purposes. Executive Order  
34 13175, Consultation and Coordination with Tribal  
35 Governments, requires Federal agencies to consult with  
36 Tribal governments when developing regulation that may  
37 affect them.

38

39 Current status. The National Park  
40 Service has met with tribal leaders in the lower 48  
41 states and is beginning to meet with Federally recognized  
42 Tribal leaders in Alaska to consult on a government to  
43 government basis about how to -- how the current  
44 regulations found at 36 CFR 2.1 could be changed to  
45 address Tribal needs. Changes are not intended to  
46 address subsistence fishing and hunting practices which  
47 are covered by other regulation under Alaska National  
48 Interest Lands Conservation Act, but focus primarily on  
49 the use and the gathering of plants, minerals and other  
50 non-wildlife or fisheries natural resources.

1 Consultation process. At consultation  
2 meetings Tribal leaders will be asked one, to help  
3 identify the kinds of traditional purposes that can be  
4 served by gathering plants and minerals in National Parks  
5 and two, suggest mutually acceptable process to manage  
6 the program such as who might be eligible to gather, how  
7 gathering can be monitored and managed by the NPS and  
8 Tribal governments. At these meetings the NPS will  
9 discuss the framework and process for any proposed  
10 regulatory changes. Written comments can be sent to the  
11 Superintendent of the National Park unit that the Tribe  
12 has an association with or through further discussion  
13 with the National Park Service staff.

14  
15 So the National Park Service will be  
16 scheduling consultation, there will be a letter sent out  
17 to the three prime communities are Shishmaref, Wales and  
18 Deering for Tribal consultation, talking about this  
19 issue. Those consultation meetings, there's a -- the  
20 last page talks about those will begin this fall. And  
21 then the publication of final rule is supposed to be out  
22 by the end of 2011.

23  
24 The National Park Service seeks to fully  
25 work with Tribal governments to create a rule that fits  
26 with traditional and cultural purposes for the gathering  
27 of plants and other minerals on National Park Service  
28 lands. So I will be sending out a letter, if other  
29 Tribes in Nome would like a letter or discussion about it  
30 I would be happy to also. This does not include any  
31 other Federal public lands, no BLM, nothing like that,  
32 just for the Preserve (indiscernible).....

33  
34 CHAIRMAN IVANOFF: Okay. Questions or  
35 comments.

36  
37 Mr. Quinn.

38  
39 MR. QUINN: On Page 2 of your handout at  
40 the bottom it says in the nine National Park areas in  
41 Alaska that do have Title VIII subsistence, this -- these  
42 regulations won't add any new opportunities to what  
43 already exists; is that correct?

44  
45 MS. PALMRENKE: That's correct. Bering  
46 Land Bridge already has this provision as the Preserve  
47 for subsistence use. It's -- we just want to make sure  
48 that we're covering, you know, as many Tribes that we can  
49 consult with about this issue and make sure that there's  
50 no confusion with people that are near the Preserve.

1 MR. QUINN: Is it currently illegal for  
2 a person who doesn't live in this area to pick berries at  
3 Serpentine Hotsprings?

4  
5 MS. PALMRENKE: No.

6  
7 MR. ADKISSON: Mr. Quinn. Through the  
8 Chair. No, it's not. There are regulations in place now  
9 in Part 13 of the Park Service regulations that allow the  
10 collection of certain, you know, plants and that sort of  
11 thing and even some minor minerals.

12  
13 I wouldn't say that these nationwide  
14 regulations would not provide any additional opportunity,  
15 but they're probably going to be minimal compared to what  
16 you've -- what opportunities already exist now. But I  
17 can foresee some just possible things that might have to  
18 do with mineral things for various things, be it  
19 medicinal or other things that might not be covered or  
20 whatever. I mean, a classic example that I had in the  
21 southwest was -- in a Park was a Navajo medicine man  
22 wanting to collect inside a Park some highly iron oxide  
23 rich sandstone that they ground up for basically pigment  
24 and sand for like making ceremonial sand paintings and  
25 things. And the Park Service had a hissy over it. So I  
26 think, you know, there's some potential benefits and I  
27 think through the consultation process one of the things  
28 that the Park Service will want to hear from the Tribes,  
29 if there are things that they identify that they think  
30 need to be covered under this that -- so that we don't.  
31 But by and large it's not going to add a lot to the  
32 opportunities that already exist.

33  
34 Thanks.

35  
36 CHAIRMAN IVANOFF: Well, thanks. That's  
37 -- boy, that's great, I mean, you've already got stuff  
38 that's going on over there for subsistence harvest in the  
39 Park Service and you're following a process for that.  
40 Pretty good work.

41  
42 Any other -- anything else from the  
43 Committee.

44  
45 MR. F.D. ENINGOWUK: Yes.

46  
47 CHAIRMAN IVANOFF: Yes, Mr. Eningowuk.

48  
49 MR. F.D. ENINGOWUK: Yes. This is Fred.  
50 You did mention that you would notify Shishmaref, Wales

1 and Deering in regards to this. Would it include  
2 Kotzebue also too, the Tribal healers over there, they do  
3 use that traditionally?

4  
5 MS. PALMRENKE: Yeah, we will. Kotzebue  
6 and any other Tribe that would like to be consulted, you  
7 know, can request consultation even if you're just  
8 curious.

9  
10 CHAIRMAN IVANOFF: Okay. All right.  
11 Thank you very much. It's -- you know, it's really good  
12 to see someone homegrown superintendent of the Park  
13 Service being involved in this and hopefully we'll have  
14 more, we need some really fine -- you should really make  
15 a real fine example of her, spread it all over the place  
16 so we could have some use and follow in her footsteps  
17 also.

18  
19 Bureau of Land Management. Is there  
20 anyone here besides Tom Sparks?

21  
22 (Laughter)

23  
24 CHAIRMAN IVANOFF: I think this -- Tom,  
25 I think you've having a -- you're a guy that, what's the  
26 word.....

27  
28 MR. SPARKS: Yeah, the bullets usually  
29 fall my way.

30  
31 CHAIRMAN IVANOFF: In the Norton Sound  
32 Region. Yeah.

33  
34 MR. SPARKS: Yeah, thanks. I'll keep it  
35 really brief. Tom Sparks, Nome Field Station. I'm part  
36 of the Anchorage Field Office, we still have the same  
37 field manager and the same district manager. There's  
38 been some staff changes, Brian Bourdon, he's been with me  
39 there at the office locally for oh, about a year and six  
40 months or so. He's going to move to Anchorage, he took  
41 a realty position there at the Anchorage Field Office.  
42 And at this point we don't know if funding will be  
43 available to fill behind him, I certainly so, but if not  
44 I'll be a lonely man again down at that office. We lost  
45 the local hire in Unalakleet, we -- you're probably aware  
46 of, Fred Jay left the organization and joined NSEDC. And  
47 we had an announcement out for several months and we were  
48 unable to fill that position. And I think we're going to  
49 attempt to try to fill that again and it may be in a  
50 combination with the Nome position.

1                   A couple of other things going on. We  
2 did form an agreement with UAA as part of the ANSEP  
3 Program, the Alaska Native Science and Education Program,  
4 try to provide some funding for college students and pre-  
5 college students. So that was a pretty big step.

6  
7                   We built four cabins along the Iditarod  
8 Trail this last summer, one of them close to Shaktoolik,  
9 probably something that some of you in the Southern Sound  
10 will get to hopefully this winter.

11  
12                   We're involved in the Unalakleet weir and  
13 that was a cooperative program with the Native Village of  
14 Unalakleet, NSEDC and Alaska Department of Fish and Game.  
15 I won't go into a lot of details on that, but I was  
16 involved at the periphery of that one as well.

17  
18                   We're still involved in the Reindeer  
19 Grazing Program, some ranges were looked at this year,  
20 the Noiġkuk and Gray and ranges were looked at as well as  
21 the Julia Lee which is the old Karkarek Herd out of  
22 Teller and then some areas on the periphery of McCarty's  
23 Marsh as well.

24  
25                   There was a student intern here in Nome  
26 for the summer that was working with a number of herders  
27 to try to develop some range management plans.

28  
29                   And there was quite a few programs that  
30 were funded under the ARRA Program, that's the recovery  
31 act that President Obama pushed through Congress.

32  
33                   There were two programs here on the  
34 peninsula dealing with invasive plants, one study up at  
35 Salmon Lake, they didn't find any invasive plant species  
36 at the campground there. And then there was another one  
37 done on the Unalakleet River and in the town of  
38 Unalakleet and there were a few invasive species that  
39 were found there. And we or I guess they're going to do  
40 some follow-up with that with the community there.

41  
42                   With wildlife we continued that 22-A  
43 moose hunt. I'm glad to hear, Weaver, that things are  
44 working out well for the community there. It seems like  
45 the moose population is getting a little better there.

46  
47                   Budget-wise we're looking at some  
48 reductions for FY '11 and '12. I don't know the full  
49 impacts of that, but I know our Anchorage Field Office  
50 has gone from five realty people to two in the last three

1 years. So whether or not that trend continues we'll see.

