

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8
9 Fairbanks Regency Hotel
10 Fairbanks, Alaska
11 October 13, 2010
12 8:30 o'clock a.m.

13
14
15 COUNCIL MEMBERS PRESENT:

- 16
17 Sue Entsminger, Chair
18 Andrew Bassich
19 Grafton Biederman
20 Lester Erhart
21 Andrew Firmin
22 William Glanz
23 Frank Gurtler
24 Virgil Umphenour
25 Donald Woodruff
26
27 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Fairbanks, Alaska - 10/13/2010)

(On record)

MADAME CHAIR ENTSMINGER: Welcome everyone to our Eastern Interior -- are we on our fall meeting or winter? It feels like winter, but it's our fall meeting.

So we were waiting for Andrew, but he is here. He'll show up here shortly hopefully.

Now, on the agenda we always had an invocation by an elder and I would like to add that in. And Lester has agreed to do so. So if we all stand.

MR. ERHART: Me? Did I? I didn't remember that.

(Laughter)

MADAME CHAIR ENTSMINGER: Yes, you do.

MR. ERHART: Dear Father, I hope that we have a very successful meeting here, and everybody's in agreement with each other, which I doubt, but, Father, we'll do the best we can. Amen.

MADAME CHAIR ENTSMINGER: Thank you, Lester. That was probably about right.

(Laughter)

MADAME CHAIR ENTSMINGER: But we'll hope we make good decisions here today.

MR. ERHART: Yes.

MADAME CHAIR ENTSMINGER: And the next thing on the agenda is the roll call. And I'm going to have Robert do that.

MR. LARSON: Thank you, Madame Chair. Sue Entsminger.

MADAME CHAIR ENTSMINGER: Here.

MR. LARSON: Andrew Firmin. Not here.

1 Grafton Biederman.
2
3 MR. BIEDERMAN: Yes.
4
5 MR. LARSON: Lester Erhart.
6
7 MR. ERHART: Here.
8
9 MR. LARSON: Andrew Bassich.
10
11 MR. BASSICH: Here.
12
13 MR. LARSON: William Glanz.
14
15 MR. GLANZ: Here.
16
17 MR. LARSON: Frank Gurtler..
18
19 MR. GURTLER: Here.
20
21 MR. LARSON: Don Woodruff.
22
23 MR. WOODRUFF: Here.
24
25 MR. LARSON: Virgil Umphenour.
26
27 MR. UMPHENOUR: Here.
28
29 MR. LARSON: Madame Chair, we have a
30 quorum.
31
32 MADAME CHAIR ENTSMINGER: Thank you,
33 Robert.
34
35 Okay. The next thing on the agenda is
36 to review and adopt the agenda. So I have written a
37 couple things here, but I'd like to hear from you guys
38 first. Have you all looked over the agenda? Does
39 anyone have any additions or subtractions.
40
41 (No comments)
42
43 MADAME CHAIR ENTSMINGER: As you're
44 looking at that, somewhere along my correspondence it
45 was asked to have a definition of high water, and I
46 think it's regarding this situation on the Yukon.
47 Bill.
48
49 MR. GLANZ: Madame Chair. I believe
50 what I'd asked for like three years ago was a solicitor

1 general ruling on the legality of the Park Service
2 stating that they have everything on the water
3 regardless of the high water mark and the mean water
4 mark that the State has. That's what I asked for. I
5 think you were thinking of that maybe? I don't know.

6

7 MADAME CHAIR ENTSMINGER: Yeah, it has
8 to do with this jurisdiction stuff. Yeah.

9

10 MR. GLANZ: Right. That's it.

11

12 MADAME CHAIR ENTSMINGER: So I think
13 it's -- I don't know if anybody in Staff is willing to
14 give us an update on that, but do I see any? Larry.

15

16 MR. BUKLIS: Madame Chair. Larry
17 Buklis, Office of Subsistence Management.

18

19 We can address that question later in
20 the meeting. I can consult during a break and get back
21 to you later in the meeting. And so the issue is
22 clarity on jurisdiction relative to mean high water; is
23 that the question?

24

25 MADAME CHAIR ENTSMINGER: Go ahead,
26 Bill. Bill first and then Virgil.

27

28 MR. GLANZ: What I really had, the
29 question was is Upper Yukon-Charley, I'll just use them
30 for example, because that's where I got it from. Their
31 contention is that regardless of where the high water
32 mark/mean water mark, whatever, they control everything
33 on the water. That's what the arrangement is to
34 challenge the people up there. And so I was wanting to
35 find out the legality, the real legal ruling on that,
36 you know.

37

38 MADAME CHAIR ENTSMINGER: Go ahead,
39 Larry.

40

41 MR. BUKLIS: Thank you, Madame Chair.

42

43 Mr. Glanz, are you speaking about
44 subsistence fishing jurisdiction?

45

46 MR. GLANZ: No, I'm talking about the
47 Park Service stopping boats without due cause and
48 writing up tickets and so forth and so on. I'm wanting
49 to find out if they really have the legality, the
50 reason to be able to do that, you know.

1 MR. BUKLIS: Okay. I will consult with
2 Park Service Staff and we will get back to you as soon
3 as we can. Thank you.

4
5 MR. GLANZ: Thank you.

6
7 MADAME CHAIR ENTSMINGER: Virgil, did
8 you have something else you wanted to add?

9
10 MR. UMPHENOUR: Well, in fresh water
11 it's the normal high water mark, and what Mr. Buklis
12 just referred to is for marine waters, for the shore
13 line there, which is a different definition. The
14 definition is different for rivers over what it is on
15 marine waters.

16
17 MADAME CHAIR ENTSMINGER: And we
18 want.....

19
20 MR. UMPHENOUR: And it's normal high
21 water mark is what it is on rivers.

22
23 MR. GLANZ: Yeah, that's mean.

24
25 MR. UMPHENOUR: Which means to me how
26 high the water normally gets, which is usually the
27 highest in the spring. But that's the normal high
28 water mark as far as.....

29
30 MADAME CHAIR ENTSMINGER: And we want
31 for rivers.

32
33 MR. UMPHENOUR: Right.

34
35 MADAME CHAIR ENTSMINGER: Yeah.

36
37 MR. BUKLIS: Thank you. I think I
38 understand the question.

39
40 MADAME CHAIR ENTSMINGER: Thank you.
41 And thank you for doing that for us.

42
43 All right. Council members. Andrew.
44 Or Andy, sorry.

45
46 MR. BASSICH: I just like to move to
47 adopt the agenda as written, and I think in the past
48 we've always been open to add points to the agenda
49 later on in the meeting, but at this point in time, a
50 motion to adopt the agenda as written.

1 MR. GLANZ: I'll second it.
2
3 MADAME CHAIR ENTSMINGER: Okay. Any
4 other discussion.
5
6 I'm just going to say -- Grafton.
7
8 MR. BIEDERMAN: Yes, I would like also
9 to say that I really appreciate and thank you to all
10 the people that are showing up, and it's our new
11 executive KJ, and thank you for being here.
12
13 MADAME CHAIR ENTSMINGER: Okay. We
14 have a motion on the floor to adopt the agenda and a
15 second. Is there any discussion on the motion.
16
17 (No comments)
18
19 MADAME CHAIR ENTSMINGER: Hearing none,
20 I'm just going to call all in favor say aye.
21
22 IN UNISON: Aye.
23
24 MADAME CHAIR ENTSMINGER: Anyone
25 opposed.
26
27 (No opposing votes)
28
29 MADAME CHAIR ENTSMINGER: Okay. The
30 next thing on the agenda is our welcome and
31 introductions.
32
33 So again I want to welcome all the
34 Council members and thank you, guys, for all
35 participating in this process. I know it's a lot as
36 volunteers to get to these meetings and try to get upon
37 things and thank you, guys.
38
39 And then we will go through and
40 actually, Staff, you, too. I'm not real good about
41 being formal sometimes, and I apologize for that. So
42 you've got us Bush rats I think. So you have to deal
43 with our informality sometimes.
44
45 So we're -- let's do the introductions.
46 And I think I'll save the Council members down for last
47 here. So how do you want to do that, just walk around
48 the room?
49
50 MR. LARSON: Yeah, let's just do that,

1 because there's some new faces in the audience.
2
3 MADAME CHAIR ENTSMINGER: And have them
4 come up?
5
6 REPORTER: Well, even if they just
7 stood up and said who they were, and speak loudly, we
8 (indiscernible, microphone not on).
9
10 MADAME CHAIR ENTSMINGER: Okay.
11
12 REPORTER: And state their name.
13
14 MADAME CHAIR ENTSMINGER: Yeah. Okay.
15 State your name and your position.
16
17 MR. CANNON: Richard Cannon, Office of
18 Subsistence Management, and I'm the Yukon fisheries
19 biologist.
20
21 MR. BERG: Good morning. Jerry Berg,
22 InterAgency Staff Committee member for Fish and
23 Wildlife Service in the regional office in Anchorage.
24
25 MR. BUKLIS: Good morning. My name is
26 Larry Buklis. I'm with the Fish and Wildlife Service,
27 Office of Subsistence Management, and I'm the Fisheries
28 Division chief.
29
30 MR. BUE: I'm Fred Bue, Fish and
31 Wildlife Service, Yukon area manager.
32
33 MR. BARRETTE: Al Barrette, Fairbanks.
34 I'm just here as myself, and I'm concerned about an
35 issue.
36
37 MS. PETRIVELLI: Pat Petrivelli, BIA
38 subsistence anthropologist from Anchorage.
39
40 MR. ESTENSEN: Jeff Estensen, ADF&G,
41 Fairbanks, Yukon manager.
42
43 MR. DeMATTEO: Pete DeMatteo, Office of
44 Subsistence Management, regional wildlife biologist for
45 your region.
46
47 MS. CELLARIUS: I'm Barbara Cellarius.
48 I'm the subsistence coordinator and cultural
49 anthropologist for Wrangell-St. Elias National Park and
50 Preserve.

1 MR. JENKINS: My name is David Jenkins.
2 I'm an anthropologist from the Office of Subsistence
3 Management. And you'll hear later from me at some
4 length.

5
6 MR. HALE: Hi, everybody. Jason Hale
7 with YRDFA, Yukon River Drainage Fisheries Association.
8 Good to see you.

9
10 MR. D. NELSON: Good morning. I'm Dave
11 Nelson. I'm a fisheries biologist with the National
12 Park Service. I work out of the Anchorage office.

13
14 MR. PAPPAS: Good morning. George
15 Pappas, Department of Fish and Game, subsistence
16 liaison team.

17
18 MR. MEARS: Jerry Mears, Fish and
19 Wildlife Service, Fairbanks office.

20
21 MR. KRUPA: Good morning. My name is
22 David Krupa. I'm the subsistence coordinator for the
23 Park Service in Yukon-Charley and Gates of the Arctic.

24
25 MR. A. NELSON: Good morning. My name
26 is Art Nelson. I'm with Bering Sea Fishermen's
27 Association.

28
29 MS. HOWARD: Hi. My name's Katie
30 Howard. I'm the Yukon area research biologist for
31 Alaska Department of Fish and Game.

32
33 MR. MASCHMANN: Hi. I'm Gerald
34 Maschmann with U.S. Fish and Wildlife Service here in
35 Fairbanks.

