

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Fairbanks, Alaska
9 March 10, 2009
10 10:30 o'clock a.m.
11

12
13 COUNCIL MEMBERS PRESENT:

14
15 Sue Entsminger, Chairman
16 Andy Bassich
17 Richard Carroll
18 Lester Erhart
19 Andrew Firmin
20 Frank Gurtler
21 William Glanz
22 Virgil Umphenour

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29 Regional Council Coordinator, Vince Mathews

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P R O C E E D I N G S

(Fairbanks, Alaska - 3/10/2009)

(On record)

MADAM CHAIR ENTSMINGER: I'll call the meeting to order. I would like the new members to introduce themselves and just tell us where you're from, that's all at this point.

MR. GURTLER: I'm Frank Gurtler from Manley Hot Springs.

MR. FIRMIN: I'm Andrew Firmin from Fort Yukon.

MR. ERHART: Lester Erhart from Tanana.

MR. UMPHENOUR: Virgil Umphenour from North Pole.

MADAM CHAIR ENTSMINGER: Sue Entsminger from Mentasta Pass.

MR. CARROLL: Richard Carroll, Jr. from Fort Yukon.

MR. BASSICH: Andy Bassich from Eagle.

MR. GLANZ: Bill Glanz from Central area.

MADAM CHAIR ENTSMINGER: Okay. We're going right into the invocation by Council member and it's been narrowed down to Richard Carroll. If we could all stand.

(Prayer)

MADAM CHAIR ENTSMINGER: Thank you, Richard. The fun part about the meetings is turning this mike on and off, so try to remember when you do speak. Actually I go to a roll call. Would that be sufficient, Vince?

MR. MATHEWS: Yes.

MADAM CHAIR ENTSMINGER: Okay. Thank you. Now there's introduction of Agency Staff and

1 honored guests. That goes to you, Vince.

2

3 MR. MATHEWS: Yes, I'll try to pull
4 that off here, but first we need to find out who's
5 online. Whoever is online you're next to me, so you're
6 going to hear me very loud. If you cannot hear the
7 others, then you need to let us know. Who would be
8 online at this moment.

9

10 MS. ROBBINS-GISCLAIR: Becca Robbins-
11 Gisclair with Yukon River Drainage Fisheries
12 Association.

13

14 MR. MATHEWS: Thank you. Is there
15 anyone else online?

16

17 MR. DEMATTEO: Yes. This is Pete
18 DeMatteo with OSM in Anchorage.

19

20 MR. MATHEWS: Was there anyone else
21 besides Becca and Pete?

22

23 MS. KLEIN: Jill Klein with Yukon River
24 Drainage Fisheries Association is also online.

25

26 MR. MATHEWS: With that we'll go
27 through introduction of Staff. I'm Vince Mathews, the
28 regional coordinator for Eastern Interior and Western
29 Interior. I know that Manley Hot Springs Tribal
30 Council wanted to listen in, so they may have called
31 in.

32

33 In the front row we have Stan Zuray,
34 who I believe is a local advisory committee member for
35 Tanana/Rampart/Manley. Next to him is Nancy Swanton,
36 who is with the National Park Service. For the new
37 members and others, she is InterAgency Staff Committee
38 person. Next to her is Jerry Berg, who is a Staff
39 Committee person for the Fish and Wildlife Service.
40 Starting over here is Russ Holder, the Federal in-
41 season manager. Next to him is Dave Krupa, who is the
42 subsistence manager. He has two titles for the Park
43 Service. He would be here because of Yukon Charley
44 Rivers National Preserve, but he also works with Gates
45 of the Arctic. I didn't catch Gary's last name.

46

47 MR. YOUNGBLOOD: Youngblood.

48

49 MR. MATHEWS: He's here with Yukon
50 Charley and he may be assigned to other units, but he's

1 mainly here to talk about Yukon Charley. Then we have
2 a Forest Service person here. For the new members, you
3 don't have any Forest Service lands in your region, but
4 he's one of the Staff Committee people and that's Cal
5 Casipit with the Forest Service. Next to him is Brandy
6 Berkbigler. She's a Partners biologist with Tanana
7 Chiefs Conference. Then Jason Post and you're with
8 BLM. Ruth Gronquist was here earlier and we'll
9 introduce her when she comes up. I forgot your name.

10

11 MR. LIEBSCHER: Tom Liebscher. I'm
12 chief of natural, culture and fire resources for the
13 Park Service in Fairbanks.

14

15 MR. MATHEWS: Then we go to the back
16 row. We have Pete Probasco. He's assistant regional
17 director for the Office of Subsistence Management.
18 Then we have Fred Bue, who is with Alaska Department of
19 Fish and Game. He's the fishery area biologist for the
20 Yukon River for fall season. Then we have Paul
21 Williams, who is here as the refuge information
22 technician for Yukon Flats National Wildlife Refuge.
23 Next to him is Rob Jess, who is the refuge manager for
24 Yukon Flats. Then we have Connie Friend, who is with
25 the Tetlin Refuge down in Tok. Then we have Liz
26 Williams, who is the anthropologist. For the new
27 members, we talked about your team of an
28 anthropologist, fishery biologist and wildlife
29 biologist. She's your team anthropologist. Pete
30 DeMatteo, who is online, is your wildlife biologist.

31

32 Who did I miss? Oh, we have Mike Smith
33 in the back with Tanana Chiefs Conference. In the far,
34 far back we have Warren Eastland. Warren is with the
35 Bureau of Indian Affairs. He's your fourth InterAgency
36 Staff Committee. Jokingly, you have a quorum now with
37 the Staff Committee. The point is, you have most of
38 the agencies here that are an important level in the
39 process, so do capitalize on that.

40

41 Madame Chair, that's all that I know
42 and we'll try to introduce others as they come along.
43 For people who haven't been at a meeting before, when
44 you go up to a mike it's nice that you introduce
45 yourself with your name so the record is clear as to
46 who is speaking and then also for the people online.

47

48 With that, thank you.

49

50 MADAM CHAIR ENTSMINGER: Thank you,

1 Vince. Welcome all. Nice to see all the faces. For
2 the new members, sometimes it gets a little
3 overwhelming to know all these people and their
4 position and how it relates to us as a Council. If you
5 have any questions, don't be afraid to ask. I know I
6 found it very overwhelming when I first got on about
7 all the different people and the hats they wear and
8 where they belong.

9

10 We're going to go into the Chair's
11 report. I went to the Federal Subsistence Board
12 meeting January 13th through 15th for this Council and
13 I wrote down a few things. I mean I've got reams and
14 reams of paper we could go through. It's amazing.

15

16 One of the things that was discussed at
17 prior Federal Board meetings was some of the Chairs
18 expressed an interest of a way to bring the fate of the
19 State and the Federal system to more comply. Then we
20 were provided with a letter from OSM stating about this
21 Hatch Act. What it meant was we could not lobby to
22 make changes into law. We could talk about issues, but
23 we couldn't become a lobby in my understanding. They
24 told me I could talk to the solicitor to get more
25 information on exactly what that meant, but that's kind
26 of what it means in layman's terms to me.

27

28 Then one of the new things that has
29 happened at the Federal level is there's been a
30 concrete Memorandum of Understanding between the State
31 and Feds to make this process work a little better
32 together.

33

34 Then I want to talk about the deferral
35 of the fish net and mesh restrictions that we had added
36 for that meeting. This is so complicated. There was a
37 lot of things that happened at that meeting prior to
38 them taking up this deferral and what they decided to
39 do was to defer it up to one year. I think we're going
40 to be getting into that heavily at this meeting.

41

42 Another thing that happened was -- RAC
43 Chairs can go to the Board of Fish or Board of Game
44 meetings and gain 20 minutes to testify where they
45 hadn't gotten that in the past as I understand it. I
46 think that's the highlights of the meeting. I find
47 that it's a really great opportunity for the Councils
48 to work with the Board because we have the opportunity
49 as Chairs to put our input in. We don't get to vote or
50 anything, but we get to -- as they deliberate and talk

1 about issues, we can bring up issues that we see might
2 be helpful. I find it a great process for us as the
3 users.

4

5 Does anyone have any questions
6 regarding the meeting?

7

8 (No comments)

9

10 MADAM CHAIR ENTSMINGER: Now we're
11 going to go into Council members concerns. I'm going
12 to start down here. You just talk about things that
13 are concerned about in your area.

14

15 MR. GLANZ: One of the concerns was
16 people up in our area were pretty upset because we
17 didn't have the meeting in Central as we had hoped for.
18 Maybe someday. Of course the fishing issue, which
19 we're all concerned with. I have a feeling there's
20 going to be a lot of problems this summer with illegal
21 fishing because I've heard so many people tell me
22 they're still going to get their salmon regardless.
23 The trawler fleet -- that's where we need to go. We
24 need to go there and get them guys. It's not the
25 subsistence fishermen in the Yukon Flats or up above
26 there that's killing the salmon off, it's the trawlers.

27

28 Vince and I talked with some of the
29 Park Service people to alleviate some of my concerns
30 about the heavy-handed enforcement actions that was
31 going on in Yukon Charley last hunting season. That's
32 about it for me right now. One more question, Madame
33 Chair. The Hatch Act, I had to deal with that all the
34 time when I was in the city working. That just
35 prevents you from doing political action. It doesn't
36 stop you from going and making laws and stuff like
37 that. Of course, everybody has a different opinion.
38 The Hatch Act prevented me from actively campaigning
39 while on duty, but when I was off duty I could
40 campaign. I don't know what they're throwing that in
41 there for.

42

43 MADAM CHAIR ENTSMINGER: It might be
44 beneficial later to have somebody from Staff to help us
45 out with that definition.

46

47 MR. GLANZ: That's what I meant.

48

49 MADAM CHAIR ENTSMINGER: Thank you,
50 Bill.

1 MR. BASSICH: Thank you, Madame Chair.
2 Andy Bassich from Eagle area. Two main things in our
3 region of course are the fishing, fish size reduction
4 and, in particular, fecundity, crossing the border into
5 Canada. I'm sure I'll talk more about that in the
6 meeting on a more specific level. Bringing awareness
7 to the entire river, both Canada and the U.S., the need
8 for conservation concerns on chinook salmon in future
9 years is paramount. We all have to work on this. It's
10 a difficult issue, but it's very much on our minds up
11 in Eagle.

12
13 In regards to wildlife, caribou is a
14 real issue in our area. Fires in '04-'05 years
15 destroyed a lot of the crucial feeding habitat in our
16 region around American Summit, which is a traditional
17 subsistence harvest area and it's not expected to
18 return for quite a while because it was a pretty hot
19 burn there. So the issue is the pressure from people
20 around the state using the Taylor Highway as an access
21 point, competition with subsistence. My estimates from
22 Eagle is there was only one person that got a caribou
23 this year and nobody got a caribou from our traditional
24 hunting grounds around American Summit. The one person
25 that harvested was over in the Jack Wade, Chicken area.

26
27
28 I went up on the opening day last year
29 and it was a zoo. People were all over the place.
30 Road hunters and people walking back and there was no
31 opportunity for any type of a quality hunt back in that
32 area. I'm not really sure how we're going to address
33 that. Our local AC will be looking into that. It's a
34 very important food source in our region, as is the
35 king salmon.

36 Those are our two main concerns. Thank
37 you, Madame Chair.

38
39 MR. CARROLL: Richard Carroll, Jr. from
40 Fort Yukon. Of course, fishing has been a really hot
41 topic and the locals appreciate the attendance of us up
42 there in Fort Yukon and other Staff and Refuge Manager.
43 We appreciate your concern for us upriver people.

44
45 We're still concerned about the
46 population of wolves in our area and low moose
47 population, of course. I mentioned this before,
48 increased law enforcement. Bill mentioned heavy-
49 handedness. We haven't seen it, but it's good to see
50 the presence of law enforcement people. I ran into Rob

1 there in my hunting trip in the fall and it was good to
2 see him. Darn near was going to jump in my boat and
3 search it, too. Kidding.

4
5 The pressure from -- I hate to use the
6 word, but it's actually local people that's moved to
7 the city and then they return home to their home
8 village and hunt and harvest like they're local
9 residents. I don't know what it's going to take. We
10 brought it up in Fort Yukon. There's 300 people from
11 Fort Yukon that lives here in Fairbanks. They go out
12 there and fish and hunt and waterfowl. There's been
13 some people turned in. I didn't even know it was
14 illegal until a couple years ago. It's a local
15 education thing, of course. We don't want to see
16 people lined up in jail and getting fined. I think
17 there needs to be more information put out there about
18 what they're allowed to do.

19
20 Wolf populations up in the upper
21 Porcupine River. I wanted to call Rob and never did.
22 Up there every week there's a moose being killed and
23 actually eating them this year. If there's a good
24 point to it. Last year they didn't eat them. I
25 understand there's going to be a survey this spring.
26 Trappers are catching wolves. I haven't been able to
27 get one. They're outsmarting me.

28
29 That's a couple concerns we have. Once
30 again I appreciate your guys' concern and your
31 attendance here. Thank you.

32
33 MADAM CHAIR ENTSMINGER: Go ahead,
34 Virgil.

35
36 MR. UMPHENOUR: Thank you, Madame
37 Chair. I'm Virgil Umphenour from North Pole. Of
38 course, our main concern is salmon in the Yukon River
39 and the fact that we're repeating history with king
40 salmon. I'm going to speak a lot more about that a
41 little later. Thank you.

42
43 MR. ERHART: Lester Erhart from Tanana
44 and we're concerned about the decline of the king
45 salmon too up the Yukon. Also we have a decline in our
46 moose population and we have quite a few wolves that
47 should be looked into. Thank you.

48
49 MR. FIRMIN: Hi, I'm Andrew Firmin from
50 Fort Yukon. Some of my concerns I feel the same way as

1 Richard with our spring bird hunts. A lot of people
2 are doing that from out of town and maybe throw some
3 local guy in the boat and say he shot 100 birds and
4 these people aren't even local or they never originally
5 were from Fort Yukon or the surrounding areas. Give
6 the guy a pat on the back and 50 bucks and thanks for
7 the ride kind of deal. I feel strongly about that. If
8 they have that kind of money, they could probably save
9 me a few birds.

10

11 Also the law enforcement and education.
12 Hunter education would be a plus on a lot of those
13 ends. My neighbor got a ticket for shooting a polar
14 bear outside of Fort Yukon and they gave him a \$1,000
15 ticket for that. I tried to get him to fight it, but
16 he don't seem to want to. According to the biologist,
17 it wasn't supposed to be there in the first place. If
18 it was a wounded grizzly bear, then it would have been
19 probably okay to shoot it and nobody would have cared.

20

21 Other than our pretty slow moose hunt
22 for the spring hunt there. I'd like to see more law
23 enforcement and hunter education classes. Thank you.

24

25 MADAM CHAIR ENTSMINGER: Go ahead,
26 Frank.

27

28 MR. GURTLER: I'm Frank Gurtler from
29 Manley Hot Springs. I have a few issues from our
30 getting cut back on our subsistence fish or traditional
31 way of life. I think the word subsistence is not in
32 our language, never has been. I have a problem with
33 that and so do a lot of other people I talk to.
34 Traditional way of life is one of the ways that we just
35 did it without any problems, without trying to define
36 it, without trying to come up with a solution to how do
37 you traditionally do that. It's actually done in our
38 own way without even thinking about it in the villages
39 and it's going back to that, the way it should be. The
40 word subsistence is something you could try to define
41 and still don't come up with the right answer on
42 subsistence.

43

44 The fisheries, we're getting cut back
45 commercially, subsistence or traditional lifestyle way
46 of life. I think one of the problems we're having is
47 all these fish that's supposed to be coming up the
48 Yukon River and the Kuskokwim are being taken before
49 they even hit the rivers. We're blaming ourselves, the
50 lower people or the middle or the upper, for taking

1 fish and I don't think that's right. I think we should
2 be looking into what's going on in the ocean. How many
3 fish have been taken and who's getting these fish. How
4 are they allowed to get them when we're not allowed to
5 get them. I have a pretty big problem with that.

6

7 I have some other gripes, but I'll talk
8 with the people here on the board about them and we'll
9 see what we come up with rather than just what I think.
10 Thank you.

11

12 MADAM CHAIR ENTSMINGER: Thank you,
13 Frank. I share a lot of the concerns of the people
14 here and I think most of it is going to come out at the
15 meeting. Hopefully we'll talk about wolves because
16 that's another issue in our area and what exactly can
17 be done on Federal land. I know at the prior Federal
18 Board meeting there was discussion of what they could
19 do and it gets convoluted at times, but I think we
20 should still pursue that avenue.

21

22 Moving along. Has everyone seen a copy
23 of the minutes. Oh, the agenda. I'm sorry. It's in
24 the book. Any changes or additions. Vince.

25

26 MR. MATHEWS: Since you last met
27 there's a couple topics that have come up that you may
28 want to add to your agenda. Bill has a proposal for
29 wildlife 25C, I believe.

30

31 MR. GLANZ: Correct.

32

33 MADAM CHAIR ENTSMINGER: That's under
34 the call, right?

35

36 MR. MATHEWS: Right. We just need to
37 note that so we don't walk over it and leave the room
38 without a proposal.

39

40 MADAM CHAIR ENTSMINGER: You're in
41 charge, Bill, of making sure.

42

43 MR. GLANZ: Do I do it now?

44

45 MADAM CHAIR ENTSMINGER: You just make
46 sure we don't miss it when we come to the call.

47

48 MR. GLANZ: Rest assured.

49

50 MADAM CHAIR ENTSMINGER: Okay.

1 MR. MATHEWS: An email from Andy
2 Bassich. That's another question, Madame Chair, we
3 talked about and didn't resolve. Who do we call Andrew
4 and who do we call Andy.
5
6 MADAM CHAIR ENTSMINGER: We're going to
7 try Andrew here and Andy over here.
8
9 MR. FIRMIN: That works.
10
11 MR. MATHEWS: This came from Andy
12 Bassich. Wanted to talk about customary trade and
13 possible special action on that. It's not on the
14 agenda. The whole issue of customary trade I failed to
15 get on the agenda, so we need to do that.
16
17 MADAM CHAIR ENTSMINGER: Where does it
18 best fit?
19
20 MR. MATHEWS: I would say the best fit
21 for that would be under number 7(c) because that would
22 give you the background on the 2009 season and an
23 update on the Bering Sea fishery.
24
25 MADAM CHAIR ENTSMINGER: Okay.
26
27 MR. MATHEWS: There's other parts of
28 that. There is a special action from the Fairbanks
29 Advisory Committee, which I'm sure you'll be bringing
30 up.
31
32 MADAM CHAIR ENTSMINGER: Regarding
33 customary trade?
34
35 MR. MATHEWS: Correct.
36
37 MADAM CHAIR ENTSMINGER: I'm sure
38 Virgil won't let that slip. We got that covered.
39
40 MR. MATHEWS: Just to make it clear for
41 the record, there was a lot of talk about migratory
42 birds. You don't have authority over that. That's not
43 in your purview. If you want more information on that,
44 we can try to put that together. Mike Smith is still
45 here. We can insert that on the agenda, but I don't
46 want you to leave the room thinking you can come up
47 with -- it's not your authority, nor is it the Federal
48 Subsistence Board to deal with migratory birds. That's
49 a whole other process.
50

1 MADAM CHAIR ENTSMINGER: But as an
2 advisory we can advise the people that manage it,
3 correct?

4
5 MR. MATHEWS: Yes, you can advise them
6 on that. I just want to make it clear that the Federal
7 Board is not going to come back to you and say you can
8 or cannot do that.

9
10 MADAM CHAIR ENTSMINGER: It will just
11 be like giving advice to the Board of Game or Board of
12 Fish.

13
14 MR. MATHEWS: Right now, to be honest
15 with you, my learning curve on that is at zero, so
16 hopefully Mike Smith will be present when that comes
17 up. I really don't know their schedule. There may be
18 others with refuges that do know that schedule. If you
19 want to add that to the agenda, we could put it under
20 organizational reports.

21
22 MADAM CHAIR ENTSMINGER: What number is
23 that?

24
25 MR. MATHEWS: That would be number 11.
26 I'm not picking on the Fish and Wildlife Service
27 because I work for them, but I think the areas of
28 interest are refuge land, so it probably would go
29 under.....

30
31 MADAM CHAIR ENTSMINGER: I think we
32 could just put it in -- if Mike is going to speak to
33 it, let's have it with A, Native corporations and
34 Tanana Chiefs. Are you going to be here, Mike? Did he
35 just walk out? I'm sure he'll be here.

36
37 MR. MATHEWS: We'll try to corner him.
38 Then you talked more about the Hatch Act. We could put
39 that under Office of Subsistence Management report.

40
41 MADAM CHAIR ENTSMINGER: That would be
42 great.

43
44 MR. MATHEWS: That would be number 9.
45 That's very brief. That's all I have in my notes.
46 Thank you.

47
48 MADAM CHAIR ENTSMINGER: Andy.

49
50 MR. BASSICH: Thank you. Just in some

1 of the Council concerns I heard just about every
2 Council member here voice concerns about hunter
3 education. I brought this up numerous times in the
4 past, so under Office of Subsistence Management, 9,
5 maybe we could add D, just a brief discussion on urban
6 and rural issues regarding taking of fish and game. I
7 think it's long overdue. We need to start having OSM
8 take some action on this. Thank you.

9

10 MADAM CHAIR ENTSMINGER: That works.
11 I'm sure they'll address that with us. Any others.
12 Virgil.

13

14 MR. UMPHENOUR: I just want to bring
15 everyone's attention to the call for proposals for the
16 Board of Fisheries. That's on our agenda. I just want
17 to make sure everyone is aware of that.

18

19 MADAM CHAIR ENTSMINGER: Okay. Mike,
20 are you going to be here tomorrow so we can talk to you
21 about migratory birds?

22

23 MR. SMITH: No.

24

25 MADAM CHAIR ENTSMINGER: Not.

26

27 MR. SMITH: I got a migratory bird
28 meeting.

29

30 MADAM CHAIR ENTSMINGER: Okay. How
31 long is that meeting?

32

33 MR. SMITH: It's all day.

34

35 MADAM CHAIR ENTSMINGER: Oh. It would
36 be kind of nice to have you afterwards. All day until
37 when?

38

39 MR. SMITH: Probably mid-afternoon.

40

41 MADAM CHAIR ENTSMINGER: Mid-afternoon.
42 It would be interesting to have you come in after that
43 meeting. We'd like to talk about the meeting.

44

45 MR. SMITH: I'm going to try to come
46 back. It's just that I'm extremely stretched right
47 now.

48

49 MADAM CHAIR ENTSMINGER: Just in ease
50 of making it go faster, we'll have you try to talk to

1 the migratory bird stuff this afternoon and if there's
2 any way that you got back and had more information for
3 us, that would be great. Okay.

4
5 MR. MATHEWS: Madame Chair. We could
6 put migratory birds right after we deal with fish if
7 that's okay with you.

8
9 MADAM CHAIR ENTSMINGER: At the end
10 today.

11
12 MR. MATHEWS: Thank you.

13
14 MADAM CHAIR ENTSMINGER: So noted. We
15 might be going a little later than planned here
16 tonight. Any other changes to the agenda or additions.

17
18 MR. UMPHENOUR: Move to adopt the
19 agenda as amended.

20
21 MR. BASSICH: Seconded.

22
23 MADAM CHAIR ENTSMINGER: Everyone in
24 favor.

25
26 IN UNISON: Aye.

27
28 MADAM CHAIR ENTSMINGER: Any
29 opposition.

30
31 (No opposing votes)

32
33 MADAM CHAIR ENTSMINGER: Now, approval
34 of the minutes. Has everyone read them.

35
36 MR. BASSICH: Move to adopt the minutes
37 as presented to us here.

38
39 MADAM CHAIR ENTSMINGER: Do I have a
40 second.

41
42 MR. GLANZ: I'll second.

43
44 MADAM CHAIR ENTSMINGER: Discussion.

45
46 MR. BASSICH: Quick comment, Madam
47 Chair. I just wanted to say I really appreciate the
48 job that's done on this. Five to six months in between
49 meetings, I find that the minutes are very accurate and
50 it brings back a lot of the discussion in my head. I

1 just wanted to say thanks to Tina for doing such a fine
2 job on this and I find it very useful the way it's
3 presented. Thank you.

4
5 MADAM CHAIR ENTSMINGER: Any other
6 discussion.

7
8 (No comments)

9
10 MR. UMPHENOUR: Question.

11
12 MADAM CHAIR ENTSMINGER: I'm going to
13 ask for unanimous consent.

14
15 (No opposing votes)

16
17 MADAM CHAIR ENTSMINGER: After hearing
18 no opposition they're adopted. Okay. On the fisheries
19 issues is the Yukon and Kuskokwim Rivers, preliminary
20 2009 salmon outlook and preseason management plan.
21 Joint Federal and ADF&G presentation. Go ahead, Vince.

22
23 MR. MATHEWS: Before they get up there,
24 I need to go through the notebooks because they're
25 going to give you another handout and you need to
26 replace the one handout in your folder with the new
27 one.

28
29 MADAM CHAIR ENTSMINGER: Can you look
30 at that right now and tell which one it is as they're
31 coming up?

32
33 MR. MATHEWS: They're going to hand it
34 out to you. They have a newer version of this. The
35 one you need to work off of is dated March 2009. For
36 the new members, this pink thing in your notebook is a
37 request by your Chair, that's been very helpful. She
38 wanted a list of all the potential Staff here with
39 their phone numbers. The next thing in line, which
40 you're going to throw out, is this one, February 2009.
41 It's no longer accurate. The mustard colored one,
42 there's going to be a lot of discussion on this. It's
43 customary trade.

44
45 MADAM CHAIR ENTSMINGER: We don't need
46 to go through all of them. We'll just pull them out.
47 This is your information for the meeting.

48
49 MR. MATHEWS: I'll try to walk you
50 through that. When we get to other issues, I have some

1 other handouts that are more informational.

2

3 MADAM CHAIR ENTSMINGER: Okay, Vince.
4 We could just get them as the meeting goes on. That's
5 all we need to do.

6

7 MR. MATHEWS: For the public, there
8 should be handouts back there. If not, we will get you
9 copies as best we can. If they do not exist, then
10 we'll get your address and mail them to you. Thank you.

11

12 MADAM CHAIR ENTSMINGER: Russ will be
13 speaking and who else?

14

15 MR. HOLDER: Madam Chair. Russ Holder
16 with Fish and Wildlife Service and Fred Bue with the
17 Alaska Department of Fish and Game will join me.

18

19 MADAM CHAIR ENTSMINGER: We'll get
20 started. Thank you.

21

22 MR. HOLDER: Thank you, Madam Chair and
23 Council members. As Vince indicated, the handout that
24 was just given to you updated the fall chum and coho
25 portions of this handout. The majority of the
26 information that was in the February version was
27 correct, but wanted to update the chum and coho pieces
28 based on recent information from the Joint Technical
29 Committee work that was accomplished here in Fairbanks.

30

31 I'm going to give you the Reader's
32 Digest version of this handout to highlight the main
33 points for you. Basically, as most of you are aware,
34 the 2007 and 2008 chinook salmon runs did not come back
35 as well as we had hoped and we had shortfalls going
36 into Canada on the returns. This past year in 2008 we
37 had a goal of greater than 45,000 chinook salmon and we
38 passed approximately 32,000 chinook salmon or 28
39 percent below that goal. Typically about half the
40 chinook salmon that are harvested in Alaska are
41 Canadian fish. It's very important to keep that stock
42 healthy.

43

44 In light of the poor production that's
45 been experienced the last two years, our outlook for
46 2009 -- we felt that it was best to really have people
47 realistically preparing for the upcoming season. Our
48 outlook is for a below average to poor return. That's
49 not to say that it couldn't be better. It could be,
50 but the reality is we believe we're in this poor

1 productivity period and we don't know what's causing
2 it. Most of you have mentioned trying to address the
3 issue in the Bering Sea and there's going to be some
4 more discussion on that.

5
6 But we do know we've had poor returns
7 and so we need people to be aware and to prepare for
8 this upcoming season. We are planning to enter the
9 season with additional conservation measures than were
10 used last year. Last year if you recall in the lower
11 Yukon there was about a week and a half of time period
12 and that progressively moved upriver. We had
13 restrictions in each fishing district basically
14 reducing the amount of subsistence time to about half
15 of what would normally be allowed under the windows
16 subsistence fishing season and even in the upper
17 portion of District 5, which usually would be seven
18 days a week, was cut in half due to the great concern
19 we had in getting fish to the spawning grounds.

20
21 This year we believe that subsistence
22 fishing will likely need to be reduced at the very
23 beginning of the season. As you're going to hear from
24 Yukon River Drainage Fisheries Staff, we have been
25 involved in a public process. There have been two sets
26 of teleconferences which were regionally conducted,
27 lower Yukon, middle Yukon and upper Yukon, to discuss
28 ways in which people thought salmon could potentially
29 be conserved and saved and try to get fish to the
30 spawning grounds for this upcoming season.

31
32 On your agenda, the number C under this
33 portion, the Federal and ADF&G management plan, we
34 don't have a management plan in place for this upcoming
35 season. We are trying to work through this public
36 process and develop both regulatory and voluntary
37 approaches that people will be made aware of after we
38 meet here in Fairbanks in April. I know TCC is having
39 a meeting and also an in-person meeting with Yukon
40 River Drainage Fisheries Association is going to be
41 conducted. At that time we're planning to try to get
42 the pieces of a management plan put together. As the
43 first paragraph indicates of this handout, we are going
44 to be publishing and distributing that management plan
45 to fishermen in May.

46
47 Looking at the summer chum salmon,
48 basically we're anticipating an average run of summer
49 chum salmon. They have exhibited steady production
50 since 2001 and there have been harvestable surpluses of

1 summer chum salmon. We believe that a commercial
2 harvest level could be between 500,000 to 900,000, but
3 it will likely be less than that due to the current
4 market conditions and because we believe that we will
5 need to take additional conservation actions to
6 minimize the incidental harvest of chinook salmon if
7 there is summer chum salmon commercial fishing.

8

9 Shifting to the outlook of fall chum
10 salmon, we're expecting it to be near average with a
11 preliminary return between 600,000 to 900,000 fish. We
12 expect it will provide for escapements, normal
13 subsistence fishing and some commercial harvest.
14 Potentially 50,000 to 300,000 fish.

15

16 One of the concerns is that it is
17 anticipated to be highly dependant on a single brood
18 year of 2005. With coho salmon, we anticipate the run
19 to be near average and potentially a commercial harvest
20 in the range of 30,000 to 70,000 fish.