2

3

4 Some of the things I'm directly involved  
5 with, the land transfer program with the Native Claims  
6 Settlement Act. Three villages hopefully will get closed  
7 this coming up fiscal year and that's Koyuk, Unalakleet  
8 and Shaktoolik. Koyuk will definitely be first. We  
9 formed an agreement with the village to address some of  
10 their final land entitlements and the community of Nome  
11 we're working on closing out that village entitlement  
12 too. So that's come along real good. Most of all the  
13 Native allotments in the region have been done including  
14 the veterans' allotments, there were quite a number that  
15 got pounded this last year.

16

17 So that concludes my presentation. I'd  
18 be happy to answer any questions.

19

20 CHAIRMAN IVANOFF: Questions. Mr. Quinn.

21

22 MR. QUINN: Was your enforcement officer  
23 up here for hunting season?

24

25 MR. SPARKS: He went to -- he was around  
26 the area. I don't know if he was here in September, but  
27 he was here in August. And then after about mid-  
28 September I believe he came back. So he was here twice.

29

30 MR. QUINN: Is he going to be up here  
31 later for any other stuff?

32

33 MR. SPARKS: I don't know that, but I can  
34 certainly ask.

35

36 MR. QUINN: You got everybody, all the  
37 guides in compliance with your regulations now?

38

39 MR. SPARKS: Yes. There are a number of  
40 investigations that I'm aware of, but can't get into  
41 specifics about them.

42

43 MR. QUINN: Okay, thank you.

44

45 CHAIRMAN IVANOFF: You do the guiding  
46 stuff too?

47

48 MR. SPARKS: Pardon me.

49

50 CHAIRMAN IVANOFF: You did the guiding

1 stuff too?

2

3 MR. SPARKS: Yes, sir.

4

5 CHAIRMAN IVANOFF: Oh, okay. Any other  
6 questions.

7

8 Mr. Seetot.

9

10 MR. SEETOT: Elmer from Brevig Mission.  
11 I received a call from a BLM representative in Anchorage  
12 recently concerning an artifact dig on US Coast Guard  
13 land at Port Clarence. That is I think on an ancient  
14 site. I told them to write a letter to the Tribal  
15 Councils and then to, you know, send to the communities  
16 because with the economy and with the prices for artifact  
17 items, they'll do anything to make money. And one thing,  
18 well, he tried to get me to name names, I say I don't  
19 keep track of people that are coming in and out, but I  
20 can give you an idea of who's out there. But if I do  
21 that then I'll be targeted at the local level. So I just  
22 told them that write to the Native Village of Teller and  
23 Brevig to put that information out. And they are very  
24 aggressively going for artifacts because there's money  
25 involved. And regardless of whose land they go after or  
26 whose land they dig, they are still going to do that. So  
27 I told them -- so I told him at least to write a letter  
28 because, you know, in the community word travels fast on  
29 who does what.

30

31 So that was on the main things that I was  
32 going to put out. Thank you.

33

34 MR. SPARKS: Mr. Seetot. Through the  
35 Chair. You know, BLM is very much aware of that, it was  
36 actually Point Spencer. That's -- land was withdrawn for  
37 military purposes and the -- well, basically the Coast  
38 Guard and it's basically when BLM -- BLM kind of acts as  
39 the title holder for the Federal government and when  
40 another branch of the government requests to use Federal  
41 lands we usually withdraw through a public land order, we  
42 can also do it through executive orders by the president.  
43 And when land is withdrawn from the public domain it  
44 basically means that in most case BLM can't authorize any  
45 other activity on that land unless the entity that's  
46 using the land grants its concurrent. So and it also  
47 basically removes BLM as the active manager on that land.  
48 And our law enforcement officer did go to that site, flew  
49 to it, did an investigation. We met in Teller with the  
50 Tribe and the city government as well as the Native

1 Corporation, we didn't make it over to Brevig, Elmer, I  
2 apologize for that, but I can get a letter over to you  
3 somewhere along the lines that we did for Teller. And we  
4 did that in conjunction with the Regional Corporation  
5 here in Nome, Bering Straits. Mr. Matt Ganley as you  
6 know has got a history with archeological sites on the  
7 peninsula for well over 20 years and he accompanied me to  
8 Teller. But we are concerned about that site.

9

10 And thank you for bringing that up.

11

12 CHAIRMAN IVANOFF: Thank you. Any  
13 further questions.

14

15 MR. QUINN: Let me chime in.

16

17 CHAIRMAN IVANOFF: Mr. Quinn.

18

19 MR. QUINN: Well, I just wanted to hit  
20 you again, you know, we got a Preserve here, they've got  
21 an enforcement guy, you don't really have any Fish and  
22 Wildlife Service lands here, but we have a Fish and  
23 Wildlife Service enforcement officer here, you know, we  
24 got a State guy here. I believe you guys could say that  
25 in Western or Northwestern Alaska you've got enough BLM  
26 land that you need an enforcement officer somewhere out  
27 here. Bringing the guy up from Anchorage once or twice  
28 a year just doesn't cut it. I think you know that, I  
29 don't know if George knows that, but you know that, you  
30 know. And I would certainly like to see a little more  
31 enforcement around here to help protect the resource from  
32 illegal use which hopefully will help protect the  
33 subsistence user providing they're not doing any.  
34 Anyway, you know, we got all this subsistence review and  
35 stuff and it ain't going to mean squat if there ain't  
36 somebody here to enforce the regulations that are in  
37 place and, you know, it's kind of like your kid, you only  
38 got to spank them once and then the threat of a spanking  
39 in the future does the job. So we need somebody here to  
40 provide the threats and do the work.

41

42 MR. SPARKS: Mr. Quinn. Through the  
43 Chair. Yeah, I have my personal views as you're aware of  
44 Mr. Quinn, but I keep those, I guess, among friends. You  
45 know, the Anchorage Field Office basically has lands from  
46 Southeast Alaska all the way up through the Seward  
47 Peninsula, it's half of the State and we have one law  
48 enforcement officer. The Fairbanks District has three  
49 Field Offices, I think they have two law enforcement  
50 officers. So I guess I could just recommend that if

1 there's some strong feelings by the Council you can write  
2 our Field Office manager, you know, budgets are getting  
3 tight, but I think it's something that, you know, you're  
4 in a position to voice your opinion as far as that goes.  
5 I'll certainly take that back to our law enforcement  
6 officer and I believe he's heard that before here and I  
7 know he does try to make a presence here at least twice  
8 a year. And he's lucky, we do have a plane for him so at  
9 least he can get around when he comes up in the country.

10

I appreciate those comments, Mr. Quinn.

12

MR. QUINN: Mr. Chair.

13

14

CHAIRMAN IVANOFF: Mr. Quinn.

15

16

17 MR. QUINN: Could I add -- request that  
18 we add that to the annual report that we would like to  
19 see, you know, appropriate enforcement efforts in our  
20 Region to help enforce both current and potentially new  
21 regulations in this area.

22

23

CHAIRMAN IVANOFF: Sure. Yeah, I don't  
24 have any problem with that, but I think I need more  
25 information, I really don't know what the problem is,  
26 enforcement problem at this point, you know, whether it's  
27 just because there's a lack of enforcement or whether  
28 there's violators going on that are -- that's widespread  
29 and not being -- not being handled by the enforcement  
30 officers. You know, I think more information has to be  
31 brought up to justify us going on record and saying this  
32 is what we need because this, this and this. I have no  
33 problem with making it on it, but I would like to know  
34 when I make an annual report and give it to the Federal  
35 Subsistence Board and start asking questions, I would  
36 like to know what the heck I'm asking for, basically what  
37 I'm trying this. I mean, if there's a rampant law  
38 breaking going on out there that's affecting our  
39 resources, our subsistence resources, and that's where  
40 I'm coming from. I'm not too much worried about the  
41 guiding and all that kind of good stuff, I think the  
42 State handles that or whoever else needs to handle that,  
43 but I do need to get a handle on, we do as a committee,  
44 have to have a handle on what's happening in our  
45 subsistence level. And that's my concern, that's -- the  
46 other stuff is gravy so to speak.

47

48

Do you see where I'm coming from?

49

50

MR. QUINN: Sure. I do. You know, I

1 certainly don't think that law breaking is rampant out  
2 here, most of my concerns are within the guide industry  
3 and specifically because we have qualified subsistence  
4 users in this region who are either registered or  
5 assistant guides, there's at least two in Unalakleet, and  
6 I certainly support those people, what they're doing. As  
7 far as I know those operations are all within the realm  
8 of what's expected of them. It's the people who -- and  
9 those operations are all run -- are participated in by  
10 people who live here, there's operations that come here  
11 sporadically or seasonally and use the resources and, you  
12 know, if they're all in compliance I can't say nothing  
13 about that, but I regularly hear of people who aren't in  
14 compliance. That's why I made the question to Tom about  
15 have you got everybody in compliance because of that, you  
16 know.