36
37 MR. SUMINSKI: Good morning. Terry
38 Suminski with the Forest Service. I'm the subsistence
39 program leader for the Tongass National Forest.

40
41 MADAME CHAIR ENTSMINGER: I guess I'm
42 losing my hearing. Are you having a hard time also,
43 Virgil? Yeah.

44
45 MR. UMPHENOUR: We have this fan
46 blowing messing us up.

47
48 MADAME CHAIR ENTSMINGER: Is it
49 bothering you guys?

50

1 MR. LARSON: (Indiscernible, mic not
2 turned on)
3
4 MADAME CHAIR ENTSMINGER: Okay. Turn
5 your mic on and say that.
6
7 MR. LARSON: I think the only problem
8 that the Council members would have is if we ask
9 questions or if you need to speak to the Council, if
10 you could come up and speak at a microphone, that would
11 help us. But I was able to hear.
12
13 MADAME CHAIR ENTSMINGER: Oh, yes, this
14 fan is, for those of us who are losing our hearing.
15 Would you like to introduce yourself? Go ahead.
16
17 MS. GRAFTON: I'm just as glad you
18 didn't hear, I'm about to lose my voice. Cindy
19 Grafton.
20
21 MADAME CHAIR ENTSMINGER: Okay. Nice
22 to see you. All right.
23
24 MR. LARSON: Last, but not least.
25
26 MADAME CHAIR ENTSMINGER: Last, but not
27 least sitting next to me.
28
29 MR. LARSON: Good morning. My name is
30 Robert Larson. I'm normally the Council coordinator
31 for the Southeast Council.
32
33 And as soon as K.J. Mushovic comes
34 back, I'll introduce her. She is the Councils
35 coordinator for the Eastern Interior and the
36 Southcentral Council. Oh, here she is.
37
38 So I assisted the Council during their
39 winter meeting, and I don't know if you'll see me again
40 after this, but it was a good duty, you know, in the
41 winter meeting, and I enjoyed doing it, and I'm
42 enjoying doing it again.
43
44 I do have one announcement now that
45 we're having introductions is that it's very important
46 that everybody that is in room signs in on the sign-in
47 sheet. So that does not include the Council members.
48 We'll keep track of them, but everybody in the audience
49 should make a habit of signing in. Thank you.
50

1 MADAME CHAIR ENTSMINGER: Okay. And
2 maybe we should introduce our court recorder.
3
4 REPORTER: Hi. My name is Nickelle and
5 I'm the court reporter.
6
7 MADAME CHAIR ENTSMINGER: Okay. And
8 K.J., which you just introduced.
9
10 MR. LARSON: Right, but she can.....
11
12 MADAME CHAIR ENTSMINGER: Do you want
13 to introduce yourself again?
14
15 MS. MUSHOVIC: I'm K.J. Mushovic and
16 I've been newly employed by the Office of Subsistence
17 Management and assigned to the Eastern Interior
18 Council. So I'm looking forward to getting to know all
19 of you here at this meeting and finding out how I can
20 serve you best.
21
22 MADAME CHAIR ENTSMINGER: Thank you.
23 Thank you, K.J. and welcome. We look forward to
24 working with you, too.
25
26 All right. I see Andrew showed up, so
27 we will now have how many of us? Nine of us out of our
28 10.
29
30 All right. Now the next thing on the
31 agenda is to review and approve the minutes. Has
32 everyone looked at the minutes and does anybody have
33 anything to add, or comments.
34
35 MR. BASSICH: Nothing to add other than
36 a few typos. So housekeeping. Do you want to go over
37 those or does it make any difference.
38
39 MADAME CHAIR ENTSMINGER: I think if
40 you just make a note of those to K.J. that will be
41 enough, yeah.
42
43 MR. BASSICH: Okay. Page 14, fourth
44 paragraph down, a typo. Musers involve more in
45 competitive racing or buying dog food, gray meat and
46 beer. And I think it's supposed to be beaver.
47
48 (Laughter)
49
50 MR. BASSICH: Although I think dog

1 mushers are probably buying beer, too.

2

3 UNIDENTIFIED VOICE: I thought it was a
4 necessity.

5

6 MADAME CHAIR ENTSMINGER: That's a good
7 one. Spell check didn't catch that.

8

9 MR. BASSICH: And then also on Page 8,
10 third paragraph down, it says used to be a goo
11 commercially fisheries or commercial opening. I think
12 that's supposed to be good. And I think that's it.

13

14 And if there's no other additions to
15 the minutes from other Council members, I would move to
16 adopt the minutes as written with the corrections of
17 the typos.

18

19 MADAME CHAIR ENTSMINGER: Okay. Do I
20 hear a second.

21

22 MR. UMPHENOUR: Second.

23

24 MADAME CHAIR ENTSMINGER: Okay. Virgil
25 seconded it. Discussion. Any other things that are
26 glaring to you guys.

27

28 (No comments)

29

30 MADAME CHAIR ENTSMINGER: Hearing no
31 discussion, all in favor.

32

33 IN UNISON: Aye.

34

35 MADAME CHAIR ENTSMINGER: Anyone
36 opposed.

37

38 (No opposing votes)

39

40 MADAME CHAIR ENTSMINGER: Okay. They
41 are approved.

42

43 Okay. Now it says Chair's report. I
44 have a stack of things that I could talk to you about
45 here. I'm going to try to make it short, but I've been
46 to several meetings since we last met.

47

48 The Federal Board met May 18th through
49 the 20th, and there was a lot of unhappy Council
50 representation, because it was during a time of year

1 that, you know, we're out harvesting and doing things.
2 There's something had been said about a scheduling
3 problem; it didn't get in the Federal Register or
4 something, that's why it was held so late.

5
6 But in your Board book or in our book
7 is the review of what happened at that meeting. And if
8 you guys have any questions, I'll try to answer them.

9
10 Actually, you know, it was kind of --
11 there was a lot of things that happened down there, and
12 I remember when it was our turn to go through our
13 proposals, I felt like I had three or four, or maybe it
14 was even five, that they didn't go with our Council, so
15 I was getting a little discouraged. And one of the
16 things that happened was they brought in Staff from
17 Yukon Flats Refuge, which I've never seen happen, and,
18 I don't know, it just was -- they apologized to me
19 later. They just came up with something that I didn't
20 even know was happening. So they said they will not
21 let it happen again.

22
23 I think I went through a little
24 learning curve myself there, because I had some issues
25 at home, didn't get me prepared like I should have
26 been. And so I ended up trying to represent the
27 Council on the Chisana Caribou Herd, and I ended up
28 having to represent it as myself. So they allow you to
29 step down as Chair and go over and then testify as the
30 public, which I ended up doing. It is a learning
31 experience sometimes to go through all the stuff that's
32 happening down there.

33
34 So I attended that meeting, and then, I
35 have all these things here, I'm on the SRC for the
36 Wrangell-St. Elias, and we just had a recent meeting in
37 Tok. And there's a couple topics that we might want to
38 take up at this meeting, and it's actually ORV use and
39 an EIS for Nebesna Road off-road vehicles. We'll try
40 to cover that at the end of the meeting here. There's
41 a lot of issues in front of us.

42
43 Let's see. And then we had sent a
44 letter, intensive management letter to I think it was
45 the Fish and Wildlife Service, and that response is in
46 your book. And then they said you can look all this
47 stuff up on line, so I had K.J. send out the stuff that
48 was on the net so you could look at it. Did you guys
49 get that? Yeah. Okay. So that answered our question
50 or what we -- we have a lot of material to look at all

1 the time, so it makes it tough.

2

3 All right. And I think that's it for
4 right now. The reports for me.

5

6 And throughout the meeting we're going
7 to be -- you always think about what goes in that
8 annual report. If there's something glaring, I would
9 ask our staff to write it down as we're going through,
10 that this would be something that this would be
11 something we would put in our annual report, because
12 that's important for us.

13

14 And then we're down to the Council --
15 well, does anybody have any questions. Yes, Andrew --
16 or Andy. It says Andrew, it should say Andy so I keep
17 you guys.....

18

19 MR. BASSICH: Thank you, Madame Chair.
20 I have a question for the Office of Subsistence
21 Management, and this is regarding the issue that we
22 identified as issue number 2, impacts of non-rural to
23 rural users. And in the response from Mr. Fleagle, it
24 identified that there's some videos and some websites
25 that people can go to, but I'm wondering if OSM has any
26 kind of a budget within their organization for public
27 outreach in regards to either radio or TV ads that
28 might be able to direct people to these resources
29 and/or educate people on some of our concerns. So is
30 there someone that could maybe address that?

31

32 MADAME CHAIR ENTSMINGER: Go ahead,
33 Larry.

34

35 MR. BUKLIS: Madame Chair. Thank you.
36 We do have an outreach program. We have a public
37 affairs specialist in our office. Currently the
38 position is vacant, but we have a person in acting
39 status, so we do have outreach activity, news releases
40 and web postings and mailings. We also have a twice-
41 per-year newsletter called From Lands and Waters. And
42 so we do have avenues for disseminating information.

43

44 We don't have a budget for a special
45 program of significance scope, but I think we can use
46 existing outreach materials to carry this message if
47 it's important to you.

48

49 MADAME CHAIR ENTSMINGER: Go ahead.

50

1 MR. BASSICH: Thank you, Madame Chair.
2 Yeah, I think I'd like to request that a person from
3 your office who would be responsible for that come to
4 our winter meeting, and that we set aside a short
5 portion of our meeting to discuss this issue and what
6 options or at least be able to educate them on what our
7 concerns are and maybe start moving on this. It's
8 something that I've been bringing up at meetings now
9 for two or three years, and I really think it's
10 something that down the line we're going to have some
11 real issues with for all Federally-qualified users, and
12 in my view, I'll just state it right now, in my view we
13 need to get the message to people that live in the
14 large urban areas, you know, as to the cultural
15 sensitivity of coming out into the remote areas of
16 Alaska and effectively competing with people that live
17 out there for the resource.

18
19 And I'm not saying that they don't have
20 a right to do it. I just think that we really should
21 start the process of educating people on their impacts
22 to subsistence users and try and do something to
23 mitigate the negative potentials of this as early as we
24 can. And I really see this as down the line being a
25 significant issue that we're going to have to deal
26 with, and I think the quicker we can get started on
27 getting some discussion and getting some education out
28 there, the less we'll have to deal with in the future.

29
30
31 MADAME CHAIR ENTSMINGER: So you're
32 asking for a report?

33
34 MR. BASSICH: No, what I'd like is I'd
35 like it to be on the agenda that we could either break
36 into a smaller group and work with this person or at
37 least have that person here so that we can speak to him
38 one-on-one on what we would like to do or what we
39 potentially can do, you know.

40
41 MADAME CHAIR ENTSMINGER: Go ahead,
42 Larry.

43
44 MR. BUKLIS: Thank you, Madame Chair.
45 We can commit, if you put this on your agenda for the
46 winter meeting, that we will come prepared to engage in
47 discussion or work session of your Council to talk
48 about the problem and how to overcome the problem in
49 terms of communication. How we staff it, I can't
50 commit to, but we can staff it appropriately and either

1 have a public affairs person with us, or bring the
2 products of our discussion back to work with them. But
3 we can staff it as we need to.