21

22 Madam Chair, that completes my
23 preliminary outlook for 2009 for the salmon season.
24 Thank you.

25

26 MADAM CHAIR ENTSMINGER: Any questions.
27 Andy.

28

29 MR. BASSICH: Thank you, Madam Chair.
30 Russ, you talked a little bit about the shift to
31 commercial harvest of chum salmon and the idea to try
32 and reduce bycatch of chinook and I was wondering if
33 you could maybe elaborate a little bit on what your
34 discussion is on potentially doing that. I would like
35 to also throw out that I think included in that
36 discussion should be that there should be established a
37 hard cap of chinook bycatch, so once you reach a
38 certain chinook bycatch all commercial fisheries for
39 chum salmon should be stopped.

40

41 It seems kind of ludicrous to me if
42 we're going to try and conserve on chinook salmon
43 during the directed fisheries of subsistence people, to
44 then allow a substantial amount be caught as bycatch
45 would be counter productive. So I think that should be
46 included in your discussion. I think it's a viable
47 method of ensuring to people up and down the river that
48 excessive bycatch won't take place.

49

50 Thank you, Madam Chair.

1 MADAM CHAIR ENTSMINGER: Go ahead.

2

3 MR. HOLDER: Madam Chair and Andy. The
4 potential way we would be trying to minimize chinook
5 salmon harvest would be delaying the opening until
6 later in June or possibly early July to try to have a
7 minimal number of chinook salmon passing through when
8 the commercial summer chum salmon fishery was
9 activated. So basically time is one way. I believe
10 you're familiar with the gear would be limited to six
11 inch or less, so that should additionally save chinook
12 salmon. We will take up your suggestion of possibly
13 having a hard cap amount on the number of chinook
14 salmon, but we haven't had that specific discussion at
15 this point in time. Thank you.

16

17 MADAM CHAIR ENTSMINGER: Fred, did you
18 have something to add.

19

20 MR. BUE: Good morning. Fred Bue with
21 Fish and Game. Thank you, Madam Chair. One thing we
22 are working on to remove the pressure on that bycatch
23 is to work with the buyers and fishermen to
24 cooperatively not bring those chinook into the
25 commercial harvest. They'd be taken home for
26 subsistence. It goes both ways. It's difficult to
27 document what that actual incidental harvest might be
28 in a directed chum fishery. We do require them to
29 report the caught but not sold portion of their catch
30 on the fish ticket. We can track it to some extent,
31 but it will be difficult if the buyer is not accepting
32 king salmon and those fish are going home. They're
33 being used, but it's going to be difficult to track
34 exact numbers. I think we will be working on it. It's
35 a difficult thing to enforce because it's difficult to
36 see those fish. With the buyers it doesn't sound as if
37 those fish are going to be entering the market, is one
38 thing we're really pushing at this point.

39

40 MADAM CHAIR ENTSMINGER: Andy has
41 another question and I might have another one.

42

43 MR. BASSICH: Maybe not so much a
44 question as a comment. Fishermen are very adaptable
45 people and they're very clever people at doing what
46 they do and learn to do it very efficiently and very
47 well. With those thoughts in mind, they often need
48 incentives to either change their habits or to modify
49 their behavior. That's why I think a hard cap is very
50 appropriate.

1 I also think that reporting of bycatch
2 should be mandatory. It's required in almost any other
3 commercial fisheries that bycatch is recorded, so
4 efforts need to be made to keep track of that. If
5 we're allowing these fish to just go unrecorded or
6 unreported into the subsistence fisheries, we're
7 counterproductive.

8
9 Fishermen know where to go using six-
10 inch mesh in the lower river to avoid chinook while
11 they're doing that. So the incentive by having a hard
12 cap is that if they go to those areas where there's
13 heavy bycatch, they will be shut down from their
14 commercial fishing. That's the important thing. So
15 the idea by having a hard cap is to demonstrate to them
16 that if they don't put the effort into fishing that
17 six-inch gear away from where they're going to get
18 incidental chinook, they're going to get shut down
19 quicker.

20
21 That's the thought behind what I'm
22 saying the reasoning behind it and I think it would
23 probably be a very good step towards trying to get
24 better conservation of chinook salmon. Thank you,
25 Madam Chair.

26
27 MADAM CHAIR ENTSMINGER: Thank you,
28 Andy. That brings up a question to me, having been a
29 commercial crew member in Bristol Bay for salmon in the
30 early season kings were caught when we were catching
31 reds. He very nicely put it about being clever about
32 what you do and I guess I would be concerned if there
33 -- how would you even know? There would be no
34 incentive for them to give you numbers of what they
35 caught. They could be catching all kinds of stuff and
36 you don't even know about it. How do you know?

37
38 MR. BUE: You know, post-season, of
39 course, we have our subsistence surveys, so we try to
40 estimate what's taken into the subsistence harvest and
41 what's consumed in the community. to the most part, I
42 think that's pretty accurate. In-season we're still
43 continuing our fishery monitoring. Andy talks about
44 incentive. You're taking away the commercial
45 incentive, so you're not selling those fish and that
46 right there is one incentive, catching fish that has no
47 cash value.

48
49 The other side is that they may forego
50 some chum harvest potential if there are kings out

1 there and it appears to be a problem, then they may
2 forego some fishing and that's what we're working
3 through right now. Every year is different. Part of
4 that is in-season management, but there's no guarantees
5 on anything.

6
7 MADAM CHAIR ENTSMINGER: Yeah. I guess
8 what I was concerned about, Andy, if there's a hard
9 cap, you've got to figure out -- does that make it
10 harder on you, Fred, for the opening? Are you thinking
11 you're counting every fish with these sonars that you
12 would think that there's not that many kings around and
13 now we're going to have a season. I think the
14 commercial fishermen in their cleverness they may just
15 say, hey, a couple kings dropped out of the net today
16 and I'm not telling anyone and it might be 30. I don't
17 know.

18
19 MR. HOLDER: Madam Chair. I think the
20 important piece that we're really trying to address and
21 to ensure is that the chinook salmon aren't sold in the
22 commercial fishery. If we can take away that
23 incentive, if the fish aren't counted and are taken
24 home for subsistence, it is our hope that it is
25 replacing king salmon that would be fished for in their
26 subsistence use. As Fred indicated, it is also hoped
27 that those fish show up on the Fish and Game post-
28 season survey as part of the household subsistence
29 number that are used.

30
31 MADAM CHAIR ENTSMINGER: That's
32 probably honorary on their part, right?

33
34 MR. HOLDER: Yes, Madam Chair.

35
36 MADAM CHAIR ENTSMINGER: Uh-huh. Go
37 ahead.

38
39 MR. BASSICH: Thank you, Madam Chair.
40 Russ and Fred. You also spoke to having your directed
41 chum fisheries a little later in the season and one of
42 the concerns that I have -- I know this is such a
43 difficult situation for you to deal with, but one of
44 the important things that I've noticed in our area for
45 border passage is that late in the season is when our
46 large, very robust, fecund females come in. We see
47 them in that mid to late July. In my mind, that's the
48 most important fish to protect coming up the river.
49 How you tease that out of the main run component, the
50 timing is critical.

1 If you want to protect good fecundity
2 passage across the border, somehow you have to tease
3 out when those Canadian fish are in the run as females.
4 Not just as males, but those big, robust females. Then
5 you have to track back and look at when they come into
6 the river, what component of the run. But if you open
7 it up midpoint in the run, I'm really concerned that
8 you're going to be targeting a portion of those large,
9 very fecund fish which come through which are really
10 important for our quality of escapement.

11
12 Am I making myself clear? It seems
13 like in the past I always hear the management plan is
14 that you want to allow the first pulse to go through,
15 stating that's primarily a Canadian component of the
16 run and that may very well be true, but what we see up
17 in our area is that that first pulse is primarily males
18 and jacks, so its value to the future brood years, the
19 fecundity passage, is much less than it would be if you
20 allow those larger females that come in later in the
21 run to go.

22
23 I don't know how management is going to
24 tease that out, but I think it's a very important thing
25 for you to look at when you start having any kind of
26 commercial directed fisheries for chum salmon that
27 you're not incidentally harvesting when those big
28 fecund fish are passing through that lower river on
29 their way up to Canada. I hope I made myself clear on
30 that, Madam Chair.

31
32 MR. HOLDER: Madam Chair. I believe in
33 part what you're observing, Andy, is a reflection of
34 the fishery itself because there is a tremendous amount
35 of pressure on that first portion of the run that is
36 coming in and it is harvested hard throughout the river
37 clear up to Eagle. When the first fish come in, people
38 are very interested in getting those first fish because
39 it is such a high proportion of Canadian-bound fish,
40 typically 50 to 60 percent based on genetic sampling.
41 As the run progresses and Alaska stocks start to
42 increase and contribute, the number of Canadian
43 proportion decreases 40 to 30 percent. As we get
44 closer to the three-quarter point in the run, it's
45 decreasing down to 20 percent or so.

46
47 It is going to be an extremely
48 challenging year to try to get larger female fish to
49 the spawning grounds and that's why I think we really
50 have to have public buy-in and there have been

1 moratoriums suggested. There's been closures
2 suggested, reduced time suggested. So we really are
3 going to need public buy-in and we do hear what you're
4 saying as far as that latter portion having a higher
5 proportion of females that are larger. In part, I
6 think that's a reflection of less fishing pressure on
7 that part of the run.

8

9 MADAM CHAIR ENTSMINGER: Go ahead,
10 Richard.

11

12 MR. CARROLL: Richard here. You
13 mentioned a meeting in April. Do you have a date set
14 and who all is going to be there?

15

16 MR. HOLDER: I believe YRDFA Staff is
17 going to provide that. If they don't, I certainly
18 will.

19

20 MADAM CHAIR ENTSMINGER: Is it not set,
21 the meeting?

22

23 MR. HOLDER: Madam Chair. I believe
24 that is set for April 10th at this point. I believe
25 TCC is planning to have their meeting, and Mike Smith
26 can confirm, on April 8th and 9th.

27

28 MADAM CHAIR ENTSMINGER: It sounds like
29 you're going to have lots of meetings, not just that
30 one.

31

32 MR. HOLDER: Yes, Madam Chair.

33

34 MADAM CHAIR ENTSMINGER: And how many
35 on the Council are involved in this meeting process?

36

37 Andy is. Are you, Virgil? Oh, good.
38 All right. Any other questions here.

39

40 (No comments)

41

42 MADAM CHAIR ENTSMINGER: Let's
43 continue. Do we have more reports here.

44

45 MR. HOLDER: Madam Chair. I believe
46 that completes the joint Federal fish and game outlook
47 for the season. I believe the next item was the YRDFA
48 summary on the teleconferences. I'll remain at the
49 table to assist if necessary.

50

1 MADAM CHAIR ENTSMINGER: That's going
2 to come over with Jill or Becca?

3
4 MS. KLEIN: This is Jill online. I was
5 going to do the summary for you.

6
7 MADAM CHAIR ENTSMINGER: Go ahead,
8 Jill. We hear you good now.

9
10 MS. KLEIN: My name is Jill Klein with
11 the Yukon River Drainage Fisheries Association. I just
12 wanted to give you a brief summary about the summer
13 season planning teleconferences and meeting process
14 that we've been hosting. You've heard some of that
15 already from Russ and others at the table.

16
17 Just for everyone to know, the calls
18 and the meeting that's upcoming are funded through the
19 Yukon River Panel. The purpose of the process was to
20 provide a forum for sharing ideas and building
21 strategies among all the different user groups in the
22 Alaskan portion of the Yukon River concerning the
23 projected poor 2009 chinook salmon run.

24
25 So we did a first period of calls that
26 were regional in January and the lower river call took
27 place on January 20th. There were nine villages and
28 seven organizations that participated. The middle call
29 took place the next day on the 21st where there were 12
30 villages and six organizations. The upper river call
31 was the following day on the 22nd and there were four
32 villages and three organizations that participated. So
33 we did have good participation from all regions of the
34 river.

35
36 The second set of calls took place a
37 couple weeks later and those were in February and
38 managers went out to one village in each region and as
39 you heard Richard Carroll mention, both the State and
40 Federal manager had gone out to Fort Yukon, which is in
41 the Eastern RAC region. So they were able to have some
42 local people participate and have some face-to-face
43 discussions between the fishermen and the managers.

44
45 Those second set of calls took place in
46 the lower, middle and upper river starting February
47 9th, 11th and 13th. Again, there was good turnout. The
48 villages and organizations were similar in number to
49 the ones that participated on the first calls.

50

1 Some of the main issues that were
2 brought up, I'll just go over a list of them, and not
3 every issue was recommended on each call, but over
4 time. People talked about voluntary catch reductions
5 or closures. Limiting fishing times. Reducing mesh
6 size and depth. Putting more sonars on the river. The
7 need to talk to your community and hold community
8 meetings to prepare for this coming summer. Reducing
9 sportfishing effort, personal use effort and, of
10 course, salmon bycatch is a big one that's been
11 discussed. Customary trade, which you'll hear about
12 later and, as you've just heard also, people talked a
13 little bit about no sale of chinook.

14
15 Out of all those topics I think some of
16 the bigger issues that are going to be discussed in the
17 April 10th meeting -- and we have an open invitation
18 for people from the Regional Councils to participate,
19 so if the Eastern Regional Council would like to
20 designate one or more people to attend, please let us
21 know who those participants would be. As you heard
22 from Russ, he mentioned Fish and Game and Fish and
23 Wildlife Service will be developing their draft
24 management plan with respect to these meeting processes
25 that we've been discussing.

26
27 Going back to the issues, we think the
28 more conversation will probably take place about the
29 closures and this will be to talk about voluntary
30 closures as compared to regulatory management actions
31 that might be taken to reduce fishing effort. We
32 definitely heard about people who want to have
33 something that's voluntary and we also have heard
34 conversation about enforcement that will be needed to
35 ensure less fishing effort is taken.

36
37 There's also been discussion on the
38 first pulse of chinook salmon as compared to a reduced
39 effort spread over the entire run so that certain
40 pulses aren't hit harder than others if possible and
41 the effort to be sort of spread out over time or just
42 target reduced effort on the fish that we need to cross
43 the Canadian border.

44
45 Customary trade, there will be some
46 discussion about potentially limiting the rural to
47 urban trade that takes place. There's also been some
48 very strong feelings about not discussing customary
49 trade at all and that that should not be a part of this
50 process.

1 We've also heard about fishing gear and
2 people are wondering if reduced mesh sizes will be
3 implemented this summer and, if so, who has the gear
4 and will there be enough time and effort to get people
5 smaller mesh size gear if it's needed or going to be
6 required by management again.

7
8 Those are some of the more discussed
9 topics and we hope to maybe talk about them in more
10 depth at the upcoming meetings and have more
11 information to help those discussions take place.
12 That's all I had. If anyone has any questions, I'm
13 happy to answer them. We do have more detailed
14 summaries of the meetings that has information about
15 what was spoken about on each call in each region if
16 people would like to see what the other regions
17 discussed and I'm happy to get it to you.

18
19 We are working on the agenda if there's
20 any input for the April 10th agenda we're more than
21 happy to receive that too. Thank you and that's it.

22
23 MADAM CHAIR ENTSMINGER: Thank you,
24 Jill. Council members, any questions.

25
26 MR. CARROLL: Madam Chair. I don't
27 have a question, but I honestly think from what I've
28 heard -- I won't be at that meeting probably, but I
29 really think that we ought to take into consideration
30 our Advisory Council here for a recommendation to put a
31 hard cap regardless of the paperwork involved. I agree
32 with Andy here. That hard cap, if we're going to ask
33 for it out in the ocean, it would be hypocritical if we
34 don't -- I say we ought to agree and come to some kind
35 of understanding and ask that that be included. Not
36 that it might be accepted, but I think we should take a
37 stand.

38
39 MADAM CHAIR ENTSMINGER: Thanks,
40 Richard. As a Council, do you want to hear the rest of
41 the reports, Richard.....

42
43 MR. CARROLL: Oh, yeah.

44
45 MADAM CHAIR ENTSMINGER: I think at the
46 end of.....

47
48 MR. CARROLL: When our business -- oh,
49 sorry.

50

1 MADAM CHAIR ENTSMINGER: That's okay.
2 Go ahead.
3
4 MR. CARROLL: I just want to say that
5 what Andy here has talked about, and, Russ, I can
6 understand both sides, but at the end of our meeting
7 I'm going to bring it back up or Andy. I think we
8 should talk about it and make a stand.
9
10 MADAM CHAIR ENTSMINGER: Just help me
11 out with all these reports that we have. I would be
12 inclined to go ahead and do it now. If Staff feels
13 that we need to hear more reports before we do it, I
14 need to know that.
15
16 MR. UMPHENOUR: Let me say something.
17
18 MADAM CHAIR ENTSMINGER: Virgil, go
19 ahead.
20
21 MR. UMPHENOUR: We've got two places on
22 our agenda where we are going to address this issue and
23 that is when we discuss the special action request
24 submitted by the Fairbanks Fish and Game Advisory
25 Committee and when we address the call for proposals to
26 the Board of Fisheries, we're going to address those
27 issues in great detail this afternoon. So that would
28 be the appropriate time to bring that up because it's
29 all the same subject.
30
31 MADAM CHAIR ENTSMINGER: Right. But we
32 have two entities we're reporting to. One is the Board
33 of Fish and one is OSM. What we're doing to OSM, we
34 need to report to OSM. If it's identical, we can just
35 report to both. Is that what you're suggesting?
36
37 MR. UMPHENOUR: Right. What I'm
38 suggesting is this issue is going to be brought up when
39 we address those things. After we address those
40 things, we will have discussed the issue in much more
41 detail and we may have some proposals that we're
42 putting forward to the Board of Fisheries that's a
43 separate issue from this because this would be the
44 recommendation for the April 10 meeting that YRDFA is
45 having with the Department to finalize the results of
46 these six teleconferences that Jill Klein reported on.
47 MADAM CHAIR ENTSMINGER: When does the
48 Board of Fish meet?
49
50 MR. UMPHENOUR: They don't meet until

1 January, but the call for proposals has to be submitted
2 by the 10th of April. We have to do that at this
3 meeting. That won't do nothing to this coming summer,
4 the call for proposals to the Board of Fisheries.

5
6 MADAM CHAIR ENTSMINGER: Right. But to
7 OSM does it do nothing also for this year?

8
9 MR. UMPHENOUR: Oh, yes.

10
11 MR. HOLDER: Madam Chair. I believe
12 what you would be doing is a representative from this
13 Council, if they attended the YRDFA April 10th meeting,
14 would be relaying your suggestion of implementing a
15 hard cap that wouldn't be regulatory because the State
16 Board of Fisheries would not have had a chance to
17 implement it, so it basically would be a recommendation
18 to the Department and to Fish and Wildlife Service as
19 far as the intended approach going into the season,
20 having a limit on the amount of chinook salmon which
21 could be caught as bycatch and after that limit was
22 reached that the summer chum fishery would close down.

23
24 MADAM CHAIR ENTSMINGER: In short, that
25 means that something can be done this year.

26
27 MR. HOLDER: That recommendation can be
28 provided.

29
30 MADAM CHAIR ENTSMINGER: Virgil.

31
32 MR. UMPHENOUR: There's one other
33 avenue and it's called a petition and the Board will
34 have to act on it within 30 days and we could vote to
35 do both and then the Board of Fish will have to address
36 the issue.

37
38 MADAM CHAIR ENTSMINGER: Let's not get
39 the cart ahead of the horse. We will take all this up
40 at the end and we're going to have our recommendations.
41 We need somebody to go to that meeting. I need to know
42 one other thing. Is that in Fairbanks?

43
44 MR. HOLDER: Yes, in Fairbanks.

45
46 MADAM CHAIR ENTSMINGER: April 10th all
47 day.

48
49 MR. HOLDER: Yes, ma'am.

50

1 MADAM CHAIR ENTSMINGER: Vince, how
2 many people can go from the RAC?
3
4 MR. MATHEWS: I have no control over
5 that. YRDFA is funding that. She mentioned multiple,
6 but I don't know what numbers they're looking at.
7
8 MADAM CHAIR ENTSMINGER: Are you still
9 there, Jill?
10
11 MS. KLEIN: This is Jill from YRDFA. I
12 would say one to two people at most.
13
14 MADAM CHAIR ENTSMINGER: Two at most?
15
16 MS. KLEIN: Yeah, two people.
17
18 MADAM CHAIR ENTSMINGER: Virgil has a
19 question for you now.
20
21 MR. UMPHENOUR: Jill, would this be two
22 people in addition to the two people that have
23 participated in all these teleconferences who also
24 happened to be on the RAC?
25
26 MS. KLEIN: I guess we haven't really
27 fleshed that out yet. I wouldn't want to limit the
28 participation if there are people from the Yukon from
29 your Regional Advisory Council and maybe you could
30 maybe let us know who would like to participate and if
31 it's multiple people we could ensure at least one to
32 two would attend and then if we have additional funds
33 we could potentially bring others in. Ours is going to
34 be smaller than the TCC meeting. I'd like to hear from
35 your Council how many people would like to participate.
36
37 MADAM CHAIR ENTSMINGER: I need to
38 outline in my mind, Jill, who isn't in a different
39 aspect as just the Council. Can you tell me who that
40 is. Is it you, Andy? Who is participating in YRDFA on
41 this Council?
42
43 MR. ERHART: I am.
44
45 MADAM CHAIR ENTSMINGER: Are you
46 participating from the village of Tanana or are you
47 participating as a Council member?
48
49 MR. ERHART: From the village of
50 Tanana.

1 MADAM CHAIR ENTSMINGER: So there's one
2 from Tanana that's going to be there anyway, right?
3 I'm sorry. Pete, maybe you can help me out.

4
5 MR. BASSICH: I can help you out.
6 Virgil has been representing Fairbanks at these
7 teleconferences. Lester has been representing Tanana
8 region, and I have been representing Eagle. None of us
9 have been actually sitting as representatives of a RAC.

10
11 MADAM CHAIR ENTSMINGER: Thank you.
12 Pete has something to add.

13
14 MR. PROBASCO: Thank you, Madam Chair.
15 Pete Probasco. I think we have a couple issues here.
16 The first one is do we have Council members that sit on
17 the YRDFA Board. If the answer is yes, then they're
18 covered. The second is -- Jill, am I understanding
19 that you would cover travel for Regional Advisory
20 Council members?

21
22 MS. KLEIN: In response to your first
23 comment just about Board members, Lester Erhart is on
24 the YRDFA board. So if he can make it, he can be
25 brought into the meeting to participate already. We do
26 have travel funds available, but I would say for
27 guaranteed purposes would be one to two people. As
28 funds permit, we could potentially bring in others.

29
30 MR. PROBASCO: Thanks for the
31 clarification, Jill. As the practice for Office of
32 Subsistence Management providing funding for these type
33 of meetings, our policy is one to two members that the
34 Federal program would cover for attendance. If we're
35 looking at people already sitting on the board, like
36 Lester, and we have an Advisory Committee Chair that is
37 also being funded, that's where we'd start because our
38 resources are very limited. We also have the option of
39 using Federal dollars to send Council members as well.
40 Madam Chair.

41
42 MADAM CHAIR ENTSMINGER: I personally
43 would like to see Richard attend the meeting for the
44 Council. That would be an additional person. If that
45 means funding it through OSM, I'm happy with that. So
46 if that means we could have another person go through
47 YRDFA, that would be wonderful. Jill, can one more
48 person be funded given what you've just heard?

49
50 MS. KLEIN: So you're mentioning that

1 Richard Carroll from Fort Yukon you'd like to see
2 attend for the Eastern RAC?

3
4 MADAM CHAIR ENTSMINGER: That's right.
5 And he would be funded through OSM. Now would YRDFA
6 fund one other person that would not be of these that
7 we spoke of?

8
9 MS. KLEIN: I know Andy Bassich and
10 Virgil were the other two. I didn't catch who else.

11
12 MADAM CHAIR ENTSMINGER: Lester Erhart.
13 He's on the board.

14
15 MS. KLEIN: Lester Erhart for sure will
16 be coming from YRDFA and I'm sure Andy and Virgil
17 through the panel process they could also attend.

18
19 MADAM CHAIR ENTSMINGER: i just wanted
20 to know who funds the members that go.

21
22 MR. BASSICH: Madam Chair. Yeah, I
23 will be attending meetings starting March 23rd for the
24 Yukon River Panel and then I'm also staying in
25 Anchorage for the bycatch, which is all the way up
26 until April 6th possibly, so I will probably not attend
27 this meeting for YRDFA because I will then have been
28 away from home for almost three weeks and I just can't
29 afford to do that anymore at that time of the year.
30 I'm trusting that Virgil and Richard can carry the
31 message from my community as well as I can. We will
32 probably have another person from Eagle attend through
33 YRDFA funding if that clarifies things.

34
35 MADAM CHAIR ENTSMINGER: All I was
36 getting at from her is there additional funding for one
37 more person other than who's going, yes or no.

38
39 MS. KLEIN: If Virgil can attend, we
40 can cover his travel.

41
42 MADAM CHAIR ENTSMINGER: He lives here,
43 he said, so there's no travel.

44
45 MS. KLEIN: Oh, right. Okay.

46
47 MADAM CHAIR ENTSMINGER: Was that a yes
48 or a no?

49
50 MS. KLEIN: It sounds like we're good

1 unless there's anyone else on your Council that you're
2 thinking of, but it seems like Lester Erhart, Virgil
3 and Richard Carroll would participate and through OSM
4 and YRDFA we'd cover their travel.

5
6 MADAM CHAIR ENTSMINGER: I was just
7 interested in any other Council members were interested
8 in being at that meeting. Thank you for all that
9 exercise.

10
11 Looking at this agenda, let's finish
12 our reports and let's go into our recommendations. The
13 next is the summary of the first annual Trans-Boundary
14 Tribal Symposium, Tanana Chiefs.

15
16 Thank you, Russ and Fred.

17
18 MS. BERKBIGLER: Madam Chair. Council
19 members. My name is Brandy Berkbigler and I'm with
20 Tanana Chiefs Conference. I've been recovering from
21 this Fairbanks cold going around, so I forgot to print
22 off the summary, but if any of you get the TCC Council
23 newsletter that's sent out, there's the article in
24 there on our trans-boundary symposium.

25
26 I'll just briefly read to you. In
27 December 10th and 12th we held the tribal symposium at
28 the Chena River Convention Center and Tanana Chiefs
29 Conference brought in one tribal council representative
30 from each of TCC's villages in the region, so that's
31 anywhere from Holy Cross all the way up to Eagle. We
32 also invited the Canadian side of the border to
33 participate. We expressed that we'd like to have some
34 lower Yukon River participants as well. In speaking
35 with AVCP and other tribal councils, it was getting
36 down to the end of the year funds and nobody could
37 really afford to send some lower river people up. So
38 mostly it was from Holy Cross through Canada.

39
40 The first day of the symposium we
41 focused on current salmon research in the ocean and we
42 had some presenters from UAF and other universities in
43 Washington and to give a brief rundown on salmon life
44 history and we had Ed Farley talk about warm versus
45 cold years impact the chinook diet as well as their
46 location in the Bering Sea. We had Jim Murphy's
47 research that showed us how juvenile chinook in the
48 Bering Sea stay within 50 meters of the coast in the
49 summer and the fall in the northern region shelf. We
50 also had Kate Myers update us on seasonal migration

1 patterns of adult chinook in the Bering Sea and how
2 climate can affect the return to spawning grounds.
3 Becca Robbins-Gisclair with YRDFA informed us about the
4 salmon bycatch in the pollock fishery and the North
5 Pacific Fisheries Management Council's timeline for
6 implementing the new regulations in the salmon bycatch.

7
8 The second day we heard some more
9 research presentations focusing on the salmon returning
10 to spawn and with evolution and fishing impacts with
11 that, and we heard about Jeff Bromaghin's net size
12 selectivity study and the potential effects of that.

13
14 The third day we heard from the
15 Canadians, Emmy Furclaw and James McDonald, which are
16 Canadian aboriginal fishers who described how the run
17 coming back into Canada has affected their communities
18 and how their communities are working with the Canadian
19 fisheries managers to reduce the amount of chinook that
20 they take in poor year runs. So they gave some
21 examples of how one community fished a community net
22 and then distributed about 100 salmon to the community
23 and others were voluntarily reducing their catch as
24 much as possible so they could hopefully have salmon
25 coming back for their future years for their
26 grandchildren.

27
28 On the third day we also wrote up a
29 resolution to send to the North Pacific Fisheries
30 Management Council and also to NOAA on the pollock
31 fishery about the bycatch and had all the members sign
32 it that were there. The resolution demanded that the
33 council not accept salmon bycatch hard cap of over
34 32,428, which is the 10-year average. It also
35 specified that the salmon destined for the Yukon River
36 that were caught in the pollock fishery be equitably
37 distributed among the Yukon River drainage communities
38 at the cost to the industry. So that was sent off.

39
40 Paige Drobny, who is also a Tanana
41 Chiefs Conference, she's another funded biologist
42 through AYKSSI funds, she's been heavily involved in
43 the salmon bycatch and attended some of the same
44 meetings that Becca Robbins-Gisclair has been. I know
45 that TCC is following the salmon bycatch and doing what
46 they can as far as commenting and going to the meetings
47 in Seattle. We will also be attending the one in
48 Anchorage or Paige will be.

49
50 Then the participants at our symposium

1 in December said they really liked how the meeting
2 went. The third day, unfortunately, was the day we
3 started getting into all the discussion and sort of to
4 the same grounds as what YRDFA is doing with these
5 teleconferences, only everybody was there face to face
6 at our meeting. We didn't have a lot of time to go
7 into the issues and stuff. That's why we wanted to
8 have another meeting this spring. That's what our April
9 meeting is primarily about, is bringing everybody face
10 to face that was at this last meeting or new
11 participants if they can't make it to this April
12 meeting from our region and talking face to face about
13 what they would do to voluntarily reduce their harvest
14 if the run is poor this year and they have to limit
15 their subsistence or at least throwing their options
16 out on the table.

17
18 It was primarily a public meeting, but
19 we didn't advertise to everybody, so it was mainly for
20 our community members to get together and to feel like
21 they're talking to each other and not having a bunch of
22 State and Federal people around pointing fingers.

23
24 That's my report for now on this tribal
25 symposium and I can take any questions.

26
27 MADAM CHAIR ENTSMINGER: Any questions.

28
29 MR. CARROLL: I have one.

30
31 MADAM CHAIR ENTSMINGER: Go ahead,
32 Richard.

33
34 MR. CARROLL: Any discussion on
35 environmental threats on the Yukon River salmon? Like
36 up there in Canada that dam that broke loose and
37 flooded, poisoned some river off up there from mining.
38 Any discussion on that?

39
40 MS. BERKBIGLER: Richard. There was a
41 little bit of discussion when the Canadians were
42 talking about some of their clean-up efforts and Emmy
43 showed pictures of habitat restoration they had done.
44 We also didn't have it on our agenda.

45
46 MR. CARROLL: Thank you. You know what
47 I'm talking about though. Tailings. I've never heard
48 any follow up on it and the Canadians are pretty
49 liberal on their environmental stuff. I mean like they
50 just quit dumping raw sewage into the Yukon about 10

1 years ago.