17

18 CHAIRMAN IVANOFF: Okay

19

20 MR. QUINN: And so I'm certain -- I want  
21 to see efforts made to support the legal operators which  
22 are our local guides. I mean, the local guides get hit  
23 all the time by enforcement because they're here, it's  
24 easy to check them. You can drop into Koyukuk and go to  
25 the registered guide's house there and go through all his  
26 paperwork, but the guy whose paperwork is in Fairbanks,  
27 it's a little different. So we need -- you know, I just  
28 want to see adequate enforcement and, you know, it sounds  
29 like there's going to be new stuff coming down the line  
30 with the review and I just think there's going to be a  
31 need for more enforcement out here to make sure  
32 everybody's doing things right.

33

34 CHAIRMAN IVANOFF: I'm just thinking that  
35 it shouldn't -- the RAC shouldn't have to handle that  
36 part. I think there's other avenues in which to address  
37 your concerns.

38

39 MR. QUINN: Okay.

40

41 CHAIRMAN IVANOFF: Okay. I'm a little  
42 bit reluctant to get into that, it's just like trying to  
43 ask for more representation from North Pacific Fishery.  
44 I was -- even though I was a little reluctant to do that,  
45 but at the same time it -- what was happening out there  
46 was affect -- was affecting the subsistence because  
47 they're a stock of concern in Norton Sound as well as  
48 Yukon. It's kind of -- kind of to me in a gray area, but  
49 it's something that definitely if you -- if there's new  
50 information that we can bring it back up again and put it

1 on the agenda and maybe we can talk about. All right.  
2 Is that suitable?

3

4 Thank you.

5

6 MR. QUINN: Yes, thank you.

7

8 CHAIRMAN IVANOFF: All right. Do you  
9 have anything else, Mr. Sparks.

10

11 MR. SPARKS: Maybe one of the things you  
12 could suggest at maybe one of your next meetings is to  
13 invite law enforcement from BLM up here and maybe engage  
14 him in a discussion, might be very helpful for the group  
15 here.

16

17 CHAIRMAN IVANOFF: I like that. Very  
18 good suggestion. Excellent. Okay.

19

20 MR. SPARKS: And I'm going to leave some  
21 things. This is from the Federal Subsistence Management  
22 Program letter about the weir project and this is some  
23 things from the Tundra Drum on those cabins so I'll leave  
24 those with you guys if you want to read them or need some  
25 fire starter for the winter.

26

27 CHAIRMAN IVANOFF: Okay. Thank you, Mr.  
28 Sparks. As you just heard from Mr. Sparks in the one man  
29 marching band. Appreciate the work.

30

31 The Alaska Department of Fish and Game.  
32 Is that Tony Gorn?

33

34 REPORTER: Yeah.

35

36 MR. GORN: Good afternoon, Committee  
37 Members. I'm Tony Gorn, I'm the Unit 22 area biologist  
38 with the Department of Fish and Game here in Nome. And  
39 I've got my -- the assistant area biologist, Letty  
40 Hughes, with me. And let's see, I have -- I can either  
41 do this now or later, I have kind of more detailed  
42 responses to Peter's question about brown bears and then  
43 also Anthony's questions about caribou regulations. It's  
44 up to you.

45

46 CHAIRMAN IVANOFF: If -- I think that's  
47 good, you can hit on those first and then you can  
48 continue with your report. That would be appreciable.

49

50 MR. GORN: Okay. So first Through the

1 Chair to Mr. Keyes. So back in the late 1990s and early  
2 2000s what we saw was a real shift in the migration  
3 pattern of the Western Arctic Caribou Herd. And at that  
4 time there was really kind of an overview and a rewriting  
5 of a lot of the caribou regulations on the Seward  
6 Peninsula and then, of course, many parts of Unit 22.  
7 And we worked very closely, when I say we I mean the  
8 Department, worked very closely with the Northern Norton  
9 Sound Advisory Committee and the Reindeer Herders  
10 Association. And what we did is for developing these  
11 seasons we relied heavily upon over 20 years of telemetry  
12 data of collared Western Arctic Caribou Herd -- collared  
13 Western Arctic Herd Caribou. It was because of what we  
14 found from historical collaring data and concerns from  
15 the Reindeer Herders Association why the caribou season  
16 in Unit 22-E is what it is. So basically, and I don't  
17 have the regs open, but if we look east of Jealousy  
18 Creek, you know, that's where up to that point caribou  
19 were known to migrate, caribou were abundant at least  
20 part of the year and just as importantly reindeer were  
21 absent. And at that time on the other side of Jealousy  
22 Creek, you know, towards your country, is where the  
23 reindeer herders ask that we don't have a caribou season.  
24 And then the common understanding was is that if Western  
25 Arctic Caribou Herd did push that far to the west we  
26 would open the season using an emergency order.

27

28 So that's kind of your 10 cent overview  
29 of how that regulation is what it is.

30

31 I can move on for -- to Mr. Martin's  
32 question.

33

34 CHAIRMAN IVANOFF: If you have -- Mr.  
35 Keyes, do you have any follow through.

36

37 MR. KEYES: I just forgot what I was  
38 going to say on his.....

39

40 CHAIRMAN IVANOFF: I think what's  
41 important is that he -- Mr. Gorn has the ability to open  
42 up the caribou season in Unit 22-E in Wales by emergency  
43 order if the animals are present.

44

45 Is that correct?

46

47 MR. GORN: Yes, sir, that's correct.

48

49 CHAIRMAN IVANOFF: Okay.

50

1 MR. KEYES: Yeah, just that -- that was  
2 what I was going to say, open it through an emergency  
3 order. And that would maybe eliminate the caribou from  
4 going into the reindeer herd or the reindeer herd going  
5 in the caribou herd, maybe we can be able to help out the  
6 reindeer herders up in that region if we get the  
7 caribous, they won't go bothering the reindeer.

8  
9 CHAIRMAN IVANOFF: Okay. You could go  
10 onto bear then.

11  
12 MR. GORN: Okay. Through the Chair to  
13 Peter. So down in the southern portion of Unit 22-A with  
14 reference to reindeer herding and brown bear hunting,  
15 basically you have two options. Right now the bag limit  
16 in that part of Unit 22 is two brown bears per year. So  
17 if you or anyone else is out herding deer you are able  
18 every regulatory year, July 1st to June 30th, harvest two  
19 brown bears.

20  
21 MR. MARTIN: Is that with a permit?

22  
23 MR. GORN: No permit.

24  
25 MR. MARTIN: No permit, okay.

26  
27 MR. GORN: No permit's required. What is  
28 required, two things. You need a current hunting  
29 license. And the second thing is that you are required  
30 to get the brown bears sealed within 30 days and you guys  
31 have heard me say this before, all you got to do is call  
32 the Fish and Game Office in Nome and we'll figure out a  
33 way to get your bear sealed. Okay. So that's your first  
34 option. The second option, of course, is the defense of  
35 life and property law. So let's say it's September and  
36 you've already harvested your two brown bears and so  
37 technically so you're not able to hunt anymore, you've  
38 reached your bag limit. But the opportunity arises that  
39 you have to harvest another brown bear because of defense  
40 of life and property. Well, same type of thing, you need  
41 to get ahold of Fish and Game here in Nome and we will  
42 help you fill out -- there's a short form that basically  
43 says, you know, why you had to kill this bear. And then  
44 you need to get the bear sealed. So the one thing that  
45 you want to remember with that defense of life and  
46 property bear kill is you need to treat it like it's a  
47 bear that you took under a hunting season, you know, you  
48 need to care of the hide, take the skull out of the hide  
49 and then just call us and we'll help you take care of the  
50 rest of it.

1 MR. MARTIN: We have three reindeer herd  
2 owners, part of the owners is St. Michaels, Stebbins and  
3 Katchjack and you said that they've already taken two if  
4 we had to and it would be okay to take the third one on  
5 one of the herds; is that correct?

6  
7 MR. GORN: Through the Chair to Mr.  
8 Martin. I'm not exactly sure as I sit here right now how  
9 the first two bears were harvested, but, I mean,  
10 certainly one person can take two bears in that area. So  
11 it just matters how many people are there with hunting  
12 licenses. Each person just by hunting seasons and bag  
13 limits alone can take two bears a year.

14  
15 MR. MARTIN: Thank you.

16  
17 MR. GORN: Yeah.

18  
19 CHAIRMAN IVANOFF: Okay. Tony, continue.

20  
21 MR. GORN: Okay. So what I'm going to do  
22 is just quickly talk about one muskox related topic and  
23 then I'm going to let Letty talk about everything else.