4

5 MADAME CHAIR ENTSMINGER: Yeah. Thank
6 you, Larry. This is something that I think -- I always
7 try to brainstorm myself on as more education and
8 sharing of information. And people from urban Alaska,
9 if they're in an area where there are people that they
10 go by their place and they have a moose antler and the
11 people living there didn't get a moose, if they new
12 that say, villages, for instance, eat moose head and
13 stomach and things that these people wouldn't know to
14 bring out of the woods, because they don't use it, if
15 there was a way to like have that information in there
16 that, you know -- I mean, it would take some
17 coordination, but I think it would be awesome if some
18 of this stuff that people in rural Alaska utilize could
19 be brought out by people that are hunting there.

20

21 MR. LARSON: Would this be best served
22 by a letter from the Council to OSM? I think it might
23 be if they have some specifics. I could help write
24 that.

25

26 MADAME CHAIR ENTSMINGER: Robert and I
27 were just discussing, would this be better as a letter
28 to OSM requesting this, and have it more specific what
29 we're asking?

30

31 MR. BUKLIS: Madame Chair That's a
32 good idea, and it would reinforce the importance of
33 this to you. You can also plan to put it on your
34 agenda, but to send a letter would bring our attention
35 to it and give us time to get ready for it. So I think
36 that's a good idea.

37

38 MADAME CHAIR ENTSMINGER: Would you,
39 Larry, also recommend that in the annual report, or
40 just doing a letter?

41

42 MR. BUKLIS: Madame Chair. If this is
43 -- it sounds to me like this was in you annual report.
44 You've gotten a response on it, now you want to act
45 more fully on how to disseminate information.

46

47 MADAME CHAIR ENTSMINGER: So a letter
48 would be.

49

50 MR. BUKLIS: And I think the letter and

1 the coming meeting agenda would be out ahead of your
2 annual report cycle. And I think you want to break out
3 of just a cycle of annual report questions into action
4 items.

5
6 MADAME CHAIR ENTSMINGER: I see. I
7 gotcha. Yeah. Yeah. So did I hear a motion there,
8 Andy?

9
10 MR. BASSICH: Yeah, I guess a motion to
11 write a letter to OSM regarding rural/non-rural use of
12 wildlife. I don't know how to term that, but use of
13 wildlife.

14
15 MADAME CHAIR ENTSMINGER: Education?

16
17 MADAME CHAIR ENTSMINGER: Education and
18 outreach I guess. So a motion to write that letter and
19 also to have this as an action item on our next
20 meeting.

21
22 MR. WOODRUFF: Second.

23
24 MADAME CHAIR ENTSMINGER: Okay.
25 There's a second by Donald.

26
27 Other discussion. Andy.

28
29 MR. BASSICH: Madame Chair, I will
30 volunteer to write letter, but I would want another
31 Council person to work with me on it so that we can --
32 it's not just coming from me, it's coming from the
33 Council.

34
35 MADAME CHAIR ENTSMINGER: Right.
36 Procedurally, do we have a subcommittee on something
37 like that and then? No?

38
39 MR. LARSON: No, I'll just work with
40 Andy and somebody else you select, and we'll bring it
41 up under other business, review of action items, under
42 13.

43
44 MADAME CHAIR ENTSMINGER: Okay. We're
45 going to have that letter done by the end of this
46 meeting and look at it, because Robert will help you,
47 and we'll get it done. Robert's pretty good about if
48 there's letters being written, we're going to get them
49 done by the end of the meeting, so that works out
50 really slick, and I appreciate that. Okay.

1 MR. LARSON: I would ask somebody else
2 to help though.
3
4 MADAME CHAIR ENTSMINGER: Can I get
5 another volunteer to help him. Bill.
6
7 MR. GLANZ: I'll help.
8
9 MADAME CHAIR ENTSMINGER: Bill.
10
11 MR. GLANZ: I'll go ahead and volunteer
12 to help him.
13
14 MADAME CHAIR ENTSMINGER: Okay. Bill
15 Glanz volunteered to help. All right.
16
17 Now, we are to -- I see this identify
18 issues of the 2010 annual report, but again I'd ask
19 that we make note of that as we go along so we can give
20 it to our Staff. Unless somebody has something right
21 now that you would add to the annual report. And as
22 you go along in the meeting, Council members, there
23 will be things that come to your mind, so remember that
24 that's what we would put in our annual report.
25
26 All right. Next, we're down to Council
27 members reports, and I'm adding concerns like we always
28 have. So, Donald, would you like to start?
29
30 MR. WOODRUFF: Thank you. There's
31 always the pressing issue that we can exercise
32 conservation measures in-river for the fisheries, but
33 it doesn't matter too much how much conservation we
34 propagate if by-catch continues to be such a serious
35 issue that it's more than the haul risk on the river.
36 And that continually is a problem and I realize now
37 that there's a Bering Sea Fisherman representative here
38 and maybe he can speak to that issue a little bit about
39 how things are changing or progressing in a positive
40 fashion.
41
42 Thank you.
43
44 MADAME CHAIR ENTSMINGER: Frank.
45
46 MR. GURTLER: Yeah, I'm with him about
47 the same issues on that. It's really depressing that
48 we have fisheries on both ends of us and we're in the
49 middle. And here we are sometimes not even getting
50 fish for subsistence, what everybody called

1 subsistence, and I don't call it subsistence. I call
2 it traditional way of life, traditional lifestyle. And
3 I don't like the word subsistence myself. I never did.

4

5

6 But I would like to say one thing, that
7 they're catching fish on both ends of us, and for
8 commercial use, and we don't even get subsistence use
9 or traditional use.

10

11 Thank you.

12

13 MADAME CHAIR ENTSMINGER: Thanks,
14 Frank. Bill.

15

16 MR. GLANZ: I really don't have a whole
17 lot. I'm just sorry we couldn't have the meeting in
18 Central as we had planned, but the school closed and
19 the only store and restaurant closed down, so there's
20 no place to eat, no place to sleep, so we had to cancel
21 that and come here.

22

23 Some of my concerns are the Gestapo-ism
24 on the Yukon River we're going through, the stopping
25 people and harassing them. And I've got one
26 interesting thing to say, when Jim Lauw was arrested,
27 his wife, she's 76 years old, she grew up in Nazi
28 Germany. And she said, Bill, that reminded me as a
29 child watching the Gestapo take people down in the
30 streets, and just wrestling and rolling. Because they
31 -- she's 76, she's quite a dangerous person I guess,
32 because one of the rangers had a shotgun pointed at
33 her.

34

35 (Laughter)

36

37 MR. GLANZ: Anyway, I'd like to get
38 that clear. And he's there all lawyered up.

39

40 There's another man named Tim Henry out
41 of Eagle. I'm not really certain what happened there;
42 maybe one of the Eagle representatives can bring that
43 up, but the rangers had him handcuffed, and I guess
44 they were going to haul him away, and then his 12-year-
45 old daughter came out and started crying, what are you
46 doing with my daddy? Oh, my goodness, they said, we
47 didn't know you had a child here. They unhandcuffed
48 him and let him go. So I don't know what that stop was
49 for. So maybe Youngblood out of Eagle will come here
50 and address some of this stuff for us.

1 And the caribou season went off real
2 good this year. We all worked together at Forty-Mile.
3 That really went off real well. We didn't have any
4 over-harvest. They kept control of it. And it was a
5 pleasure working with everybody, even Fairbanks AC and
6 everything. It was a nice deal. And Ruth Gronquist
7 there, and she helped, and Rita St. Louis.

8
9 And moose harvest, we had -- we changed
10 the law last year. Well, they changed it, OSM, from
11 August 20 to September 30th moose harvest on all
12 Federal lands in 25C. Well, there was no redundant
13 harvest of moose, I mean, so it was well-maintained,
14 and it wasn't the abuse I should say. And everybody in
15 Central that went, had -- and Circle got all the fish
16 they want, so that worked out well, too, this year.

17
18 So that's about all I've got right now,
19 guys. Thank you.

20
21 MADAME CHAIR ENTSMINGER: Thanks, Bill.
22 Virgil.

23
24 MR. UMPHENOUR: Well, as everyone
25 probably knows, the management of the king salmon or
26 the Chinook on the Yukon didn't work out the way it was
27 supposed to, and, of course, we didn't get our border
28 escapement, and we didn't meet escapement on the Chena
29 River either. And I know that the Department is
30 planning on having these meetings this winter, but I
31 really think the Board of Fisheries needs to readdress
32 this and address some of the proposals that were put
33 forward that they rejected in January. That's my main
34 concern, is that the plan did not work, period. And I
35 hate to be the guy that keeps saying I told you so or
36 we told you so, which several of us on this Council and
37 other State advisory committees keep telling the
38 Department, but they need to listen to us a little bit
39 better, because they failed this summer with Chinook
40 salmon. That's my main concern.

41
42 MADAME CHAIR ENTSMINGER: Okay.
43 Andrew.

44
45 MR. FIRMIN: Well, I agree with Virgil,
46 there's a lot of new -- well, actually they're not new,
47 but old fish issues that are going to come back up.

48
49 I kind of got a lot to go along the
50 same lines as Bill and Don that we talked about

1 yesterday with the National Park Service, because
2 incidents like what happened this summer, and Bill was
3 talking about earlier. You know, that's a two-hour
4 boat ride from where I grew up, and I have a lot of
5 family and friends and relatives in those areas. And
6 I've pretty much been shunned my entire life from those
7 areas simply for those same reasons. I mean, there's
8 areas that I don't even travel to simply because my
9 boat isn't registered. I've heard the stories of what
10 went on there for years, and I don't want to be
11 involved with that, so I just don't go to areas that,
12 you know, my family's been going to for years. And
13 that's another one that I'd like to visit again later
14 on.

15
16 I think we, Sue and I, just came from a
17 good moose management meeting in Beaver. It was a good
18 meeting. There was no gavel-pounding or hollering or
19 anything. It was fairly successful. And we actually
20 plan more of those in the future to address the low
21 moose density population in the Yukon Flats. And we
22 had some good ideas and it was something that we're
23 going to continue working forward.

24
25 And I think I'd like to thank Virgil
26 for the fish. It was good at that meeting. And, well,
27 Randy's probably not here, but he brought some bison
28 meat, and that turned out good for the meeting, too. I
29 think we ate for the last two days there. It turned
30 out to be pretty nice though, and I know I'd like to
31 see the meeting progress on the highest issues and see
32 where we're headed from here.

33
34 Thank you.

35
36 MADAME CHAIR ENTSMINGER: Okay. Andy.

37
38 MR. BASSICH: Thank you, Madame Chair.
39 Yeah, I have a number of issues. I'd like to echo a few
40 of the previous comments.

41
42 The Forty-Mile Caribou harvest this
43 year went very well in the Eagle area. Some impacts or
44 lesser impacts may be due to the road closures that
45 happened, but I think this is a good example of how
46 when we get user groups together along with agencies,
47 both Federal and State, and we put our heads together
48 and really think things through, we can come up with
49 good plans that work for all the users and also work
50 for the managers. So I'd like to extend my thanks to

1 all the people involved in that.

2

3 And I think it will come up in the
4 agenda, we do have the Forty-Mile caribou harvest
5 management plan is due for revision this year, so we'll
6 be working on that. There's a meeting I believe in
7 November to start working on that for the future.