2

3 MADAM CHAIR ENTSMINGER: Andy.

4

5 MR. BASSICH: Thank you, Madam Chair.
6 Brandy, first a comment. I think this effort by TCC was
7 really well performed. Comments that I got from people
8 in our region and others that I've talked to said that
9 it was a pretty powerful meeting. Having the Alaskan
10 fishermen meet some of the aboriginal fishermen from
11 way up in the upper Yukon and seeing the hardship that
12 has been created and that they have to live with now
13 for a long time given the length of the salmon
14 recovery. I think it really brought home what the
15 potential future could be for all Alaska fishermen
16 because it's going to trickle down. It's going to hit
17 Eagle next and then Fort Yukon, Tanana and then work
18 it's way down the river.

19

20 When you have a collapse of the
21 fisheries, that's the progression. The people closest
22 to the spawning grounds are the ones that are going to
23 feel the pressure the most and the earliest and then
24 trickles down the river. For people in Holy Cross and
25 further down the river to meet face to face and hear
26 that message from people up there had a very powerful
27 and profound effect on them.

28

29 A question I have for you is, has TCC
30 either internally or externally discussed with some of
31 the other tribal councils the potential of purchasing
32 small mesh gear and then distributing it to the
33 fishermen in their areas? We've talked many years of
34 going to 6-inch mesh and one of the major arguments is
35 the cost to the subsistence fishermen to have to buy
36 new nets or gear. I think it's appropriate that some
37 of these entities, TCC and AVCP, discuss that amongst
38 themselves and look for funding to try to get some of
39 this gear for people. Then it's much easier for people
40 to have a voluntary effort to use that gear. I was
41 just wondering if you had any comments or insights on
42 that. Thank you.

43

44 MS. BERKBIGLER: The answer to that
45 question, Andy, is yes, I do, recall talking with Mike
46 Smith about him looking into different net gear and he
47 has some brochures. He found some costs for those nets
48 and then trying to figure out how much it would cost to
49 get them out there. As far as externally to tribal
50 councils, I don't think so just yet, but that might be

1 something that comes up in this next meeting.

2

3 MR. BASSICH: I would like to make a
4 recommendation to you and to Mike Smith to include that
5 as an agenda item to discuss and I don't know how much
6 time you would need to dedicate to that, but I think
7 it's very appropriate to open up that discussion with
8 the other tribal organizations on the river and people
9 they represent. Thank you.

10

11 MADAM CHAIR ENTSMINGER: I guess I
12 would ask that you add Richard's concern about that dam
13 and discuss that a little bit. Go ahead, Bill.

14

15 MR. GLANZ: I was on the river when
16 that dam went out and I couldn't believe the amount of
17 water it raised the Yukon River. I anchored my boat
18 and we slept in the boat and I put my hip boots on to
19 get out of the boat to pull the boat up to shore. We
20 had breakfast, had our hip boots on and we had to go
21 out and pull the boat up again.

22

23 Another thing as far as mesh size, the
24 majority of fishermen in our area is all wheels.
25 There's hardly anybody in the Circle area that uses a
26 net. Maybe two people that I know of. There's about
27 eight wheels that I know of. The real villain is
28 bycatch. That's what has to be eliminated. That's my
29 opinion anyway. Nets are good, but if you like to
30 catch trash, they're real good. That's what I found.
31 Thank you.

32

33 MADAM CHAIR ENTSMINGER: Vince.

34

35 MR. MATHEWS: Are any of the Council
36 members going to be attending this trans-boundary
37 meeting? Western Interior has overlap with the trans-
38 boundary and then there's a person also going to the
39 YRDFA meeting. Is any of the tribal members here going
40 to be going to the 8th and 9th meeting because then you
41 can carry that information over to the April 10th
42 meeting? For me, personally, it's nice to know who's
43 going because I get the calls from the air carriers and
44 I need to sort out who's paying.

45

46 MR. ERHART: I really don't know yet.

47

48 MADAM CHAIR ENTSMINGER: Was that an
49 important meeting someone should be attending?

50

1 MR. MATHEWS: Yes, it's important.
2 There will be Canadian fishermen there, First Nation
3 leaders, as well as tribal leaders from the Tanana
4 Chiefs area. That will feed into the April 10th, which
5 feeds into the 2009 management plan.
6
7 MADAM CHAIR ENTSMINGER: We need to
8 discuss that. I think that a lot of these important
9 meetings somebody from the Council should be there.
10 Lester, you don't know right now, but it's possible?
11
12 MR. ERHART: I probably will be, yeah.
13
14 MADAM CHAIR ENTSMINGER: You'll
15 probably be there?
16
17 MR. ERHART: I'll probably be there.
18
19 MADAM CHAIR ENTSMINGER: That's
20 important. If you can't be there, you need to let
21 Vince or myself know and we'll see if we can get
22 another person from the Council there.
23
24 MR. ERHART: Okay.
25
26 MR. UMPHENOUR: Fred has something.
27
28 MADAM CHAIR ENTSMINGER: We're not
29 ready to leave yet.
30
31 MR. BUE: Just maybe to clarify, but
32 the whole intent was we recognized that there was the
33 YRDFA meeting and the TCC meeting and we didn't want to
34 spread people out. We wanted to take advantage of both
35 of those meetings and that's why they're back to back.
36 It reduces the travel on everybody's commitment, but it
37 also saves a little bit of money in the process.
38
39 MADAM CHAIR ENTSMINGER: So are they
40 going right into the TCC meeting the next day?
41
42 MR. BUE: Those that are available to
43 stay around. That's the idea.
44
45 MADAM CHAIR ENTSMINGER: All right.
46 Just so we have that covered, Lester will let us know
47 if he cannot attend and we'll try to make sure that
48 somebody else can be there for the RAC. We'll take an
49 hour for lunch and be back at 10 after 12:00.
50

1 (Off record)
2
3 (On record)
4
5 MADAM CHAIR ENTSMINGER: We're going to
6 call it back to order. I just want to put it on the
7 record that I spoke to Bill Glanz just briefly that he
8 showed an interest in going to the YRDFA meeting and if
9 there is funding via YRDFA and OSM to send another
10 person from the Council I'm going to let everybody that
11 does the funding thing work that out. We're just going
12 to make note that there is another person on the
13 Council that is interested. If any other ones are
14 interested, you need to let us know.
15
16 Vince, you're telling me we need to
17 verify who is online right now?
18
19 MR. MATHEWS: Yeah.
20
21 MADAM CHAIR ENTSMINGER: Pete DeMatteo,
22 are you online?
23
24 MR. DEMATTEO: Yes, I am.
25
26 MADAM CHAIR ENTSMINGER: Is Jill
27 online?
28
29 MS. KLEIN: Yes, I'm online.
30
31 MADAM CHAIR ENTSMINGER: And Becca?
32
33 MS. ROBBINS-GISCLAIR: Yes, I'm here.
34
35 MADAM CHAIR ENTSMINGER: Is there
36 another person online?
37
38 (No comments)
39
40 MADAM CHAIR ENTSMINGER: We have three
41 online. Next on the agenda is the chinook salmon
42 bycatch in the Bering Sea pollock fishery environmental
43 impact. OSM Staff.
44
45 MR. MATHEWS: Let me see if we have a
46 handout on that. It basically is a summary of where we
47 were at in the North Pacific Fishery Management Council
48 process.
49
50 MADAM CHAIR ENTSMINGER: Is it just a

1 report, Vince, on the letter that was sent by OSM on
2 this bycatch to the National Marine Fisheries, is that
3 correct?

4

5 MR. MATHEWS: It's an update on it.
6 You have a majority of the materials in your packet,
7 including the letters you sent to the EIS process and I
8 confirmed yesterday with Chris Oliver that the letters
9 you sent to the draft EIS will automatically go to the
10 North Pacific Fishery Management Council at their
11 meeting, which is coming up March 30th through April
12 6th. So what we need as Staff is who is going to this
13 meeting and then from there we'll move on.

14

15 MADAM CHAIR ENTSMINGER: Okay. Pete
16 Probasco.

17

18 MR. PROBASCO: Madam Chair. Pete
19 Probasco. The intent of this agenda item was as a
20 written summary, which is found on Page 27. I'm not
21 going to go through it. I think everybody has seen it.
22 The key is starting here the end of March, going into
23 the first week of April, as Andy Bassich spoke to
24 earlier, the North Pacific Fishery Management Council's
25 meeting final action on the Bering Sea chinook salmon
26 bycatch. We've been giving numerous briefings. The
27 Eastern Regional Advisory Council has been involved,
28 Andy has been involved with the North Pacific Council
29 for over a year now on this issue, almost two years.

30

31 This meeting is going to set a cap.
32 What that cap will be we have no idea. It's a process
33 very similar to the Federal Subsistence Board where
34 there will be Staff reports, public testimony and then
35 deliberations on the various alternatives that the
36 council has looked at and put forth for the public to
37 review and comment on.

38

39 I think across the board it's safe to
40 say that all the Councils, the US Fish and Wildlife
41 Service, the Federal Subsistence Board are all
42 recommending a lower cap. The Federal Board
43 represented a cap somewhere at 29,000 or less. I
44 believe your Council recommended a similar cap as well.
45 The key will be towards the end of the month and we
46 hope Eastern Interior will be involved just like we
47 were in Kodiak where Andy was present at that meeting.
48 Madam Chair.

49

50 MADAM CHAIR ENTSMINGER: Thank you,

1 Pete. We'll talk about who is going this time. We had
2 talked about Richard being able to go and he informed
3 me earlier that he has a conflict. So we need to talk
4 about that. Any questions for Pete by the Council.

5
6 MR. BASSICH: Maybe not so much of a
7 question. I was just wondering since we have Becca
8 Gisclair online with us here, I think it would be
9 appropriate for her to give her perception on where
10 we're at with the bycatch. She's been following it
11 probably longer than anybody and is probably the most
12 intimately involved as far as her knowledge on what's
13 taking place and the strategies that would be best
14 pursued. That would be my recommendation to the chair.

15
16 MADAM CHAIR ENTSMINGER: I think that's
17 a good idea. Let's go for it. Becca.

18
19 MS. ROBBINS-GISCLAIR: Thanks for
20 giving me the opportunity. I think Pete covered the
21 general situation pretty well. I can add a few things
22 to that. As Pete mentioned, most of Western Alaska
23 groups are recommending caps on the lower end of the
24 range that's being proposed. The current preferred
25 alternative that the Council has put forth includes a
26 hard cap of 68,000 with an industry incentive program.
27 They aren't obligated to stick with that as their final
28 action, but given that that's what they've indicated as
29 a preliminary preferred alternative, it's really
30 important that they hear everything we can muster from
31 western Alaska pushing for these lower numbers. To
32 that end, I appreciate this Council's work on that and
33 the letter you've already sent in. I'd also encourage
34 you individually on behalf of your communities to also
35 send in letters. There's no such thing as too few
36 letters or to few people giving comment on this issue.
37 We do have some information on our site with some
38 sample letters. It's yukonsalmon.org and you can
39 always contact me as well for more information about
40 how to comment. I think that's all I really wanted to
41 add. I'm happy to answer any questions as well.

42
43 MADAM CHAIR ENTSMINGER: Council
44 members, do you have any questions of Becca.

45
46 (No comments)

47
48 MADAM CHAIR ENTSMINGER: I guess we
49 ought to discuss who's going to go for our Council. I
50 know that Andy attends via different sources and I

1 think it's important that someone else go from this
2 Council. Richard has a conflict with scheduling,
3 something important in the village that he has to
4 partake in.

5
6 MR. FIRMIN: I'm free.

7
8 MADAM CHAIR ENTSMINGER: Andrew, would
9 you like to go.

10
11 MR. MATHEWS: Just to make it clear for
12 Andrew, what we're looking at is people flying on April
13 2nd, testifying on the 3rd and then leaving on the 4th.
14 The 4th is a Saturday. You may end up testifying on
15 Saturday, so you may be through to Sunday. Pete may
16 have an update, but that's what we're scheduling at
17 this point.

18
19 MADAM CHAIR ENTSMINGER: Go ahead,
20 Pete.

21
22 MR. PROBASCO: What I want to add to
23 what Vince is saying, I mean that's if it's a perfect
24 world and the council is on schedule, et cetera. If
25 you're going to attend, you need to be prepared to be
26 flexible to go longer. I've been at many meetings
27 where they've gone longer. So your travel will be
28 covered and we'll do our best to try to keep your time
29 commitment short, but there's no guarantee.

30
31 MADAM CHAIR ENTSMINGER: Does that work
32 for you, Andrew?

33
34 MR. FIRMIN: (Nods affirmatively).

35
36 MR. BASSICH: Madam Chair.

37
38 MADAM CHAIR ENTSMINGER: Go ahead.

39
40 MR. BASSICH: I'd just like to add to
41 what was just said and also emphasize what Becca said.
42 At the recent meeting in Seattle where we weren't
43 really discussing the overall plan where the discussion
44 was on the incentive plans that the industry has
45 presented, there was a really tremendous representation
46 from Western Alaska and the Yukon River. People
47 testifying and I thought it carried a lot of weight.
48 There wasn't as much testimony on the part of industry
49 there and it really showed to me that it's going to be
50 really important to influence the Council to have very

1 strong testimony and lots of it at this meeting and so
2 that needs to be echoed to the communities up and down
3 the Yukon River as Becca said, whether through letters
4 or testifying at this meeting. The squeaky wheel is
5 going to get the grease and we need to be very squeaky
6 at this Council meeting.

7

8 It's very important long term. The
9 whole process, if this plan doesn't work, to revisit
10 it, we're looking at easily three years before we can
11 even begin to readdress this issue again. So it's very
12 important that the decision made in April hopefully
13 will be a little on the conservative side as far as
14 bycatch of salmon goes. Thank you.

15

16 MADAM CHAIR ENTSMINGER: I feel pretty
17 strongly about this myself and I don't even live on the
18 Yukon River. After listening to this for so long, I
19 wish I was independently wealthy and I would go, but
20 I'd like to see people that live on the river be there
21 and know it firsthand. So what I'm hearing from Becca
22 is individual letters would be good. I don't know if
23 you can do this, Pete or Vince, but can you guys come
24 up with some wonderful individual letters that we could
25 all individually sign?

26

27 MR. PROBASCO: The key, Madam Chair, is
28 most definitely we would assist the Council in drafting
29 letters, but what we draft has to be stated on the
30 record so that gives us the ability to write a letter
31 that represents the Council. As far as individual
32 letters, your personal testimony, we would be more than
33 happy to review and make recommendations, but we
34 wouldn't write the letters for you. We would for the
35 council. Madam Chair.

36

37 MADAM CHAIR ENTSMINGER: We couldn't do
38 a little outline like one, two, three and then someone
39 help us with words? Vince.

40

41 MR. MATHEWS: You may not have heard
42 it, but there's sample letters on YRDFA's website that
43 gives you those key points. For Andy and I know Pete
44 will have additional, but we'll need to give you that
45 website because North Pacific has all the written
46 comments on their website. I just received a petition
47 signed by -- I didn't realize there was that many
48 people in Ruby. There's like five pages of signatures
49 with their petition. So we'll give you that
50 information as background, but you'll need to look at

1 that website.

2

3 MADAM CHAIR ENTSMINGER: I would
4 encourage each one of us to pull up that website and
5 sign a letter and send it in from your area. This is
6 really critical listening to this for the many years
7 I've been on the Council.

8

9 Pete.

10

11 MR. PROBASCO: Madam Chair and Andrew.
12 You have a couple other sources to draw from. You
13 already have a letter from your Council. That will
14 serve as a good basis to start formulating your
15 comments. My Staff would also assist you in helping
16 you on your outline. At Kodiak, every RAC
17 representative spent some time. They prepared their
18 oral testimony. They actually wrote it down and we
19 went through it and coached everybody. I would
20 recommend you do that and we'll help you. Madam Chair.

21

22 MADAM CHAIR ENTSMINGER: That's great.
23 Vince.

24

25 MR. MATHEWS: Fred Bue just gave me a
26 copy of what's on YRDFA's website, so I'll make copies
27 tonight. It is important to have a drainage-wide
28 perspective on this for the North Pacific Fisheries
29 Management Council.

30

31 MADAM CHAIR ENTSMINGER: Can we, as a
32 Council, send a letter out to all the villages in our
33 region and say we encourage you to get a letter in on
34 this?

35

36 MR. PROBASCO: That would have been a
37 great idea a month ago.

38

39 MADAM CHAIR ENTSMINGER: Most of the
40 villages have faxes and internet. I don't see it being
41 that difficult. Andy.

42

43 MR. BASSICH: That was the comment I
44 was going to make. I think most of the tribal councils
45 and villages have representatives that are in contact
46 and their job is to pursue these issues. I think an
47 email fired off to them and a little bit of push could
48 be adding to the push we're trying to make here.

49

50 You know, I think the Council needs to

1 hear personal testimony. You need a few basic things
2 that we're all kind of asking for the same hard caps
3 and that sort of thing, but I think what really carries
4 weight is when people talk about the influences to them
5 as a personal user on the river and a subsistence user,
6 how it's impacting your lifestyle. As Frank said
7 earlier, a lot of people don't understand what
8 subsistence is and that's kind of the message we need
9 to bring to them. We need to make them understand it's
10 a lifestyle, it's a philosophy of life. It's not
11 something you can necessarily quantify and it doesn't
12 always fit into the nice, neat packages that these
13 agencies try to make it fit and that's a strong message
14 for them to hear, I think.

15
16 MR. PROBASCO: Madam Chair. I think
17 what I'd add to Andy's statement is my thought process
18 was that the Council has a deadline that written
19 comments are received and they're guaranteed that
20 they're put in a format and before the Council members.
21 We'll probably arrive at the date of the meeting with a
22 packet of letters and will they be read or not, I don't
23 know. Madam Chair.

24
25 MADAM CHAIR ENTSMINGER: Yeah, it's the
26 timing.

27
28 MR. PROBASCO: If you so direct, I'll
29 direct Vince and we'll take off.

30
31 MADAM CHAIR ENTSMINGER: Sounds good to
32 me. It's always worth it. Go ahead, Vince.

33
34 MR. MATHEWS: The target is March 25th
35 for written comments. Yes, we can email and fax. If
36 you grant me the authority also just to use your letter
37 as a base to share with them and maybe some other stuff
38 and they can go from there.

39
40 MADAM CHAIR ENTSMINGER: We should
41 always try.

42
43 MS. ROBBINS-GISCLAIR: This is Becca.
44 I just thought I'd add something.

45
46 MADAM CHAIR ENTSMINGER: You bet.

47
48 MS. ROBBINS-GISCLAIR: I just wanted to
49 reassure you that what Vince is going to make copies
50 for all of you went out to our mailing list for the

1 whole Yukon River, which includes all of the tribal
2 councils and Bering Sea Fisherman's Association is
3 putting a similar newsletter that talks about the
4 bycatch issue and has a sample letter and a petition as
5 well that you can sign on their website and that's
6 going out to every boxholder in the whole AYK region.

7

8 MADAM CHAIR ENTSMINGER: I think what
9 needs to happen then is all of us need to think about
10 the communities closest to us and make sure it's
11 covered. Virgil.

12

13 MR. UMPHENOUR: Right. We have this
14 whole packet of letters that have been written and
15 there's a lot of good information in them. If a person
16 just reads them, you can write your own letter and put
17 your own personal things.

18

19 MADAM CHAIR ENTSMINGER: Right. We
20 just want to encourage more letters. I would challenge
21 all of us to go home and write. I know the local AC in
22 our area sent letters. Just think of who in your
23 community hasn't commented, give them a call and tell
24 them to get on the stick. It sounds like a lot has
25 been done already.

26

27 Anything else on that. Any questions,
28 Council members.

29

30 (No comments)

31

32 MADAM CHAIR ENTSMINGER: Okay. Now,
33 other timely organization and agency reports relating
34 to the pending fisheries proposals.

35

36 MR. MATHEWS: That's just a standard
37 practice that I should have taken out of this agenda so
38 they could get their reports in if they relate to
39 proposals. We don't have proposals before us. So that
40 would bring you up to customary trade.

41

42 MADAM CHAIR ENTSMINGER: Customary
43 trade. Who's the lead on that?

44

45 MR. BASSICH: That's me.

46

47 MADAM CHAIR ENTSMINGER: Staff looks
48 like it's Pete. Did you want to say something?

49

50 MR. BASSICH: No, I'll wait.

1 MR. PROBASCO: Madam Chair. I will
2 seek your direction on what you want to do with
3 customary trade. I think everybody is fairly familiar
4 with the customary trade regulations. Back in 2001 the
5 Federal Board instructed OSM to develop regulations
6 that would encompass what is meant by customary trade
7 as it pertains to fish. Those regulations have been
8 drafted and they were passed and they've been in place
9 since then.

10
11 Recently we received from the Fairbanks
12 Advisory Committee a special action request to restrict
13 customary trade for the Yukon River drainage from rural
14 residents to other non-rural residents. Where that
15 special action is at this time and place is we are
16 looking at the legalities of, one, can it be accepted
17 as a special action and, two, since ANILCA does not
18 take and tease out different subsistence uses, it just
19 talks about subsistence uses in its entirety, we need
20 to determine can the Board, without going through a
21 formal regulatory process, tease out customary trade
22 and have it treated differently than other subsistence
23 uses. So we're currently working with that.

24
25 Within the Federal program, the
26 InterAgency Staff Committee, along with the Solicitor's
27 Office will be meeting on this this coming Thursday to
28 start that process. Madam Chair.

29
30 MADAM CHAIR ENTSMINGER: That sounds
31 very confusing.

32
33 MR. PROBASCO: What it's saying is if
34 you look at the regulations in ANILCA, it talks about
35 subsistence use. Customary trade is one of those
36 subsistence uses that's identified. However, this
37 special action request is taking and requesting a
38 restriction on a subsistence use. The discussion
39 and/or debate is do we have the authority without going
40 through a rule-making process to start prioritizing
41 within subsistence uses different uses. Madam Chair.

42
43 MADAM CHAIR ENTSMINGER: And we don't
44 have an answer and won't.

45
46 MR. PROBASCO: We don't have an answer
47 because, one, we need to collectively get our heads
48 together with the legal counsel and figure out what are
49 the side boards we can work in. Depending upon that
50 determination, then we'd go before the Board to seek

1 further direction.

2

3 MADAM CHAIR ENTSMINGER: I have several
4 questions, Frank and then Andy.

5

6 MR. GURTLE: I'm Frank Gurtler from
7 Manley. I have a problem with this customary trade.
8 We used to call it traditional lifestyle, traditional
9 way of life whenever we needed anything out there in
10 the Bush. We used to trade dogfish, salmon strips,
11 anything we wanted. Then all of a sudden they say, no,
12 we can't do it. Traditional lifestyle, I want to go
13 back to that. I don't have any laws with that.
14 Subsistence is another word of trying to define
15 everything. I don't know if there's a word like that
16 in our Native language or in this area. I'd like to go
17 back to a traditional lifestyle, traditional way of
18 life to do things without having any laws. If you do
19 abuse it, then you get reprimanded for it.

20

21 Just the way they're doing it out there
22 in the villages right now, their traditional. That's
23 the only thing they have left. There's no money out
24 there, no jobs. I'd like to explain that to the people
25 that's making these laws. You just can't go make laws
26 upon laws and then not even enforce them. That's one of
27 the problems we're having with restrictions now. If
28 we're going to make some laws, why don't you make them
29 stick for everybody, out on the ocean and on the river.

30

31

32 We're restricting our people up here so
33 they've got their hands tied behind their back and
34 can't do anything and that's the only thing they have
35 left is their fish and a way to make a little living.
36 Just surviving. Thank you.

37

38 MADAM CHAIR ENTSMINGER: Thank you,
39 Frank. Do you want to respond to that.

40

41 MR. PROBASCO: Madam Chair. I think
42 that was a comment. I agree with some of the comments
43 that Mr. Gurtler made. Unless there's a question
44 there, I will hold. Madam Chair.

45

46 MADAM CHAIR ENTSMINGER: I might have
47 heard a question and that being -- I think he's asking
48 why -- he interprets customary trade as to eliminate
49 some of his uses in his area, the word customary trade.

50

1 MR. PROBASCO: I'll take that as a
2 question then. Actually, customary trade, as it was
3 originally passed in ANILCA, spoke as allowing it to
4 occur, not to restrict, so as long as it didn't
5 constitute a significant commercial enterprise.
6 Unfortunately, the drafters did not define what was
7 meant by a significant commercial enterprise. So the
8 Board tried to get their arms around it and define the
9 traditional practice of exchanging fish for cash and
10 still avoid the pitfalls of getting into a commercial
11 enterprise. That's the regulations you have before
12 you. Madam Chair.

13
14 MADAM CHAIR ENTSMINGER: Thank you.
15 Frank, does that help?

16
17 MR. GURTLER: Yeah.

18
19 MADAM CHAIR ENTSMINGER: Go ahead,
20 Andy.

21
22 MR. BASSICH: Maybe to build on what
23 you just said there. I think the special action, as I
24 understand the special action that's been requested by
25 the Fairbanks AC, it's not asking to stop all customary
26 trade. What it's asking to do is seek a limitation so
27 it cannot be sold from a rural area to an urban area.
28 Maybe what I need to do is talk a little bit about the
29 concern and the history.

30
31 We have a situation where we have some
32 pretty serious conservation concerns on king salmon.
33 One of the strong uses of king salmon is traditional
34 trade and commercialization of king salmon. Well, if
35 we're not going to have commercialization of it, those
36 people that rely on commercial fisheries it's just a
37 natural human thing to do the next best thing they can
38 and that is to take some of their subsistence-caught
39 fish and turn it into customary trade. I don't have a
40 problem with that on a limited scale.

41
42 Where I have a problem with it is where
43 it starts to become a substitute for commercial
44 fisheries and I think that's the road we're heading
45 down and that's the road I'm trying to put a roadblock
46 or at least slow down or narrow the road a little bit
47 so that we can deal with that. Right now, as the
48 regulation is written, there is no reporting required,
49 there's no regulatory process to understand how much
50 fish is being caught, how much is being sold and how

1 much it's being sold for. It's completely unregulated
2 and completely undocumented.

3

4 As a manager on the river, if I put
5 myself in their shoes, how can you manage fisheries on
6 the river if you can't quantify what amount of fish are
7 being harvested and where those fish are going? As
8 that number increases, it becomes a bigger hole in your
9 management scheme. How do you do that? How do you
10 deal with that?

11

12 We're asking managers to manage our
13 fisheries, but we're creating a large void on the
14 reporting of harvest of those fish. So that's where I'm
15 coming from on this. That's what I think we need to
16 really address. We need to look at this. I think the
17 special action that's being asked of by the Fairbanks
18 AC is reasonable. It's not trying to stop a
19 traditional practice. All it's trying to do is put a
20 restriction on it and I think it's appropriate at this
21 time.

22

23 One of the things I would like OSM to
24 look at is, when I started looking into this, I know it
25 doesn't say anything in the Code of Federal Regulations
26 as written, but I think it would be really worthwhile
27 to go back and look at some of the records, the
28 transcripts on the deliberation on customary trade
29 because I know that when customary trade was discussed
30 amongst the Federal Subsistence Board they had some
31 intents put in there and one of the intents that I had
32 seen at one point in time was that they wanted to be
33 able to readdress this on years of conservation
34 concern. Somehow that never got written into the Code
35 of Federal Regulations, but it was spoken to during
36 their deliberations. It was identified as an important
37 component in allowing customary trade of fish that in
38 years of conservation concern they would have the
39 ability to look at that as a tool to help with
40 conservation measures. I think that's something that
41 might be missed through strictly looking at the Code of
42 Federal Regulations and dealing with the lawyers. We
43 need to look at what was the intent of the Board when
44 they passed this.

45

46 I think I've spoken enough right now.
47 Frank, I hear what you're saying and I agree with you
48 100 percent, but I also know, having followed the
49 fisheries for a very long time and having what I think
50 is a pretty good understanding of the fisheries on the

1 Yukon River, the road that we are potentially going
2 down here and I don't want to see people in rural areas
3 hurt financially. I know it's tough living out there.

4
5

6 I am 100 percent for subsistence people
7 living the way they want to live, but, unfortunately,
8 there are people out there that take advantage of it
9 and they're going to hurt subsistence people in the
10 long run. That's what I'm trying to address here, is
11 not just this year. We need to protect this resource
12 for many decades to come. So we have to be very, very
13 smart and very careful about what we allow as use on
14 this river of this very precious and very limited
15 resource at this point in time. Thank you, Madam
16 Chair.

17

18 MADAM CHAIR ENTSMINGER: Go ahead,
19 Frank.

20

21 MR. GURTLER: I have a comment, I
22 guess. We have emergency closures all the time here on
23 the Yukon and Tanana Rivers and I haven't heard of any
24 on the ocean. What's the problem with that? How come
25 we're not looking into that? I'd like to see some kind
26 of emergency closure there so we could get more fish on
27 the Yukon without having us cut back on our subsistence
28 and even commercial because they got 122,000 of them
29 last year. That's a lot that was designated to come up
30 this river. I'd like to look into this matter of
31 emergency closures for them down there too like they're
32 doing to us. It has to be what's good for the goose is
33 good for the gander as far as I'm concerned.

34

35 MADAM CHAIR ENTSMINGER: We've laid a
36 lot of things out on the table just now and I want to
37 try to pull us back. What you're talking about is what
38 we just discussed. Unfortunately, this National Marine
39 Fisheries Management Council are the ones that manage
40 the take on the ocean. The bycatch -- I think we
41 learned at one of the meetings in Nenana was the EO on
42 that process takes two years.

43

44 I'm told the only ones we can complain
45 to about that is our legislators in Washington.
46 There's environmentalists that put regulations on and
47 create all these entities that has to go through NOAA,
48 EIS. It created this long process for them to be able
49 to do an EO. I mean maybe we ought to send a letter to
50 our legislators on that issue where, hey, you've got so

1 many -- all these entities you've got to funnel your
2 regulations through that you can't even do an EO. Did
3 we discuss that?

4

5 Go ahead.

6

7 MR. BASSICH: To speak maybe to what
8 you just brought up, Frank, what we're trying to do
9 with all this discussion with the bycatch of salmon by
10 the pollock industry is to create a hard cap and that's
11 exactly what it is that you're asking for. We're
12 trying to set a number out there that once that fishery
13 hits that number as bycatch it will shut down that
14 fishery.

15

16 So the process that we're working
17 through right now through the North Pacific Management
18 Council is to do exactly what you were just asking for,
19 and that is to set a number that will shut down that
20 fishery once that number has been reached.
21 Unfortunately, from many of our perspectives, the
22 number that they're looking at right now is way too
23 high.