24  
25  
26 So this last year, last spring, for the  
27 first time ever we changed the methodology behind how we  
28 counted muskox on the Seward Peninsula. And this was a  
29 pretty big step for us as wildlife managers. The  
30 Department of Fish and Game worked with a biometrician  
31 from the National Park Service in Fairbanks on basically  
32 using a distance sampling method that is primarily used  
33 in Alaska to count sheep. And up to this point and you  
34 guys all have handouts and I'm under the muskox  
35 management section on this Table 1, up to this point we  
36 did what was called the minimum count sampling method for  
37 counting muskox and we basically attacked the country  
38 with little airplanes and all at once and counted every  
39 muskox we could find. And we've done that -- we did that  
40 from 1970 all the way to 2007. And it's an acceptable  
41 method, there's a lot of merit to it, in a lot of ways it  
42 makes a lot of sense. But the one thing I never liked  
43 about it is when somebody asked you the question well,  
44 how many did you miss, I -- you could never answer that.  
45 And using a more statistically robust technique with  
46 confidence intervals helps you better understand how many  
47 animals you missed. So the short version here is that,  
48 you know, it appears that the Seward Peninsula muskox  
49 population is beginning to stabilize.

50

1                   But there was two noteworthy findings in  
2 this last year's count. For the first time ever we  
3 expanded the count area off of the Seward Peninsula. So  
4 we counted a new portion of Unit 23 Southwest which is,  
5 you know, basically the Tag and east of that country  
6 going up into Units 24 and 21. And then we also counted  
7 the Northern portion of 22-A and which basically went  
8 from north of the Unalakleet River into the Nulato Hills  
9 and we had never done that before.

10  
11                   So I am not at all expecting any  
12 responses to this question, but I need to get this out  
13 because in the future, and it could be the very near  
14 future, we're going to need to have an answer to my next  
15 question. And what I need you guys to do as RAC members  
16 is talk to the people in Unalakleet, talk to the people  
17 in Shaktoolik, talk to the people in the Koyukuk. And  
18 really get a sense of what it is they want to see happen  
19 with those muskox. There's in that northern portion of  
20 Unit 22-A we found a little over 100 muskox and we need  
21 to know what the people there want to do with those  
22 animals, if they want to hunt them, if they want to watch  
23 the population grow, just what it is. And I don't --  
24 like I said I don't need any answers now, but I'm going  
25 to ask the same thing of the Northern Norton Sound  
26 Advisory Committee, the Southern Norton Sound Advisory  
27 Committee and the Seward Peninsula Muskox Cooperators  
28 Group.

29  
30                   And then the last thing I need to say  
31 about that census that we did is that is a really big  
32 InterAgency project and I mentioned Fish and Game, of  
33 course, and I mentioned the Park Service, but we also got  
34 help from the US Fish and Wildlife Service out of Galena  
35 and the Bureau of Land management in getting that thing  
36 done. We flew the enter Seward Peninsula every two miles  
37 so it was a pretty time consuming project.

38  
39                   The last thing I'll say about muskox is  
40 this is the third year now that we've deployed radio  
41 collars on Seward Peninsula muskox. And we've got thee  
42 years of data, the first year -- the main thing that we  
43 want to get a sense of out of this collaring project are  
44 what are natural mortality rates for free-ranging wild  
45 muskoxen. And the first year we found 9 percent, the  
46 second year we found a 4 percent rate and this year we're  
47 at 23 percent. So when you look at that data I think the  
48 important thing to do is to concentrate on what all those  
49 numbers mean together. And what they mean together, they  
50 average out to be about 12 percent. And that's pretty

1 noteworthy. The natural mortality rate on those animals  
2 is a little bit higher than I think a lot of us thought  
3 it was going to be, but it's just really important that  
4 we keep pushing with this project and increase our sample  
5 size and hopefully the statistics will get a little bit  
6 more refined and the data will become all that much more  
7 valuable.

8

9 Thank you very much.

10

11 CHAIRMAN IVANOFF: Thank you.

12

13 MS. HUGHES: Okay. I'm Letty Hughes, and  
14 this Unit 22 based here out of Nome. I'm just going to  
15 go through this really quick.

16

17 So on the first page on our moose  
18 management this past spring we completed a moose census  
19 in Unit 22-B and 22-C. We had one aircraft, a 185  
20 Stratified. Well, we had four other aircrafts flying in  
21 census searches in boxes for moose. So overall for a  
22 combined there's the entire census area is about 1,234  
23 moose. And with the calf/adult ratio, 15 calves for  
24 every 100 adults. And when you break that down into  
25 specifically 22-C we're looking at an estimate of 663  
26 moose. And with the density, those remain unchanged from  
27 2007. For 22-B West, the census estimate is 570 moose,  
28 but the calf/adult ratio is 10 calves per 100 adults with  
29 the density remaining unchanged from the last census of  
30 2004.

31

32 So our future moose work that we have  
33 planned is, you know, with a little bit more snow we'll  
34 be starting moose composition surveys, hopefully  
35 relatively soon, this month. As of next spring in  
36 February, March, we'll be doing the census for moose in  
37 22-D and E and then a spring browse habitat quality  
38 survey as well.

39

40 Okay. So moving onto muskox and kind of  
41 continuing on with what Tony was talking about, it's  
42 starts on the next page. On composition surveys -- I  
43 guess we're backing up to do moose.

44

45 Okay. So this past spring we had a moose  
46 count project and this -- it actually completed a five  
47 year project so for 22-C was five years and 22-D was four  
48 years. So the overall picture that we want you to take  
49 away from this is that, you know, this is really nice  
50 correlation with the snow depth and also weights of

1 calves, you know, we've -- 10 month old calves, we also  
2 -- we measured, you know, males and females. So in the  
3 high snow years that we had the past couple of years  
4 which is about, you know, 112 inches, 113 inches, you  
5 know, our calf rates were fairly low. But this past  
6 spring in both 22-C and 22-D where we had low snow years,  
7 you know, our calf weights are pretty high, about an  
8 average of 395 pounds. And so this is a really nice  
9 baseline to use, you know, for any future, you know,  
10 recruitment, see what the population is doing, we can  
11 look back on this and we can also go back and weigh  
12 calves again if need be and we'll have this information.

13

14 Okay. Now I'm back to muskox. Okay.  
15 After we did the survey for muskox we did the  
16 composition, age classification in 22-B West and 22-D and  
17 22-E during April and August in cooperation with National  
18 Park Service. So if you look we did spring of 2010, we  
19 had 22-B West, 22-D Remainder and 22-E, just shows you  
20 the number of animals that we classified in that subunit  
21 and then over to the far right is mature bulls. So 22-B  
22 West had like 30 mature bulls for every 100 cows is how  
23 you want to look at that. And then we will also -- we  
24 will continue on with our spring 2011 surveys in 22-B  
25 West and 22-C as well, this coming March and April.

26

27 Okay. So the next page is the brown bear  
28 management. And I think last year when I reported the  
29 brown bear season, you know, we had like one of the  
30 highest harvests of brown bear like 115 that the unit has  
31 experienced and this year or this past regulatory year we  
32 had 82 bears. So, you know, quite the drop. From what  
33 I have been told by locals and those of you in 22-A can  
34 probably tell me better, is there was a report of a lot  
35 of shore-fast ice that stayed late into the season which  
36 caused a lot of people not able to go brown bear hunting.  
37 And since a lot of people, you know, that come in from  
38 outside hunt along that coast, they had a lot of troubles  
39 hunting brown bear. So we had like four or seven bears  
40 that were taken, you know, this past spring. So that's  
41 a big reason why there was such a low harvest was not a  
42 lot came out of 22-A in the spring.

43

44 And then I just have, you know,  
45 registration of brown bear hunts which are permits. They  
46 haven't -- you know, they have not changed of how many we  
47 issue.

48

49

So are there any questions?

50

1 CHAIRMAN IVANOFF: In your moose count  
2 project, you're weighing them at 385 pounds and then 395.  
3 What -- how many did -- how many were weighed?

4  
5 MS. HUGHES: We tried to weigh  
6 approximately 30 each year, would be a adequate sample  
7 size.

8  
9 CHAIRMAN IVANOFF: Wow. You do that 30  
10 -- 30 calves. That's amazing. And that's pretty  
11 consistent, is this an average then, this is just the  
12 average weight that you're reporting?

13  
14 MS. HUGHES: Yes.

15  
16 CHAIRMAN IVANOFF: Okay What was the low  
17 and the high?

18  
19 MS. HUGHES: Well, that's right there  
20 in.....

21  
22 MR. GORN: I'm sorry.

23  
24 CHAIRMAN IVANOFF: What was the low  
25 weight, the high weight, was there.....

26  
27 MR. GORN: Mr. Chair, the low and the  
28 highs actually aren't shown on this graph, but yeah, so  
29 for each individual year I certainly couldn't -- I  
30 couldn't talk about the lows and the highs, but basically  
31 they rarely get over 450 pounds. And then on the other  
32 end of it they rarely get below 350. So one of the very  
33 important things to take out of these data is that a  
34 moose over 400 pounds is a very large 10 month old moose  
35 calf. I mean, his life or her life is very good at 10  
36 months if they're over 400 pounds. And that's what we  
37 saw consistently in 22-C during those quote, unquote,  
38 average snow years. So it really kind of helps you put  
39 into perspective how the moose population is doing at its  
40 current population level.