8

9 I'd like to echo some of what Virgil
10 said. The king salmon run is still -- you know, it's a
11 tough issue. It's one we've been working on for over a
12 decade now. There are times I feel like we're making
13 really good progress with it, and then there are times
14 where I feel like it's been 10 years and we haven't
15 made any progress. So I have a lot of mixed emotions
16 about it.

17

18 Generally I feel though that I agree
19 with Virgil, we really do need to start making people
20 realize, and the entities that make the regulations
21 realize, that this is not something that we can keep
22 sweeping under the rug. It's going to continue to
23 deplete, and in turn we make some really tough
24 sacrifices by all users. We're going to have a
25 difficult time of rebuilding this. We're going to
26 continue to just keep spending money with very little
27 results.

28

29 And along with that, I think one of the
30 big issues that I hope that we can address here and
31 throughout the State, or especially on the Yukon
32 drainage, is customary trade. I still think that's
33 going to be the big hurdle to leap for us to be able to
34 rebuild the king salmon fisheries on the Yukon. Until
35 we address that, that's just too big of a factor.
36 That's a bigger factor than by-catch in my view out in
37 the pollock fleet.

38

39 And I'd like to also in regards to the
40 fisheries, I really think a great example of what took
41 place this year was the fall chum management, a plan
42 that went in. There was an early identification that
43 the run was not coming in as strong. There was some
44 very good outreach to the different users and
45 representatives of the users, and I think that plan was
46 a good example of how, if you identify a potential
47 early, identify a weak run very early, and you take
48 strong management actions, and also communicate with
49 the users of what's going on, you can have a successful
50 plan.

1 Granted, not everybody may have gotten
2 what they wanted, but we did what was right for the
3 fish, and that's the important thing. We need to start
4 doing what's right for the fish and stop being selfish
5 on our own uses.

6
7 Thank you.

8
9 MADAME CHAIR ENTSMINGER: Lester.

10
11 MR. ERHART: Yeah, I agree with
12 (indiscernible, mic not on).....

13
14 MADAME CHAIR ENTSMINGER: Turn the mic
15 on, please.

16
17 MR. ERHART: And also with Virgil. We
18 have to look at that fishery, the Yukon fishery a
19 little closer, because I don't think it's working the
20 way it's supposed to. And that's my big concern.

21
22 Thank you.

23
24 MADAME CHAIR ENTSMINGER: Grafton.

25
26 MR. BIEDERMAN: Yes, good morning.
27 Also with the subject that's on the board right now is
28 with that -- you know, I've been fishing since my
29 father put me in boat, and Charlie Grevan (ph). I used
30 to -- I was originally from Eagle, Alaska, with Donald
31 Woodruff.

32
33 And I also speak on behalf with the
34 people up in the entire Chandalar, where the -- and,
35 yes, I do -- similar to what they were saying is that
36 the fish are getting smaller and back when -- back in
37 '87 or '89 when I was with my father, we used to get 70
38 or over 50-pound fish before, and since I left, then it
39 seemed like the -- since getting close to the
40 borderline is that now everybody on the Yukon is all
41 subsistence or traditional, is that the fish are
42 getting smaller or whether they say that there's by-
43 catch or they have their own similar kind of salmon
44 that they grow with spawn. I've seen these kind of
45 fish in the net or in the fishwheels, and they are
46 similar to what we used to have from back in the 80s
47 and 90s is that the salmon are getting smaller, or
48 either there's little harvest or, you know, that the
49 Fish and Game are putting on an impact with the RAC.

50

1 And I'd also like to say is that with
2 the decisions that the Board or any Fish and Game that
3 we do make decisions with the people and for the people
4 is that that's why we're here, is that we all are
5 trying to make a difference and trying to make it equal
6 so that all the people in Alaska do have a freezer full
7 of fish for the winter or they have caribou or moose is
8 that.....

9
10 I'd just like to say that, yes, on
11 things that we do see during spring and fall is that
12 everybody on the board, I went to Stevens and Beaver
13 and Fort Yukon. I did hopefully with that I'd made it
14 to Eagle and to Central or Circle to check out their
15 fish camps along the river, but I never made it that
16 far, but I did make progress to speak with people that
17 I seen with 10 or -- and that they all had the same --
18 they told me to speak on behalf of them, and, yes, I
19 hope that we make a difference this year, because the
20 last two years the people on the river had that much
21 fish with first salmon, and they'd like me to say that
22 everybody had their quota of fish this year. And since
23 the past couple years that we did make a difference in
24 the past.

25
26 MADAME CHAIR ENTSMINGER: Thanks,
27 Grafton. All right.

28
29 I have so much swimming in my head I
30 failed to mention the Beaver meeting that I attended.
31 I was asked by CATG, that's Council of Athabaskan
32 Tribal Governments, and they sent me up there as our
33 Chair wanted a representative at that meeting. And I
34 was just impressed with everybody's involvement in that
35 meeting. It was more round table. There was a lot of
36 reports given about the status of the moose and the
37 bears and the wolves. And it's interesting, because it
38 seemed like you guys are like a couple years behind the
39 Interior in our area on this whole thing with the
40 predator control and that, and intensive management.
41 And they have different land status there, so it makes
42 it more difficult to do some of the things that are
43 being done other places in Alaska. But they're just
44 really, really want to do things up there, and it's
45 pretty neat to see such level-headed people get
46 together and work on that. So it was really a great
47 experience, and they had somebody running the meeting
48 from CATG. She wrote everything down, and she set it
49 up. You're in charge of doing this, and you're in
50 charge of doing this, so hopefully some things will get

1 done from that. It was really awesome how organized
2 that was. And then they plan on meeting again I guess.
3 It's all hinged [sic] on funding it sounds like, but
4 they talked about meeting in six months again?

5
6 UNIDENTIFIED VOICE: Every six months.

7
8 MADAME CHAIR ENTSMINGER: Yeah, every
9 six months trying to meet and work on this. So I might
10 be asking other people to go besides myself. After
11 travel, driving all the time, a person gets tired, but
12 it was just a great meeting.

13
14 Okay. So let's move on. We are now to
15 the Fisheries Resource Monitoring Program. Rich
16 Cannon.

17
18 Are you guys okay to continue without a
19 break?

20
21 (No comments)

22
23 MADAME CHAIR ENTSMINGER: Okay.

24
25 MR. LARSON: Can I make one
26 announcement here?

27
28 MADAME CHAIR ENTSMINGER: I have an
29 announcement from Robert.

30
31 MR. LARSON: Thank you, Madame Chair.
32 There is a couple of things that I failed to mention.
33 One is the exits, the stairway right outside the door,
34 goes up and outside if we need to exit the room.

35
36 The other is that there's restrooms
37 just down this hallway a little bit and on the right.

38
39 There are the sign-up sheets. For any
40 member of the public who would like to address the
41 Council, if they could fill out a sheet that's there at
42 the table right underneath the exit sign, and give it
43 to either K.J. or myself, we'll make sure that you're
44 heard.

45
46 For those people that are recent
47 arrivals, there is a sign-in sheet. We'd appreciate it
48 if everybody would sign in every day.

49
50 Thank you.

1 MADAME CHAIR ENTSMINGER: All right.
2 Thank you, Robert.

3
4 Okay. Richard.

5
6 MR. CANNON: Thank you, Madame Chair.
7 Good morning, Council members. For the record my name
8 is Richard Cannon. I'm the Yukon fisheries biologist
9 for Office of Subsistence Management. To my right is
10 David Jenkins, he's a staff anthropologist working with
11 the Yukon River. We will be discussing with you this
12 morning the -- providing you some information about the
13 2012 Fisheries Resource Monitoring Plan.

14
15 MADAME CHAIR ENTSMINGER: I'm sorry, I
16 am having a hard time hearing, so if you guys could
17 speak closest to that mic, it would really help me.

18
19 MR. CANNON: Okay, is this better?

20
21 REPORTER: A little closer.

22
23 MR. CANNON: It's ringing?

24
25 REPORTER: That's good. Right there.

26
27 MR. CANNON: Okay. If I'm not coming
28 in, just give me the high sign and we'll make an
29 adjustment.

30
31 Okay. The Fisheries Resource
32 Monitoring Program briefing is found on Pages 37
33 through 43 of your Council books.

34
35 The monitoring program was initiated in
36 2000. To date the Office of Subsistence Management has
37 funded statewide 322 projects, and there are 15 ongoing
38 in 2010. Ninety-one projects have been funded to
39 monitor and support the management of Yukon River
40 subsistence fisheries.

41
42 Currently the monitoring program
43 releases a call for proposals every two years. The
44 call for new or continuation of projects that will
45 begin in 2012 will go out in November following review
46 and comment by the Regional Councils of the information
47 needs presented to you today. Projects go through an
48 extensive evaluation process which includes review and
49 recommendations from an InterAgency Technical Review
50 Committee and the affected Regional Advisory Councils

1 following policy and funding guidelines and other
2 criteria.

3
4 Proposals and later investigation plans
5 are reviewed and a draft monitoring plan is then
6 compiled for review by all 10 Councils during the fall,
7 in their fall meetings of 2011. The Federal
8 Subsistence Board will make the final funding decisions
9 in January 2012. Projects funded can then begin and go
10 in the water in April of 2012.

11
12 Taking into account commitments for on-
13 going projects and assuming stable Congressional
14 funding, we anticipate approximately \$2.7 million
15 available for new projects for the 2012 program.

16
17 The proposed information needs for the
18 Yukon River fisheries are presented on Pages 39 and 40,
19 and for multi-regional needs important for both the
20 Yukon and Kuskokwim River on Page 42. This draft
21 information needs was developed by the Office of
22 Subsistence Management in cooperation with Forest
23 Service Staff drawing on strategic plans and previously
24 identified priorities.

25
26 Nine proposed information needs for the
27 Yukon River subsistence fisheries have been identified
28 for your consideration and recommendations. And I'll
29 go through those bulleted information needs with you
30 now.

31
32 The first is providing reliable
33 estimates of Chinook and chum salmon escapements. And
34 this is mainly for continuation of on-going monitoring
35 projects, weirs and sonar projects on the Yukon River.

36
37 Next is the effects on salmon stocks
38 and users of fishery management practices implemented
39 to conserve Chinook salmon. And that would be things
40 like gillnet mesh size, gillnet depth, windowed
41 openings, things of that nature. Is that clear to
42 everyone?

43
44 (No comments)

45
46 MR. CANNON: The next is methods for
47 including quality of escapement measures in
48 establishing Chinook salmon spawning goals and
49 determining the reproductive potential of the spawning
50 escapements.

1 The next is trends in Yukon River
2 Chinook salmon production relative to other spawning
3 stocks in the Bering Sea and Gulf of Alaska.

4
5 The next is contemporary economic
6 strategies and practices in the context of diminished
7 salmon runs. Topics might include an evaluation of
8 barter, sharing and exchange of salmon for cash as well
9 as other economic strategies and practices that augment
10 and support subsistence activities. Of particular
11 interest are distribution networks, decision making,
12 and the social and cultural aspects of salmon harvest
13 and use.

14
15 The next is description of the use of
16 gillnets to harvest salmon species by residents of the
17 Yukon River drainage.