24

25 MADAM CHAIR ENTSMINGER: I like to hear
26 what the new Council members have to say. This is a
27 learning process. All the stuff we have to go through
28 is incredible. Six years later you'll find it still
29 incredible that things come up and you're like, oh, my
30 God, how do they come to this.

31

32 The two issues that you brought up,
33 Andy, was -- he said that the Fairbanks AC put in a
34 proposal that, if I understand it correctly, you're
35 saying they're pulling out something of subsistence
36 that has to go through the Solicitor's opinion that I
37 hear you say they're not. Is this correct in my
38 assessment of the discussion here?

39

40 MR. PROBASCO: Madam Chair, I believe
41 you're correct. We have a special action process that
42 allows anybody to submit a regulatory action to the
43 Federal Subsistence Program for consideration. This
44 special action request dealing with customary trade is
45 unique in that it's exploring new territory in as
46 teasing out a subsistence use and trying to put a
47 restriction on it when subsistence uses are talked
48 about in general encompassing the whole umbrella of
49 subsistence uses. Can we do this? We don't know yet.
50 We're still exploring that. Is it reasonable? That

1 will be up to the regulatory process to make that
2 determination.

3

4 I wanted to speak to Andy's comment.
5 The customary trade regulations right now are very
6 restrictive. The issue that Andy is getting at as far
7 as selling products that are subsistence harvested
8 chinook that had been processed is already illegal.
9 What has to happen is we need -- if this indeed is
10 occurring, it needs to be enforced.

11

12 I was raised in this state. I know
13 both the State and Federal agencies, for whatever
14 reason, have looked the other way on these activities.
15 It's been long established practices throughout the
16 state of Alaska where people have sold small quantities
17 of fish, be it canned, stripped, to others. Now if
18 it's getting to the degree that is indeed causing
19 conservation concerns, that's where we need to take our
20 regulations that are in place and start enforcing them.
21 I think we have the mechanism there. It's just will
22 the resources be dedicated to do so. Madam Chair.

23

24 MADAM CHAIR ENTSMINGER: Virgil is
25 next.

26

27 MR. UMPHENOUR: Being that I'm the
28 chair of the organization that submitted this action,
29 what Mr. Probasco just said and part of what Andy said
30 is what we're attempting to address in this proposal,
31 this special action request. We have a serious
32 conservation problem with our king salmon on the Yukon
33 River. We all know that. What Andy said, some people
34 abuse things. No matter how many rules you make,
35 there's going to be a certain amount of people that
36 abuse things.

37

38 Mr. Probasco said the various
39 enforcement agencies have ignored enforcing the state
40 law. If you read what we were just given, the yellow
41 part of this thing, and it was our RAC by the way that
42 submitted the proposal to clarify the definition of
43 customary trade six years or so ago. The Federal
44 Subsistence Board amended it a little bit.

45

46 Anyway, the proposal is there so that
47 these enforcement officers -- and I talked to one of
48 the head enforcement officers about this prior to us
49 submitting this and I said we're submitting this and he
50 says, well, good luck. I said what do you mean by

1 that. He says we don't want nothing to do with that
2 basically. I said what this will do if it passes, then
3 you won't have an excuse not to do your job and you can
4 go out and you can bust the real violators. That's the
5 purpose of this, is to bust the real violators to get
6 the enforcement people to do their job.

7

8 Right now, as Mr. Probasco said, and it
9 says it right in here, customary trade does not --
10 regulations do not exempt the seller from state food
11 safety regulations or FDA regulations. In practical
12 terms, the only type of customary trade allowable for
13 those who do not process their fish in accordance with
14 state food safety regulations is the sale of fresh,
15 uncut, unprocessed fish. That means not even frozen
16 fish. However, the enforcement people say there's
17 loopholes in that and that's why they won't do anything
18 about people selling processed fish when there's a
19 total closure on the commercial fishery. So that's the
20 reason we put this in there, to try and get this
21 clarified and get them so that they won't have an
22 excuse to not do their job.

23

24 I know one individual that caught with
25 large mesh gear 1,100 king salmon this last summer and
26 sold them and got a new outboard motor and pickup
27 truck. I know who the person is and I'm not going to
28 say it in public. They can talk to the troopers
29 hopefully later on. That's why this is here. This is
30 addressed to protect the true subsistence user that is
31 really going to use the fish for their family. Thank
32 you, Madam Chair.

33

34 MADAM CHAIR ENTSMINGER: Okay. Go
35 ahead, Bill.

36

37 MR. GLANZ: So this is this like the
38 gun law. They're already on the books, so we put
39 another law that's not going to be enforced. Is that
40 what we're hearing? I mean I don't understand why a
41 non-subsistence AC is putting motions on our board. I
42 don't believe they fall under the Subsistence Board, do
43 they? That's all I have to say.

44

45 MADAM CHAIR ENTSMINGER: Go ahead,
46 Pete.

47

48 MR. PROBASCOS: Madam Chair. Bill. I
49 hear what you're saying and I probably can understand
50 from your view. However, our Federal program is open

1 to anybody to submit proposals, be it urban, rural. In
2 fact, our regulations speak for us Regional Councils to
3 work closely with the State advisory committees. There
4 is that link as well.

5
6 MR. GLANZ: I understand that. I'm
7 just saying that the law is already on the books and
8 it's not being enforced, so what is more laws going to
9 do?

10
11 MR. PROBASCO: I think the difficulty
12 we have is that you have a very long, established
13 practice of this going on and it's been throughout
14 rural Alaska and you have regulations that have just
15 been recently adopted and it's the difficulty
16 enforcement officers face on dealing with this type of
17 regulation that's been a long traditional practice. I
18 think if it's getting to the degree that Mr. Umphenour
19 is speaking to, that's what enforcement wants to hear
20 and that's what they want to work on. It's not looking
21 at the husband and wife that have just a few salmon and
22 making that type of trade between rural residents and
23 others. It's the large commercial operations that this
24 regulation was trying to get at. Madam Chair.

25
26 MADAM CHAIR ENTSMINGER: I guess the
27 wishes of the Council here. We're just kind of in a
28 discussion mode and we're talking about a lot of
29 things. We put in customary trade. Did I hear
30 somebody on the Council wanted to do something as an
31 action by the Council. Go ahead, Andy.

32
33 MR. BASSICH: Madam Chair. Yeah, I
34 would like to see -- the reason I wanted this
35 discussion is I wanted to see if this Council was
36 interested in putting forth a parallel request, a
37 special action request to the Federal Subsistence Board
38 to limit the sale of customary trade fish to rural to
39 rural and have no rural to urban. What I see this
40 doing, and I think it would accomplish what his goals
41 are here. It's not going to limit the customary
42 trading of fish from community to community. It's not
43 going to stop a person from trading to his family
44 members. What it's going to do is eliminate this cash
45 flow between large, urban area and rural area. That
46 will be a big step in limiting some of the abuse. The
47 abuse to the level that Mr. Umphenour just spoke about
48 is not going to happen in my opinion if it's just
49 staying in the community.

50

1 I think it would be really interesting
2 to hear some of the perceptions or comments from elders
3 on this. I find it very hard to believe that this
4 practice has been going on for 80 or 90 years to this
5 extent. I know there was commercialization of fish
6 sold to mail carriers, for dog food, whether it be king
7 or chum salmon, but I don't know that I've ever heard
8 anybody talking about selling fish to Anchorage or
9 Fairbanks to the numbers that we're talking about back
10 at the turn of the century. Maybe I'm wrong.

11
12 What we're trying to do is slow down
13 this process a little bit for conservation and I think
14 this is an effective first step in doing that, but I
15 don't see it limiting the opportunity for families to
16 trade amongst themselves.

17
18 MADAM CHAIR ENTSMINGER: Frank.

19
20 MR. GURTLER: I remember in the early
21 days we put up dogfish and sold to Fairbanks to the dog
22 mushers. We shipped it up on the barge. We sold fish
23 to the N.C. in Ruby so we could pay our bills at the
24 store and that was in the early days. That was back in
25 the '50s. All the people sold fish then by the tons.

26
27 I think what our problem is here is
28 we're making too many regulations against ourself. I
29 think we need to start thinking about getting more fish
30 up the Yukon River some way. The problem right now is
31 that bycatch. I think that would cure everything. If
32 we could stop them from getting 122,000 kings from off
33 our river and let some of them come up here, then we
34 could be lax on our regulations and rules and getting
35 arrested for this and that.

36
37 They're not going to put up with this
38 because there's no cash out in the villages right now.
39 The price of groceries has gone up so high. When you
40 pay \$5 for a loaf of bread, \$10 for a gallon of gas.
41 They're not going to go hungry. They're going to do
42 what they want to do with that fish. No matter how
43 many laws you've got. The only way they're going to
44 get out of it is to be arrested and come to town and be
45 fed by the State.

46
47 MADAM CHAIR ENTSMINGER: Yeah, yeah. I
48 really appreciate that, Frank. I think I'd like to add
49 to that that I'm very close to the people in Mentasta
50 village and I see strips and I'm always offered strips.

1 I don't like to get people in trouble. I know what
2 he's saying about turning the head. Without asking
3 questions, I know that there's been some horse trading
4 going on.

5
6 MR. GURTLER: There has to be. That's
7 the traditional way of life.

8
9 MADAM CHAIR ENTSMINGER: That sounded
10 like excellent testimony for that Council meeting
11 that's coming up in April. I think I'll get a
12 transcript of that later. I agree with you. I think
13 that is the ultimate, to see more fish so people can
14 continue doing what they've been doing. We're faced
15 with dealing with the regulations that we have and how
16 we can make changes to them that would be better for
17 the people.

18
19 MR. GURTLER: I guess we should have
20 been working on this before, 10 years ago. That's the
21 problem.

22
23 MADAM CHAIR ENTSMINGER: Yeah. Go
24 ahead, Andy.

25
26 MR. BASSICH: Just another quick
27 comment. I tend to try to look at all these issues not
28 short term but long term and what I see is the major
29 issue that's going to come back to bite us in the
30 future. The reason why I want this discussion is I
31 want the awareness there. I want people along the
32 Yukon River to understand that if they continue
33 practicing the way they have, given that times have
34 changed, uses have changed, efficiency of gear has
35 changed, types of fishing have changed, we're much more
36 efficient at catching salmon now than we were 50 years
37 ago. So one person can have a greater impact now than
38 they did 50 or 60 years ago on the fisheries. We all
39 have to share the fisheries.

40
41 When the practices that we're doing now
42 threaten the long-term ability for us to live that
43 lifestyle, that's when it becomes an issue for me.
44 That's what I'm looking at. You speak very eloquently,
45 Frank, about the way of life and that's the way I feel
46 about it too, but I see this as a potential -- if we
47 don't tighten the grips a little bit, then this is
48 something that will threaten that lifestyle in the
49 future. That's my concern.

50

1 MADAM CHAIR ENTSMINGER: Other Council
2 members. Go ahead, Richard and Virgil.

3
4 MR. CARROLL: There's been some abuse
5 on traditional trade. I've heard of it. I've never
6 really seen it or I would have turned them in. Jarring
7 salmon. There's families that live here in Fairbanks,
8 come up to Fort Yukon, jar 50 cases of salmon. They
9 come over here and every bazaar in town they've got 10
10 cases there. You can take a case of that salmon up to
11 Barrow and get \$50 a pint jar I heard up there. The
12 worst part about it is people who do this can't afford
13 not to do it. They have money already. It's extra
14 money that they don't honestly need. I know some of
15 them and I've heard about it that they do this.

16
17 It's been a few years back that
18 tourists from the states and people with RV's and
19 campers, state residents, actually got arrested for
20 doing the same thing on their vacations in the states,
21 going to flea markets and selling jarred salmon out of
22 the back of their camper. There's abuse.

23
24 You know, I have a problem with rural
25 people. It just seems like we're not paid attention to
26 like people in the city apparently. They can come out
27 there, but I can't come over here and hunt. I just
28 don't feel like it. My son killed a moose over here a
29 couple years ago. All kinds of cops was on. He
30 legally killed a moose. He thought it was funny. A
31 lot of people stopped and bawled him out.

32
33 They come out with like a right to use
34 our limited resources. I think that should be the key
35 word we should keep in mind, limited resources right
36 now. If there are restrictions placed, they can be
37 lifted later. I myself don't like to see exporting
38 limited resources out of the village. I really don't.
39 That's just the way I feel about it. If I wanted to
40 live in Fairbanks, I'd move over here. Go to Safeway
41 and eat another Big Mac.

42
43 (Laughter)

44
45 MADAM CHAIR ENTSMINGER: Council
46 members, what we have before us is customary trade and
47 if we want to do an action, I have to hear a motion.

48
49 MR. UMPHENOUR: I make a motion to
50 support the Fairbanks Advisory Committee's special

1 action request to the Federal Subsistence Board.

2

3 MR. CARROLL: Read it. I need some
4 help.

5

6 MADAM CHAIR ENTSMINGER: Read out the
7 special action request.

8

9 MR. CARROLL: How long is it?

10

11 MR. UMPHENOUR: I'll read it. It's one
12 sentence.

13

14 MR. CARROLL: Okay.

15

16 MR. UMPHENOUR: Customary trade
17 transactions between rural residents and others for
18 chinook salmon harvested in Federal public waters on
19 the Yukon River drainage area are prohibited from June
20 1, 2009 to April 1, 2010.

21

22 MR. CARROLL: I second the motion.

23

24 MADAM CHAIR ENTSMINGER: Richard
25 seconded the motion. Now, discussion. We've discussed
26 a lot already. I would like to hear from the whole
27 Council on this. Go ahead, Virgil.

28

29 MR. UMPHENOUR: I'm going to speak to
30 the motion and I'm going to answer Mr. Gurtler at the
31 same time. I've been involved in the bycatch for over
32 20 years in that marine environment. I've been
33 involved in fishery politics in the Yukon River for
34 well over 20 years. That's formally involved in a
35 process such as this one.

36

37 During that involvement I did a lot of
38 reading and most everyone in here knows who Hudson
39 Stuck is, I think. The first guy to climb Mt.
40 McKinley. He was also the arch deacon of the Episcopal
41 church. Built a hospital at Fort Yukon. Built a
42 hospital in Fairbanks, Eagle, maybe not Eagle, but I
43 know Circle. Orphanages all over the place. A great
44 man. He also was the individual that fought the
45 commercial fishery in the lower Yukon and he fought it
46 so that the people upriver could continue their
47 traditional lifestyles that they lived so they wouldn't
48 starve because they had a total fish failure in 1919.

49

50 Anyway, that caused me to read all

1 these fur and fish reports that were put out by the
2 Department of Commerce. If you read the fur and fish
3 reports, it tells how many fish were caught in various
4 regions. In some of those reports it will show that
5 upwards of 400,000 salmon were harvested in Tanana
6 River drainage alone. That's when they were mainly
7 feeding them to the dog teams for transportation or the
8 mail carriers, et cetera.

9
10 I don't know how many of you know Jack
11 Coghill, our former lieutenant governor, but he's a
12 friend of mine, and we've had discussions on this
13 subject. They used to have two warehouses in Nenana.
14 The Coghill family, their trading post and general
15 store kept two warehouses full of dried salmon. They
16 used to ship dried salmon on the paddle wheelers from
17 Nenana all the way over into the Yukon.

18
19 So what happened is we ended up having
20 what they call limited entry and this has caused
21 problems all over the state with fisheries in Cook
22 Inlet, AYK, Bristol Bay, all over the state. When they
23 did this, the Limited Entry Commission made a number of
24 mistakes. Right now we're suffering from one of those
25 mistakes. That mistake is that after they did limited
26 entry and then we had a fish and game board, we didn't
27 have a Board of Fisheries and a Board of Game, but what
28 used to happen and now I'm going to quote Larry Engall
29 who worked for Fish and Game as a fishery biologist for
30 approximately 30 years. We served together on the
31 Board of Fisheries for eight years. We had a meeting
32 here in Fairbanks, Sportfish Division did about -- I
33 don't remember how many years ago it was, but we had a
34 meeting in Fairbanks. They had a kind of symposium.

35
36 One of the things we did is Larry gave
37 a history of the board process as he saw it starting in
38 1960, right after Statehood, when he first went to work
39 for the State. He said the way we got the allocations,
40 the way we have them now, is that whenever they had
41 these board meetings to address fishery issues the fish
42 processors would set up a really nice reception room,
43 party room, they would have prime rib, king crab, all
44 the booze you could drink for the Staff and the board
45 members. You wonder why the lower Yukon gets 89
46 percent of the commercial allocation of king salmon and
47 the rest of the river gets 11 percent? That's the
48 reason why.

49
50 All this commercial harvest that you're

1 referring to, all those dog food fish, for the mail
2 carriers and everything else, that was commercial. It
3 was never recognized by the Board of Fisheries as
4 commercial. That's why all the allocation went to the
5 lower Yukon because of the prime rib, the king crab and
6 the booze. That's why it went there.

7
8 This is me saying this right now. I am
9 just repeating what Larry Engalls presentation to
10 Sportfish Division here in Fairbanks. Some of the
11 Staff, there's none of them in the room present, but
12 you can go to the Fairbanks Fish and Game office and
13 some of the Staff there now were present when he said
14 that, to verify what I just said.

15
16 So there's one way to address this and
17 when we get the Board of Fish proposals I'm going to
18 put the proposal forward. I'm finished talking on this
19 subject for right now, but I'll get back to it when I
20 make my motion. Thank you, Madam Chair.

21
22 MADAM CHAIR ENTSMINGER: I thought you
23 got off a little bit there. We should be discussing
24 this one, which is the customary trade.

25
26 MR. UMPHENOUR: That's what caused this
27 problem.

28
29 MADAM CHAIR ENTSMINGER: Yeah. Okay.
30 Would you like to speak to it also, Richard.

31
32 MR. CARROLL: Thank you for the
33 opportunity, but I think I've expressed myself how I
34 feel about it. I think it's a stand. I think I'll vote
35 in favor of this. It's a stand and it's got a time
36 limit. It ain't forever. Actually, I don't think it's
37 going to go nowhere myself legally. It's going to end
38 up in court, but it's a stand and I'm willing to take a
39 stand because I'm getting a little upset about what's
40 leaving the rural areas and ending up in somebody's
41 cash pocket here in Fairbanks. It really fries me.
42 Thank you.

43
44 MADAM CHAIR ENTSMINGER: Okay. Would
45 other Council members like to speak to this. I see the
46 wheels turning over there, Lester.

47
48 MR. ERHART: I'm going to say something
49 anyway, but I don't know if it's the right thing. Back
50 when the Fish and Game opened up the lower river to

1 driftnetting, that's when this all started. I was kind
2 of against it all the time because right now, as the
3 boys tell me downriver, it's nothing for them to catch
4 90 kings driftnetting in one evening.

5
6 I think the Fish and Game should lower
7 that and allow them just so much time, maybe once a
8 week or something like that. As they talk right now,
9 they say, well, we fill our smokehouse three times a
10 year. I think that's way over. That's not
11 subsistence, that's commercial. That's all I've got to
12 say.

13
14 MADAM CHAIR ENTSMINGER: Well,
15 regarding this selling of strips from rural and not to
16 urban, do you have anything to say on that?

17
18 MR. ERHART: I think it should be kept
19 in the village mostly because -- I mean I could see,
20 you know, a guy works construction all summer and he
21 comes home and says, hey, I've got no fish to eat,
22 could you sell me a little bit so that when I go
23 trapping I could eat a little dried fish. I don't see
24 anything wrong with that. Thank you.

25
26 MADAM CHAIR ENTSMINGER: That's
27 probably what's been occurring historically. Go ahead,
28 Frank.

29
30 MR. GURTLER: I don't know quite how to
31 put this, but we're putting more restrictions on us
32 again. I don't know if it's going to help for later
33 on, but how long is this going to go on like this, not
34 being able to sell our fish in Fairbanks or any place
35 else? What does that mean? We can't sell fish. We
36 can't subsistence fish to somebody in Fairbanks,
37 somebody in Anchorage. Out here in the Bush we try and
38 make a living any way we can to get a few extra dollars
39 to pay for the groceries and I'm probably for it, but I
40 want to hear a little bit more on what this really
41 means down the road.

42
43 MADAM CHAIR ENTSMINGER: Okay,
44 it's been brought to my attention that how long, to
45 answer your question, is April 10th -- or April 2010 is
46 how long this was requested by their action, and what
47 the motion is on the floor.

48
49 So, go ahead, Andy.
50

1 MR. BASSICH: Thank you, Madam Chair.
2 I think the important thing to remember is that we're
3 not trying to strike this off the books, that we're not
4 trying to take customary trade off the books
5 completely. What we're trying to do is limit it in
6 years of conservation concerns to the absolute minimum,
7 as Lester just spoke, you know, I don't think there's a
8 person in this room that wants people from the villages
9 not to be able to get their fish in whatever means or
10 whatever uses they traditionally do. That's part of
11 the way of life, and it's different all up and down the
12 river.

13
14 I think the important thing to keep in
15 mind here is that what we're trying to do is add
16 another tool to management's toolbox in years of
17 conservation to be able to manage the fish throughout
18 the river more equitably.

19
20 The problem that we have, as Virgil
21 alluded to, is that the farther up the river you go,
22 the less opportunity you have to actually get those
23 fish, and so what we're trying to do here is we're --
24 and we're trying to protect it for long-term. So if we
25 have heavy harvest of salmon on years where there's
26 conservation concerns we're just shooting ourselves in
27 the foot for long-term. So we're not trying to strike
28 this from the books completely, we're just trying to
29 say, hey, look everybody on the river, let's get
30 together, let's work everybody on years of low
31 conservation to protect a resource. Let's get to our
32 absolute minimum harvest needed, commercially,
33 subsistence, sport, because that's the only thing we
34 can control. We can't control these fish out in the
35 ocean. We can't control these fish to climate changes.
36 We can't control any of those things. But we can
37 control ourselves, hopefully, and try and get down to
38 minimum harvest.

39
40 Thank you.

41
42 MADAM CHAIR ENTSMINGER: Yes, Pete,
43 I'll just call you in a second here. I just wanted to
44 say to the Council, I feel the pain on both sides. I
45 feel the pain that you feel because I spent 32 years
46 with Mentasta village people and I understand things
47 that happen that it just happens and we don't really go
48 to the managers and say, hey, pinch this guy or come
49 and do this and a lot of it isn't a big concern but the
50 pain I feel on the other side is when it becomes a big

1 concern, when there's a conservation issue, and that's
2 what we have to do as a Council, is we got to try to
3 say, hey, you know, we're going to face some hard
4 issues and we got to make some hard decisions here. So
5 that's what we're discussing.

6
7 I'd be happy to hear some more from
8 you, Frank.

9
10 I'm going to call on Pete right now, if
11 anything comes up just raise your hand.

12
13 MR. PROBASCO: Madam Chair, since, you
14 know, you're getting close to final action I just
15 wanted to clarify the record.

16
17 Mr. Umphenour's motion was to support
18 but the discussion has been as if you're submitting a
19 special action, there's two different parts. So I
20 think you need to clarify your record that you're -- is
21 it a special action or are you just supporting the AC.

22
23 Madam Chair.

24
25 MADAM CHAIR ENTSMINGER: Okay. I'm
26 going to ask the person making the motion, are we going
27 our own or are we just going to support the AC and then
28 the second can concur.

29
30 MR. UMPHENOUR: My motion was to
31 support the proposal.....

32
33 MADAM CHAIR ENTSMINGER: Fairbanks.....

34
35 MR. UMPHENOUR:made by the
36 Fairbanks Advisory Committee.

37
38 MADAM CHAIR ENTSMINGER: And that is
39 your wishes?

40
41 MR. UMPHENOUR: Correct.

42
43 MR. CARROLL: And.....

44
45 MADAM CHAIR ENTSMINGER: Andy -- no, go
46 ahead, Richard.

47
48 MR. CARROLL:as the second I
49 concur with that, yes.

50

1 MADAM CHAIR ENTSMINGER: Andy.
2
3 MR. BASSICH: And I would offer a
4 friendly amendment that we actually create our own
5 special action. We can show our support through our
6 testimony and everything, but personally I think it
7 would carry more weight as a RAC to actually pursue
8 this from the RAC as opposed to just supporting an
9 action coming from an AC.
10
11 MADAM CHAIR ENTSMINGER: So you want
12 two parts, you want to support and you want our own
13 special action?
14
15 MR. BASSICH: That would be my friendly
16 amendment to Virgil's motion.
17
18 MADAM CHAIR ENTSMINGER: Virgil, you
19 need to put that on record, what's that?
20
21 MR. UMPHENOUR: Let me ask a question,
22 Andy, did you wish to amend it and to change it to us
23 submitting our own special action, that's what you
24 said, right?
25
26 MR. BASSICH: Right.
27
28 MR. UMPHENOUR: I'll second it.
29
30 MADAM CHAIR ENTSMINGER: Okay. So it's
31 parts, right, am I understanding this correctly? One
32 is where.....
33
34 MR. UMPHENOUR: We have to vote on the
35 amendment first.
36
37 MADAM CHAIR ENTSMINGER: Right.
38
39 MR. UMPHENOUR: Okay.
40
41 MADAM CHAIR ENTSMINGER: Yeah, we got
42 to vote on the amendment first, but I want everyone to
43 be clear when we vote on the amendment we're adding
44 that we're going to have our own special action. And
45 then the main motion will end up, if that passed, to go
46 with, you know.....
47
48 MR. UMPHENOUR: Right, our own special
49 action.
50

1 MADAM CHAIR ENTSMINGER: Our own
2 special action only?
3
4 MR. UMPHENOUR: Yeah.
5
6 MADAM CHAIR ENTSMINGER: All right.
7 Does everybody.....
8
9 MR. SMITH: Are you going to have any
10 public comment on this.
11
12 REPORTER: Mike.
13
14 MADAM CHAIR ENTSMINGER: I had a note
15 from one of the Council members to ask for public
16 testimony on this and I want to know from the Council,
17 we have no problem doing that.
18
19 MR. MATHEWS: No, it was a note from
20 me.
21
22 MADAM CHAIR ENTSMINGER: Right. So to
23 answer your question, sure, we haven't voted on it so
24 unless you -- do you want to speak to the amendment or
25 both?
26
27 MR. SMITH: To the whole thing, yes.
28
29 MADAM CHAIR ENTSMINGER: Okay. And is
30 there anyone else out there who wants to speak to this.
31 Go ahead, Mike, come on up.
32
33 (Pause)
34
35 MADAM CHAIR ENTSMINGER: It almost
36 looks like I need to call for a break.
37
38 MR. SMITH: Well, apparently.
39
40 (Laughter)
41
42 MADAM CHAIR ENTSMINGER: I guess we'll
43 just take five minutes and then we'll come back.
44
45 (Off record)
46
47 (On record)
48
49 MADAM CHAIR ENTSMINGER: We're going to
50 try and get back together.

1 (Pause)
2
3 MADAM CHAIR ENTSMINGER: All right, are
4 we all here. Mike Smith where are you.
5
6 Mike, how come everybody left when you
7 came to the table?
8
9 (Laughter)
10
11 MR. SMITH: I'm not sure, I took a
12 shower this morning.
13
14 (Laughter)
15
16 MADAM CHAIR ENTSMINGER: Oh, goodness.
17 Okay, thank you. Okay, quiet in the back. Go ahead,
18 Mike.
19
20 MR. SMITH: Thank you, Madam Chair. My
21 name is Mike Smith and I work for Tanana Chiefs
22 Conference.
23
24 TCC is opposed to any attempt to
25 restrict customary trade of fish or game for that
26 matter. If we are attempting to modify existing
27 Federal rights for Alaska Natives, I don't think it
28 should be done on the whim of an Advisory Council in
29 emergency regulation.
30
31 One of the things that really bothers
32 me about this is how are we to identify? The Federal
33 Subsistence Board, in necessity have to come up and
34 extinguish amongst Alaska Natives, in an attempt to
35 clarify what is an urban Native and what is a non-urban
36 Native and I'm not sure, we, as Alaska Natives, are
37 ready to go there yet on this type of a proposal.
38
39 I appreciate the fact that it's for one
40 year but it's a foot in the door in an attempt to limit
41 subsistence activities.
42
43 Frank, you're absolutely right, the
44 customary trade thing has been going on for a long,
45 long time, and it did entail money as soon as cash came
46 into the economy. And to, you know, try to make us say
47 we got to back, it's like -- I mean it's often times --
48 I mean often hear if we're going to be fishing for
49 subsistence activity we got to back to our bows and
50 arrows, that we need to go back to these historical

1 ways of doing things and that we can't evolve with the
2 times.

3

4 So that's our biggest concern.

5

6 One. Who is going to decide who the
7 urban Indian and urban Indian is? Is that what you
8 guys want to decide to do, I certainly don't want to do
9 that.

10

11 Second. What is customary trade going
12 to be? Now, certainly there is some discussion and
13 some brief definitions in this current regulations but
14 to the extent that this regulation would have to be
15 implemented and the regulations that would have to be
16 adopted to implement such a rule, we're not there yet.

17

18 Third. I guess -- I think Mr. Bill
19 over here hit it right on the head, there are existing
20 laws on the book that need to be enforced and why
21 impose further restrictions on us. There are other
22 things that need to be imposed before we go down the
23 avenue of limiting subsistence users. The Federal
24 government has the right and the ability to limit to
25 Federally-qualified users. The State of Alaska has the
26 ability to implement a Tier II subsistence fishing
27 schedule. Those are all provisions that are existing
28 in laws where we don't have to start trying to struggle
29 with this particular issue.

30

31 So TCC would be opposed to this.

32

33 I think you're absolutely right,
34 Richard, this doesn't have a chance of being
35 implemented because it is too complicated of an issue.
36 The definition sections that would have to come up
37 with, as I mentioned, are just going to be too
38 complicated to be done. It's going to have to take
39 statewide effort, a state -- you know, bring all the
40 Native community together to try to determine exactly
41 what is going to be an urban or rural Native.

42

43 So with that I'd just like to offer our
44 opposition to this particular proposal.

45

46 MADAM CHAIR ENTSMINGER: Yeah.

47

48 MR. CARROLL: May I make a comment.

49

50 MADAM CHAIR ENTSMINGER: Yes.

1 MR. CARROLL: Mike, I don't think we
2 heard the word Native one time in this proposal, and I
3 didn't -- never intended and never thought that way
4 myself. But I'm supporting this because it's a stand,
5 even if it don't go nowhere, it's a stand that I think
6 -- I just want to stand there. Whether it gets the
7 foot in the door for a 20 year long lawsuit or not, you
8 know, lawyers will make money and that's about it. But
9 I sympathize and understand what you're saying but it's
10 just a stand that, personally, want to take.

11
12 Thank you.

13
14 MADAM CHAIR ENTSMINGER: Mike, go
15 ahead.