41  
42 CHAIRMAN IVANOFF: So you weighed -- I'm  
43 sorry, go ahead.

44  
45 MR. GORN: I mean, the only difference  
46 then is, you know, just be sheer luck when you set up  
47 your research project, I mean, you can't even anticipate  
48 that something this neat would happen to you. By sheer  
49 luck in 2008 and 2009 we had two of the top five snow  
50 depth years in Nome's history occur. So we were really

1 able to watch or see the response, you know, in the moose  
2 population. And there certainly is some type of  
3 correlation between those years where there was those  
4 record snow depths and then the weights of the 10 month  
5 old moose calves, I mean, we saw a real decrease.

6

7 CHAIRMAN IVANOFF: And the -- when you  
8 take the weight, it's all during the same time as  
9 the.....

10

11 MR. GORN: Yeah, these animals are all 10  
12 months old so this.....

13

14 CHAIRMAN IVANOFF: Okay.

15

16 MR. GORN: .....project takes place in  
17 April

18

19 CHAIRMAN IVANOFF: Okay. Very good.

20 Thank you.

21

22 MR. GORN: Yeah.

23

24 CHAIRMAN IVANOFF: That's all I have.

25 Any other questions.

26

27 Mr. Martin.

28

29 MR. MARTIN: Peter from Stebbins. On the  
30 moose management, 22-A, that's just Unalakleet that you  
31 got reported here?

32

33 MS. HUGHES: Yes. So for the fall  
34 registration moose hunts that would just be for the  
35 Unalakleet area.

36

37 MR. MARTIN: What about the 22-A

38 Remainder?

39

40 MR. HUGHES: Well, that's a very good  
41 question. So 22-A Remainder has -- it's not a  
42 registration hunt, it's just general season. So you'd  
43 have the green ticket. So anytime anyone harvests a  
44 moose on that green ticket it gets sent to Anchorage. So  
45 it takes a little bit longer for that information to get  
46 entered in. So whereas with the registration we have the  
47 numbers pretty quick at our fingertips just because we  
48 have, you know, a two, three day reporting period. So  
49 once we get the information all entered in Anchorage then  
50 we'll have that, it just takes a little longer.

1 MR. MARTIN: So you're going to be having  
2 by when, next meeting what's February, around that?

3  
4 MS. HUGHES: February.

5  
6 MR. MARTIN: Thank you.

7  
8 CHAIRMAN IVANOFF: Any further questions.

9  
10 MR. SEETOT: Mr. Chairman.

11  
12 CHAIRMAN IVANOFF: Yes, Mr. Seetot.

13  
14 MR. SEETOT: Just a comment, not a  
15 question really. One of our residents harvested a muskox  
16 in Brevig Mission and, you know, like when you see Pop-  
17 Eye, you know, his cheek is all puffed up, that's how it  
18 looked like looking at it from a distance, you know, the  
19 head part of a muskox where it's kind of deformed. I  
20 talked with Tony and asked him to contact the hunter, you  
21 know, at least to get an idea of what -- either if it was  
22 one, natural or a abnormality within his body, but he was  
23 able to harvest a muskox I think meat-wise, but, you  
24 know, with that deformed face, something like that, he  
25 say he didn't know about it until after he got it. So he  
26 was able to, you know, use the muskox for that.

27  
28 The other thing that there was a guided  
29 hunt within our area and that this guy wasn't able to  
30 hunt in a local area, but he was hunting in our area and  
31 what that, you know, he mentioned, you know, something  
32 about just taking the backstrap and then giving the meat  
33 to the locals. I don't mind that in that the hunters do  
34 that, but for them to say that in front of me and say --  
35 saying that they're just going -- only going to get the  
36 backstrap and then give the rest away to locals, which I  
37 was happy to take at least a part of, you know, that  
38 pretty much kind of goes against what we've been going --  
39 fighting for in that we utilize, you know, the whole  
40 animal. And I didn't mind that he was hunting in our  
41 area, but that leaves -- you know, that took one animal  
42 away from the subsistence meat table of those that really  
43 need it. For those that use a commercial guide, you  
44 know, they have the option of going anyplace that they  
45 want, but, you know, it's just something that we need to  
46 look at at a community level.

47  
48 Thank you.

49  
50 CHAIRMAN IVANOFF: Further questions.

1 (No comments)

2

3 CHAIRMAN IVANOFF: You know, I'd really  
4 like to commend you on your distance sampling technique,  
5 your new way of counting, it sounds really impressive.  
6 And like a lot of work and lot of flying time, it's too  
7 bad you don't get mileage every time you're up in the  
8 air. You're doing real well, Tony. I commend you on  
9 your fine work.

10

11 Thank you for making your report today,  
12 I appreciate it.

13

14 Well, is anyone with the organizations.  
15 Yes.

16

17 MS. ROBB: I can give you a three minute  
18 report on what the Subsistence Division's doing up here  
19 this spring if you guys don't mind I'll make it really  
20 short.

21

22 CHAIRMAN IVANOFF: Okay. Wait. Wait a  
23 minute. Wait a minute. Okay. And you're with who?

24

25 MS. ROBB: Fish and Game, Subsistence  
26 Division.

27

28 CHAIRMAN IVANOFF: Alaska Department of  
29 Fish and Game Subsistence. Okay.

30

31 MS. ROBB: Yeah.

32

33 CHAIRMAN IVANOFF: Okay. We don't have  
34 you on the agenda. Rather than going through suspending  
35 the rules again we'll just lump you in with the  
36 Department of Fish and Game. So fine.

37

38 MS. ROBB: And I won't take long. Hi.  
39 Oh, this is really loud. My name's Nicki Robb and I'm  
40 based in Fairbanks with Subsistence Division. I just  
41 wanted to give you a brief, super brief update on  
42 projects were doing coming -- coming spring, starting in  
43 January.

44

45 We're going to be surveying six  
46 communities in Units 22 and 23, four in 22 provided that  
47 we get community support. We've already contacted each  
48 community and sent a letter to the Traditional Council so  
49 that they can deliberate and make a decision where they  
50 want to have surveys done. The type of survey I'm

1 talking about is our big game survey. We ask about  
2 caribou, moose, bear, a few furbearers, also about any --  
3 the health condition of caribou harvested. This project  
4 has been funded by Wildlife Conservation since '99 for  
5 three communities and beginning this last year we  
6 actually added three more communities with general funds  
7 that the Subsistence Division has. So we're hoping to go  
8 to Golovin, Elim, Koyuk, Unalakleet, Noatak again and  
9 Selawik provided that the communities are interested in  
10 the study.

11

12 Other than that we hope to go -- we are  
13 working with National Park Service right now to develop  
14 the range-wide assessment which I think we're at that  
15 point now that we actually have a workable plan.

16

17 Other than that if you have any questions  
18 I'm happy to answer them or we could get towards the end  
19 of the meeting here.

20

21 (Laughter)

22

23 CHAIRMAN IVANOFF: Okay. I just have one  
24 comment. I think it's really -- there are a lot of  
25 surveys going on right now in the villages, holy cow,  
26 we've been inundated from spring until spring, I  
27 mean.....

28

29 MS. ROBB: Right.

30

31 CHAIRMAN IVANOFF: .....it's just where  
32 everybody now is coming into the town for something. It  
33 -- it's endless.

34

35 MS. ROBB: I know. Yeah.

36

37 CHAIRMAN IVANOFF: And it's time  
38 consuming and it sometimes can get to be a pain in the  
39 ass. Okay. Well, what's important is that you really do  
40 have to get the community permission, it's -- I mean, you  
41 make sure you go to the city, make sure you go to the  
42 village, Native village government, and ask before you go  
43 in there and do the survey because it -- I -- it's -- I  
44 think everybody who lives in the village right now will  
45 tell you the same thing, it is getting to be quite a  
46 bear.

47

48 So that's all I have is that. And I  
49 really comment you for your projects and thinking to get  
50 some more baseline studies done and it's important for

1 you to do that. But I think that's one thing.

2

3 Thank you very much if there's no other  
4 questions.

5

6 (No comments)

7

8 CHAIRMAN IVANOFF: Kawerak.

9

10 MR. SLONE: Thank you, Mr. Chairman.  
11 Mike Slone with -- fisheries biologist with Kawerak,  
12 representing the Fisheries Department. I'd like to thank  
13 and commend the Council for their contacting the National  
14 Marine Fisheries Service or the North Pacific Fishery  
15 Management Council and attempting to get voting seats for  
16 Tribal members and also Pat showing up today to give us  
17 an update on the Federal subsistence review.