18
19 The next is location and timing of
20 Bering Cisco spawning populations in the Yukon River
21 drainage. And the ones that we're going to be
22 mentioning that have to do with whitefish are coming
23 from a strategic plan that your program has funded over
24 the last couple years that involve stakeholders as well
25 as the U.S. Fish and Wildlife Service and the
26 Department of Fish and Game. I've been observing the
27 process; it's a good process that got a lot of input
28 from stakeholders and I think some good idea have come
29 out of that whole effort. This is one of the things
30 that they've identified as an immediate need.

31
32 The next is complete genetic baseline
33 sampling and population marker development for sheefish
34 spawning populations in the Yukon River drainage.

35
36 And then finally harvest and use
37 associated with contextual information for whitefish by
38 species in Lower Yukon River drainage communities.

39
40 At this point I'll allow the Council to
41 discuss these proposed information needs and allow you
42 some time to provide your comments and recommendations
43 before moving on to the multi-regional needs.

44
45 We would ask you to try to answer the
46 question, are the items we have identified really the
47 highest priorities. Are there important information
48 needs for Federal subsistence fisheries management that
49 we have not included?

50

1 Thank you. Madame Chair.

2

3 MADAME CHAIR ENTSMINGER: Thanks, Rich.
4 So I'm hearing lots of input here. So, gentlemen.
5 Andy.

6

7 MR. BASSICH: Thank you, Madame Chair.
8 I have a couple of things I need for my own information
9 actually before I can make comment.

10

11 Rich, do you have the numbers of
12 subsistence users on the Yukon drainage on the Alaskan
13 side? Maybe that's something that one of the
14 anthropologists would have or whatever, but what I'm
15 looking for is a number, estimated number of
16 subsistence users in Alaska on the Yukon River and also
17 what the household number would be. I don't need that
18 right now, but if I could get that during the meeting
19 if you don't have it.

20

21 MR. CANNON: Madame Chair. Through the
22 Chair, yes, we can provide that information I think,
23 and there are records of harvest surveys that are done
24 on the Yukon that we could provide for you.

25

26 MADAME CHAIR ENTSMINGER: So help me
27 out here. We're going through what you're going to do
28 on this study, correct? And am I hearing you ask
29 specifically that you want that information in there?

30

31 MR. BASSICH: Well, no. What I'm
32 asking for, I want this information for myself, because
33 it's going to pertain to other requests that I have on
34 this, you know, for information that we may need to
35 incorporate.....

36

37 MADAME CHAIR ENTSMINGER: But do you
38 see it as important to be part of these bullets?

39

40 MR. BASSICH: Well, yeah, I do. I do.
41 So if there's someone in the room that would have those
42 now, that would be really nice. If not, I also have a
43 few other.

44

45 MADAME CHAIR ENTSMINGER: But I think
46 we're discussing these, what's going to be in this,
47 right?

48

49 MR. BASSICH: Right.

50

1 MADAME CHAIR ENTSMINGER: So we'll deal
2 with that when it comes up. Okay.

3
4 MR. BASSICH: Okay. If I may, the
5 other questions that I have regarding these bullets is
6 I was wondering if Katie Howard could come up and
7 answer a few questions on escapement goals, and this is
8 referring to the methods, including quality of
9 escapement and establishing Chinook salmon spawning
10 goals and determining reproductive potential in
11 spawning escapements. And I guess, Katie, what I'm
12 looking for.....

13
14 MADAME CHAIR ENTSMINGER: Wait. I need
15 to discuss one point here just a minute.

16
17 MR. BASSICH: Sure.

18
19 MADAME CHAIR ENTSMINGER: Okay.
20 Council members. Go ahead.

21
22 MR. BASSICH: I'll make this brief.

23
24 MADAME CHAIR ENTSMINGER: Okay. Virgil
25 will be next.

26
27 MR. BASSICH: Okay. The information
28 that I'm looking for is it's my understanding that in
29 Canada and with the JTC they're looking at habitat-
30 based spawning escapement. I'm just wondering how far
31 along are they on that, and whether that's something
32 that we should be including in this item as something
33 that needs to be looked at.

34
35 MS. HOWARD: Through the Chair. I
36 haven't gotten a recent update on the status of that
37 analysis, but it does sound like it's, you know,
38 probably a year or two in the works before that gets
39 finalized and approved and reviewed by members of the
40 JTC.

41
42 MR. BASSICH: Okay. So that will be
43 something that -- is that an analysis that's being done
44 solely on the Canadian side, or is that joint U.S. and
45 Canada?

46
47 MS. HOWARD: They have a biometrician
48 on the Canadian side who's looking at that, and then
49 both the Canadian and U.S. delegates will review that
50 work.

1 MR. BASSICH: Okay. So I guess to be
2 clear here, that work should be done prior to these
3 actually going into effect? This isn't going into
4 effect until 2012; is that correct, Rich?

5
6 MR. CANNON: Through the Chair. The
7 process that we're using for this call, however, the
8 call goes out this next month, in November. Then
9 there's a concept plan or it's a pre-proposal, and
10 those would be provided to the Office of Subsistence
11 Management in January, followed then for those that are
12 selected for development of a full plan by the spring.
13 So the timing would not line up for the 2012. I mean,
14 if this is a whole year, you know, for next year at
15 this time, then they would miss, that information would
16 miss this schedule.

17
18 MR. BASSICH: Okay. I guess what I'm
19 looking for is I want to make sure that these items
20 that I'm identifying, the habitat-based escapement and
21 there's one other issue that I wanted to bring up, that
22 they're going to be addressed by someone, you know, in as
23 short a period of time as we can. And so it sounds
24 like the habitat-based escapement goals will be done by
25 the JTC, and so that's fine.

26
27 If I may, there's another point I'd
28 like to bring up regarding this bullet.

29
30 MADAME CHAIR ENTSMINGER: Okay. As
31 long as it's.....

32
33 MR. BASSICH: Yep.

34
35 MADAME CHAIR ENTSMINGER: Yeah.

36
37 MR. BASSICH: Okay. Because we're
38 talking about quality escapement, and as you know,
39 Virgil and I have been talking about this for 10 years,
40 and there are things that we need to know for us to
41 make good judgments and good decisions on quality of
42 escapement. And so the other thing that I think I'd
43 really like to see is if there's any way of going back
44 through history, through time, and trying to determine
45 what fecundity across the border, i.e. escapement into
46 Canada of Chinook salmon was back in the 60s, 70s or
47 maybe even prior, back into the, you know, 40s and 50s,
48 and what we're doing now. And I don't even know if
49 that's possible to do, but I think that's something
50 that someone really needs to think about, because if we

1 don't know what was producing the strong runs that we
2 had in the 70s and 80s and early 90s, then how can we
3 come up with an escapement goal that's a viable
4 escapement goal right now?

5
6 It's my understanding that our
7 escapement goal into Canada really has no scientific
8 basis. It's a best guess on what we need to put
9 across. And so it seems to me we need some really good
10 baseline information on what produced these strong runs
11 in the past so that we can establish escapement goals
12 that are meaningful escapement goals for the future.

13
14 So that's what I'm getting at on this
15 bullet. It has to do with quality of escapement, and
16 it has to do with the quality of escapement going into
17 Canada, because that's 50 percent of the run.

18
19 MADAME CHAIR ENTSMINGER: Uh-huh. So,
20 Rich, how do we handle these bullets? You're hearing
21 two items here.

22
23 MR. CANNON: Madame Chair, and through
24 the Chair. What I'm hearing is more specificity with
25 regard to what the Council would like to see with
26 regard to this bullet. And these are meant to be
27 fairly general, because we want potential investigators
28 to -- you know, to challenge them to look at all these
29 aspects. And we would certainly -- you know, our
30 program would certainly encourage people to look at a
31 full spectrum of possible options for looking at these
32 problems, to have these various general needs become
33 more specific as they, you know, learn more about the
34 Yukon Chinook salmon. So this is good to provide more
35 specificity.

36
37 MADAME CHAIR ENTSMINGER: Andy, go
38 ahead.

39
40 MR. BASSICH: Thank you, Madame Chair.
41 Yeah, I agree with you, Rich. I think that's the point
42 I'm trying to make right now. I think when you put
43 calls out, it's good to put general calls out there,
44 but there are some very specific data sets, there's
45 some very specific information that we need in the
46 future. And the longer we put it off, the longer we're
47 just protracting this whole process of trying to
48 rebuild the stocks.

49
50 And so what I'm attempting to do here

1 is to through this call, let you know the types of
2 information specifically that we need so that those
3 that might investigate it will be prepared to not waste
4 their time doing something that we really don't need,
5 but to really focus on the issues that we really need,
6 the data sets that we really need. That's all I'm
7 attempting to do here. And I understand this is a
8 broad call, but I'm trying to give more specifics so
9 that we get the money spent on the things that it needs
10 to be spent on, that's important for us to make good
11 decisions for the future on this fisheries.

12

13 Thanks.

14

15 MADAME CHAIR ENTSMINGER: Rich, did you
16 want to add to that.

17

18 MR. CANNON: Yes, Madame Chair. You
19 know, in terms of what we might receive in the way of
20 proposed work, I think we would certainly welcome any
21 new approaches, if be a habitat-based approach, if it
22 was well grounded and, you know, had good enough
23 ethnologies, that's certainly something that we'd be
24 interested in looking at. So that would not ever be
25 excluded.

26

27 Also what I might mention, and Katie
28 can add to this, but there are some projects that have
29 been funded and that are under development right now
30 that are trying to look at the historic information and
31 piece that together in a coherent way. And we have a
32 similar project for Chinook was done on the Kuskokwim.
33 They're using a modeling approach that has proven to be
34 very useful, to take various pieces of information, put
35 them together in a way that hasn't been possible
36 before. And so that work will be coming out over the
37 next year or so and we'll be giving you a report on
38 that. It's a run reconstruction study. We'll take the
39 information back to the extent we can, all the way back
40 to 1976.

41

42 So there are some things going on to
43 attempt to do that. It may not give us all the
44 specifics. We can't go back and collect data that was
45 never collected. You know, you mentioned fecundity.
46 I'm not sure that will be possible.

47

48 MADAME CHAIR ENTSMINGER: Okay. As
49 your Chair, on action items, and I see an action item
50 here, and in talking with Robert, what we want to do as

1 a Council is look at these bullets and I'd like to see
2 a motion to adopt and then prioritize them. And you
3 had an additional, too.

4

5 MR. BASSICH: No, more specific.

6

7 MADAME CHAIR ENTSMINGER: More specific
8 under one of the bullets. So those changes need to be
9 addressed in a motion.

10

11 And before I do that, I'd like to hear
12 -- Virgil had his hand up, and I wanted to see if he
13 had something else to add. Go ahead, Virgil.

14

15 MR. UMPHENOUR: Thank you, Madame
16 Chair. Under the third bullet, the thing that concerns
17 me, I know there's been a little teeny bit of work down
18 on this, when we're talking about quality of
19 escapement, is success of escapement. And when I say
20 that, I mean what is out-migrating. Are they
21 successfully spawning. And what makes me think about
22 this is I know that in 2008 when we failed to meet
23 border passage to Canada, the Tanana River drainage at
24 the peak of spawning for Chinook salmon had a major
25 flood event. And so I seriously question whether the
26 fish that actually did get to the spawning grounds
27 successfully spawned or if they did, whether their reds
28 or the eggs that were in the reds actually got washed
29 down the river or not. And so I'd like to see in the
30 quality of escapement bullet also included, I'd like
31 addressed what the out-migrants are, what the product
32 of the spawning actually is, whether we're having
33 successful spawning with the out-migrants, the smolts
34 going out in the spring or not. I'd like that issue
35 addressed. And I know that from 2008 I doubt, and the
36 Tanana River as most people know produces 25 to 40
37 percent of the Chinook salmon run for the entire Yukon
38 drainage, that maybe that component for 2008 didn't
39 successfully spawn. Maybe they were totally wiped out
40 in that major flood event that flooded part of
41 Fairbanks and Nenana. So I'd like that included in it.