16
17 MR. SMITH: Yeah, Madam Chair, and
18 through the Chair. And we certainly appreciate that,
19 Richard. And we, too, I think, if we had some idea of
20 exactly what it meant and that's one of the problems
21 with the proposal, is we don't know what it means. We
22 don't know what the extent of customary trade is. We
23 have anecdotal information, sure, Virgil says he knows
24 somebody that took 1,100 fish, I don't know that. So I
25 think to a large extent, plus the total amount is
26 insignificant to that run. You know, I mean I think if
27 we completely did away with it is not going to have a
28 huge impact on the state that the run is right now.

29
30 So in that regard, I guess, it's simply
31 a symbolic gesture that's not going to have no real
32 benefit and is simply going to cause a lot of problems,
33 a lot of work for people trying to fight it and deal
34 with it.

35
36 MADAM CHAIR ENTSMINGER: I see a hand
37 in the back.

38
39 MR. BASSICH: Madam Chair, can I make a
40 comment.

41
42 MADAM CHAIR ENTSMINGER: Yes, you can.
43 Andy would like to make a comment.

44
45 MR. BASSICH: Yeah, I just want to say
46 also that one of the things that I think is most
47 important when I think of conservation is my definition
48 of conservation means that people limit themselves as
49 much as they possibly can. And the other -- as a part
50 of that and what is one of the most fundamental block

1 building foundations of conservation is that every
2 entity matters, every fish when you're in conservation
3 mode matters, and in particular every -- in this case,
4 every large female fish matters.

5
6 So I would have to disagree with Mr.
7 Smith's statements that it's insignificant. When we
8 have a 30 percent component of the run is Canadians and
9 we normally have 50 percent it is very significant
10 every single fish that makes it up the river into
11 Canada to spawn.

12
13 So that's all I want to say on that.
14 But I think every fish counts, and that's the
15 foundation behind conservation in this particular issue
16 for me.

17
18 Thank you, Madam Chair.

19
20 MADAM CHAIR ENTSMINGER: Yeah, and
21 before it goes off in my head, I want to reiterate what
22 Richard said is subsistence is rural Alaskans, Native
23 and non-Native. And there are non-Native people that
24 practice similar practices, and understand it fully, so
25 I don't think we shouldn't go down that road because
26 that is the subsistence law.

27
28 MR. SMITH: And I just.....

29
30 MADAM CHAIR ENTSMINGER: Do you want to
31 debate me Michael?

32
33 MR. SMITH:to say a couple things
34 -- no, I don't want to debate you, Madam Chair. And I
35 certainly appreciate what Andy had to say.

36
37 What I was signifying is we have no way
38 of clarifying what the impact of that fish is going to
39 be. And that's what, you know, I think the bottom line
40 is, is we're doing -- we're going to attempt to pass
41 regulations that we have no idea what the impact's
42 going to be, we're guessing what the impact's going to
43 be, and they're going to be imposed and we don't even
44 know if they're going to work and plus we don't have
45 the distinction to even test to see if they work or
46 not. So those type of restrictions, to me, are just
47 that, we'll never know if they work, we'll never be
48 able to test to see if they work, and then the impact
49 across the board is too severe.

50

1 MADAM CHAIR ENTSMINGER: Okay, and we
2 have here.

3
4 MR. JESS: Hi. I'm Rob Jess. I'm the
5 Refuge Manager for the Yukon Flats National Wildlife
6 Refuge.

7
8 Just in response to this, this is
9 something that Russ Holder, Tom McCellan, myself and
10 others have been trying to grasp on this issue for and
11 behalf of the Eastern RAC.

12
13 I think the one thing I like what
14 Virgil is saying and I totally agree with what is going
15 on, enveloping in how to handle this problem. My
16 concern is for you all as a committee getting the
17 biggest -- or a Council getting the biggest bang for
18 your buck, and every fish is important at this point
19 because we're at the point, at least in my mind and
20 maybe it's the sky is falling but we're at critical
21 mass to the point where we may lose the resource that
22 we have out there, this king salmon fisheries coming up
23 the Yukon River, at least the Canadian or the stocking
24 effort, this whole thing, these whole strains coming up
25 to the Canada line, we're very concerned. We're not
26 meeting our mandates there for the last three years.
27 We had a lot of issues this year within the Yukon Flats
28 relative to villages not being able to meet even the
29 most minimum of needs.

30
31 Frank and I were talking a little bit
32 and I was alluding to the fact that I thought, you
33 know, his idea was right on the mark about limiting
34 days down river. There's a huge disparity going
35 between up river and down river, obviously. But
36 limiting days down river would have 'nil effect. You
37 know what it takes for somebody to catch 50 kings down
38 river may be as little as 45 minutes up to a half a
39 day, to a full day; to catch 50 kings up river right
40 now would take the whole season every single day. We
41 witnessed that in Fort Yukon, people not getting fish,
42 period, to the point, you know, where there was a vote
43 among the tribal council, in spite of a closed season,
44 to continue to fish their fishwheels, and, you know, we
45 had to go up there and deal with that situation.

46
47 So my concern is, is you guys spreading
48 yourselves too thin and I only throw it out there as
49 guidance, but I would hope that we would concentrate on
50 the pollock fisheries. That, and mesh size, those are

1 things that we can control. There's a lot of
2 limitations and unknowns with trade. There's a
3 definition that you all have to clarify. I would hate
4 for you to throw, and I can't recall the wording
5 Virgil, special.....

6

7 MR. UMPHENOUR: Special action.

8

9 MR. JESS: Special action, I'm sorry.
10 A special action and it for not to be polished and
11 refined and well thought out. Because your first
12 chance is usually your only change in my understanding
13 of this but I'm not an expert relative to that. But I
14 would just hope that we would put more thought and
15 consideration into the special action before we do
16 that.

17

18 But certainly concentrate your efforts
19 on pollock fisheries and then mesh size. Those are two
20 things that I think we have a lot of say in and you
21 have the ability to take action with, both up and down
22 river.

23

24 MADAM CHAIR ENTSMINGER: Any questions.

25

26 MR. FIRMIN: I have a comment.

27

28 MADAM CHAIR ENTSMINGER: Comment, go
29 ahead, Andrew.

30

31 MR. FIRMIN: I know life in the village
32 is getting really hard for a lot of people, and I know
33 Mike is saying it seems simple if you're urban or
34 rural, I mean what's your zip code on your PFD
35 application, that should be easy enough. But I think
36 that even passing this proposal would also show the
37 pollock fisheries the sacrifices some people are
38 willing to go to to give up some of our rights because
39 like you said we're going to lose it if we don't and
40 it's only for a year and it'll probably just hamper the
41 people that are abusing the rights that they have, you
42 know, instead of eating of them or sharing them with
43 your friends and family and taking and selling your
44 fish that, which, in some cases, might be true for some
45 people. I don't know, I gave up fishing, I couldn't
46 afford the gas anymore and coming home empty handed, so
47 I just gave up and it's easier to buy it from somebody
48 like that, or trade them, buy somebody else gas, but
49 that's kind of how I feel, that maybe this -- since
50 it's only for a year it'll show what some people are

1 willing to -- the extent we're willing to go to, you
2 know, to save what fish we have left.

3

4 MR. JESS: In response to that Andrew,
5 the thing that we're seeing out on the Flats, and
6 really that's only a limited number of villages but I
7 agree with you, but the problem is, is that we're just
8 going to be -- we're restricting the honest people more
9 than we are those that are going to do things wrong.

10

11 And people like yourself are just going
12 to continue to get whittled away on, and we're not
13 really impacting those people that are going to do this
14 regardless of what laws.

15

16 If I would suggest anything to the RAC,
17 is that you would -- we have good laws on the books,
18 the laws exist, are they being enforced properly, I
19 would say, no, they're not. How do we go about
20 enforcing those. I don't have the answers for that, I
21 know within our own Fish and Wildlife Service we're
22 happy to enforce those if it's possible for us to do
23 so. But, you know, it takes eyes and ears out in the
24 villages and knowing these things go on, that's -- we
25 respond to all of these. We have decreased moose
26 populations on the Refuge as well and, yet, we're still
27 getting people taking cows in spite of all the tenfold
28 of permits people are now filling out in the villages,
29 you know, they are getting their hunting permits and
30 licenses and duck stamps and starting, you know, to go
31 the ways of the White man as far as that's concerned,
32 but we still have a lot of people doing illegal things
33 out there. And the only way that we, the Fish and
34 Wildlife Service, and the State Troopers can catch
35 these people is through call-ins. We've written a lot
36 of tickets in the last year relative to harvest of
37 illegal moose. We haven't written them on duck stamps,
38 on licenses. We've asked people, if we've caught them
39 without licenses, to go out and get them, and people
40 are learning and they're willing to learn. But we're
41 not keeping those illegal people honest yet.

42

43 MADAM CHAIR ENTSMINGER: You know I
44 have a lot of things running through my head right now.
45 And I hear what you're saying, but what had come up to
46 me earlier and I'd like to ask, Pete, just for this
47 discussion, Pete, was has there been any study with the
48 Subsistence Division or OSM, the State Subsistence
49 Division to know -- I mean I know you said you've been
50 here a long time, to know exactly what -- how severe it

1 is, I mean are these isolated cases that have been
2 mentioned here, where somebody might be abusing it,
3 because I think that this has been occurring for a
4 long, long time, what we're talking about.

5
6 MR. PROBASCO: Madam Chair. I think
7 you have two questions here.

8
9 The first question is, are there
10 ongoing studies or have there been studies? The
11 answer, have there been studies, they're very limited
12 and very incomplete. The Office of Subsistence
13 Management, this process now has studies in the works
14 that are looking at some areas to the degree of
15 customary trade, we hope to expand that in the future,
16 but it's very limited information.

17
18 There is enough historical information
19 that supports what Frank was speaking to, on the
20 history, it even goes back prior to 1900 in some cases.
21 But if I'm reading between the lines, the type of study
22 I think you're referring to, we're not quite there yet.

23
24 Madam Chair.

25
26 MADAM CHAIR ENTSMINGER: Yeah, right,
27 that was what I was alluding to.

28
29 Because I think, too, the Council could
30 suggest that a study be done and get a handle on it if
31 it's a severe situation out there. It's just something
32 I wanted to throw out to the Council members because
33 I'm hearing all this discussion and understand what
34 we're up against. But I heard what you said at break,
35 too, Richard.

36
37 MR. CARROLL: Oh, yeah.

38
39 MADAM CHAIR ENTSMINGER: Yeah, go
40 ahead.

41
42 MR. CARROLL: Just a comment. I'm
43 pretty sure I'll be going to Whitehorse with the Yukon
44 River Panel. You know it's embarrassing -- I'm
45 embarrassed when the Canadians can voluntarily cut back
46 their take and over here we do nothing. I'm
47 embarrassed for our people back home and I tell them
48 that, too. You know, we're a bunch of outlaws around
49 here, you know, we're -- it's a stand all right, and
50 you're trying to get a point. But what have we

1 actually done. We haven't done anything that I know
2 of. And, yet, the Canadians over there are taking a
3 voluntary cut in their harvest over there.

4
5 I mean, you know, I don't feel like I
6 should sit at the same table with them, it's
7 embarrassing.

8
9 I just feel that way. I'd like for us
10 to make -- do something, some sacrifice, Andy got it
11 right, sure, it's going to be a big sacrifice but it's
12 one I think -- and I'm going to take the flack for it
13 too when I get back home and you better believe we're
14 going to catch it, too, yeah, we're going to get it.

15
16 MADAM CHAIR ENTSMINGER: Andy -- oh,
17 I'm sorry, did I see a hand down here.

18
19 MR. UMPHENOUR: Yes, me.

20
21 MADAM CHAIR ENTSMINGER: Well, I don't
22 know if I want you to be last. You better go now.

23
24 MR. UMPHENOUR: What I want people to
25 bear in mind is this would only be in affect for 10
26 months. It's for this season.

27
28 We can make proposals through the
29 regulatory process at this meeting but they will have
30 no affect on what happens this summer. The only thing
31 we can do that will have any impact on conservation for
32 this summer is this special action request. Nothing
33 else -- we could make a petition to the Board of
34 Fisheries but that's unlikely to do any good, and so
35 this is the only avenue we have administratively to
36 address the situation that we're in. There's no other
37 administrative remedy other than a petition to the
38 Board of Fisheries, which more than likely -- which
39 they don't have the authority to do this anyway because
40 it's illegal by State regulation to begin with to sell
41 any subsistence fish.

42
43 And as we said earlier, this is -- and
44 what Richard just got through saying, I've been
45 involved in that treaty process for 22 years and it is
46 embarrassing to face the Canadians when I know what
47 some people are doing and I know the sacrifices the
48 Canadians have made. It is embarrassing to sit there
49 and talk with them. I totally agree with Richard on
50 that, and I've been involved in that process for 22

1 years, longer than anyone on our side of the table, and
2 it is embarrassing.

3
4 This is the only administrative action
5 that we can take to protect the king salmon this coming
6 summer.....

7
8 MADAM CHAIR ENTSMINGER: Okay.

9
10 MR. UMPHENOUR:and so I'm going
11 to vote for it.

12
13 MADAM CHAIR ENTSMINGER: Andy.

14
15 MR. BASSICH: Madam Chair, I think
16 Virgil just summed it up very well and with that I'd
17 like to call the question with the motion on the floor
18 right now.

19
20 MADAM CHAIR ENTSMINGER: Okay. The
21 question has been called for.

22
23 MR. MATHEWS: Well, the amendment to
24 the motion.

25
26 MADAM CHAIR ENTSMINGER: Yeah, I
27 understand. It's the amendment to the motion and the
28 amendment is that we draw up our own special action.

29
30 Okay, everyone in favor of drawing up
31 our own special action, do you guys want to hear a roll
32 call vote?

33
34 MR. CARROLL: Yes.

35
36 MADAM CHAIR ENTSMINGER: Let's go for a
37 roll call vote. Vince.

38
39 MR. MATHEWS: Richard Carroll.

40
41 MR. CARROLL: Yes.

42
43 MR. MATHEWS: Andy Bassich.

44
45 MR. BASSICH: Yes.

46
47 MR. MATHEWS: Frank Gurtler.

48
49 MR. GURTLER: Yes.

50

1 MR. MATHEWS: Bill Glanz.
2
3 MR. GLANZ: Abstain.
4
5 MR. MATHEWS: Lester Erhart.
6
7 MR. ERHART: Yes.
8
9 MR. MATHEWS: Andrew Firmin.
10
11 MR. FIRMIN: Yes.
12
13 MR. MATHEWS: Virgil Umphenour.
14
15 MR. UMPHENOUR: Yes.
16
17 MR. MATHEWS: And Sue Entsminger.
18
19 MADAM CHAIR ENTSMINGER: I'm going to
20 vote yes.
21
22 MR. MATHEWS: Okay, Madam Chair, that
23 passes with seven for and one abstain.
24
25 MADAM CHAIR ENTSMINGER: Okay. And now
26 the main motion before us would be to support the
27 Fairbanks AC special action, that was my understanding.
28
29 That was what we had on the floor
30 Virgil so we're only going to do.....
31
32 MR. CARROLL: One more comment, Madam
33 Chair. On that proposal it could be a typo, I think if
34 it's -- the way it's written right now you're missing a
35 comma.
36
37 MADAM CHAIR ENTSMINGER: This one.
38
39 MR. CARROLL: Right behind others.
40
41 MADAM CHAIR ENTSMINGER: What are we
42 looking at?
43
44 MR. CARROLL: Yeah, that AC's special
45 action.
46
47 MADAM CHAIR ENTSMINGER: I want it
48 clear on the record, too.
49
50 MR. CARROLL: Right, Virgil, comma

1 right past others. So others does not include --
2 others does not include others close by, I mean others
3 outside the area, right?

4
5 MR. UMPHENOUR: Right.

6
7 MR. CARROLL: Okay. I just want to
8 make sure I.....

9
10 MADAM CHAIR ENTSMINGER: Yeah, well,
11 Virgil read this in the record, this one.

12
13 MR. CARROLL: I thought he read this
14 one.

15
16 MADAM CHAIR ENTSMINGER: Didn't you
17 read this?

18
19 MR. UMPHENOUR: No, I read this.

20
21 MADAM CHAIR ENTSMINGER: He read the
22 third paragraph in the record as the support. So I
23 think I need a parliamentarian.

24
25 MR. UMPHENOUR: We need to have a
26 parliamentary question answered.

27
28 MADAM CHAIR ENTSMINGER: No, Pete's
29 going to answer it for me, I like to hear from him.

30
31 MR. PROBASCO: Madam Chair. Your
32 original motion was to support the Fairbanks AC, and
33 then I apologize for putting in the clarification, but
34 then you amended, instead of supporting, you amended to
35 submit your own special action which would -- and in
36 your discussion, which would mirror the Fairbanks AC,
37 so now your main motion is to submit a special action
38 which Virgil read into the record that mirrors the
39 Fairbanks AC.

40
41 MADAM CHAIR ENTSMINGER: Okay. So we
42 don't have -- we're not adding the support, all right.
43 Does everyone understand the main motion?

44
45 Frank.

46
47 MR. GURTLER: On this main motion now,
48 the one that Fairbanks put in there now, what if we
49 came up with a different wording?

50

1 MADAM CHAIR ENTSMINGER: You would have
2 to give me an amendment, do you have different.....
3
4 MR. GURTLER: To this, to the
5 Fairbanks.....
6
7 MR. UMPHENOUR: No, we already voted to
8 write our own.
9
10 MADAM CHAIR ENTSMINGER: Oh, we
11 don't.....
12
13 MR. UMPHENOUR: It doesn't necessarily
14 have to exactly.....
15
16 MR. GURTLER: I don't know if I want to
17 vote yes on this one is the problem.
18
19 MADAM CHAIR ENTSMINGER: Okay, then we
20 need our own wording then, Virgil. Go ahead.
21
22 MR. PROBASCO: Madam Chair, and
23 correction to you, Virgil, you read into the record the
24 Fairbanks AC special action and your original motion
25 was to support, and Andrew amended it to go from
26 support to draft your special action stating what you
27 stated on the record. So what you changed was from
28 support to submit your own.
29
30 MR. BASSICH: Right, same wording.
31
32 MR. UMPHENOUR: Right.
33
34 MADAM CHAIR ENTSMINGER: And what I'm
35 hearing over here is you would like to have different
36 wording?
37
38 MR. GURTLER: If that's what's going to
39 happen in our.....
40
41 REPORTER: Frank.
42
43 MR. GURTLER:amendment.
44
45 MADAM CHAIR ENTSMINGER: Could you turn
46 on the mic.
47
48 MR. GURTLER: Is that -- is the same
49 wording going in our amendment -- I mean to support?
50

1 MADAM CHAIR ENTSMINGER: Right now
2 that's what's on the table, the -- what we would be
3 voting on is the exact same wording only it would be
4 our special action.
5
6 MR. GURTLER: Okay, well, that's what I
7 was wondering.
8
9 MADAM CHAIR ENTSMINGER: Do you want
10 that -- that's all you were wondering?
11
12 MR. GURTLER: (Nods affirmatively)
13
14 MADAM CHAIR ENTSMINGER: Oh, I thought
15 you had special wording, not, okay.
16
17 MR. GURTLER: I was wondering how that
18 was working out as to the wording.....
19
20 REPORTER: Frank.
21
22 MADAM CHAIR ENTSMINGER: Okay.
23
24 MR. GURTLER:if it was
25 intending.....
26
27 MADAM CHAIR ENTSMINGER: It's the exact
28 same wording.
29
30 Do I hear any more discussion on the
31 main motion.
32
33 (No comments)
34
35 MR. BASSICH: Question.
36
37 MADAM CHAIR ENTSMINGER: Question's
38 been called for. Yeah, question.
39
40 MR. FIRMIN: Could I get clarification
41 real quick then, one more time, the last vote was for
42 support of the Fairbanks?
43
44 MADAM CHAIR ENTSMINGER: No.
45
46 MR. FIRMIN: No, okay, thank you.
47
48 MADAM CHAIR ENTSMINGER: That was the
49 amendment to write our own.
50

1 MR. FIRMIN: Okay.
2
3 MADAM CHAIR ENTSMINGER: And now that
4 that passed.....
5
6 MR. FIRMIN: Yeah, now, we're at the --
7 this is for the support.
8
9 MADAM CHAIR ENTSMINGER:now we're
10 on the main motion is to write our own.
11
12 MR. FIRMIN: Oh, okay.
13
14 MADAM CHAIR ENTSMINGER: And send it
15 in.
16
17 MR. UMPHENOUR: Submit our own.
18
19 MADAM CHAIR ENTSMINGER: Submit our own
20 with the same wording.
21
22 MR. FIRMIN: Okay, thank you.
23
24 MADAM CHAIR ENTSMINGER: Is it clear to
25 everyone?
26
27 (Council nods affirmatively)
28
29 MADAM CHAIR ENTSMINGER: Okay, Vince.
30
31 MR. MATHEWS: I don't remember which
32 Council member asked, but did we get clear
33 understanding of what the word others means in that
34 wording so it's clear that that's.....
35
36 MADAM CHAIR ENTSMINGER: It was
37 established that he was talking about the first
38 paragraph on Page 2, but the words are -- the words
39 that Virgil read into the record was the third
40 paragraph, okay, and so we're voting on that and the
41 others didn't really apply.
42
43 Correct.
44
45 MR. CARROLL: No, I disagree.
46
47 MADAM CHAIR ENTSMINGER: All right.
48
49 MR. CARROLL: I still feel there should
50 be a comma right after others, it kind of leaves it

1 open a little bit there.
2
3 MADAM CHAIR ENTSMINGER: Could you read
4 this into the record.
5
6 MR. CARROLL: A lawyer can use it.
7
8 MR. UMPHENOUR: I read this into the
9 record.
10
11 MADAM CHAIR ENTSMINGER: No, read this
12 for.....
13
14 MR. MATHEWS: Madam Chair what I'm
15 trying to get at is the intent of all your discussion
16 was between rural and urban, does everybody understand
17 as in the mover of the motion that others captures
18 that?
19
20 MR. BASSICH: Yes.
21
22 MR. MATHEWS: Okay, that's all I
23 needed.
24
25 MADAM CHAIR ENTSMINGER: Well.....
26
27 MR. BASSICH: I can clarify.
28
29 MADAM CHAIR ENTSMINGER: All right.
30 Andy's going to try to keep us straight.
31
32 MR. BASSICH: Well, I think basically
33 all I did with my amended motion was change the author
34 of this special action from us so instead of just
35 supporting.....
36
37 MR. UMPHENOUR: Right.
38
39 MR. BASSICH:the Fairbanks AC,
40 what I did is I mirrored -- my intent was to mirror the
41 motion -- or mirror the special action worded by the
42 Fairbanks AC and just change us to be the authors of it
43 as a special action coming from our RAC. So all we're
44 doing is taking what the Fairbanks AC wrote up and
45 saying this is what we want to present in our name as a
46 special action. The Fairbanks AC is still presenting
47 theirs as a special action but it gives us more -- in
48 my opinion, more clout or more power authoring it
49 ourselves and presenting it rather than just supporting
50 them.

1 I hope that makes that clear.
2
3 MADAM CHAIR ENTSMINGER: I think it's
4 pretty clear.
5
6 MR. BASSICH: And as far as Richard's
7 comment on the comma, I think that that doesn't really
8 show in reading it orally but when it's presented in
9 writing, I would hope that Vince would make sure that
10 that typo would be corrected.
11
12 Thank you, Madam Chair.
13
14 MADAM CHAIR ENTSMINGER: Okay, without
15 beating it.....
16
17 REPORTER: Put your microphone on.
18
19 MADAM CHAIR ENTSMINGER: Oh, my mic,
20 doggone thing.
21
22 So I guess we'll just do a roll call
23 vote again.
24
25 MR. MATHEWS: We'll just go backwards.
26
27 MR. MATHEWS: Sue Enstminger.
28
29 MADAM CHAIR ENTSMINGER: Yes.
30
31 MR. MATHEWS: Virgil Umphenour.
32
33 MR. UMPHENOUR: Yes.
34
35 MR. MATHEWS: Andrew Firmin.
36
37 MR. FIRMIN: Yes.
38
39 MR. MATHEWS: Lester Erhart.
40
41 MR. ERHART: Yes.
42
43 MR. MATHEWS: Bill Glanz.
44
45 MR. GLANZ: Yeah.
46
47 MR. MATHEWS: Frank Gurtler.
48
49 MR. GURTLER: Yes.
50

1 MR. MATHEWS: Andy Bassich.
2
3 MR. BASSICH: Yes.
4
5 MR. MATHEWS: Richard Carroll.
6
7 MR. CARROLL: Yes.
8
9 MR. MATHEWS: It passes eight to --
10 unanimous.
11
12 MADAM CHAIR ENTSMINGER: Okay. All
13 right. The next thing on the agenda, unless somebody
14 has something else they wanted to bring up, is the
15 Yukon Northern area proposals, update on the Federal
16 Subsistence Board deferral.
17
18 Now, Pete, are you going to address
19 that?
20
21 MR. PROBASCO: Well, I'm here to answer
22 questions but I think Vince was the lead.
23
24 MADAM CHAIR ENTSMINGER: Oh, okay.
25
26 MR. MATHEWS: Yes, that's just a
27 placekeeper if anybody had questions on those proposals
28 that you submitted, net depth, net size. It's already
29 been discussed earlier this morning, that those have
30 been deferred to April 2010. So that's the full extent
31 unless there's something else out there. It's just to
32 keep you aware that they're out there deferred.
33
34 MADAM CHAIR ENTSMINGER: Okay. Any
35 questions.
36
37 (No comments)
38
39 MADAM CHAIR ENTSMINGER: Now, it's the
40 Board of Fish call for proposals, Arctic, Yukon,
41 Kuskokwim area. And Virgil's going to keep us on task.
42
43 MR. UMPHENOUR: Okay, I make the
44 proposal to reallocate the commercial fishery in the
45 Yukon River.
46
47 MADAM CHAIR ENTSMINGER: Is that a
48 motion?
49
50 MR. UMPHENOUR: Right, that's a motion

1 but it's going to require a whole bunch of work to
2 figure the numbers out.

3

4 (Laughter)

5

6 MADAM CHAIR ENTSMINGER: Okay, reword
7 the motion again. You're going to make a motion
8 to.....

9

10 MR. UMPHENOUR: I'm going to make a
11 motion to reallocate the commercial fishery in the
12 Yukon River, and reduce the harvest in the lower river
13 by 50 percent across all species of salmon.

14

15 MADAM CHAIR ENTSMINGER: That's the end
16 of the motion, right?

17

18 MR. UMPHENOUR: No.

19

20 (Laughter)

21

22 MADAM CHAIR ENTSMINGER: I thought.....

23

24 MR. UMPHENOUR: To reallocate.....

25

26 MADAM CHAIR ENTSMINGER: Because it was
27 pretty short earlier.

28

29 MR. UMPHENOUR: To reallocate that
30 harvest to the districts of the Yukon River where the
31 salmon originate.

32

33 MADAM CHAIR ENTSMINGER: I hate to make
34 you restate it. Everybody understand that motion?

35

36 MR. BASSICH: Uh-huh. (Affirmative)

37

38 MR. CARROLL: Yes.

39

40 MR. UMPHENOUR: And I'll speak to the
41 motion.

42

43 MADAM CHAIR ENTSMINGER: I don't hear a
44 second.

45

46 MR. GLANZ: I'll second that.

47

48 MADAM CHAIR ENTSMINGER: Okay, you can
49 speak to the motion.

50

1 MR. UMPHENOUR: Earlier, I gave a
2 little bit of -- I talked a little bit about the
3 history after Frank discussed all the fish they used to
4 catch and they used to ship them on the paddlewheel
5 boats, some of them went all the way to Canada, they
6 went all over the place, I talked about the Coghill
7 Trading Post and Nenana having two warehouses where
8 they had them. I can also tell you that like at Fort
9 -- I believe Fort Gibbon was the one at Tanana, but at
10 Fort Gibbon in 1919, if you read the transcripts from
11 when Hudson Stuck testified before the United States
12 Commerce Committee on fisheries in Washington, D.C., in
13 1920, at Fort Gibbon, they had to buy 44 tons of bacon
14 and have it shipped up from Seattle because they
15 couldn't catch enough fish to feed their dogs.

16
17 But, anyway, what this would do is take
18 the monkey off the manager's back. Because the way
19 that the commercial fishery is allocated now, it is
20 impossible to manage the salmon harvest, commercial
21 salmon harvest in a scientific manner because if you're
22 going to allocate 89 percent of the salmon to the mouth
23 of the river, then that's the ones that are going to be
24 allowed to be caught, then that means that you have to
25 start that commercial fishery before you have any idea
26 of what the strength of the run is that's going to come
27 into the river, because it hasn't come into the river
28 yet, it's just starting to come into the river. And so
29 what that causes, is it causes overfishing in the lower
30 river in poor runs and severe restrictions in the upper
31 river and not making escapement, exactly what's been
32 happening. That's what it causes. And so that is the
33 root of the problem that we're in now, is because the
34 lower Yukon has had, on chinook salmon, 89 percent of
35 the commercial harvest allocated to them. And I know
36 that in some years they've harvested as many 150,000
37 fish with large mesh gear in the lower river in one
38 season.

39
40 And so that is the basis of why we're
41 in the problem we're in now.

42
43 Thank you, Madam Chair.

44
45 MADAM CHAIR ENTSMINGER: You're
46 welcome. So it's from 89 percent to 50 percent that
47 you're proposing; didn't I hear 50 percent?

48
49 MR. UMPHENOUR: I said we would -- my
50 proposal is to reduce the allocation to the lower Yukon

1 by 50 percent and reallocate it to the fishing
2 districts that the salmon originate from, and so it
3 will be different by species. And so what we have to
4 do is we have to go and look at the data, and I'll just
5 give you an example:

6
7 Tanana River historically produces 30
8 percent of the fall chums that enter the mouth of the
9 Yukon come from the Tanana River, that's an example.
10 So what you would do is their guideline harvest range
11 starts at 60,000, I believe, I may be wrong, but I
12 think it starts at 60,000 and goes up to 180,000 so
13 instead of it starting at 60,000 it would start at
14 30,000.

15
16 MADAM CHAIR ENTSMINGER: Okay.

17
18 MR. UMPHENOUR: And then also in the
19 management plans it says that -- it breaks it out by
20 percentages, which district gets what percent of the
21 allowable harvest. And so it will have to -- so
22 someone's got to sit down, get the management plans out
23 and calculate it out in that manner.

24
25 MADAM CHAIR ENTSMINGER: Right. But in
26 short your proposal doesn't need to do that, flesh it
27 out, correct?

28
29 MR. UMPHENOUR: No, the proposal
30 doesn't have to flesh it out, we have to flesh it
31 out.....

32
33 MADAM CHAIR ENTSMINGER: Yeah, so we
34 don't.....