18

19 Much of Kawerak's Fisheries Department's  
20 activities have been advocacy with the North Pacific  
21 Fishery Management Council and the National Marine  
22 Fisheries Service. We're continuing our efforts to limit  
23 the chum bycatch as the Council progresses with their  
24 management option. We continue to seek Tribal  
25 consultation in regards to the research trawl and so far  
26 those requests have been ignored. And we just responded  
27 oh, a month or so ago, to Amendment 94 which is a action  
28 by the Council that increases the size of the Northern  
29 Bering Sea Research Area. Well, it change -- it modifies  
30 it, I should say, it adds the area around Diomedes, it --  
31 so that would be so more conservation in that area. And  
32 then also it expands the no trawl zone around St. Matthew  
33 Island, another conservation concern. So we're --  
34 Kawerak supported both of those actions.

35

36 And the other action that amendment does  
37 is it reduces the size of the Northern Bering Sea  
38 Research Area and gives a portion of the southern area --  
39 southern end of the Northern Bering Sea Research Area to  
40 the trawl fleet as an incentive for work that they've  
41 done to develop modified trawl gear to -- that reduces  
42 bycatch. And we were strongly in opposition to that.

43

44 And lastly or actually I've got one more  
45 -- one small thing. Tom Sparks already mentioned that we  
46 did an invasive species project out at the BLM campground  
47 and around Salmon Lake and luckily found no invasive  
48 species out there.

49

50 And finally we held back in May a

1 Northern Bering -- Northern -- Norton Sound Fisheries  
2 Enhancement and Restoration Summit and the primary  
3 outcome of that summit was the desire from the group to  
4 re-establish the regional planning team. Which the  
5 regional planning team for this area would be responsible  
6 for any large scale enhancement or restoration projects  
7 and they would be basically the body that would consider  
8 any of those options that might go forward.

9

10 And that's all I have.

11

12 CHAIRMAN IVANOFF: You were talking about  
13 fishery enhancement, okay.....

14

15 MR. SLONE: Yes.

16

17 CHAIRMAN IVANOFF: .....to increase the  
18 size of the run.

19

20 MR. SLONE: Yeah, so that they -- any  
21 enhancement that would take place beyond basically  
22 rehabilitation type projects that are short-term would  
23 require an RPT and would require to go through the State  
24 permitting process for anything more than, you know, what  
25 we've basically been able to do in the last few years.

26

27 CHAIRMAN IVANOFF: Okay. And this is --  
28 this team that you're talking about is that for Norton  
29 Sound, the whole Norton Sound, or you're just talking  
30 about the Northern Norton Sound?

31

32 MR. SLONE: It would be for all of Norton  
33 Sound.

34

35 CHAIRMAN IVANOFF: Okay. You have a team  
36 established that would have representation from.....

37

38 MR. SLONE: No, it -- we're still in the  
39 process of trying to get the powers that be to come  
40 together. It would be three -- it's defined in State  
41 statutes as three members of Fish and Game and three  
42 members of our Regional Aquaculture Association. Now the  
43 last time that we had that in place was back in the '90,  
44 it actually is -- I guess they're -- technically we're  
45 still together in recent years, but they've -- anyway,  
46 they -- the comprehensive plan which is the plan that  
47 they maintain that includes any restoration projects that  
48 might be in line for this area or are being considered  
49 for this area, that expires this year. And so the RPT  
50 would have to be reformed in order to modify and update

1 that plan.

2

3 CHAIRMAN IVANOFF: Okay. Thank you.

4 Very good. And are you -- anything else.

5

6 MR. SLONE: I'm finished.

7

8 CHAIRMAN IVANOFF: Any questions,

9 comments.

10

11 (No comments)

12

13 CHAIRMAN IVANOFF: Okay. Thank you very

14 much.

15

16 Nome Eskimo Community.

17

18 MR. TRIGG: Nome Eskimo.

19

20 CHAIRMAN IVANOFF: All right. I was

21 wondering if anybody was here.

22

23 MR. TRIGG: What I'm handing out to you,

24 you could take it home tonight and when you can't sleep

25 pull it out and read it, it'll do it to you.

26

27 CHAIRMAN IVANOFF: Can you state your

28 name, please, and.....

29

30 MR. TRIGG: Thank you. My name is Gerry

31 Trigg, I'm the travel resource specialist for Nome Eskimo

32 Community. And essentially what it says is that Nome

33 Eskimo Community's 2,400 Tribal members, and we could

34 probably add the 3,500 citizens of Nome, need help. And

35 we need help, I don't believe this Committee can help us.

36 But if you could just take this information, put it in

37 the back of your mind and when you find agencies that

38 might be able to help us, send them our way. And the

39 help we need is to find a way to get meat and fish and

40 potatoes onto our Tribal members' tables.

41

42 Thank you. That's it.

43

44 CHAIRMAN IVANOFF: Well, thank you, Mr.

45 Trigg, appreciate that. And a bug in your ear, so you

46 just -- if I understand you right and I know it's going

47 to take that much, but you need to find a way to fish so

48 you can feed the families, you're talking about fish and

49 game both, is that right?

50

1 MR. TRIGG: That's correct.

2

3 CHAIRMAN IVANOFF: Okay.

4

5 MR. TRIGG: I don't know if people  
6 realize it, but I grew up here, lived up here for many  
7 years and at one time our population was 1,200 people,  
8 it's now up to 3,500 people. And with the road system we  
9 have, it's so easy to get out into our region and hunt  
10 and fish. Trouble is the population is just -- I think  
11 we're overdoing it, but we need -- we still need meat, we  
12 still need fish and in recent years it's been pretty slim  
13 pickings. We've had to go down to the Unalakleet River,  
14 had to go up to the Kuzitrin and, you know, we've had to  
15 go into other areas. And I know it's not looked too  
16 favorably upon us for doing it. So if you could just  
17 find a way to help us it would -- we would certainly  
18 appreciate it.

19

20 CHAIRMAN IVANOFF: Yeah, I'm glad you  
21 brought it to us. Definitely something we might be able  
22 to take a look at. I mean.....

23

24 MR. TRIGG: Thank you.

25

26 CHAIRMAN IVANOFF: .....we seen  
27 individual people or combined as agencies and definitely  
28 we'll try and help somewhat.

29

30 MR. TRIGG: Fantastic. That's what I  
31 want to hear.

32

33 CHAIRMAN IVANOFF: Thank you very much  
34 for coming before the Board. Appreciate it.

35

36 CHAIRMAN IVANOFF: Bering Sea Fisherman's  
37 Report. Joannie Sweetman.

38

39 MS. SWEETMAN: Thank you, Mr. Chairman.  
40 My name is Joannie Sweetman and I'm a representative of  
41 the Bering Sea Fisherman's Association.

42

43 And I only passed out four of these  
44 research and discovery reports to the four that were not  
45 on our mailing list and for Mr. Seetot, Mr. Martin and  
46 Mr. Ivanoff, you should be receiving this in the mail  
47 already.

48

49 I'll start off giving a brief talk our  
50 newest Fair Advocate Newsletter which is at the printers

1 and will be going out to every box holder in Western  
2 Alaska. We sent surveys out to the gubernatorial and US  
3 Senate candidates asking them questions that we figured  
4 Western Alaskan fishermen would want to know. And so  
5 that's included in the survey, in that newsletter.

6  
7 We recently published this book which has  
8 brief synopses of all 55 projects that the Bering Sea  
9 Fisherman's Association has funded, we put about 18  
10 million towards these projects to just discover the  
11 causes of the declines of salmon in this region. And I  
12 think this hopefully is a good outreach tool basically  
13 saying what the researchers wanted to do, what they found  
14 and how it probably -- how it affects the area. You can  
15 always download full reports from the researchers from  
16 our web site which is AYKSSI.ORG. And all this research  
17 was done in collaboration with a lot of Federal, State  
18 agencies, Native organizations and universities.

19  
20 But the one last thing that we did is we  
21 launched a salmon ecosystem tool in March and it's  
22 basically an on-line tool where you can go on and say  
23 that you saw a difference in salmon or habitat or any  
24 kind of wildlife in the region. But unfortunately we  
25 haven't gotten any participation. And so I think it's up  
26 to us to talk with community members and figure out what  
27 do we need to do to make this tool usable, user friendly  
28 and appealing to fishermen. And you can find that tool  
29 on our AYKSSI.ORG web site as well.

30  
31 And that is it.

32  
33 CHAIRMAN IVANOFF: Short and sweet, huh.  
34 All right. Any questions.

35  
36 (No comments)

37  
38 CHAIRMAN IVANOFF: You got bold and got  
39 us bowled over.

40  
41 (Laughter)

42  
43 MS. SWEETMAN: Oh, if you would like to  
44 be on our mailing list to receive stuff like this, the  
45 three of you are, but the four that I passed this out,  
46 you are not. You can contact me and we'll put you on our  
47 mailing list.

48  
49 CHAIRMAN IVANOFF: Thank you very much,  
50 Joannie.