42

43 Thank you.

44

45 MADAME CHAIR ENTSMINGER: Andrew.

46

47 MR. FIRMIN: I have one thing to add is
48 on the number 5, the contemporary economic strategies,
49 and I think that there are proposals coming up for, you
50 know, trying to put a cash value on customary trade and

1 bartering. And before I think we address any kind of
2 customary trade and any kind of dollar value -- I mean,
3 I haven't seen anybody ever come to my house and ask me
4 how much money I've ever made trading fish out of my
5 net for gas money. And I think before we address
6 anything like that, we need to figure out, you know --
7 there needs to be a study done on, you know, how much
8 money people actually do make, and there also needs to
9 be included in that, is that due to the amount of
10 salmon. There might be some kind of a closed doors,
11 auction almost going on between people that -- you
12 know, I'm not saying that happens, but just barter and
13 exchange due to the lack of fish, that this may be
14 grossly over-rated or over-estimated during times of
15 shortage. And like I said, I've never had anybody come
16 and ask me anything like that, and I think before we
17 address any issues on customary trade and like a dollar
18 cap on the trade, that there needs to be something done
19 to even see how much of it's actually going on and, you
20 know, how much money is even there before anybody
21 attaches a dollar amount to any kind of proposal like
22 that and puts anything on the books.

23

24 Thank you.

25

26 MADAME CHAIR ENTSMINGER: Okay.
27 Council members, I'm hearing suggestions. Andy had
28 some, Virgil had some, and you had some, and I'm
29 assuming that we have it established here with our
30 Staff. I kind of put notes on mine. Do you guys all
31 follow what's going on here.

32

33 (No comments)

34

35 MADAME CHAIR ENTSMINGER: Okay.

36 Donald.

37

38 MR. WOODRUFF: Rich. Thank you, Madame
39 Chairman. I had a discussion with one of your
40 fisheries biologists on the whitefish and the cisco
41 studies that are ongoing. And I would highly recommend
42 that you bring him to our next meeting and have him
43 give us a review, because from what I've talked to him
44 about, Randy Brown is like the expert on sheefish, all
45 whitefish species, and the Bering Sea ciscos, and that
46 seems to be quite a few of these bullets. So if he
47 could come to the next meeting and give us a review of
48 what he's studied so far, it would be really helpful.

49

50 Thank you.

1 MR. CANNON: Madame Chair. Through the
2 Chair. Could I get a clarification? You were asking
3 that Randy give you an update on research and probably
4 some of the strategic planning activities that he's
5 going on. Would you want that for your winter meeting?
6 Is that what you're asking for?

7
8 MADAME CHAIR ENTSMINGER: I see a
9 nodding, yes.

10
11 MR. CANNON: Affirmative. Okay. Thank
12 you.

13
14 MADAME CHAIR ENTSMINGER: So, Donald,
15 you don't have anything specific to add to this? Okay.
16 All right.

17
18 Council members, does anyone else have
19 anything that you would add to these bullets or change
20 other than what's been already discussed.

21
22 (No comments)

23
24 MADAME CHAIR ENTSMINGER: Andy.

25
26 MR. BASSICH: Yeah. I'd like to make a
27 motion to adopt the regional priorities for the Yukon
28 River as presented to us and to also encourage the
29 additions of what we had talked about to these
30 particular.....

31
32 MADAME CHAIR ENTSMINGER: Probably not
33 encourage but to add the additions, right?

34
35 MR. BASSICH: Well, you know, my
36 understanding is this is broad-based, and, you know,
37 you also mentioned trying to prioritize these, but I
38 don't see how you can really prioritize them too much,
39 because they're all important to us. I think if I was
40 going to try and set any kind of priorities, a big
41 topic of discussion in all of our meetings is Chinook
42 salmon, so any of them that have to do with Chinook
43 salmon in my mind would be probably the top of the
44 priority, but they're all very important to the Chinook
45 -- all the ones that are addressing Chinook salmon are
46 all very important, very vital components of that
47 fisheries for research. So I don't see how we can
48 prioritize them. And all we can do is make
49 encouragement or ask that these more specific items be
50 addressed in this call. Yeah, I guess.

1 MADAME CHAIR ENTSMINGER: So your
2 motion is?
3
4 MR. BASSICH: To adopt -- my motion
5 is.....
6
7 MADAME CHAIR ENTSMINGER: And ask.
8
9 MR. BASSICH:to adopt these
10 priorities and to ask that the items that we brought up
11 in this discussion be added specifically to the
12 bullets.
13
14 MR. UMPHENOUR: Second.
15
16 MADAME CHAIR ENTSMINGER: And I hear a
17 second. And in discussion you mentioned that it's hard
18 to prioritize, so would the Council agree. Does anyone
19 have input on that, other than what Andy has said.
20 Donald.
21
22 MR. WOODRUFF: Well, since the Chinook
23 are a species of concern and the fact that they're
24 intensively managed right now, maybe they need to be at
25 the very top of our list.
26
27 Thank you.
28
29 MADAME CHAIR ENTSMINGER: So would
30 everybody agree on that.
31
32 (No comments)
33
34 MADAME CHAIR ENTSMINGER: Okay. Bill,
35 did you have anything to add.
36
37 MR. GLANZ: No, I don't, Madame Chair.
38
39 MADAME CHAIR ENTSMINGER: Anyone else.
40
41 (No comments)
42
43 MADAME CHAIR ENTSMINGER: So we have a
44 motion on the floor to adopt these bullets and ask for
45 that additions that we talked about today. And if
46 we're going to prioritize, it would be for the Chinook.
47 All right. Everybody understand.
48
49 (No comments)
50

1 MADAME CHAIR ENTSMINGER: Ready to
2 vote. Okay. All in favor, aye.

3
4 IN UNISON: Aye.

5
6 MADAME CHAIR ENTSMINGER: Anyone
7 opposed.

8
9 (No opposing votes)

10
11 MADAME CHAIR ENTSMINGER:

12
13 MR. CANNON: Thank you, Madame Chair.
14 Now we have three more to go through. The last three
15 information needs are found on Page 42, and they are
16 multi-regional and they will address both the Yukon and
17 Kuskokwim drainages.

18
19 I also want to mention that, of course,
20 the other Councils that you work with on the Yukon have
21 provided their input as well, and they all made some
22 good and very useful comments. So we have to try to
23 take all those into consideration when we put the final
24 ones out. So, remember, when you see the final ones
25 out, we're listening to everyone and trying to
26 accommodate all the Council's interests.

27
28 Okay. The last three, I'll just go
29 through them the same way I did with the ones we did
30 initially.

31
32 The first is changes in subsistence
33 fishery resources and uses in the context of climate
34 change where relevant, including but not limited to
35 fishing seasons, species targeted, fishing locations,
36 harvest methods and means, and methods of preservation,
37 as well looking at management implications. And this
38 again emphasizes the strong interest of Federal
39 agencies and the Federal Subsistence Board in seriously
40 looking at this whole issue of changes in climate and
41 how it affects people and resources.

42
43 The next is an indexing method for
44 estimating species-specific whitefish harvest on an
45 annual basis for the Kuskokwim and Yukon drainages.
46 Researchers should explore and evaluate an approach
47 where sub-regional clusters of community harvests can
48 be evaluated for regular surveying with results being
49 extrapolated to the rest of the cluster, contributing
50 to drainage-wide harvest estimates.

1 And then the last one is evaluation of
2 conservation [sic] factors used to estimate edible
3 pounds from individual fish and from more unorthodox
4 units such as tubs, sacks, or buckets.

5
6 Like what was done for the Yukon needs,
7 I would request the Council discuss and provide their
8 comments and recommendations regarding the proposed
9 multi-regional needs.

10
11 Thank you. Madame Chair.

12
13 MADAME CHAIR ENTSMINGER: Thank you,
14 Rich.

15
16 Go ahead, Andy.

17
18 MR. BASSICH: Thank you. Building on
19 Virgil's earlier comments about success of spawning
20 events, and I'm going to direct this to you, Katie and
21 Rich, and this is regarding the first bullet here,
22 changes in subsistence resources and uses in regards to
23 climate change. There's a lot of concern that through
24 climate change things are drying up, we might have some
25 colder winters. The fluctuation is greater in climate
26 change, so we may have some freeze-outs on certain
27 years. The point I'm getting to is how useful as a
28 manager or as a researcher would it be to have out-
29 migration on a yearly basis for spawning events when
30 you do your projections for returns from that spawning
31 event? I guess what I'm getting at is, is that
32 something that in an ideal world in the future would be
33 a valuable tool to a researcher or a manager in trying
34 to estimate returns from a spawning event.

35
36 MS. HOWARD: Through the Chair. Those
37 are efforts that we're trying to look at right now.
38 We're working with NOAA to collect information as the
39 fish are entering the ocean, so they're getting those
40 juvenile fish as they're entering the ocean, and they
41 can get some index of abundance, as well as some
42 genetic information to tell what general stock groups
43 those fish are coming from. And so we are trying to
44 make some efforts to incorporate that data into
45 projection models and that sort of thing. But, you
46 know, that's in the very initial stages at this point,
47 and so any additional information would be helpful.

48
49 MR. BASSICH: And would it be a more
50 surgical tool if you had that information in-river as

1 opposed to the out-migration? And I guess what I'm
2 thinking of is, you know, Virgil mentioned the Chena
3 and Salcha as being such a large producer of salmon for
4 the Alaska stocks, produced in Alaska. Obviously the
5 Canadian component is also probably the largest
6 component. So if you had monitoring programs for the
7 Salcha, Chena, or the Tanana River let's say, and then
8 you had out-migration data coming in from Eagle or from
9 Circle or some other point that would collect Canadian
10 out-migration, would that be a more useful tool?
11 Because if you're trying to establish your returns, I'm
12 sure you're looking at what those components, what
13 their spawning events were very specifically. And so
14 the more specific you can get to the out-migration, the
15 more specific information you would have.

16

17 MADAME CHAIR ENTSMINGER: Yeah. Rich.

18

19 MR. CANNON: Madame Chair. Through the
20 Chair. Juvenile studies are helpful in that they allow
21 you to isolate the fresh water like phase of the
22 production. However, looking adult-to-adult is often
23 the most practical approach to evaluating the over-all
24 productivity of salmon populations. And people have
25 attempted looking at juvenile out-migration, and doing
26 it in Alaska is difficult because of the conditions.
27 And I've worked with that in the past, and, you know,
28 it can be very helpful, but it is very challenging and
29 it takes time. Many of the same, you know -- actually
30 in some cases it's more difficult to do than just
31 working with adults as far as doing the sampling.