35
36 MR. UMPHENOUR:before it gets
37 submitted to the Board of Fish, but to vote on it we
38 don't really have to flesh it out, we just have to
39 understand what we're voting for.

40
41 And so let me kind of just briefly
42 review what this would do.

43
44 MADAM CHAIR ENTSMINGER: I think you
45 did.

46
47 MR. UMPHENOUR: Okay.

48
49 MADAM CHAIR ENTSMINGER: Yeah. Andy.
50

1 MR. BASSICH: Thank you, Madam Chair.
2 Virgil, I have a point of clarification in my mind
3 here, given that 50 percent of the total Yukon run is
4 of Canadian origin, are you saying then in this
5 proposal that that reallocation of fish would go to
6 border passage?

7
8 MADAM CHAIR ENTSMINGER: Virgil.

9
10 MR. UMPHENOUR: No, we can't do
11 anything, that would to be negotiated with Canada, on
12 that part of it.

13
14 MR. BASSICH: But that's the point I'm
15 trying to bring up, I think that we can reallocate to a
16 point on the Yukon River, but given that there -- that
17 this is an international fish and that we have treaty
18 obligations, that will be another aspect of it. I'm
19 sure the Canadians would be quite happy to take that
20 reallocation and put it towards spawning but -- or
21 escapement, but I just wanted to bring up that point
22 because I see that as another issue in doing this.

23
24 However I am in support of this motion
25 and I think it's an important first step in fixing some
26 of the long-term problems that we're dealing with.

27
28 MADAM CHAIR ENTSMINGER: Other Council
29 members speaking to the motion.

30
31 (No comments)

32
33 MADAM CHAIR ENTSMINGER: The wheels are
34 turning. You have anything to add.

35
36 MR. FIRMIN: I have a comment, I guess,
37 I thought -- I always thought it was kind of funny when
38 I was a kid that why people would spend millions of
39 dollars on a big boat swimming around the ocean looking
40 for fish when you know where they're going to go so I
41 it was kind of funny to sit back and just watch them
42 plop into the fish box or whatever. But seeing that a
43 long time -- now, that it's kind of been abused or
44 we're losing our fish now, that we need to, maybe like
45 Virgil says, take some of their allocations away from
46 them and put them to escapement or to places they don't
47 have fish.

48
49 Thank you.

50

1 MADAM CHAIR ENTSMINGER: Council
2 members this would be -- even though we are a RAC that
3 gives advice to the Federal Subsistence Board we can
4 also put in proposals to the Fish Board and this, to my
5 understanding, would be the whole river, right, same
6 type of fishing, and not this piecemeal as it would be
7 on the Federal side?

8
9 MR. BASSICH: (Nods affirmatively)

10
11 MADAM CHAIR ENTSMINGER: Yeah, okay.

12
13 MR. UMPHENOUR: Correct. That would be
14 for the entire Alaska portion of the Yukon River is
15 what it would effect.

16
17 MADAM CHAIR ENTSMINGER: And when we
18 start making proposals different than the State then
19 it's only on the Federal waters, which makes it kind of
20 complicated for the users. So things that happen on
21 the Fish Board probably should be the most important
22 thing to us in a way even though it's not the Board
23 we're always responding to.

24
25 But go ahead, now, Vince.

26
27 MR. MATHEWS: Yes, is it the wishes of
28 the Council that I work with the mover of the motion if
29 this passes, the exact wording and the justification on
30 that or do we want an actual written proposal back
31 before you to approve?

32
33 Your pattern has been I work with the
34 mover of the motion after you pass it.

35
36 MR. BASSICH: Madam Chair.

37
38 MADAM CHAIR ENTSMINGER: Yes, go ahead,
39 Andy.

40
41 MR. BASSICH: I think it would be
42 appropriate, given the scope of how this would impact,
43 to maybe have a committee work on this, work with
44 Virgil, a committee of a couple of people and do it
45 that way.

46
47 MADAM CHAIR ENTSMINGER: So that's a
48 volunteer from you then?

49
50 MR. BASSICH: Well, I would be happy to

1 work on it with Virgil and Vince and I would encourage
2 other Council members. I think.....

3
4 MADAM CHAIR ENTSMINGER: I'd like one
5 other one.

6
7 MR. BASSICH:one other person on
8 the Council would be good. We need.....

9
10 MADAM CHAIR ENTSMINGER: One other
11 volunteer to help on that.

12
13 MR. UMPHENOUR: Well, we're all going
14 to Whitehorse together, the three of us can do it.

15
16 MADAM CHAIR ENTSMINGER: Okay, is that
17 agreeable, these three they're all going to Whitehorse
18 together, will work up that exact wording for Vince to
19 -- for the proposal to the Fish Board.

20
21 MR. BASSICH: Frank has something.

22
23 MADAM CHAIR ENTSMINGER: Frank.

24
25 MR. GURTLER: What I'm wondering is,
26 though, is how do you come up with a proposal of
27 cutting back 50 percent at the lower Yukon and what
28 districts are they, 1, 2 and 3?

29
30 MR. UMPHENOUR: Yes, that would be
31 District 1, 2 and 3, but District 1 and 2 are the ones
32 with the gigantic -- District 1 and 2, like on king
33 salmon, have a guideline harvest level range from 60 to
34 120,000. It shouldn't -- there's another issue here,
35 okay, but for District 3, I think their guideline
36 harvest range is somewhere around two to 3,000. I'm
37 not sure, maybe Fred Bue knows, but it's not very much.

38
39 But like for the Tanana River it's 600
40 to 800 fish, and 30 percent of the king salmon that
41 originate -- or that enter the mouth of the river come
42 from the Tanana River and so their guideline harvest
43 range is 600 to 800 fish where the District 1 and 2's
44 is 60,000 to 120,000. That just shows you the
45 disparity. And the only king salmon producing system
46 in the lower Yukon is the Andreafsky River and they
47 don't even fish those fish, they have it closed to
48 fishing below -- inside the river and below the river.

49
50 MR. BASSICH: Sue.

1 MADAM CHAIR ENTSMINGER: Andy.
2
3 MR. BASSICH: Yeah, maybe you can
4 refresh my memory, Mr. Bue, the way this is written
5 into the regulations, does it not go by percentages;
6 it's not so much the TTAC, the total allowable catch,
7 it basically is broken down in percentages because we
8 don't know what the yearly run is going to be. So what
9 we would be addressing, if we were to make this
10 proposal, would be to look at the percentages in the
11 districts and do the reallocation through percentages;
12 is that clear?
13
14 MADAM CHAIR ENTSMINGER: Go ahead,
15 Fred.
16
17 MR. BUE: Yeah, Madam Chair. Andy.
18 It's actually both ways in regulation for chinook and
19 summer chum, fall chum it's not, it's just in a number
20 range. But so there's a standard guideline harvest
21 range when we get a more normal healthy run, it's, like
22 Virgil says, 60 to 120 or whatever, for the lower river
23 and on up, is the allocation, but when it falls below
24 that lower threshold, with a smaller run, then it's
25 broken out by percentage.
26
27 MR. BASSICH: Okay.
28
29 MR. BUE: Essentially it's the same
30 weight, they just translate it into percentage what
31 that was, total, so it works, but it's -- but like I
32 say it's for chinook and summer chum, fall chum, they
33 hadn't gotten that far yet and it's just in the -- the
34 actual number range.
35
36 Management wise I have been doing the
37 same intent like they did with summery fisheries and I
38 have been -- because that threshold has been low I've
39 been breaking it out by percentage.
40
41 MR. BASSICH: Thank you. I don't --
42 that answers my question.
43
44 MADAM CHAIR ENTSMINGER: Uh-huh. Any
45 more questions or any more discussion on this motion?
46
47 MR. BASSICH: Question.
48
49 MADAM CHAIR ENTSMINGER: The question's
50 been called for. This is a proposal to the Fish Board

1 and the language will be worked out with three people
2 on the Council for the exact language.
3
4 I'm just going to ask for unanimous
5 consent for this.
6
7 (Council nods affirmatively)
8
9 MADAM CHAIR ENTSMINGER: Any
10 opposition.
11
12 (No comments)
13
14 MADAM CHAIR ENTSMINGER: Okay. It
15 passes unanimously.
16
17 Thank you, Fred.
18
19 Okay. So any other fish proposals that
20 anyone wants to put in to the Board of Fish.
21
22 Virgil has informed me that Stan
23 Zuray's here from the -- is it Manley.....
24
25 MR. ZURAY: Tanana/Rampart/Manley
26 Advisory.....
27
28 MADAM CHAIR ENTSMINGER: Committee.
29
30 MR. ZURAY:Committee.
31
32 MADAM CHAIR ENTSMINGER: And they have
33 a proposal they're putting forward and he would like to
34 bring that forth and tell us about it.
35
36 Go ahead, Stan.
37
38 (Cell phone ringing)
39
40 (Laughter)
41
42 MR. ZURAY: I have -- well.....
43
44 REPORTER: Stan, I'll get it.
45
46 MR. ZURAY:can you do this --
47 this handout?
48
49 REPORTER: Yes.
50

1 MR. ZURAY: Thank you. Okay, Vince and
2 Tina are passing a handout and probably the best thing
3 to do would be to go to the back of it and on the back
4 page there's a list of four proposals that the
5 Tanana/Rampart/Manley AC passed unanimously on January
6 16th to be submitted to the Board of Fish this, you
7 know, by the April deadline.

8
9 They were passed with the intention
10 that we look for other ACs and RACs that might be
11 interested in co-proposing with us. And that's what
12 I'm asking, you know, this -- these -- if any or all of
13 these four proposals, that this RAC would be interested
14 in co-proposing with us. Also talking to one of the
15 Board members, it was mentioned that another way to do
16 it would be to take these same proposals and actually
17 just submit them yourself, you know, whichever would be
18 best, you know, the idea is, you know, to get more
19 weight.

20
21 And right now we have, you know, a
22 number of ACs that haven't had an official meeting yet
23 and so we don't have an official position, but we've
24 had members of the Eagle AC, Fairbanks AC, Ruby AC,
25 Yukon Flats AC that have all, you know, it looks
26 promising, we might be able to get all those signed on
27 and maybe a couple of organizations.

28
29 And you'll recognize some of these.
30 Some of these, in the past, are very similar to your
31 own proposals. There's maybe -- there's two that are
32 different.

33
34 No. 1, the chinook bycatch commercial
35 sales, that's simply kind of something along the lines
36 of what Andy was talking about, you know, that if
37 they're going to have chum -- summer chum openings, you
38 know, we shouldn't be allowing bycatch from those
39 openings to be allowed to be sold in the commercial
40 fishery, Andy even said in the subsistence fishery, and
41 I agree there, too, I mean we shouldn't, you know, have
42 subsistence, you know, take increasing just because of,
43 you know, a chum opening either in a certain district.

44
45 But the last one, though, No. 4, that
46 was the no subsistence or commercial driftnet fishing
47 allowed in the entire Yukon River drainage. And
48 initially this was thrown back and forth and on one of
49 the notes here it says, you know, we also considered
50 allowing driftnet for all districts but with the

1 current king salmon crises this was not considered
2 prudent to all of a sudden introduce this incredibly
3 effective fishing method at this time.

4
5 But what's happening, you know, is we
6 have -- it's almost unmanageable for man -- I see it
7 it's almost unmanageable for management now to -- I
8 mean to manage this limited king resource. I mean you
9 have District 1, those fish are coming in the river,
10 the sex ratio is correct, they have, you know, all
11 these large fish there and yet we're allowing
12 driftnetting to take place there, yet you have areas
13 like up in the Yukon Flats and on the Koyukuk River
14 where there's no driftnetting allowed, it just makes
15 absolutely no sense whatsoever. And then, you know,
16 over the years a number of driftnet areas have been
17 added, Federal subsistence areas like down in Galena
18 and stuff like that and it just makes absolutely no
19 sense to have -- like I say you have the Koyukuk River
20 where somebody could fish all season long and maybe at
21 best get a half a dozen king salmon and you don't allow
22 driftnetting there and then you allow it in the lower
23 river. It's just a fairness issue.

24
25 And it's also, in these days of --
26 these low king numbers, it's a management issue, it's
27 impossible to manage the fishery when you, you know, if
28 you allow any hours at all in the lower river you're
29 still allowing more opportunity than say somebody in
30 the Koyukuk River where they could fish seven days a
31 week.

32
33 So anyway that's the proposals.

34
35 And then the rest of this thing is just
36 something I -- we do weight, sex, length, girth and
37 ichthyophonous data, and this year I think we did 1,137
38 fish. On the second page you'll see a table of just
39 selected weights and stuff like that and what this is
40 is there's no data going back 20 or 30 years so this is
41 basically, you know, some real carefully taken data,
42 random taken data, full season data from, you know,
43 catches, complete catches of fish, not from, you know,
44 partial catches or something like that, this is, you
45 know, we're pretty careful and we've done it since 2004
46 and then we're basically, you know, asking people,
47 fishermen, to go back in time and remember, you know,
48 what it was like 20 years ago and, you know, ask them
49 was the average king salmon that you caught in your
50 fishwheel 11.4 pounds, 11.9 pounds, 12.1 pounds, 11.7

1 pounds, you know, what was the percent of king over 25
2 pounds, this past season it was 2.1 percent, and that's
3 ridiculous to any fishermen that has, you know, so
4 basically it's just a paper on that.

5
6 And that last page is 1,137 weights.
7 And just go down those columns and look at that.
8 That's what we're catching. That's what we're passing
9 across the border in Canada and the way I look at it is
10 if we continue to pass those fish, even if we were to
11 pass across the border the number that we are required
12 by the agreement that we have with Canada, if this is
13 the quality of those fish that we're passing, if this
14 is the amount of females, if this is the size of the
15 females, if this is the amount of males, even the
16 correct number would not provide us, six years later,
17 with any kind of a run at all; and that's what's
18 happening. That's why now -- I mean we've just missed
19 border escapement for a couple years. Why are we
20 seeing these kinds of returns back from runs that
21 according to -- you know, I hear the Department all the
22 time, say, we met escapement, we had record escapement,
23 you know, we had good escapement. You know, you always
24 hear these terms over and over and over again. In 2003
25 we had this, you know, we had good escapement, you
26 know, well, this is why, you know, because in 2003 we
27 passed this kind of size fish across the border, we
28 passed this ratio of males across the border. If we do
29 not do something about this -- and the way I see it is
30 I don't even see this summer, no matter what they do, I
31 honestly have no faith, oh, yee, of little faith, I
32 have no faith that whatever they do this summer, I
33 think we will still be doing a negative to the king
34 salmon.

35
36 I mean we're going to have to pass all
37 these resolutions and more -- or all these proposals
38 and more -- well, these proposals aren't even going to
39 go into effect, you know, for this summer.

40
41 So anyway that's about all I have and
42 thank you.

43
44 And then, you know, the justifications
45 and all that, you know, for this stuff, it's all been
46 written up before, you know, it'd be very similar and
47 I'm sure all the ACs would -- if you had any special
48 considerations or wordings you'd like, it'd be fine,
49 you know, we just haven't really come up with that yet
50 but it's -- thank you.

1 MADAM CHAIR ENTSMINGER: Thanks, Stan.
2
3 First I'm going to ask if anybody has
4 any questions.
5
6 MR. BASSICH: I do.
7
8 MADAM CHAIR ENTSMINGER: Frank first,
9 and then Andy. Go ahead, Frank.
10
11 MR. GURTLER: Well, it goes back to the
12 same thing I've always said before, we're going to
13 knock ourselves out of fishing with all these
14 regulations.
15
16 Now, why don't we just sit down and
17 talk about what the problem is, and how come we're not
18 having any fish. We could cut back all the time, every
19 day, every week, every year, and pretty soon we're
20 going to sit there and watch them fish go by up into
21 Canada, oh, I wish I had one of those for my freezer;
22 that's what's happening now, let's get down to the real
23 problem, let's find out what's causing that. And I
24 think we all know what's causing it. It's not the
25 people in the Yukon River, is it, you think about it?
26
27 Thank you.
28
29 MADAM CHAIR ENTSMINGER: Andy.
30
31 MR. BASSICH: Okay. As far as
32 questions, Stan, the No. 2 and No. 3, the Eastern RAC
33 has authored proposals in the past on those, so I'm not
34 even going to address those. I think they're very
35 important because of the changing size of salmon, we
36 are impacting the salmon as you have stated in your
37 presentation by selectivity of the gear we're using.
38 We've changed the genetics and that's changing the
39 fecundity getting across the border and that directly
40 impacts, of course, what we get for returns.
41
42 But the first one here, you're chinook
43 bycatch, no commercial sales, I think I alluded to that
44 a little bit earlier today as well and I think that
45 that's a good incentive for people to -- when they fish
46 for chum salmon, to go to places in the river where
47 there aren't the chinook, where there's less chinook in
48 that area. I have friends in the Pilot Station area
49 that say that a lot of the fishermen down there know
50 where to go if they want to catch chinook in their

1 bycatch and where to go to avoid them. So the
2 fishermen know where to go, and that's a good incentive
3 for that.

4
5 As far as No. 4, though, did your AC
6 discuss what that would do to -- or what Board of Fish
7 would be required to do if they adopted that, because
8 if you say there's no driftnet fishing then you
9 basically have to look at -- they have to restructure
10 their entire allocation of time and fishing in that
11 region because the other gears are not going to be as
12 efficient. Given the fishing schedules, the way they
13 are right now, they're limited to, two, I think 36 hour
14 openings and it's pretty widely understood that they
15 are much more efficient at catching down there so
16 they're giving less time to do it.

17
18 So I was just wondering what the
19 discussion was in your AC regarding that. Because if
20 No. 4 was adopted it would require a tremendous amount
21 of restructuring by Board of Fish of the entire
22 fisheries as far as your fishing schedules, as I
23 understand the fisheries.

24
25 MR. ZURAY: Yeah, it was discussed and
26 I think one of the comments alluded to a proposal that
27 YRDFFA passed when we were at the Huslia spring board
28 meeting and that proposal said -- I remember it was
29 like one of the whereases was, whereas, because one --
30 one day of fishing in the lower river could equal an
31 entire season's catch in the Koyukuk River we,
32 therefore, what we were asking for was -- it was a
33 resolution asking the Department to never restrict --
34 to always allow -- if you're going to allow any fishing
35 at all in the low river or in other districts, to like
36 never restrict them, to take them off of the seven
37 days, and one of the whereases was -- so the point --
38 my point -- what I see, is that even if everybody down
39 there had to go back to setnets, which traditionally is
40 what was used in the lower river, because driftnets was
41 not something that was traditionally used down there,
42 any more than any other district, I mean there are
43 always people that would drift a net, but it was a
44 setnet fishery, the -- you know, those people still
45 have first crack at an unmolested run of fish, you
46 know, 36 hours of fishing with a setnet of -- you know
47 36 hours worth of openings in the lower river in
48 District 1 or 2 is -- is still going to be way, way
49 more productive than seven days a week fishing in the
50 Yukon Flats or up in the Koyukuk River. So I don't

1 think that it would take very much restructuring at
2 all, I think they could probably leave the hours still
3 exactly the way, whereas they have a slightly less
4 amount than the other districts and just eliminate
5 driftnet fishing and they would still have the best
6 fishing on the river. And I know I've heard comments
7 from them down there, oh, we could never stop driftnet
8 fishing, there isn't enough setnet spots for all the
9 fishermen, well, I know in the Tanana area and we have
10 pretty good fishing in our area, the first eddy that
11 you can catch any kind of king salmon, and it's not
12 really even that good of an eddy is 16 Mile eddy -- 16
13 miles above Tanana and Lester knows that, you know, and
14 you have to go all the way to the rapids, 40 miles up
15 river to find good eddys -- well, there's some at 20
16 mile and then there's the rapids.

17
18 And so I mean they're not -- they
19 wouldn't have to deal with anything more and I think a
20 lot less, than a lot of the other districts on the
21 river, if this was implemented. This is a fairness
22 issue. It's something to allow driftnetting in the
23 lower river like that. It's just something that should
24 never have been -- it fit in when there was a
25 tremendous amount of kings coming in the river and it
26 was a fast way to collect the 100 or 120,000 king
27 salmon needed for a district that was allotted 89
28 percent of the quota, yeah, it fit in right then, you
29 know, but was that fair, you know, and nowadays to try
30 to manage a fishery, you know, that we have.

31
32 I mean this could be sunsetted. You
33 could sunset this. If the fish -- if in two years or
34 in six years or 10 years we get all our king salmon
35 back and we can take 120,000 fish commercial again and
36 have all the customary trade we want in the world we
37 can allow driftnetting again, but allow it for all
38 districts, not just select few.

39
40 MADAM CHAIR ENTSMINGER: If I can
41 interrupt, I would like to ask the Council if they
42 would like to support any of the proposals and if you
43 want to support all four or if you want to take them up
44 one at a time?

45
46 (No comments)

47
48 MADAM CHAIR ENTSMINGER: Council
49 members. Virgil.
50

1 MR. FIRMIN: I think one.....
2
3 MADAM CHAIR ENTSMINGER: Oh, I'm sorry,
4 go ahead Andrew.
5
6 MR. FIRMIN: I think one at a time
7 would be better.
8
9 MADAM CHAIR ENTSMINGER: I do, too,
10 actually.
11
12 All right, Vince, what are you getting
13 at?
14
15 MR. MATHEWS: That's what I was going
16 to ask, that, you know, some of us, it's hard to track
17 when you do all four at once.
18
19 MADAM CHAIR ENTSMINGER: All right,
20 that's what we're doing.
21
22 MR. MATHEWS: And then also to remind
23 you that two of your Council members have talked about
24 extending the hand across regions and across drainage.
25 These are controversial proposals that -- well.....
26
27 MADAM CHAIR ENTSMINGER: Well, we'll
28 let the Council members bring that up, okay.
29
30 Now, does everyone agree one at a time?
31
32 MR. BASSICH: That's fine.
33
34 MR. CARROLL: (Nods affirmatively)
35
36 MADAM CHAIR ENTSMINGER: Okay, so No.
37 1, do we want to support this or put in our own
38 proposal.
39
40 MR. BASSICH: Madam Chair. I would put
41 forth a motion to co-author this with the
42 Tanana/Rampart/Manley Advisory Committee, and that is
43 the commercial bycatch commercial sales proposal No. 1
44 as written.
45
46 MR. GLANZ: I'll second that motion.
47
48 MADAM CHAIR ENTSMINGER: Okay, we have
49 a motion and a second. Discussion.
50

1 MR. UMPHENOUR: Question.

2

3 MADAM CHAIR ENTSMINGER: We have
4 discussion.

5

6 MR. GURTLER: Yes, I was just wondering
7 about the Yukon River, now, how about the Tanana River,
8 what's that have to do with the escapement for Canada
9 or what that has to do with Fort Yukon, what that has
10 to do with Fort Yukon, what that has to do with
11 Rampart?

12

13 Thank you.

14

15 MADAM CHAIR ENTSMINGER: Okay, Virgil
16 is going to try to address that for you.

17

18 MR. UMPHENOUR: Right. In 1987, or
19 1988, the Board of Fisheries decided that they would
20 manage the Tanana River as a terminal fishery. It has
21 -- what happens in the Tanana River indirectly has an
22 affect on what happens in Canada and in the Yukon
23 Flats, in that, if the runs in the Tanana River are
24 healthy a lot of fish are going to the Tanana River,
25 the people down river will be catching Tanana River
26 fish as well as the ones headed to Canada. But other
27 than that that's the only way there's any effect. But
28 it is -- in the regulation book it is -- the Department
29 managers manage Tanana River as a terminal fishery and
30 so it's managed on its own merit. They have escapement
31 projects on it and so what normally happens on the
32 Tanana River, like the last three years in a row, there
33 was no fishing for king salmon because they were
34 worried about getting escapement on the Chena River
35 even though they had fished in the lower Yukon two of
36 those years commercially. There was no commercial
37 fishery in the Tanana.

38

39 MADAM CHAIR ENTSMINGER: Frank, does
40 that address your question?

41

42 MR. GURTLER: (Nods affirmatively)

43

44 MADAM CHAIR ENTSMINGER: Okay. Any
45 other discussion on us submitting this proposal, it
46 would be us submitting the proposal to the Board of
47 Fish, it would just be in conjunction to this other AC.

48

49 (No comments)

50

1 MADAM CHAIR ENTSMINGER: Hearing no
2 more discussion, I'm going to ask -- well, all those in
3 favor say aye.
4
5 IN UNISON: Aye.
6
7 MADAM CHAIR ENTSMINGER: Anyone
8 opposed.
9
10 (No opposing votes)
11
12 MADAM CHAIR ENTSMINGER: Okay. Now,
13 let's take the second one.
14
15 MR. UMPHENOUR: I move we co-
16 author.....
17
18 REPORTER: Virgil.
19
20 MR. UMPHENOUR:Proposal No. 2. I
21 move we co-author Proposal No. 2.
22
23 MADAM CHAIR ENTSMINGER: Do I.....
24
25 MR. GLANZ: I'll second that also.
26
27 MADAM CHAIR ENTSMINGER: Okay. Frank,
28 this is something that we have put in before, us as a
29 RAC, we have put this before the Federal Board and Fish
30 Board, how many years now?
31
32 MR. UMPHENOUR: I don't know.
33
34 MADAM CHAIR ENTSMINGER: Many, many
35 years we've done it. So just to help you out to
36 understand, you know, what's going on.
37
38 MR. UMPHENOUR: I think Vince had a
39 question or something.
40
41 MADAM CHAIR ENTSMINGER: Vince.
42
43 MR. MATHEWS: I just need to know how
44 this would relate to your pending proposal before the
45 Federal Subsistence Board for a 7.5 inch net? That's
46 the deferred proposal, it's 7.5 inch, 35 mesh is your
47 proposal.
48
49 MADAM CHAIR ENTSMINGER: Virgil's going
50 to address that.

1 MR. UMPHENOUR: Based on the newest
2 scientific information that we have which is the
3 Bromaghin, et al., report, going to the 7.5 inches mesh
4 would not do any good. We have to do one of two
5 things, either quit fishing or go to at least six inch
6 mesh or it's not going to do any good. And that's the
7 best available science that we have and, of course,
8 that science backs up the science from Dr. Ricker from
9 the '70s. It validates what Dr. Ricker said in the
10 late '70s and early '80s. It was presented to the
11 State Board of Fish in January of 1981.

12

13 MR. BASSICH: Madam Chair.

14

15 MADAM CHAIR ENTSMINGER: Andy.

16

17 MR. UMPHENOUR: For those of you who
18 are new on the RAC, this guy, Dr. Ricker, is probably
19 the most famous salmon scientist on earth because they
20 used his model, that's what they used to figure out how
21 many fall chums are supposed to come back this year.

22

23 MADAM CHAIR ENTSMINGER: He likes to
24 emphasize his point.

25

26 (Laughter)

27

28 MR. PROBASCO: I didn't get that
29 Virgil.

30

31 (Laughter)

32

33 MADAM CHAIR ENTSMINGER: Andy. I think
34 we need to continue on but maybe we need a short break
35 after Andy speaks here.

36

37 MR. BASSICH: Okay. Vince, in regards
38 to what you were asking and to build on what Virgil
39 just stated, in addition to it not being -- going to a
40 7.5 as opposed to a 6 not being effective, it would
41 actually be counter-productive to the situation we're
42 in because then we would be selecting for the next
43 largest size fish, which we are currently passing at
44 the border, so we would be targeting, biasly, for the
45 next largest fish that is of the greatest abundance,
46 therefore, we would be hurting the next largest genetic
47 component of the entire Canadian run, in particular.
48 So that's why the science shows that you need to go to
49 a six inch mesh as opposed to a 7.5 mesh.

50

1 Thank you.

2

3 MADAM CHAIR ENTSMINGER: Yeah, Stan.

4

5 MR. ZURAY: Yeah, Sue. There's limited
6 -- the ADF&G has been doing a gillnet study down at the
7 mouth and they've had trouble because of the bad runs,
8 you know, doing everything they've wanted but, you
9 know, what they have found is what, you know, fishermen
10 on the river and, you know, just like anecdotal data or
11 something like that are also saying, and that is that
12 right now because of the damage done to the larger age
13 class fish, well, they're not saying that, I'm saying
14 that, but they are saying that the 7 inch mesh nets
15 actually catch more pounds of fish than your eight inch
16 mesh, or your 8 and 1/4 inch mesh, and so that's what
17 we would be doing if we were to go -- like in my
18 opinion I would rather see it stay at 8 and a 1/4 than
19 have it go to 7.5 because right now it'd be the same
20 thing as, you know, shall we close driftnet for
21 everybody or should we open up driftnetting for
22 everybody, well, you open it up for everybody, you're
23 introducing a more effective gear in a time when
24 conservation is needed. Well, what we don't need to do
25 is go to 7.5 inch mesh and increase the effectiveness,
26 you know, the pound effectiveness of gillnets. And, of
27 course, the studies that Virgil was alluding to, you
28 know, show that that's not going to solve the problem
29 anyway so I just wanted to point that out.

30

31 And, you know, that's what we see up in
32 our area, the large eight inch mesh nets are not --
33 they cannot catch fish anymore. The fishwheels are
34 actually catching more pounds than the -- although
35 smaller fish, than the 8 and 1/4 inch mesh nets now.
36 But some people have been going to smaller mesh nets
37 and catching more fish, more pounds of fish.

38

39 So that's why the six inch mesh now.

40

41 MADAM CHAIR ENTSMINGER: Okay, I'm
42 going to call for a short break and then we'll come
43 back and vote on this, 10 minutes.

44

45 (Off record)

46

47 (On record)

48

49 MADAM CHAIR ENTSMINGER: Okay, before
50 break we were working on this second proposal that the

1 Tanana/Rampart/Manley Advisory Committee had put in and
2 it's regarding a six inch mesh. And, Vince, we are
3 going to clear something up with you. I was confused a
4 little bit, so many issues. It was 7.5 inch mesh that
5 we put into the Federal Board and they deferred that
6 for one year and they wanted -- they were asked to
7 defer it for two.

8

9 Virgil's going to address that now.

10

11 MR. UMPHENOUR: Thank you, Madam Chair.
12 Well, based on referencing my previous comments on the
13 recent science that confirmed some older science, if we
14 pass this proposal right now then what we would like to
15 do is also send a letter to the Federal Board telling
16 them that based on the newest scientific information
17 that we want amend our deferred proposal from 7.5 inch
18 to 6 inch.

19

20 And going along with that, that
21 proposal -- our other that was before them was for
22 gillnets larger than six inches to be no more than 35
23 meshes deep, we want it to be 35 meshes deep, period,
24 and just take out that larger than six inch mesh on it.