1 MS. SWEETMAN: Thank you.  
2  
3 CHAIRMAN IVANOFF: Okay. Well, that  
4 takes care of all the reports. We'll go onto 12th and  
5 almost 13.  
6  
7 UNIDENTIFIED VOICE: Break. Break.  
8  
9 CHAIRMAN IVANOFF: You want a 10 minute  
10 break? Well, he twisted my arm, I guess we get a 10  
11 minute break.  
12  
13 (Off record)  
14  
15 (On record)  
16  
17 CHAIRMAN IVANOFF: Okay. I'll call the  
18 meeting back to order. We're going now to item number  
19 12, the next meetings.  
20  
21 Mr. Nick, do you have a presentation.  
22  
23 MR. NICK: Yes, Mr. Chair. Your winter  
24 2011 meeting, it was scheduled for -- excuse me, just a  
25 moment, scheduled to be held on March 15 and 16 here in  
26 Nome. You need to confirm that.  
27  
28 CHAIRMAN IVANOFF: March what, say again.  
29  
30 MR. NICK: 15, 16 here in Nome.  
31  
32 CHAIRMAN IVANOFF: Okay.  
33  
34 MR. NICK: I talked to the front desk  
35 this morning and they told me that there will be no  
36 problems to make hotel reservations  
37 before we leave. Before I leave I'll do that.  
38  
39 Mr. Chair.  
40  
41 CHAIRMAN IVANOFF: Okay. Ms. Armstrong.  
42  
43 MS. H. ARMSTRONG: Mr. Chair. I also  
44 wanted to just report back to the Council because I  
45 believe it was last fall that the Council had asked if we  
46 could have the meeting during Iditarod and our office  
47 checked and first of all they don't rent out this room as  
48 a meeting room during the Iditarod, but also they said,  
49 I thought this was really interesting, that they don't  
50 take reservations over the phone during that time period.

1 There's a day that they start at midnight and you can  
2 only submit them by email and the first ones that come in  
3 get the rooms and they're done within five minutes of  
4 midnight. So the opportunities for doing a meeting  
5 during the Iditarod were not -- it was just not possible.

6

7 CHAIRMAN IVANOFF: It's not possible.

8

9 MS. ARMSTRONG: So just wanted to get  
10 back to you that we did check into it.

11

12 CHAIRMAN IVANOFF: Okay. So 15, 16th is  
13 good.

14

15 MS. ARMSTRONG: Yeah. Thank you, Mr.  
16 Chair.

17

18 MR. QUINN: Well, isn't that during  
19 Iditarod?

20

21 CHAIRMAN IVANOFF: Well, I think during  
22 the festivities right after that there's a lot of stuff  
23 going on here and the basketball tournaments and you name  
24 it.

25

26 UNIDENTIFIED VOICE: It's in the back of  
27 your book, 175.

28

29 MR. SEETOT: 175.

30

31 MR. QUINN: It looks like Iditarod to me.

32

33 REPORTER: Mic. Mic. Mic.

34

35 MR. QUINN: Well, that looks like  
36 Iditarod week to me, the race starts the first Saturday  
37 in March, it's going to start March 5th. The winner's  
38 going to be here March 15th, 10 days later.

39

40 CHAIRMAN IVANOFF: Well, as long as we're  
41 good in the hotel, we got reservations, we got room -- we  
42 got a meeting room. I think it's a go.

43

44 Pete, you have something.

45

46 MR. PROBASCO: Let me ask Alex. Alex,  
47 did you specifically say the 15th and 16th of March to  
48 the hotel?

49

50 MR. NICK: I asked.....

1 MR. PROBASCO: Helen's going to go down  
2 and just verify because if it is the Iditarod then what  
3 Helen said applies.  
4  
5 CHAIRMAN IVANOFF: Uh-huh.  
6  
7 MR. PROBASCO: So we'll -- let's check.  
8  
9 MR. NICK: I didn't talk to the manager,  
10 I talked to the front desk and Sean is probably around if  
11 I could get him, if he's available downstairs I  
12 could.....  
13  
14 MR. PROBASCO: Helen went down.  
15  
16 MR. NICK: Okay. Okay.  
17  
18 CHAIRMAN IVANOFF: Okay.  
19  
20 MR. NICK: Then that's fine.  
21  
22 CHAIRMAN IVANOFF: All right. Let's  
23 while we're waiting for that, selecting the fall 2011  
24 meeting date and place. Now the place is already --  
25 that's a done deal, right.....  
26  
27 MR. NICK: Excuse me, for.....  
28  
29 CHAIRMAN IVANOFF: .....for fall 2011  
30 meeting.  
31  
32 MR. NICK: Fall 2011 meeting. I've got  
33 new information for you. Just a moment. Northwest  
34 Arctic I believe and what's the other one?  
35  
36 REPORTER: North Slope.  
37  
38 MR. NICK: North Slope. They chose  
39 August 23 to 24 meeting in Anchorage and they would like  
40 to know if Seward Peninsula would agree to meet with them  
41 in Anchorage during that -- those two days as a tri-  
42 Council.  
43  
44 CHAIRMAN IVANOFF: You're talking about  
45 the whole Committee?  
46  
47 MR. NICK: The three RACs.  
48  
49 CHAIRMAN IVANOFF: Three RAC members?  
50

1 MR. NICK: Yeah. This and North Slope  
2 and Northwest Arctic.

3  
4 MR. QUINN: You got money to do that?

5  
6 MR. NICK: Pete can answer that.

7  
8 MR. PROBASCO: Mr. Chair. I always like  
9 getting blindsided with issues, but the concept the Board  
10 has endorsed in the past of Councils getting together and  
11 probably the last one was the three Councils from the  
12 Yukon, YK, Western and Eastern, got together to discuss  
13 Yukon proposals. The meeting has to be issue driven, it  
14 can't just be for the sake we'd like to meet with our  
15 fellow Councils and get together and have a rap session.  
16 So when I found out about this my question was what's the  
17 issue and my staff drew a blank. So with that said I  
18 need to explore with my coordinators from North Slope and  
19 Northwest -- or North Slope and the other Council to see  
20 what the issue is to justify the cost to do such a  
21 meeting. Bringing three Councils from Northern Alaska to  
22 Anchorage along with the staff and -- my staff wouldn't  
23 cost anything, but the other staffs we have to take in  
24 consideration. So unless there's an issue, Mr. Chair,  
25 that you could look me in the eye and justify, I really  
26 would have a hard time justifying that type of an  
27 expense.

28  
29 Mr. Chair.

30  
31 CHAIRMAN IVANOFF: I appreciate that.  
32 Yeah, I just heard about this and but it never came  
33 related to an issue or issues and talked about it. The  
34 only thing I could think was that common problems might  
35 -- maybe that we could identify.

36  
37 MR. PROBASCO: What I'd like to suggest,  
38 Mr. Chair, this is for the fall of 2011. I will get with  
39 the coordinators from these two respective RACs. If it  
40 issue driven then that's going to require me at this  
41 winter meeting to go back to those Councils and inform  
42 them and they will have to pick some alternate times to  
43 meet. Unless somebody has what they would like to  
44 discuss right now I would say I would not plan on having  
45 a tri-Council meeting in 2011. And we could adjust  
46 accordingly. So I would recommend you pick a tentative  
47 date and then we can make adjustments this winter.

48  
49 Mr. Chair.  
50

1 CHAIRMAN IVANOFF: I would agree with  
2 that. I don't have any -- it doesn't seem like there's  
3 anything real pressing otherwise we would have heard by  
4 -- Northwest Arctic and the North Slope by now on what  
5 exactly they want to meet with. I have not been in  
6 contact with any of those folks up there. There didn't  
7 -- when we met in Anchorage with Mr. Pat Pourchot and  
8 talked about the Federal Subsistence Board and the  
9 review, even then nothing was discussed about a tri-  
10 meeting. So yeah, I would agree with that. Definitely  
11 would take a look at that and see what comes out of our  
12 winter meeting and go from there.

13

14 MR. PROBASCO: So I would say pick a  
15 tentative date outside of a tri-Council meeting just so  
16 that we can start populating this calendar with what best  
17 works for you guys for the fall of 2011.

18

19 CHAIRMAN IVANOFF: For our fall, 2011  
20 meeting?

21

22 MR. PROBASCO: Yeah.

23

24 CHAIRMAN IVANOFF: Let's see, I had  
25 something in mind here. I'm usually done fishing about  
26 oh, that second week of September so anytime after that  
27 is good for me. I like September 14 and 15. Moose  
28 hunting season's done.

29

30 MR. QUINN: 14th is the last day of moose  
31 season around here.

32

33 CHAIRMAN IVANOFF: That would throw that  
34 out, huh. Okay.

35

36 MR. QUINN: 13th's the last day of moose  
37 season here.

38

39 CHAIRMAN IVANOFF: Can't hunt -- can't  
40 meet then. Okay.

41

42 MR. QUINN: Well, I -- I'm not  
43 saying.....

44

45 CHAIRMAN IVANOFF: Oh, no. And I agree,  
46 I mean, if that's the last day that's -- shucks, that's  
47 the last day. 21, 22 good?