32

33 So there are some efforts going on
34 right now to looking at juvenile out-migration, you
35 know, in specific systems, and that's going on on the
36 Kuskokwim. And that's part of a much larger study
37 where people are making that investment on the Kwethluk
38 River. That's part of sort of an international
39 research effort that involves habitat assessment as
40 well. And some of that information, that knowledge
41 that's being gained from that work can be brought into
42 the Yukon at some point.

43

44 Thank you, Mr. Chairman.

45

46 MADAME CHAIR ENTSMINGER: Other
47 discussion, Council members on these bullets.

48

49 MR. BASSICH: I guess maybe the point
50 I'd like to make clear is on this particular bullet

1 that it's not mentioned under this bullet the out-
2 migration of Chinook salmon, and, you know, where
3 possible -- I know that there's some work being done
4 around Eagle this year in regards to the turbine, the
5 hydroturbine there, but it just seems like this is
6 something we know very little about on the Yukon River,
7 and it just seems to me that developing some sort of
8 basic monitoring in these areas now might lead to some
9 ah-ha moments down the line, you know, many years from
10 now.

11
12 And one of the things that I've
13 identified as being one of the biggest problems we've
14 had with rebuilding the Chinook salmon is we don't have
15 long-term data sets to do comparisons. We haven't --
16 you know, when the whole ASL issue came up, when we
17 were trying to determine the size of fish, the reason
18 why we can't make really good determinations is we
19 don't have really long data sets, and so, you know, as
20 my involvement in the fishery progresses, that's
21 something I'm always trying to push for is develop
22 these long data sets, because they may not seem all
23 that valuable on a yearly basis, but when you look at
24 it decadal, those are the types of data sets that you
25 can really draw valuable information from that might
26 help you change how you're managing a fisheries, so
27 that's the point I'm trying to make here, and I'm sure
28 that they're aware that.

29
30 MADAME CHAIR ENTSMINGER: Well, are you
31 proposing to change one of these bullets or add to it?

32
33 MR. BASSICH: No, I'm just trying,
34 there again, trying to be a little bit more surgical
35 and trying to be a little bit more specific about
36 information that I personally think would be useful if
37 they're going to do studies in these areas, that that's
38 a more specific part. But then again I'm not a
39 researchers and I'm not a manager, so I don't know
40 what's most important to them. That's what I'm trying
41 to find out, what's most important to them. What's the
42 best tool for them for this.

43
44 MADAME CHAIR ENTSMINGER: Rich.

45
46 MR. CANNON: Yeah. You know, I think
47 as biologists we're certainly interested in knowing the
48 types of information that you're alluding to. From a
49 practical standpoint, my experience has been that it's
50 very difficult to pull some of these especially

1 juvenile projects off in a harsh environment like
2 Alaska and make some sense of it, because they're just
3 in terms of the method, just hard to do. It doesn't
4 mean that it's impossible. It takes a lot of effort,
5 and they tend to be very expensive. I think that a
6 good strategy is to put that type of effort and
7 investment into a place like I mentioned, like the
8 Kwethluk where you're doing many, many different types
9 of studies. And in doing that, you know, you're
10 looking at habitat, you're looking at juvenile out-
11 migration, you're looking at adults. Because you learn
12 really what the best methods are, and you do it over a
13 long enough period of time, and you can really
14 evaluate, you know, is there really a cost benefit
15 there; is it really something that's going to do like we
16 hope it would and really give us some big, some major
17 insights.

18

19 Another approach like Katie mentioned
20 is going down to more closer to the estuary and kind of
21 look at the bigger picture of what's going out of the
22 entire river system, and if you can combine that with
23 some stock biology, I mean, that's a very useful tool
24 as well. So we're looking at, you know, we're weighing
25 the practicality, you know, and obviously, you know, if
26 we could get that information, it would be very useful,
27 it would give us some new insights, if we could just
28 isolate the fresh water environment from the whole
29 productivity model.

30

31 Thank you, Madame Chairman.

32

33 MADAME CHAIR ENTSMINGER: Rich, can you
34 help me. We have in front of us, we just adopted
35 these, and now this is multi-region, so what would you
36 like from the Council?

37

38 MR. CANNON: Just take similar action
39 if you would. You've added some comments, and I've
40 made note of that, and if the Council would like to
41 discuss them any more, if you're satisfied with them,
42 then simply do what you did with the first set and put
43 something.....

44

45 MADAME CHAIR ENTSMINGER: Since this is
46 multi-region and this is specific to the region, how do
47 you look at our comments on each of these. Do we need
48 to prioritize one over the other of, you know, these
49 two specifically or are you looking at them singly?

50

1 MR. CANNON: No other Council has
2 attempted to prioritize them at this point. We
3 certainly take that into consideration, but as I
4 mentioned, we have to weigh all the Councils' comments,
5 so, I mean, I'm hearing it, I'm involved with the whole
6 process of looking at Yukon proposals. I'll do an
7 analysis. So what I'm hearing from you, I find useful,
8 because it goes into my thinking, but in terms of what
9 we put out in a call, we have to give every Council,
10 you know, consideration, so we may not be able to
11 prioritize these, because the other Councils did not.

12
13 MADAME CHAIR ENTSMINGER: Okay. So,
14 Virgil, you had something. Go ahead.

15
16 MR. UMPHENOUR: Okay. In your first
17 one, you've got harvest methods and means and methods
18 of preservation. And I think that the harvest methods
19 and means ties in with some of the other ones that we
20 addressed as far as what you're harvesting when it
21 comes to fish. And I can give a couple of for
22 instances. Like on pike, for instance, the really
23 large pike are all females, and they're over 15 years
24 old, maybe over 20 years old. And so I think that, and
25 this is something we've discussed in the past, is as
26 far as educating the users, especially like with pike
27 where they over-winter in specific areas where you can
28 actually decimate a pike population by killing all the
29 little fish when they're really vulnerable. So I don't
30 know how you're going to tie that in, but maybe some of
31 the education and the harvest methods and means,
32 especially when it pertains to resident species.

33
34 And then methods of preservation. That
35 is something that I attempted to address when I was on
36 the Board of Fisheries, was more efficient methods of
37 preservation, but the Subsistence Division didn't want
38 to touch it with a 10-foot pool, and no one else on the
39 Board seemed to really want to put the work into it.
40 But there are much more methods and means of
41 preservation, some of the methods and means of
42 preservation and use are not that really efficient.
43 There's more efficient ways to do things and not be
44 wasteful, not let stuff freezer burn and then throw it
45 away in the spring. And so I think that's an important
46 thing to focus on is more efficient methods of
47 preservation. So that you don't waste and so that you
48 don't need as much, because you're not going to waste
49 it.
50

1 Thank you.

2

3 MADAME CHAIR ENTSMINGER: Anyone else
4 have anything to add to this.

5

6 MR. UMPHENOUR: Well, let me just add a
7 little bit to that. You know, in my business we custom
8 process people's fish and game both that they catch
9 themselves and bring in. And you cannot believe how
10 much freezer-burned fish and meat that people bring in
11 and we have tell them, well, sorry, but you didn't
12 properly freeze your fish or your meat, and so
13 basically it's unfit for human consumption. I mean,
14 it's possible to eat it, but you're sure not going to
15 enjoy it. So I see lots of this in my personal
16 business, and so I know that lots of wild fish and game
17 because it's not properly taken care of, not properly
18 frozen, and I'm speaking primarily of frozen things, is
19 it actually becomes unfit for human consumption because
20 it wasn't properly cared for. And so this doesn't just
21 apply to the Federal subsistence users, but to
22 everyone, and so I think that that is something that --
23 well, I know it's something that really needs to be
24 addressed.

25

26 Thank you.

27

28 MADAME CHAIR ENTSMINGER: Okay, Virgil,
29 but there are people that don't mind eating certain
30 things that you might mind eating.

31

32 MR. BASSICH: Do you want a motion?

33

34 MADAME CHAIR ENTSMINGER: Sure. Andy's
35 ready for a motion.

36

37 Did you have something, Andrew.

38

39 MR. FIRMIN: I just had a quick
40 comment. It was that under the multi-regional priority
41 information needs is that they finally addressing that
42 I see. I know when I first got on the Board, like
43 saying global warming was kind of a no-no, and now I
44 see that this climate change or warming trend. I'm
45 just glad to finally see some of this information being
46 addressed and, I don't know, just even if they're just
47 basic temperature numbers on a day-to-day basis, I'm
48 glad to see some of it finally being added into some of
49 their studies.

50

1 (Off record)
2
3 (On record)
4
5 MADAME CHAIR ENTSMINGER: Let's call
6 the meeting back. Okay. We're coming back to our
7 seats.
8
9 Robert wanted to announce about the
10 sign-up sheet.
11
12 MR. LARSON: Thank you, Madame Chair.
13
14 MADAME CHAIR ENTSMINGER: I'm sorry,
15 Robert. I asked him to.
16
17 MR. LARSON: I did notice that the
18 sign-out sheet did not include everybody that is in the
19 audience, so I'd like to remind people that it's
20 important to the program that everybody take their
21 opportunity to sign in every day that they arrive, and
22 we'd appreciate it.
23
24 Thank you very much.
25
26 MADAME CHAIR ENTSMINGER: I know we're
27 at this Yukon River salmon post-season report, but I
28 have a request from somebody from the public to
29 (indiscernible, mic not on) bring up their issues and I
30 like to keep it open for people that have what we call
31 real jobs, or I do.....
32
33 UNIDENTIFIED VOICE: Can't hear.
34
35 REPORTER: Turn on you mic.
36
37 MADAME CHAIR ENTSMINGER: I apologize.
38 There's someone from the public here that asked to
39 bring up an issue, and he has to get back to some other
40 issues. And I'm going to open the floor that he can
41 come up and talk to us, if that's okay with the
42 Council.
43
44 (No comments)
45
46 MADAME CHAIR ENTSMINGER: All right.
47 Al.
48
49 MR. BARRETTE: Thank you, Madame Chair.
50 Members of the Council. My name is Al Barrette. I'm

1 from Fairbanks.

2

3 I'm basically here wanting to know or
4 suggest if there's a possibility if you guys could
5 spearhead a proposal to the Federal Subsistence Board,
6 and that would be dealing with dog lice on the wolves
7 in the State of Alaska, mainly on the U.S. Fish and
8 Wildlife Service lands.

9

10 I'll give you a little background.
11 Over a year ago the Fairbanks Advisory Committee when I
12 was on it and chairing the trapping committee, we put a
13 proposal into the statewide meeting to make a new
14 regulation to have the U.S. Fish and Wildlife treat
15 infected wolves with dog lice or at a minimum allow the
16 State, if they chose to treat those same infected
17 wolves to get rid of this dog lice. And so that never
18 got published in the book. They believed the main, the
19 support, Board support for Federal subsistence didn't
20 believe they had the authority to make such a
21 regulation. And I went along with that a while until
22 this summer when they came up with an invasive, non-
23 indigenous, elimination of weeds in the State of
24 Alaska, based on the habitat and wildlife concerns,
25 which falls exactly like this dog lice that's on these
26 wolves. You know, it damages the pelts of the wolves,
27 making traditional trappers unable to use that
28 resource, and the consequences down the road.