25

26 MADAM CHAIR ENTSMINGER: Okay, let's
27 handle one at a time then.

28

29 MR. MATHEWS: I got it.

30

31 MADAM CHAIR ENTSMINGER: So we're going
32 to handle one at a time. So we're going to handle No.
33 2 and we're clearing up -- first of all we'll vote --
34 see if we all are in agreement to putting this forth to
35 the Fish Board for the six inch, as written, Virgil,
36 did I hear -- did you want to change?

37

38 MR. UMPHENOUR: That's right, as
39 written.

40

41 MADAM CHAIR ENTSMINGER: All right, as
42 written. And then we'll discuss our withdrawal, okay.

43

44 (Council nods affirmatively)

45

46 MADAM CHAIR ENTSMINGER: Any discussion
47 on this motion on this proposal.

48

49 (No comments)

50

1 MADAM CHAIR ENTSMINGER: We kind of
2 beat this one a lot, so I'm going to ask for unanimous
3 consent to put this before the Fish Board.

4
5 IN UNISON: Aye.

6
7 MADAM CHAIR ENTSMINGER: Okay. And
8 none opposed.

9
10 (No opposing vote)

11
12 MADAM CHAIR ENTSMINGER: Okay. So that
13 passes unanimously to put it forward. And now, Virgil,
14 do you want to handle this in a motion for us for 7.5
15 inch mesh.

16
17 MR. UMPHENOUR: I move that we send a
18 letter to Federal Subsistence Board stating that based
19 on new science that we want to amend our proposal
20 that's currently deferred before the Board from nets no
21 larger than 7.5 inches to no larger than 6 inch mesh.

22
23 MR. GLANZ: I'll second that.

24
25 MADAM CHAIR ENTSMINGER: Okay. And I
26 was just getting eye contact with Pete over there to
27 make sure that we can do that.

28
29 MR. PROBASCO: Madam Chair. As far as
30 you can do that yes. I think the purpose of the letter
31 is to clarify the wishes of the Eastern Interior
32 Council on what the Board should address as it deals
33 with gillnet mesh size. There's been additional
34 information released since you filed your proposal so I
35 think this is most appropriate to clarify your intent
36 based off that information.

37
38 MADAM CHAIR ENTSMINGER: Okay, great.
39 Now.....

40
41 MR. UMPHENOUR: He's happy.

42
43 MADAM CHAIR ENTSMINGER: Hum.

44
45 MR. UMPHENOUR: Vince is happy.

46
47 MADAM CHAIR ENTSMINGER: Oh, we're
48 making Vince smile, that's great.

49
50 (Laughter)

1 MADAM CHAIR ENTSMINGER: Okay.
2
3 MR. PROBASCO: He's got to smile.
4
5 (Laughter)
6
7 MR. CARROLL: Question.
8
9 MADAM CHAIR ENTSMINGER: So we have the
10 motion, is there any other discussion.
11
12 (No comments)
13
14 MADAM CHAIR ENTSMINGER: Okay, again
15 I'm going to ask for unanimous consent on the -- we're
16 withdrawing the 7.5 inch -- it's a letter to the
17 Federal Board to change it from 7.5 to 6; everybody
18 understands?
19
20 (Council nods affirmatively)
21
22 MADAM CHAIR ENTSMINGER: Okay. All in
23 favor.
24
25 IN UNISON: Aye.
26
27 MADAM CHAIR ENTSMINGER: Any opposed.
28
29 (No opposing votes)
30
31 MADAM CHAIR ENTSMINGER: The motion
32 passes unanimously.
33
34 Now, No. 3 is the gillnet depth limit,
35 and I'm going to ask you to speak to that again,
36 Virgil.
37
38 MR. UMPHENOUR: Well, I move to do the
39 same thing with proposal No. 3 gillnet depth limit, no
40 commercial or subsistence six inch gillnets with a hung
41 depth of more than 15 feet or 35 meshes shall be
42 allowed on the entire Yukon River drainage.
43
44 MR. GLANZ: I'll second that also.
45
46 MADAM CHAIR ENTSMINGER: Any other
47 discussion.
48
49 (No comments)
50

1 MADAM CHAIR ENTSMINGER: Hearing none,
2 I'm going to ask for unanimous consent to put this
3 proposal forward to the Fish Board.
4
5 IN UNISON: Aye.
6
7 MADAM CHAIR ENTSMINGER: Anyone
8 opposed.
9
10 (No opposing votes)
11
12 MADAM CHAIR ENTSMINGER: Okay, it
13 passes. No. 4 fishing method restriction. Virgil's
14 very good at handling this, go ahead.
15
16 MR. UMPHENOUR: Yeah, I move proposal
17 no. 4 fishing method restriction, no subsistence or
18 commercial driftnet fishing allowed in entire Yukon
19 River drainage, all up river and down river driftnet
20 areas included in this proposal.
21
22 MADAM CHAIR ENTSMINGER: Is there a
23 second.
24
25 MR. GLANZ: Okay, I'll second to that
26 also.
27
28 MADAM CHAIR ENTSMINGER: Discussion.
29
30 MR. UMPHENOUR: Yeah, I'm going to
31 speak to the motion.
32
33 MADAM CHAIR ENTSMINGER: We'll let Andy
34 go first.
35
36 MR. UMPHENOUR: Okay.
37
38 MR. BASSICH: Okay. I have a little
39 bit of reservations on this proposal because as I see
40 this, you know, I had asked Stan about their discussion
41 -- but as I view this, I see that if the Board was to
42 adopt this it would basically have to restructure a lot
43 of the fisheries on the Yukon River, and I understand
44 what the Manley Advisory Committee is trying to do here
45 and I'm kind of torn because in part I feel like it is
46 something that is kind of necessary, maybe in the long-
47 run, but there again I don't think we're quite -- I
48 don't think the people in the lower river are quite
49 ready to totally change the way they're doing things.
50 It would force them to go back to doing fish camps,

1 which is not a big part of the way they fish now. And
2 I think it would have a lot more social impacts on them
3 than we may think it would.

4
5 So with that I don't think I'm going to
6 be in support of this, however, I do understand the
7 intent behind it and I think maybe in future
8 discussions this might be warranted but I don't think
9 I'm ready to vote for this right now.

10
11 MADAM CHAIR ENTSMINGER: Is that your
12 final.....

13
14 MR. BASSICH: Yes.

15
16 MADAM CHAIR ENTSMINGER: Okay.

17
18 MR. BASSICH: (Nods affirmatively)

19
20 MADAM CHAIR ENTSMINGER: Frank.

21
22 MR. GURTLER: Yes. I don't think I'm
23 for this either because it's going to put a lot of
24 hardships on the people down there. I don't know how
25 many fishermen are fishing, drifting and how many
26 fishing spots they do have and I think that's one of my
27 concerns about it's going to cut off people that's
28 making a living at commercial fishing, and not to be
29 able to fish at all, and they're going to be like us on
30 the upper Yukon, we're going to be holding a license
31 and not able to fish commercially.

32
33 And I think one of the things with that
34 cutting the driftnet fishing off with just -- I don't
35 think I'm going to vote for that at this time until we
36 find out more about if they have enough drift -- setnet
37 spots in the river to warrant fishing.

38
39 MADAM CHAIR ENTSMINGER: Virgil.

40
41 MR. UMPHENOUR: They used to setnet
42 fish in the late 70s, a guy named Paul Johnson and his
43 father from St. Michael started driftnet fishing over
44 there, and they driftnet fished at night. The guys
45 over there were setnet fishermen primarily. They saw
46 how well these guys were doing so they started doing
47 it. So that's when they started driftnet fishing. And
48 if you take a look at the report done by Dr. Bromaghin
49 and other guys that did the report with him, that
50 report actually predicts what will happen and what that

1 report predicts has happened. So they used to all fish
2 with setnets, they didn't start fishing with driftnets
3 until right at 30 years ago is when they started and
4 that report says in about 25 years the eight year olds
5 are going to be extinct, seven year olds are going to
6 be almost extinct and, you know, half as many six year
7 old king salmon and that's exactly what has happened to
8 us. And so it was not as -- historically they did not
9 drift gillnet fish, they setnet fished. Those setnet,
10 they can still go setnet just like they did before.

11
12 We did not have the problems with the
13 age classes of the king salmon until after they started
14 drift gillnetting. So it depends on how much -- how
15 responsible fishing we want to have.

16
17 But I'm going to vote for it anyway.
18 Because I do know that it's a new thing.

19
20 And the way that -- something that
21 hasn't been brought up yet is they have their CDQ group
22 down there, and so the CDQ group -- because of the CDQ
23 group they have money to get, you know, like 150 horse
24 outboard and, et cetera, so windows, which is something
25 we haven't talked about yet and we might not, but
26 windows are not as effective there because if you've
27 got a boat that will cruise at 35 miles an hour or so,
28 the fish only swim that fast in a day, so in an hour or
29 two they can get ahead of the fish that haven't been
30 fished on, throw their drift gillnet out and start
31 catching them. If they're having to fish with a
32 setnet, it's not going to be near as effective, and
33 that is how they used to fish. So it just depends on
34 how you feel about it.

35
36 But they have lots of opportunity for
37 other fisheries they can take place in. The majority
38 of their employees on their factory trawler, and their
39 mothership and their catcher freezer longline vessels
40 and et cetera are not even American citizens, they're
41 citizens of Mexico and the Philippines and so I can't
42 have much sympathy for them until they can get rid of
43 all the foreigners working on their boats and go work
44 their boats theirself. They have the opportunity to do
45 it, we don't have that up here.

46
47 MR. FIRMIN: I have a question.

48
49 MADAM CHAIR ENTSMINGER: Yeah, go
50 ahead.

1 MR. FIRMIN: Well, this fishing
2 restriction, though, that would be strictly for chinook
3 salmon, they could still go driftnet for anything else,
4 chums and what not, eulachon or whatever else they
5 catch out there?

6
7 MADAM CHAIR ENTSMINGER: Can anyone
8 answer that?

9
10 (No comments)

11
12 MADAM CHAIR ENTSMINGER: This proposal,
13 he's asking us and I had that actually in my head
14 earlier, is it for both fisheries, all fisheries?

15
16 MR. BASSICH: All fisheries.

17
18 MADAM CHAIR ENTSMINGER: All salmon
19 fisheries on the Yukon.

20
21 MR. ZURAY: This is for all fisheries.

22
23 MADAM CHAIR ENTSMINGER: Okay.

24
25 MR. ZURAY: It would be the same as the
26 rest of the river, all fisheries, no driftnet fishing.

27
28 MADAM CHAIR ENTSMINGER: No
29 driftnetting for any of them, uh-huh.

30
31 Lester, do you have something to add.

32
33 Frank.

34
35 MR. GURTLER: Yes, one of the things
36 I'm kind of worried about is I know somebody said
37 something about cutting back their quota 50 percent and
38 then you cut back all this driftnetting and you cut
39 back the quota and you cut everything else back and
40 whatever the Fish and Game has, you got a whole bunch
41 of other restrictions, what's that going to do to the
42 people's lives, that's all I'm interested in, is what's
43 going to happen if you do all these restrictions all at
44 once.

45
46 Thank you.

47
48 MADAM CHAIR ENTSMINGER: Yeah, Frank, I
49 appreciate your discussion here.

50

1 And one of the things that -- I guess I
2 didn't mention this, at the Federal Board, I was
3 pushing for us to work together with the lower Yukon,
4 and the Chair and I spoke at a break and we agreed that
5 somebody from this Council could attend their Council
6 meetings and try to have, you know, work together more,
7 and so I get a little torn -- you know. I kind of go
8 with the people who live on the Yukon, if I hear you
9 guys really want to do something then I can back it,
10 but I do have to think about, you know, I hate to say
11 it but I was a commercial fisherman once and I actually
12 was tendering down on the Yukon and met a lot of people
13 down there, it's been probably 10 years ago or more,
14 but I understand both sides. But I also think that
15 it's -- you know conservation really plays a really
16 heavy thing on my mind, but at the same time I hear
17 what you're saying if you just bombard them with it,
18 you know, what is our willingness to work together.
19

20 And, I guess we've -- I think we've
21 identified the problem, the problem is there isn't
22 enough fish coming up and we're seeing that some of the
23 things can be done in the lower Yukon that possibly
24 make things better, but we know that one of the main
25 culprits is the high seas, so I want to get a feel from
26 you guys here. I can hear Andy and Frank, I want to
27 get a feel from the rest of you, what do you think the
28 willingness is from our RAC to work with other RACs and
29 try to identify problems and work together?
30

31 MR. GLANZ: Madam Chair. I don't see
32 them down there boo-hoing about the people up in Eagle
33 and Circle, and Fort Yukon, Tanana. They're not trying
34 to work with us at all, it's all for them right now it
35 seems to me.
36

37 I feel like this is sending a real good
38 message, maybe they'll call and want to work with some
39 of us on some kind of a deal because they're aware of
40 the problem, they just don't really care what's going
41 on with us up here no more than the people out in the
42 high seas care about the people living on the Yukon
43 River in my opinion.
44

45 I'm voting for this myself.
46

47 But that Board down there, why aren't
48 they working with us, they've known this problem has
49 been going on every year, every year, every year since
50 I've -- this is the fourth year on the Board now and

1 that's all we've been talking about is mesh size, blah,
2 blah this and we have not changed a doggone thing, so I
3 feel like this may be a message at least.

4

5 MADAM CHAIR ENTSMINGER: So you're
6 looking at getting rid of all driftnetting on the lower
7 Yukon and you want to send that message?

8

9 MR. GLANZ: Yes, I do.

10

11 MADAM CHAIR ENTSMINGER: Uh-huh.

12

13 MR. GLANZ: Actually we could put --
14 just like we did with the other thing, we could put a
15 sunset clause in there if that would make somebody feel
16 better. It -- we need to build the stocks up, I don't
17 know what else we're going to do short of stopping the
18 cod fishery, which has to be done, that's the answer
19 right there, we're just throwing rocks to watch
20 ripples. We're not doing anything at all with this.
21 This has no bearing on our coho, or our chinook or
22 anything I don't believe.

23

24 I wish we could waste our time -- we're
25 I'm sorry, we're wasting our time on this, we should be
26 going after the pollock fisheries is what we need and
27 that stuff; that's what we have to do. This is a great
28 method, and I love it, let's do it to it, but let's go
29 further.

30

31 So that's all I have, I don't know what
32 to say.

33

34 MADAM CHAIR ENTSMINGER: I wish we
35 could change the pollock fishery tomorrow, but
36 unfortunately we aren't able to do that.

37

38 MR. GLANZ: I'm sorry, I know that we
39 aren't.

40

41 MADAM CHAIR ENTSMINGER: Yeah. Andy.

42

43 MR. BASSICH: Well, my perspective on
44 this is that by supporting No. 2 and No. 3 we're doing
45 -- we're making a stand, to borrow a phrase, we're
46 saying that this is what we feel we need to do river-
47 wise and this is something that the lower river can
48 work with us on for conservation. And it's still going
49 to allow them to fish. It's still going to allow them
50 to do their fishing in the methods that they've grown

1 to become accustomed to, even though it's only been say
2 30 years or whatever, it's what the generation now, and
3 the previous generation know for their fishing. So it
4 allows them to kind of have a consistency with the
5 fisheries and the way they're conducting their
6 fisheries right now.

7

8 And by supporting 1, we're just trying
9 to help with some incentive there to lay off the king
10 salmon in times of low abundance.

11

12 And so I think, you know, adopting 2
13 and 3, I think we're doing the right thing there and
14 we're doing something that will be meaningful because
15 these are two things that are designed to stop people
16 from catching large females and that's the ultimate
17 goal here.

18

19 And No. 4., like I said I just think
20 it's going to create too much controversy. I don't
21 think people are ready for it. I agree that it would
22 be very effective but I don't think we're really ready
23 socially for it right now. And that does play into it,
24 you know, we always have to wrestle with biological and
25 social implications on any regulations that we put our
26 stamp of approval on, and so that's kind of where I
27 draw the line.

28

29 And one thing I would like to point
30 out, I've been involved in this bycatch issue for a
31 long time and it's an important thing but one of the
32 misconceptions that is happening and I'm hearing it
33 pretty consistently is that people hear that there's
34 been a bycatch of, let's say, 120,000 fish by the
35 pollock fleet, but what people don't understand is only
36 about 40 percent of that, 47 percent of that is bound
37 for western Alaska, okay, and then only 40 percent of
38 that first 47 percent is destined for the Yukon River,
39 so the amount of fish that are destined to come to the
40 Yukon River is not 120,000 when you hear that, it's
41 probably going to be more like about 25 to, and on some
42 years, maybe 40,000 fish tops, that would be an
43 extremely high year and so people have been a little
44 bit misinformed or don't really understand the
45 relationship there. And one of the things that we're
46 pushing for is the science for genetic analysis out in
47 the ocean be a little bit more accurate so we can get
48 some better numbers on what is destined for the Yukon
49 River and western Alaskan streams. So I just wanted to
50 clarify that because I've been hearing a lot of people

1 referring to the bycatch and it is a huge problem and
2 it's one that we need to address, but the numbers that
3 they're using or throwing around are not accurate and
4 you have to be careful when you testify before them or
5 bring that out, that you understand that relationship,
6 otherwise they'll come back at you pretty strong, from
7 the Council.

8

9 Thank you, Madam Chair.

10

11 MADAM CHAIR ENTSMINGER: I'd like to
12 hear from the rest of the Council here on this one.
13 Lester, you're fist.

14

15 MR. ERHART: What if there's no fish,
16 you let them go and there's no fish to manage, what
17 about that?

18

19 MADAM CHAIR ENTSMINGER: Are you
20 speaking to that.....

21

22 MR. ERHART: We have to.....

23

24 MADAM CHAIR ENTSMINGER: Are you
25 speaking to the ocean.

26

27 MR. ERHART: I'm speaking to this
28 proposal here.

29

30 MADAM CHAIR ENTSMINGER: Turn your
31 microphone on, yeah.

32

33 MR. ERHART: It says, even Fish and
34 Game agrees with me that that driftnetting is what's
35 killing the Yukon.

36

37 We should have a restriction on them.
38 If we're not going to pass this we should restrict them
39 down to maybe one 12 hour a week, or something like
40 that. If they didn't -- but when one guy can go out
41 and catch 90 king salmon, come on, in one day, or maybe
42 not even four hours, I mean is this conserving the fish
43 for the Yukon that's failing? I mean are we doing the
44 right thing? I don't -- I disagree there, you have to
45 go to the source to make it work. We're trying to
46 preserve king salmon here, we're not trying to --
47 everybody got to pitch in, that's the way I see it.

48

49 MADAM CHAIR ENTSMINGER: So Lester
50 you're telling me that you totally agree with this?

1 MR. ERHART: Yes, I do.
2
3 MADAM CHAIR ENTSMINGER: Okay.
4
5 MR. ERHART: And should.....
6
7 MADAM CHAIR ENTSMINGER: And didn't you
8 speak to me to another issue at break?
9
10 MR. ERHART: Well, it was the same
11 issue.
12
13 MADAM CHAIR ENTSMINGER: Yeah, but.....
14
15 MR. ERHART: Well, they.....
16
17 REPORTER: Nope, Lester, mic.
18
19 MR. ERHART: Like this customary trade,
20 well, that would kill that right there, this customary
21 trade will be gone. If you stop these people from
22 driftnetting it would be over with, we wouldn't need to
23 go to that customary trade.
24
25 MADAM CHAIR ENTSMINGER: So you're
26 saying the customary trade, the problem would be very
27 minimal?
28
29 MR. ERHART: Yes.
30
31 MR. CARROLL: Madam Chair.
32
33 MADAM CHAIR ENTSMINGER: Richard.
34
35 MR. CARROLL: I'm going to vote in
36 favor of shutting down the driftnetting. And it ain't
37 going to -- not last forever, you know, but it's -- I
38 think it's got to be done. And I sympathize with them,
39 you know, there's jobs available I think, if they get
40 out there and take over the illegal aliens. Sorry.
41
42 MADAM CHAIR ENTSMINGER: Okay. I'm
43 going to offer a suggestion here.
44
45 MR. UMPHENOUR: I think Stan wanted to
46 say something, could we hear him.
47
48 MADAM CHAIR ENTSMINGER: Virgil is
49 reading your mind, he said that you might want to say
50 something.

1 MR. UMPHENOUR: No, he's been putting
2 his hand up.
3
4 MR. ZURAY: Well, I put my hand up only
5 if.....
6
7 MADAM CHAIR ENTSMINGER: I apologize,
8 I'm not seeing it.
9
10 MR. ZURAY: No, only if it's okay.
11
12 MADAM CHAIR ENTSMINGER: Yeah, you can
13 come up.
14
15 MR. ZURAY: All right.
16
17 MADAM CHAIR ENTSMINGER: We love the
18 public.
19
20 MR. ZURAY: You know, when our AC
21 talked about No. 4 there was a number of comments from
22 people there and they were really concerned that this
23 proposal, that's why I have those notes there, that's
24 why those notes are there, that's comments that they --
25 that came from the people in our AC, that they wanted
26 it to be -- our reasoning to be made really clear so
27 that it was clear that they did not want this proposal
28 to be like an anti-lower river, or anti -- and it's not
29 just the lower river that driftnets but, you know, they
30 -- and so they were really concerned, you know, it not
31 be viewed as that and like Andy says, you know, this
32 is, you know, controversial and stuff but, you know, I
33 think the thing that needs to be remembered is, is
34 like somebody said here, what's good for the goose is
35 fair for the gander or however you put that, you know,
36 or is good for the -- so anyway it's like we have
37 gotten nowhere all these years. Some of these
38 proposals -- this has been through the State Board of
39 Fish three Board cycles, this will be the fourth time,
40 you know, these probably aren't even going to pass to
41 be quite frank. I don't expect 2 to pass, 3 to pass,
42 4, there's no way it's going to pass. But the thing
43 is, is maybe eight years down the line, it'll pass
44 because we brought it up now, just like maybe some day
45 a couple of Board cycles from now, maybe the six inch
46 mesh will pass, it might take no chinook in the river
47 to do that, complete shutdown of the subsistence
48 fishery like has happened in other places, to do that,
49 along with us continually putting these in, but there's
50 no way all this stuff is going to hit the lower river

1 fishermen at once. There's no way these are going to
2 pass. I've been told by people in the know, there's no
3 way the Department's going to go for six inch mesh
4 so.....

5
6 MADAM CHAIR ENTSMINGER: I'd like to
7 think that something could pass.

8
9 MR. ZURAY: Well, No. 1 might pass, you
10 know, big deal.

11
12 (Laughter)

13
14 MR. ZURAY: You know.

15
16 MADAM CHAIR ENTSMINGER: Yeah, right.

17
18 MR. ZURAY: But I mean really, I mean
19 look what the upper river has been putting up with,
20 we're not asking them to do anything that we aren't
21 asking ourselves to do.

22
23 That's all I got to say.

24
25 MADAM CHAIR ENTSMINGER: Okay. Let me
26 ask you this, Stan.

27
28 MR. ZURAY: Okay.

29
30 MADAM CHAIR ENTSMINGER: Did you guys
31 discuss the fact that No. 4 absent 2 and 3, and, say,
32 hey, you know how on the Board of Fish they always say
33 other options you have considered?

34
35 MR. ZURAY: Yes.

36
37 MADAM CHAIR ENTSMINGER: So could we --
38 is it something -- this is something I'm going to throw
39 at the Council, too, in lieu of 2 and 3 not passing, we
40 would favor No. 4, or we would favor No. 2 and 3 if 4
41 didn't pass, type thing, when you put in other options
42 you have considered, did you guys do any of that?

43
44 MR. ZURAY: On No. 4 we considered
45 allowing driftnet for all districts, but like I say
46 here, with the current king.....

47
48 MADAM CHAIR ENTSMINGER: So that's all
49 you.....

50

1 MR. ZURAY:king salmon and.....
2
3 MADAM CHAIR ENTSMINGER:
4discussed?
5
6 MR. ZURAY:that was -- that was
7 the only one. We didn't discuss the other ones, except
8 that we did discuss the fact that had any of these,
9 like had some -- had one of these or two of these been
10 done 10 years ago and some small efforts been made to
11 restrict ourselves 10 years ago we might not be in the
12 fix we're in right now but the fix we're in right now,
13 probably doing all three of these, our kids might -- my
14 20 year old son is probably not going to see commercial
15 fishing in his lifetime and he just bought a commercial
16 license two years ago and has never been able to fish
17 it and he's probably not going to be, in his lifetime,
18 or young years, ever be able to commercial fish in the
19 upper river. That's the way I look at it, even if all
20 these things are done, to do -- I mean -- and like I
21 say these are probably not going to pass in 2010, so
22 we're probably not going to do anything.
23
24 We're probably looking at the.....
25
26 MADAM CHAIR ENTSMINGER: So you're
27 saying we're just giving the Board -- hitting the Board
28 of Fish with the problem and they're probably not going
29 to do anything but No. 1, which is.....
30
31 MR. ZURAY: Well, it's the will of the
32 Board, the will's not there.
33
34 MADAM CHAIR ENTSMINGER: Right. Right.
35 Right.
36
37 Okay, well, speaking to the Council I'm
38 just going to offer it up and if it doesn't -- if we
39 don't have enough people that wants to do it then
40 that's fine, but in lieu of 2 and 3 not passing, you
41 would say we would go with 4, and we would go with 4 --
42 I mean 2 and 3 if 4 didn't pass, type thing?
43
44 Virgil is it going to do a difference
45 -- expert, tell me.
46
47 MR. UMPHENOUR: Okay. I'm going to try
48 to -- I'm going to say what I think I understand you
49 said.
50

1 Okay, you asked Stan if other -- the
2 part in the proposal form that says other thing you
3 considered, you know, to address the issue, so what you
4 would like to put in there is on No. 4, if 2 and 3
5 don't pass, we No. 4, or if 2 and 3 do pass we could
6 let 4 go; is that what you want to say?

7
8 MADAM CHAIR ENTSMINGER: That's what
9 I'm trying to say, yes, as you -- it's another avenue
10 for the Board to consider that we have considered.

11
12 MR. UMPHENOUR: We can put that down --
13 on the proposal form, we could put that down. But then
14 someone is going to have to be at the Board of Fish
15 meeting and point that out to them, which I'll be at
16 the Board of Fish meeting and I could point that out to
17 them.

18
19 MADAM CHAIR ENTSMINGER: Well, they put
20 that in the Board book, don't they, what.....

21
22 MR. UMPHENOUR: Yeah, they put it in
23 the Board book but we have a lazy Board now, they're
24 not like when I was on the Board, they quit at 5:00
25 o'clock every night.

26
27 (Laughter)

28
29 MR. UMPHENOUR: They don't work until
30 midnight or 1:00 or 2:00 in the morning, like Pete and
31 I have done in the past.

32
33 MADAM CHAIR ENTSMINGER: So.....

34
35 MR. UMPHENOUR: Vince wants to say
36 something.

37
38 MADAM CHAIR ENTSMINGER: Vince.

39
40 MR. MATHEWS: Well, you have another
41 option here, and Fred Bue can correct me on the dates.

42
43 You're going to be meeting in October,
44 the Board of Fish meets in January 2010, you would have
45 these proposals, if you so desire and want them on your
46 agenda, they would be back on your agenda in fall and
47 at that time then you could submit a written comment
48 saying that if 2 and 3 passes and 4 or whatever
49 combination you would want -- the benefit of waiting
50 until then, you would possibly have input from other

1 areas that are affected by 1, 2 and 3. But, Fred, I
2 need to confirm that the proposal book would be out
3 prior to October and that the public would have a
4 chance to review it so then they could let you know,
5 and I'm pretty sure it is.

6

7 MADAM CHAIR ENTSMINGER: Yeah, I would
8 like to hear about the scheduling. And while Fred's
9 coming up, Vince, if the Fish Board doesn't take this
10 up -- until when, what month?

11

12 MR. MATHEWS: Ask Fred that, but it's
13 my understanding from breaks, with Fred, it was January
14 2010.

15

16 MADAM CHAIR ENTSMINGER: So we'd
17 be.....

18

19 MR. MATHEWS: January or February.

20

21 MADAM CHAIR ENTSMINGER: So these
22 proposals would come before the Fish Board prior to OSM
23 taking up our two deferred ones?

24

25 MR. PROBASCO: (Nodding affirmatively)

26

27 MADAM CHAIR ENTSMINGER: Okay, I want
28 to make that clear in my head. Thank you.

29

30 Pete is shaking his head so -- uh-huh.

31

32 Go ahead, Fred.

33

34 MR. BUE: Which way is he shaking it?

35

36 (Laughter)

37

38 MADAM CHAIR ENTSMINGER: Yes.

39

40 MR. PROBASCO: (Nodding affirmatively)

41

42 (Laughter)

43

44 MADAM CHAIR ENTSMINGER: Yes. The Fish
45 Board comes up ahead of the Federal Board.

46

47 MR. BUE: Okay, Madam Chair, yes, I
48 think that's -- as I spoke to Vince earlier, the Board
49 of Fish has a work session in October and the Board
50 books are out before that and that's when they set

1 their agenda and set their schedule for the winter
2 meetings, and so at that point these proposals would be
3 before the Board of Fish in that booklet, but also
4 you're going to have a whole myriad of other proposals
5 that you may want to comment on, and it may also come
6 into play, like you say, in respect to replacing one
7 with the other or vice versa. There's going to be a
8 whole 'nother balance and you're going to have a whole
9 'nother opportunity to.....

10

11 MADAM CHAIR ENTSMINGER: But to get
12 this in the Board book it has to be done at our meeting
13 now?

14

15 MR. BUE: Right. And I think that you
16 can.....

17

18 MADAM CHAIR ENTSMINGER: And the
19 Rampart one's going to be in the Board book anyway.

20

21 MR. BUE: Right.

22

23 MR. UMPHENOUR: The comments we make at
24 our October meeting will be in the Board book.

25

26 MADAM CHAIR ENTSMINGER: Oh, Virgil is
27 saying that our comments now will be in the Board book,
28 uh, in October, if we.....

29

30 MR. UMPHENOUR: No, no, if.....

31

32 MADAM CHAIR ENTSMINGER: Virgil.

33

34 MR. UMPHENOUR: Okay.

35

36 MADAM CHAIR ENTSMINGER: Mic.

37

38 MR. UMPHENOUR: We're going to meet in
39 October. The comments that we make, that we write and
40 submit to the Board of Fisheries.....