48

49 MR. QUINN: Yeah. I think 21 and 22  
50 looks more favorable.

1 MR. KEYES: More favorable, yeah.  
2  
3 MR. BUCK: I like the 5th and 6th of  
4 October, that's.....  
5  
6 CHAIRMAN IVANOFF: October.  
7  
8 MR. BUCK: I think that's just when  
9 everything is freezing -- just started to freeze, not  
10 quite frozen, everything's done for the summer. And I  
11 think the subsistence activities -- well, on the 5th and  
12 6th is right at a standstill. So it's kind of good for  
13 me.  
14  
15 CHAIRMAN IVANOFF: For you guys. For me  
16 geese are just starting to run. We only got three  
17 days.....  
18  
19 MR. BUCK: Okay.  
20  
21 CHAIRMAN IVANOFF: .....to get them  
22 otherwise they -- you got three days -- three run --  
23 three days to run, after that they're gone. And it  
24 usually happens about then.  
25  
26 MR. BUCK: Okay.  
27  
28 CHAIRMAN IVANOFF: So that's why I'm  
29 going a little earlier.  
30  
31 MR. BUCK: Okay.  
32  
33 MR. KEYES: This is Anthony Keyes.  
34 During the month of October for Wales area is always  
35 unpredictable weather so I would like to fall under  
36 September 21, 22.  
37  
38 CHAIRMAN IVANOFF: September 21 and 22.  
39  
40 MR. KEYES: 21 and 22.....  
41  
42 CHAIRMAN IVANOFF: Objections, other  
43 dates. Is that agreeable.  
44  
45 (No objections)  
46  
47 CHAIRMAN IVANOFF: Hearing no objections,  
48 21 and 22.  
49  
50 UNIDENTIFIED VOICE: Here in Nome?

1 CHAIRMAN IVANOFF: I don't think we got  
2 a choice; is that correct?

3  
4 MS. H. ARMSTRONG: Mr. Chair. I checked  
5 on the March meeting and Mr. Quinn wins the prize, he's  
6 right. March 13th to 23rd they block out the hotel.  
7 So.....

8  
9 CHAIRMAN IVANOFF: Okay.

10  
11 MS. H. ARMSTRONG: .....have to pick  
12 another date. Okay. We took care of one meeting, let's  
13 go back to the other meeting.

14  
15 MR. QUINN: Well, I got a question. The  
16 new Board Chair is also the president of Bering Straits  
17 Native Corporation who owns this hotel, I think we got an  
18 in, we shouldn't have a problem.

19  
20 (Laughter)

21  
22 MR. PROBASCO: Mr. Chair. As you look at  
23 the dates let me just put in a couple qualifiers. We do  
24 the best to avoid more than two Council meetings in a  
25 week for a variety of reasons, staff and more importantly  
26 our court reporter going beyond two meetings does,  
27 depending upon travel, makes it very difficult. You do  
28 have the option of going beyond that window. We always  
29 have used the opportunity to go to the following week  
30 after March 26, so that's an option as well. So please  
31 consider that when you look at selecting some meeting  
32 times.

33  
34 CHAIRMAN IVANOFF: After March 23rd?

35  
36 MR. PROBASCO: After March 26th. We  
37 could go the following week.

38  
39 CHAIRMAN IVANOFF: Oh, 26. Okay. How  
40 many days in March, 30?

41  
42 MR. RIVARD: 31.

43  
44 CHAIRMAN IVANOFF: 31.

45  
46 MR. QUINN: 20.

47  
48 (Laughter)

49  
50 MR. QUINN: Oh, 31.

1 CHAIRMAN IVANOFF: I wish I had your work  
2 day.  
3  
4 MR. QUINN: Well, what about 15 and 16 of  
5 February, first -- we'll be the first group to meet.  
6  
7 CHAIRMAN IVANOFF: That's just before  
8 Kotz, that would be.....  
9  
10 MR. PROBASCO: Fine. Great.  
11  
12 CHAIRMAN IVANOFF: Okay.  
13  
14 MR. KEYES: So 15 and 16 of February.  
15  
16 CHAIRMAN IVANOFF: By then we should have  
17 a full slate, I believe, 10 members hopefully.  
18  
19 Great. Any objections?  
20  
21 (No objections)  
22  
23 MR. PROBASCO: Thank you, Mr. Chair.  
24  
25 CHAIRMAN IVANOFF: Thank you very much.  
26 All right. That takes care of that. Thanks guys.  
27  
28 UNIDENTIFIED VOICE: What's the date, 15,  
29 16?  
30  
31 CHAIRMAN IVANOFF: 15, 16, yep, 2011.  
32 And that'll be here.  
33  
34 MR. SEETOT: Mr. Chair.  
35  
36 CHAIRMAN IVANOFF: Yes, Elmer.  
37  
38 MR. SEETOT: Before we adjourn I would  
39 like to ask Mr. Nick to clarify, you know, on unused  
40 portion of our meal allowance or what to expect if we do  
41 leave tomorrow since we're scheduled to leave on Friday?  
42  
43 MR. NICK: Mr. Chair. Mr. Seetot. I  
44 assume you're asking about your per diem?  
45  
46 MR. SEETOT: Yes.  
47  
48 MR. NICK: The way it works is they will  
49 deduct that, whatever is -- you're not using that in your  
50 next meeting. That's the way it works. And what I

1 explain to some of you, I was assuming that you've had  
2 RAC training before I took over Seward Pen. I think we  
3 need to conduct our member training in the winter  
4 meeting, this winter, to let you become familiar with  
5 travel. The way your travel works is you get -- is it 75  
6 percent of your per diem for your trip. And what you're  
7 supposed to do when you return to your village is let me  
8 know or let Durand Tyler know in Anchorage that on a  
9 certain day you will arrive back home. That way you  
10 won't end up owing government some money. You're  
11 supposed to get, what is it, 25 percent of your per diem  
12 after you let us know how much -- rather what time of the  
13 day or what day during the week of travel you arrive  
14 home. If you have any questions I could call you and  
15 explain that to you or you could talk to Durand Tyler at  
16 OSM.

17

18 MR. PROBASCO: Thanks, Alex. And let me  
19 just add a little bit to what Alex says. I know our  
20 meeting is completing early, sometimes travel in the Bush  
21 you can't get home earlier because of flights or  
22 whatever. So if that is the situation and you can't get  
23 home on Friday you're still on Federal business. With  
24 that said however if you do get home early tomorrow just  
25 let Alex know the time you got home, you've been  
26 forwarded 75 percent of your per diem, they still owe you  
27 25 percent. If there's a balance that is remaining that  
28 you owe the government they'll deduct that from that 25  
29 percent. So do your best to get home, if you can't  
30 because of whatever reason and you have to leave at your  
31 scheduled time on Friday, you're still on government  
32 business.

33

34 Mr. Chair.

35

36 CHAIRMAN IVANOFF: Thank you. Mr. Nick.

37

38 MR. NICK: One more thing, when you spend  
39 money for your cab fare to airport, that's also  
40 reimbursable expense for all of your trips to RAC  
41 meeting. And if for some reason you are stranded here in  
42 Nome tomorrow and after you go back to the airport, keep  
43 your receipts and send us copies of your receipts, of  
44 your cab fare to and from hotel or rather to and from  
45 airport. And if you have -- for some reason if you have  
46 cab between your airport and your residence when you  
47 arrive home, that's also reimbursable. Only if it's  
48 business.

49

50 Doi.

1 MR. F.D. ENINGOWUK: This is Fred. You  
2 said that keep receipt if we go out to the airport and  
3 back here, what about the room?

4  
5 MR. NICK: We will get the bill, we will  
6 have the -- what I will do before I leave and what I  
7 usually do for other regions that I coordinate like YK,  
8 I'll let the Council members know that should they get  
9 stranded on the day of travel like you all are traveling  
10 tomorrow, I will let the hotel managers or clerks know  
11 that we will guarantee to amount your -- rather the bill  
12 to cover your costs for your rooms.

13  
14 Does that answer your questions?

15  
16 MR. F.D. ENINGOWUK: Yes, thank you.

17  
18 CHAIRMAN IVANOFF: Okay. Last and most  
19 important or one of the most important.

20  
21 MR. F.D. ENINGOWUK: Make a motion to  
22 adjourn.

23  
24 MR. KEYES: Second.

25  
26 CHAIRMAN IVANOFF: Motion by Mr.  
27 Eningowuk. All right. Seconded by Mr. Keyes.

28  
29 All in favor, aye.

30  
31 IN UNISON: Aye.

32  
33 CHAIRMAN IVANOFF: Opposed same sign.

34  
35 (No opposing votes)

36  
37 CHAIRMAN IVANOFF: Motion adjourn --  
38 meeting adjourned. Thank you, guys, appreciate your  
39 attendance and your diligence. Very good.

40  
41 (Off record)

42  
43 (END OF PROCEEDINGS)

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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 of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 02 through 210 contain a full, true and correct Transcript of the SEWARD PENINSULA FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by our firm on the 13th day of October 2010, beginning at the hour of 8:30 o'clock a.m. at Nome, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed 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 23rd day of October 2010.

\_\_\_\_\_  
Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires:9/16/2014