41

42 MADAM CHAIR ENTSMINGER: Okay.

43

44 MR. UMPHENOUR:from our October
45 meeting will be in the Board book.

46

47 MADAM CHAIR ENTSMINGER: Okay.

48

49 MR. UMPHENOUR: What we do right now
50 will be in the proposal book.

1 MADAM CHAIR ENTSMINGER: Yeah, just
2 proposals are up right now, okay.
3
4 Well, this proposal is already going to
5 be in the Board book, it's just a matter of us
6 submitting it also.
7
8 MR. UMPHENOUR: Correct.
9
10 MADAM CHAIR ENTSMINGER: What's the
11 wishes of the Council.
12
13 MR. UMPHENOUR: Well, we've got a
14 motion on the floor, we have.....
15
16 MADAM CHAIR ENTSMINGER: You're right,
17 we have a motion and a second and we've discussed it
18 and we have.....
19
20 MR. UMPHENOUR: I made the motion so I
21 can't call the question.
22
23 MR. CARROLL: I'll call for the
24 question.
25
26 MADAM CHAIR ENTSMINGER: All right, the
27 question's been called for.
28
29 MR. CARROLL: Can I ask for a roll call
30 vote.
31
32 MADAM CHAIR ENTSMINGER: And I do, too,
33 roll call vote.
34
35 MR. MATHEWS: Richard Carroll.
36
37 MR. CARROLL: Yes.
38
39 MR. MATHEWS: Andy Bassich.
40
41 MR. BASSICH: No.
42
43 MR. MATHEWS: Frank Gurtler.
44
45 MR. GURTLER: Yes.
46
47 MR. MATHEWS: Bill Glanz.
48
49 MR. GLANZ: Yes.
50

1 MR. MATHEWS: Lester Erhart.
2
3 MR. ERHART: Yes.
4
5 MR. MATHEWS: Andrew Firmin.
6
7 MR. FIRMIN: Abstain.
8
9 MR. MATHEWS: Virgil Umphenour.
10
11 MR. UMPHENOUR: Yes.
12
13 MR. MATHEWS: Sue Entsminger.
14
15 MADAM CHAIR ENTSMINGER: No.
16
17 MR. MATHEWS: It passes with a vote of
18 five, two in opposition and one abstain.
19
20 And then for the record then all the
21 votes on Proposals 1, 2, 3 and 4 from Tanana/Rampart is
22 basically you're co-authoring using the language that
23 Tanana/Rampart/Manley passed?
24
25 MADAM CHAIR ENTSMINGER: That is
26 correct.
27
28 MR. MATHEWS: And so the Chair of the
29 Tanana/Rampart/Manley needs to get that language to
30 myself or another Staff person.
31
32 Thank you.
33
34 MADAM CHAIR ENTSMINGER: Okay. We have
35 a bunch of reports here, Fisheries Resource Monitoring
36 Program.
37
38 MR. MATHEWS: Madam Chair. I made a
39 mistake on that, it'll be Liz Williams presenting that.
40 I inadvertently put in Pete Probasco, but obviously
41 he'll be there if you have any questions.
42
43 MS. WILLIAMS: Thank you, Madam Chair,
44 Members of the Council. I'm Liz Williams,
45 anthropologist with Office of Subsistence Management.
46
47 Last time I was here we talked about
48 the request for proposals for Fisheries Monitoring
49 Projects and right now we got about 62 projects
50 requesting about \$8 million total, they're still in

1 review, but that's where we are with that.

2

3

4 This afternoon, we would like to give
5 you a report on a project that you approved in the past
6 and that's the Yukon River salmon fishery traditional
7 ecological project and it was conducted by Dave Krupa
8 of the National Park Service, Yukon Charley Preserve
9 and Gates of the Arctic. So Dave will take you now to
10 presentation.

11

12 MR. KRUPA: Thank you, Madam Chair.
13 Council members. Really appreciate the opportunity to
14 kind of come at the end of this multi-year process.
15 The genesis of this traditional local knowledge project
16 was really the disastrous salmon runs towards the late
17 '90s and then early 2000s and the view was, as I
18 understand it, to really document the extent of local
19 knowledge about in-river conditions for the salmon
20 fisheries and what we're talking about primarily in the
21 upper Yukon River, of course, is the chum run -- fall
22 chum run and king run. And I will say that most of the
23 interviews that we did tended to focus on problems with
24 the king run because unless you're a dog musher and
25 feeding dogs there weren't as many people focused on
26 that run.

27

28 So many of the sort of broad comments,
29 just so you're aware, do come from comments about the
30 king fishery.

31

32 The study goals, I have them here.
33 I'll try to sort of collapse this and be fairly brief.
34 I know it's late in the day but we wanted to get local
35 perspectives on the salmon fishery subsistence
36 activities and not just subsistence fishing, per se,
37 but how did the subsistence fishery fit into the
38 broader suite of activities that make up subsistence.
39 Because one of the things that is pretty clear is that
40 although managers often have to focus on a single
41 species, subsistence activities are much broader than
42 that and if you don't get your salmon it means that you
43 need to get some other source of protein, whether it be
44 you're going to focus more on caribou, you're going to
45 focus more on moose, et cetera. And so we really
46 wanted it to be fairly broad based.

47

48 We wanted to look at the regulatory
49 frameworks from the perspective of the actual fishers.
50 We wanted to look at sharing and trading of fish, what
51 are people doing with their fish that they are

1 harvesting under subsistence.

2

3 And then local views on the causative
4 factors for the declines and remedies that might be
5 found.

6

7 The objectives of the study was to
8 collect this local knowledge, obviously, it was to
9 learn about local fishing sites, what makes a good
10 fishing site, what are the multiple interactions
11 between fishing. If you're out fishing are you
12 simultaneously undertaking plant and animal gathering,
13 et cetera.

14

15 Another goal was really to develop
16 better consultation and partnering, not just with the
17 Park Service but with agencies in general, and
18 particularly on the upper river. One of the things
19 that became very clear in the course of these
20 interviews is that although you have the Regional
21 Advisory Councils, there are plenty of fishers out
22 there who never make it to a meeting, they're involved
23 in subsistence, they have essentially zero opportunity
24 to make time to go to these meetings even though they
25 may have very strong views about the course of
26 regulation, the condition of the fishery and so on. So
27 in a way the goal was to take the conversation out to
28 the river and the people that are out there and record
29 their views.

30

31 So there wasn't a lot of theorizing
32 about what people meant. This report substantially
33 relies on direct testimony that was then cross-checked
34 with the fisher to make sure that we captured what it
35 as that they were trying to relay to us.

36

37 One other kind of difference, from some
38 so-called traditional ecological knowledge studies,
39 they sort of came into force as a popular study in the
40 social sciences, 15, 20 years ago and very quickly
41 there was also sort of a backlash about, well, what is
42 the role of this traditional knowledge with respect to
43 other realms of knowledge and particularly the
44 biological studies that form the basis of much of the
45 regulatory process. And one of the comments was that
46 if you think of traditional knowledge in a sort of
47 purely backward looking fashion, it's kind of like Mike
48 Smith said about, are you going to say that to be
49 traditional you have to be using bow and arrows for
50 hunting and fishing. And so the goal in this study was

1 to document subsistence activities as they exist today,
2 which includes Native and non-Native fishers engaged in
3 much the same activities. Developing expertise that's
4 based, not just on the river, but also in the age of
5 communication, many of the people who were recorded in
6 this are quite knowledgeable about the biology of the
7 fishery, they've studied up, they're focusing on this
8 and they're potentially very important partners in
9 coming up with studies that can either confirm the
10 local observation, change the trajectory of our
11 understanding and so on.

12

13 So, again, a big part of that was the
14 goal being to get conversation going as directly as
15 possible.

16

17 The study area was pretty limited to
18 Circle, Central, Eagle, and Eagle Village.

19

20 We had about 50 interviewees and you'll
21 see the about sign, that's because I'm a social science
22 so my math skills are fuzzy, and it basically is that
23 although the primary interview set was about 42
24 individuals we had people present at the interviews who
25 often commented and had useful and important
26 observations although they weren't directly
27 interviewed.

28

29 In terms of the method. We had a
30 questionnaire but it was a qualitative questionnaire
31 meaning that we didn't ask every single fishery
32 precisely the same question. Some people had special
33 knowledge about how to build a fishwheel, or how to set
34 a net, and so the -- it's basically a directed, yet
35 open interview process. And so one of the
36 participants, for example, was Andy and we had the
37 basic interview done, I believe it was at your house,
38 and then another interview, subsequent interview out at
39 the fishwheel during the fall chum run, which was a --
40 as you can see from the later pages was a particularly
41 strong pulse coming through at the time that interview
42 was done.

43

44 And that kind of brings up another
45 thing, and that is that one of the things I found was
46 that it turned out to be a multi-year study because
47 there was a heavy fire year the year we got the money,
48 people were not available, so it took place in sort of
49 an iteration over 2005, 6 and 7. And it was very clear
50 and yet hard to sort of quantify the impact of what was

1 happening with the fish run at the time people were
2 interviewed. It was fairly clear that it influenced in
3 some ways people's broader observations about what was
4 happening with the fisheries. That's something in
5 future studies I would like to better control for, but
6 there still are some rather obvious observations that
7 came out of that.

8

9 And maybe I'll jump to sort of the key
10 observations about what people are seeing out on the
11 river.

12

13 And one of the key areas -- sorry I
14 lost my place here.

15

16 (Pause)

17

18 MR. KRUPA: Okay, one of the key things
19 was just what are the perspective in the role of
20 subsistence in general, and that was one of kind of
21 three focus areas. And we found, again, that the focus
22 was heavily on the king salmon run and less people also
23 were also involved with dog teams. We saw that the
24 cash economy is a part of the tool kit. That it
25 doesn't play the same role at all that it would play in
26 a commercial fishery and yet people obviously need some
27 cash to support regular day to day subsistence
28 activities. And one of the changes that people
29 reported was that when gas costs went up as high as
30 they've gone, and in many cases are staying that high,
31 is that people are looking for fishing opportunities
32 closer and closer to the village. So the question is
33 what, in the long-run, is the social impacts of
34 concentrated fishing and in many cases hunting
35 activities, closer and closer to the village. That
36 there can, in some cases, be more competition for the
37 existing fishing sites that are nearby. It had some
38 impact on people sort of teaming up in their approach
39 when they may have, in the past, fished independently.
40 Those kinds of arrangements were especially obvious in
41 the Circle, Central area.

42

43 The other key being the passing on of
44 knowledge. This study very specifically we wanted to
45 interview younger fishers to see how the fishing
46 activity was being passed on between the generations,
47 who was picking it up, and in many cases some of the
48 older fishers expressed a certain amount of
49 disappointment or concern for lack of interest, and at
50 the same time in a few cases there were younger people

1 who became extremely interested and were then learning
2 how to build fishwheels and were out at the fish camps.
3 And kind of a piece of that passing on the knowledge is
4 that, and this actually came from Reba DeWilde out of
5 Eagle Village area, was that she kind of made the
6 analogy to going to school, that if you miss a fishing
7 year with a kid, it's like missing a grade in school.
8 She really had it sort of laid out what kids, at
9 different ages, are capable of contributing and
10 learning on a given fish year. So it really came home
11 to me just how this is not an occupation so much as a
12 tradition that requires a constant input of new energy
13 and new people to become engaged, interested and focus
14 on it.

15
16 As far as use of fall chums for dog
17 teams, it seems to be that there's been a very sort of
18 up and down process, there's more recreational teams
19 popping up in the Eagle area than there were in recent
20 years. There seemed to be less reliance on dog teams
21 in the Circle, Central area. There's a bit of a lull,
22 although a few people were interested in picking it up.
23

24 We tried to focus on the practicalities
25 of fishing, not just the impacts to the fishery but the
26 actual day to day activity of what makes a good setnet
27 spot, what makes -- what do you need to teach your kids
28 about safely setting a net, say solo from a canoe. You
29 know the minusia of day to day life that fishing
30 requires in terms of the expertise that you develop.
31 So we really tried to capture that as a broader
32 cultural tradition shared by non-Native and Natives
33 alike and report that as directly as we could.
34

35 We talked a lot about how fishers
36 respond to poor fish runs and we talked -- a lot of
37 people talked about how it required them to look at
38 other sources of protein and even in the case of dog
39 teams, the really bitter challenge of whether or not
40 you need to start thinking about culling dogs in
41 certain situations, although in most cases people had
42 been able to avoid that up to now.
43

44 Noted the changes in -- environmental
45 changes. And one of the really interesting things
46 about that was that people weren't by and large making
47 as many claims about climatic or river condition
48 effects on the fishery itself so much as on fishing
49 effort, the way that high water effects, you know, can
50 end up with drift in nets and so on and the extra work

1 that that requires. And by kind of focusing on those
2 impacts to fishing effort and fishing technique one of
3 the things that came out really strongly, independently
4 throughout all of the communities was the regulatory
5 requirement of pulling fish nets during windowed
6 closures. And, particularly in the upper river where
7 the water is swift and where people are often setting
8 nets by themselves, it's considered one of the most
9 dangerous parts of the whole process and the question
10 was asked repeatedly and with a lot of emotion, why
11 can't we tie off nets during closures. So that was
12 something I very informally talked to our Park
13 superintendent and our chief ranger about, as I
14 understood it, part of the reason why the nets have to
15 be pulled is it's very difficult from an enforcement
16 perspective to know whether or not a net is fishing
17 from the air, for example, and our superintendent and
18 chief ranger indicated that if there were some change
19 recommended or if some change in the regulation were to
20 occur where it could be agreed upon, that certainly
21 around Yukon Charley we could make a patrol and just
22 insure that nets are tied off during closures we'd be
23 happy to do that.

24

25 I think for the most part I've gone on
26 for 15 minutes here, and so maybe I'll just wrap it up
27 by saying that I can't emphasize enough how clear it
28 became that people are committed to not just the health
29 and conservation of this resource but continuing that
30 opportunity for future generations and I think that's
31 been the tenure of everything I've heard at these RAC
32 meetings as well.

33

34 So I guess I'll open it up to
35 questions.

36

37 MADAM CHAIR ENTSMINGER: Andy.

38

39 MR. BASSICH: Thank you, Dave, that was
40 interesting. I know having read this entire report
41 it's quite - it covers quite a few areas. And I would
42 hope that in future years there might be some follow
43 ups to see if there are any changes in this, I think
44 that would be an important comparison in maybe 10 years
45 time or something and something for the agency to
46 consider on a, you know, decadal type basis or
47 whatever. That's where you develop some real fine
48 points coming out and I wish that we would have had
49 some of this when we started looking at salmon size
50 issues. Had we had some of this from the '70s or '80s,

1 I think it would have gone a long way towards helping
2 us get some direction on where we need to go and
3 support.

4
5 Your last comments on tying up nets,
6 that is a big issue in our area because a lot of the
7 fishermen and women, many of them are single women
8 fishing, was there any more specific discussion amongst
9 the law enforcement agency with Yukon Charley as to how
10 they would go about trying to do that if they were
11 going to allow people to just tie up a net, any
12 methodology of how they would maybe work that out or
13 whatever?

14
15 MR. KRUPA: Thank you, Andy. The
16 conversation was very informal at this point. And one
17 of the things that Greg Dugeon, the superintendent,
18 immediately keyed upon was, he's not sure where the
19 State would stand on that, and the Park Service helping
20 with the enforcement aspect of it and the thought was
21 is that when a window closure occurred we would set off
22 by boat from Eagle to Circle and make stops along the
23 way basically to ensure compliance.

24
25 MR. BASSICH: Yeah, I think I'd really
26 like to encourage some communication between the
27 National Park Service law enforcement entity and the
28 local people there along those lines, I think it would
29 go a long way towards building some lines of trust and
30 communication and I know this is a very big issue in
31 our area. People want to be conservative, they want to
32 abide by the laws, but it is creating some serious
33 risks to them. And I think the law enforcement
34 entities would find that these people in very good
35 faith would comply, we don't have very many renegades,
36 if any, in our area, most people are quite happy to
37 work towards conservation.

38
39 And I guess I'll leave it at that, but
40 thank you.

41
42 MADAM CHAIR ENTSMINGER: Anyone else
43 have questions.

44
45 MR. GURTLER: I have one.

46
47 MADAM CHAIR ENTSMINGER: Frank.

48
49 MR. GURTLER: Yeah, I think that would
50 go a long way by tying those nets off so they don't

1 have to pull them, I'd like to see that happen so that
2 they won't get arrested for having their net in the
3 water because it's a hardship and you're going to see a
4 lot more fishing and even kids, with this day and age,
5 the way the economy is, and I think I'd like to see
6 them tie off the nets and if they don't, you do what
7 you have to do to make sure, whatever it is.

8

9 MR. KRUPA: Thank you.

10

11 MADAM CHAIR ENTSMINGER: Bill.

12

13 MR. GLANZ: This is not really a
14 question. I'm glad to see you interviewed DeWilde, she
15 does a lot of good work with the children in the Circle
16 community, my goodness, she dedicates a lot of summers
17 to those kids there teaching them how to fish, so,
18 cool.

19

20 MR. KRUPA: Yeah, good deal.

21

22 MADAM CHAIR ENTSMINGER: Anyone else.

23

24 (No comments)

25

26 MADAM CHAIR ENTSMINGER: Thank you,

27 Dave.

28

29 MR. KRUPA: Thank you.

30

31 MADAM CHAIR ENTSMINGER: Uh-huh. Okay,
32 next on the agenda, did we miss the Yukon Flats non-
33 salmon traditional -- TEK.

34

35 MS. WILLIAMS: No.

36

37 MADAM CHAIR ENTSMINGER: Oh, okay.

38

39 MS. WILLIAMS: Madam Chair. I
40 neglected to mention that Mike Koskey wasn't able to
41 make it today, I scratched it out on my agenda and just
42 assumed it went on everybody else's.

43

44 MADAM CHAIR ENTSMINGER: Oh, okay.

45

46 (Laughter)

47

48 MS. WILLIAMS: But I think Brandy
49 Berkbigler is probably next with the Partners Program.

50

1 MADAM CHAIR ENTSMINGER: All right,
2 thank you. I didn't know if I failed to hear that.

3
4 MS. BERKBIGLER: Good afternoon, Madam
5 Chair and Council members. Vince is passing around --
6 or Brandy Berkbigler with Tanana Chiefs Conference, the
7 Yukon Partners Fisheries biologist with TCC. And I
8 have Vince passing around two papers. The first one is
9 the TCC's region is so large and I'm only one person
10 under the Partner's Program, we now have a second
11 biologist on staff and also just this February we hired
12 the fishery intern, Lisa Kangas, that some of you who
13 have been with the Council might have heard me talk
14 about, who's worked with me for the past four summers
15 at TCC, she's now hired on as a biologist as well
16 starting out, so hopefully she can take over some of
17 the smaller projects and just get her foot in the door
18 and get her working.

19
20 So the first project that I want to
21 review is the Tanana River fall chum radiotelemetry
22 project that has been going on since 2007. In 2007 it
23 was a pilot year where we were just testing the tags
24 and making sure everything was going to work out and
25 then this last year 2008, we tagged 413 chum salmon and
26 out of those we had some archival tags, 35 -- they were
27 all female chum salmon, fall chum salmon in the Tanana
28 tagged at the Kantishna wheel, and then we monitored
29 them up river through radiotelemetry flights so we
30 could track their movement. And the main intent of
31 this was to find out where they were spawning since 30
32 percent of the fall chum run in the Yukon comes from
33 the Tanana and so we can't figure out exactly where
34 they all are in the spawning stream so a majority of
35 them were coming from spawning locations within the
36 main stem. And as far as we know to-date most of those
37 ended up in between Fairbanks and Delta Junction,
38 spawning in the main stem. And so with that we put in
39 habitat monitoring equipment and there's also a
40 graduate student project thesis tied into this overall
41 project where she's looking at the ice cover and
42 upwelling and USGS has spawning site habitat monitoring
43 equipment in as well. So there's -- so right now all
44 those temperature monitors and pizometers that are
45 monitoring the upwelling sites that we found the
46 spawning salmon at in December are still in the water
47 and they'll start to be pulled this spring, towards the
48 end of March, in the next couple weeks they'll be
49 looking at going out there and trying to recover all
50 that equipment to see what the temperature did over the

1 winter timeframe and so they can try to figure out
2 habitat-wise what these fish were looking for in the
3 main stem and if so -- if that's making sense so far.

4
5 So on the back side of this paper is
6 just showing a temperature in-depth out of one of the
7 fish's archival tags that we recovered, showing that as
8 they move through from September to November, when we
9 recovered the tag, you had the water depth and the
10 water temperature. And so out of those 35 tags, you
11 know, those are still being downloaded and worked on
12 and we'll have a final report out for this project, I
13 believe, this fall is the deadline for that, and we'll
14 have more information with all the habitat equipment.

15
16 This is dated December 12th and that
17 was the last time that we really did an update because
18 that's when all the fish -- well, when we recovered all
19 the rest of the tags that were in the remaining fish,
20 who were still spawning at that timeframe, so there's
21 been really no new updates since then until later this
22 spring when that habitat monitor equipment is out and
23 we put it all together.

24
25 If you want to you can also go on to
26 the Tanana Chiefs website and under the GIS tab there's
27 a map that our forestry department has compiled and so
28 you can click on a fish and see where it went and track
29 it through the river. So it's kind of an interactive
30 map.

31
32 And then secondly -- well, I guess I
33 could take any questions on that since that's one
34 project that was conducted in your region and is now
35 complete and the report should be out.

36
37 MR. BASSICH: Madam Chair.

38
39 MADAM CHAIR ENTSMINGER: Andy has a
40 question.

41
42 MR. BASSICH: Yeah, thank you. The
43 tags that you say were main stem spawners, was there a
44 follow up to see if they were actually spawned fish or
45 if they were actual fish that didn't make it to a
46 spawning site, how did you tease out whether they could
47 have been a mortality -- prespawning mortality as
48 opposed to an actual spawned event.

49
50 MS. BERKBIGLER: Well, as we were doing

1 the tracking -- so on some of the fish you could see
2 where they ended up going so outside of the Delta
3 Clearwater, one fish ended up there and then it held
4 around, it milled around for awhile, and so they were
5 doing weekly -- like usually two times a week they
6 would get out there depending on where some of these
7 fish were at, if it was a helicopter and like in Delta
8 Junction where a lot of them ended up, they were able
9 to do foot survey so actually going out there and they
10 were finding those fish and they were able to observe
11 them paired up and see the eggs because the water
12 clears up especially in the Delta River, so they were
13 able to observe that spawning because that was one of
14 the things is we had to prove that they were laying
15 eggs there so we would go out and actually see those
16 reds in spawning grounds and find those fish on them,
17 and then after they died we'd recover those tags, the
18 archival tags primarily. The rest of the tags, you
19 know, occasionally you'd find them but eagles carried
20 them off or bears so, you know, it's just not all tags
21 are recovered but a majority of them were and then any
22 of them that were caught in any of the fisheries in
23 Nenana -- the fishermen, we worked with them to try to
24 get, especially the archival tags, back down to the
25 tagging wheel so that we could redeploy them. And I
26 was there in September tagging, mostly September.

27

28 MR. BASSICH: I guess more of a
29 comment. I'm a real fan of this type of science. I
30 think that this is -- when I see money spent, this is
31 the kind of money I like to see spent. I think we get
32 a lot out of this, not only just understanding the
33 salmon but we get really good data from this so I'd be
34 real interested to continue to get reports on this as
35 it progresses and everything at the next meeting. And
36 I'm sure you'll have more information as time goes on,
37 but I think it's really well done.

38

39 MADAM CHAIR ENTSMINGER: Other Council
40 members, any questions.

41

42 (No comments)

43

44 MADAM CHAIR ENTSMINGER: Did you have
45 more?

46

47 MS. BERKBIGLER: Just the second sheet,
48 it's very brief. Basically for those of you who are
49 new, like Frank and Andrew, in the past I've done kind
50 of a brief overview of the Partner's Program at TCC,

1 and basically my position is funded through the Office
2 of Subsistence Management Partners for Fisheries
3 Monitoring Program, and so with that I usually try to
4 conduct a lot of projects through OSM funding so like
5 the Fisheries Resource Monitoring Program sent out a
6 call for proposals in which I submit to, and so one of
7 my projects, the Henshaw Creek Weir Project is funded
8 through the Office of Subsistence Management, which you
9 guys will all see this next fall meeting when they
10 decide which projects they feel like they're going to
11 fund out of the 62 they got proposals for and so then
12 you'll have a chance to say, yes, we'd like to see that
13 project funded or no through the TRC's recommendation.

14
15 So Henshaw Creek Weir is one of those
16 projects and usually I present results but this year
17 with this fall chum project it delayed me submitting a
18 lot of my scale cards until later which that meant the
19 State couldn't read them until they had time to read
20 them so my age data for my scale cards at the Henshaw
21 Creek Weir where I collect chinook and summer chum data
22 just got finished and I haven't had a chance to review
23 all that before this meeting.

24
25 I also submitted one of those
26 preproposals that Liz talked about, is a Nulato weir
27 proposal. We'd like to -- Nulato Tribal Council came
28 to me and a couple other people and asked to see the
29 Nulato weir go in again so that they could try to
30 participate a little bit more in some of these
31 escapement monitoring projects. And so we submitted a
32 proposal to OSM to run the Nulato weir. And originally
33 we were going to do it for four years but since there's
34 not a lot of information known whether or not we could
35 have the weir there this year, I mean not this year but
36 in the future, because of the location or what the
37 condition of the weir materials that were left from
38 2003 were in, we decided to take it to a one year pilot
39 study to make sure that it would be a feasible project
40 before you throw 400,000 dollars at for a four year
41 project that might not go so that's the second. That's
42 another Partners program project.

43
44 And then I also worked with the Ruby
45 Tribal Council to submit a proposal to the Yukon River
46 Panel and that's for Ruby salmon data collection
47 project to take their subsistence harvest and take
48 chinook samples off of the scales, genetic fin-clips
49 and then also length, weight and girth.

50

1 And then with the challenge cost share
2 grant that comes through the U.S. Fish and Wildlife
3 Service, I've worked with Kanuti National Wildlife
4 Refuge to put in a third year proposal for the Henshaw
5 Creek Science Camp, where we bring students from junior
6 high to high school age from Alatna, Allakaket,
7 Bettles, Hughes area to the weir and do a week long
8 science camp with them showing how a weir works and
9 escapement and monitoring projects in general and then
10 teaching them about fish biology and also incorporating
11 elder's traditional knowledge into it, too. So it's
12 kind of an evolving camp and it's been a success for
13 the last two years and I don't see it not being a
14 success this year, if not better.

15
16 So with that that's kind of what I've
17 been up to and working on as far as proposals and
18 projects.

19
20 And if there are any questions I can
21 answer.

22
23 MR. FIRMIN: I have a question.

24
25 MADAM CHAIR ENTSMINGER: Go ahead,
26 Andrew.

27
28 MR. FIRMIN: Just where you said two
29 fish have known regurgitation, is that where they --
30 what, they don't take to the tags, they cough your tags
31 up or what?

32
33 MS. BERKBIGLER: Yeah, basically that's
34 exactly what happened, is the tag ended up coming out
35 and we could see that because there was obviously no
36 more movement of the tag going up. And in the second
37 one it was in a video recapture wheel so you saw it
38 come out of the fish on the video as it came down the
39 chute.

40
41 MADAM CHAIR ENTSMINGER: Any other
42 questions.

43
44 (No comments)

45
46 MADAM CHAIR ENTSMINGER: Okay, thanks.
47 Okay, Vince, we have this harvest for tomorrow.

48
49 MR. MATHEWS: I think due to the
50 lateness of the day what I'll do is I'll set it up

1 tomorrow and it'll be able for you to view while you're
2 getting your coffee and that before the meeting, I
3 don't know I think it's 12 minutes or something, this
4 DVD on harvest for tomorrow.

5
6 MADAM CHAIR ENTSMINGER: So we'll set
7 it up at 8:45.

8
9 MR. MATHEWS: I can set it up at 8:30,
10 8:45 is even better.

11
12 MADAM CHAIR ENTSMINGER: I like that
13 one better.

14
15 MR. MATHEWS: All right.

16
17 MADAM CHAIR ENTSMINGER: And that is it
18 for the day, we did it, wow.

19
20 MR. MATHEWS: You still have the
21 whitefish thing which is in your book for information
22 if you have any questions on it. I don't know if Liz
23 has anything else and I don't see Mike Smith here to
24 talk to you about migratory birds, which you added to
25 the agenda. I will corner that young man and see
26 but.....

27
28 MADAM CHAIR ENTSMINGER: He was going
29 to stay.

30
31 MR. MATHEWS: Yeah, but he did indicate
32 that tomorrow he was not available so this may be
33 something that's a carry forward to a future meeting.

34
35 MADAM CHAIR ENTSMINGER: Yeah, that's
36 something that the Council -- I mean you talked about
37 that, the spring harvest, you know, the problems. I
38 know that we can bring a proposal to this -- his --
39 what's the name of that organization he's part of?

40
41 MR. MATHEWS: It's the Migratory
42 Management Body and then there's the Migratory -- I
43 don't know all the titles but there's different layers
44 of it and we can have Refuge Staff go over that if
45 you.....

46
47 MADAM CHAIR ENTSMINGER: Is there
48 someone here that knows their scheduling and when they
49 meet.....

50

1 MR. PROBASCO: We can find out for you.
2
3 MR. MATHEWS: Yeah.
4
5 MADAM CHAIR ENTSMINGER: Okay, that
6 would be great. Because I think we can put a proposal
7 to them, yes, okay, so that's what we'll want to do
8 then.
9
10 All right.
11
12 MR. BASSICH: Sue, are we going to have
13 Item 3 tomorrow?
14
15 MADAM CHAIR ENTSMINGER: Item 3, yes,
16 they're going to show it at 8:45 in the morning.
17
18 MR. BASSICH: No, the whitefish.
19
20 MADAM CHAIR ENTSMINGER: Vince, they're
21 asking me about -- could we just -- number 3, Andy just
22 asked about the whitefish.
23
24 MR. BASSICH: Is that carrying over
25 until tomorrow?
26
27 MADAM CHAIR ENTSMINGER: Oh, that's
28 right there's one more item there I'm sorry.
29
30 MR. MATHEWS: The whitefish one is,
31 there's a summary, if I understand correctly, that
32 gives you some background on Page 29 of your book, my
33 understanding Caroline Brown will not be here, maybe
34 Liz has more current data. She was here earlier today
35 but I don't think she'll be here due to other things.
36 If you need additional information we can try to find
37 them, but my understanding, 29 through 31 gives you an
38 update on that strategic plan for research of whitefish
39 species.
40
41 MADAM CHAIR ENTSMINGER: Well, that's
42 too bad she's.....
43
44 MR. MATHEWS: Does that answer Andy's
45 question?
46
47 MR. BASSICH: Yeah, that's fine and
48 maybe if she does show up tomorrow, if we have some
49 questions we could just call her up.....
50

1 MADAM CHAIR ENTSMINGER: Okay.
2
3 MR. BASSICH:and deal with it.
4 Thank you.
5
6 MADAM CHAIR ENTSMINGER: All right,
7 sounds good. Okay, they're going to show that video
8 tomorrow morning at 8:45 and then we'll go with the
9 rest of the meeting at 9:00.
10
11 Okay.
12
13 (Off record)
14
15 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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STATE OF ALASKA)

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