29

30 So the problems with this, if you're
31 not familiar with dog lice, is it damages the pelt in
32 its critical stages beyond use. And it's a
33 communicable parasite. It's non-indigenous to Alaska.
34 And it can be transmitted to your domestic dogs. And
35 there's been evidence of that in the rural areas. And
36 so one of the deals is as traditional trappers and
37 trying to pass on the knowledge of trapping wolves, is
38 if this parasite continues to spread -- I should back
39 up a little bit.

40

41 This parasite was found in Alaska in
42 about 1981 in the Kenai area. Ed Bangs was the Federal
43 biologist down there. Ted Spraker was the State
44 biologist. And they identified this parasite down
45 there. And since '81 it's moved all the way into the
46 northern regions of the State of Alaska and the western
47 and regions on a continual basis.

48

49 And so the State of Alaska has found a
50 treatment for these wolves. When they're able to track

1 a pack and identify a pack with this dog lice, they're
2 able to treat it with Ibremetrican (ph). And their
3 process usually is that since they're collared, they're
4 being studied, when they have to do a capture program
5 and they find that they have evidence of this dog lice,
6 they'll inject them with the Ibremetrican (ph) and then
7 they'll watch that pack and then when denning seasons
8 in the early spring, they'll fly over it with what I
9 call medicated meatballs. They'll throw meat scraps
10 down laced with this Ibremetrican (ph) drug at the
11 denning sites so all the wolves pick it up and it gives
12 them a second inoculation with this medicine.

13

14 But the problem came when it came to
15 Federal lands that, one, the Federal biologists and
16 managers said that they couldn't treat these wolves
17 because it was a natural cycle in the wolves' patterns.
18 And through a thesis that was put on by or put out by a
19 Ms. Wolstatch, and defended this thesis, that the lice
20 that these wolves do have are non-indigenous to Alaska,
21 they came from the Lower 48 through domestic dogs. So
22 now that it's a non-indigenous species, I believe that
23 the Federal wildlife managers can at least allow the
24 treatment of these wolves. And it's very comparable
25 again to the reed issue, if you've been following the
26 news and news releases on that. So that's one part.

27

28 The other part is, you know, we have an
29 obligation to continue our traditional uses and our
30 knowledge, passing it on to our young people. If we
31 don't have any desire to keep these wolf pelts or want
32 to put out the effort to catch these wolves that have
33 poor hide pelts, you know, that tradition and that
34 knowledge won't be passed along.

35

36 And as ethical traditional users of the
37 resource, none of us want to harvest any of these
38 animals and not be able to use them either for our
39 personal use or for sale. And so I think it's very
40 important, and I think it's the proper Council to bring
41 this up for, that maybe you'd want to take this issue
42 up and submit a proposal yourself or even get some
43 other of the other Councils to spearhead this, because
44 this is a real concern to, you know, all of us that
45 want to use this resource. The wolf pelt's a very
46 valuable and traditional animal to be caught. It's
47 used widely in potlatches and ceremonial events.

48

49 I guess I could entertain some
50 questions if there's any.

1 MADAME CHAIR ENTSMINGER: Thank you,
2 Al.

3
4 Counsel members, do you have any
5 questions. Go ahead, Frank.

6
7 MR. GURTLER: I do. Well, it's a comment. I
8 think you're right about that, because I'm a trapper,
9 but I don't trap wolves, because they're too smart for
10 me.

11
12 (Laughter)

13
14 MR. GURTLER: But if I do catch one --
15 I did catch a couple of them, and they had lice on
16 them, and they weren't worth catching. And so
17 therefore you couldn't sell them. And whenever I catch
18 one, it's a rare thing, and when I -- and those two
19 that I caught were not even worth skinning, and why
20 bother trapping them. But that's another point, when
21 you don't trap that wolf, it's going to eat another
22 moose and on down the line. And I see your point
23 there, and I like your comment.

24
25 MADAME CHAIR ENTSMINGER: Bill.

26
27 MR. GLANZ: Yes, Al, I didn't even know
28 we had a problem with lice. I mean, it's the first
29 time I've heard of it really, and living up there in
30 Central, I never even -- there's a lot of wolves
31 trapped and shot around there, and I never heard about
32 it before.

33
34 MR. BARRETTE: Through the Chair.
35 There's been several wolves out of your area that have
36 been, especially this last year, that they were coming
37 -- they were known wolves that came out of the Yukon-
38 Charley Preserve and were caught in the 20D, 20C area.

39
40 MR. GURTLER: 25C (indiscernible, mic
41 not on)

42
43 MR. BARRETTE: Well, yeah. There was
44 20E and then the Central area is what, 25C, excuse me.
45 And so, yeah, there's been noted cases from that area.

46
47 MADAME CHAIR ENTSMINGER: Andy.

48
49 MR. BASSICH: Thank you, Madame Chair.
50 Do you have any wording for a proposal that you've

1 adopted or have worked on? I think what would really
2 help, if you're asking for support from the Council
3 here, it would save us a lot of work if either through
4 your AC or through your subcommittee if you were to
5 come up with some working that would address this
6 issue, since you've probably much more knowledgeable
7 about it than we would be obviously, that would
8 probably be the most efficient means. And if that was
9 brought before us, then this Council I think could look
10 at it and discuss it and possibly adopt it. That would
11 be my suggestion for getting the most well-worded
12 proposal put into practice.

13

14 MR. BARRETTE: Thank you. Yes.
15 Through the Chair. Andy, I do have a proposal I kind
16 of wrote up on it, because I was going to read the
17 whole thing and I didn't. But basically you're wanting
18 a new regulation that would say that Federal wildlife
19 managers would treat known infected wolves or packs
20 that are infected with, I've got the correct name for
21 it, but better known as dog lice, or to notify the
22 State and allow them to treat infected wolves or wolves
23 on their land.

24

25 MADAME CHAIR ENTSMINGER: Okay. Al, if
26 you could provide that to us.

27

28 Now, Council members, are we -- we
29 could probably have more discussion on this later.

30

31 I was just asking Staff about our call
32 for wildlife proposals, and I don't have a date, a
33 deadline. It's not on our agenda. Here, Jerry's going
34 to help us on that.

35

36 MR. BERG: Thank you, Madame Chair.
37 Jerry Berg with Fish and Wildlife Service.

38

39 Actually an issue that he's describing
40 here I think would more appropriately be addressed by
41 each refuge manager. It's not a -- it wouldn't be a
42 proposal that would really be addressed by the Federal
43 Subsistence Board to the Fish and Wildlife Service. So
44 it would be more appropriate for, you know, either the
45 State or the Council could submit, you know, a letter
46 to, you know, an individual refuge manager if there was
47 an area of concern that you wanted to address
48 specifically or maybe multiple refuge managers, that
49 this is, you know, a concern that the Council feels
50 like needs to be addressed.

1 MADAME CHAIR ENTSMINGER: Or park.
2
3 MR. BERG: Or park, or, yeah, whatever,
4 you know, land managing agency. But it's not a
5 subsistence take of an animal or fish or wildlife, so,
6 you know, it really wouldn't be a proposal to the
7 Federal Subsistence Board. They would just have to
8 then refer it on to the managing agency. So, you know,
9 if you wanted to write a letter or include it in your
10 annual report or something like that would probably be
11 more appropriate.
12
13 MADAME CHAIR ENTSMINGER: Andy.
14
15 MR. BASSICH: Yeah, I agree. I was
16 kind of struggling when I was listening to this whether
17 this should be something that could even in fact be put
18 into regulation or whether it's more of a policy issue.
19 And if it's a policy issue, then I agree with Jerry.
20 And I think it would be.
21
22 MADAME CHAIR ENTSMINGER: So would I
23 say that it's okay, that we can take it up later and
24 we'll put it on the agenda, or do you want to handle it
25 now, gentlemen.
26
27 UNIDENTIFIED VOICE: (Indiscernible,
28 mic not on) talk about it.
29
30 MADAME CHAIR ENTSMINGER: But wouldn't
31 we want to get our letter in from this meeting on this?
32 You guys want to discuss it? Tell me what you'd like
33 to do. Other Council members. Go ahead, Donald.
34
35 MR. WOODRUFF: Well, as a skin sewer, I
36 have to agree that the skin lice could be a problem for
37 subsistence users, and we can maybe write a letter now
38 so that in the winter meeting when we do bring up all
39 these fish -- I mean, game issues, that we'll be maybe
40 more prepared to make a recommendation to agencies.
41 That sending a letter now maybe would have somebody do
42 some research on the issue.
43
44 MADAME CHAIR ENTSMINGER: Well, asking
45 the question, right, what we can do. Yeah. Right.
46
47 MR. WOODRUFF: Thank you.
48
49 MADAME CHAIR ENTSMINGER: Yeah. Well,
50 I'd like to add. too, Frank, you know, as a skin sewer

1 and a trapper for that matter, I'm not as good a
2 trapper as my son, but he had caught one that Fish and
3 Game thought might have lice in our area and they
4 bought the wolf way too cheap, because it was a
5 beautiful thing, to find out it didn't have lice, but
6 anyway they thought it might have under the conditions
7 it looked when he was sealing it. And I certainly if I
8 had a hairless wolf, I'm not going to buy it from
9 somebody to make something out of it. It's not worth
10 hardly anything, and that's part of our livelihood, so
11 I think it's something we should just, you know, dig
12 our teeth in now and write the letter.

13

14 So it's a matter of it's on the table,
15 we're discussing it right now. Do you guys want to
16 take it up now, or should we through it in at the end
17 for letters. Go ahead, Virgil.

18

19 MR. UMPHENOUR: Well, I move that we
20 send a letter to the Federal managers in our region,
21 which I guess we just have -- well, we have several,
22 parks and refuges.

23

24 MADAME CHAIR ENTSMINGER: We have
25 three. And BLM.

26

27 MR. UMPHENOUR: That we should send
28 them all a letter and use the wording in Al's proposal
29 that he had prepared as far as the treatment of the
30 wolves, and request that they do this. And at our next
31 meeting we should have an answer by then, and then we
32 can discuss it further.

33

34 MR. WOODRUFF: Second.

35

36 MADAME CHAIR ENTSMINGER: And it's been
37 second. More discussion.

38

39 (No comments)

40

41 MADAME CHAIR ENTSMINGER: I just got a
42 good suggestion. One letter, one response, send it to
43 OSM and have them go to all the agencies.

44

45 MR. UMPHENOUR: That sounds like a good
46 amendment.

47

48 MADAME CHAIR ENTSMINGER: A friendly
49 amendment. Does the second concur. Okay. Frank.

50

1 MR. BIEDERMAN: Second it.
2
3 MR. GURTLER: Could we send this to the
4 State, too.
5
6 MADAME CHAIR ENTSMINGER: We can cc the
7 State, yes.
8
9 UNIDENTIFIED VOICE: And OSM will send
10 it to the State.
11
12 MADAME CHAIR ENTSMINGER: Yes. Okay.
13 So I'm hearing that we want to be sure the State is
14 included.
15
16 And did you have something, Grafton.
17
18 MR. BIEDERMAN: I was just seconding
19 the motion.
20
21 MADAME CHAIR ENTSMINGER: Oh, Donald
22 had seconded it. Okay. So is there any other
23 discussion.
24
25 (No comments)
26
27 MADAME CHAIR ENTSMINGER: I don't know
28 if I can call on you, Al. Did you have something to
29 contribute to us that we need to know?
30
31 MR. BARRETTE: The gentleman to the
32 left of me made a fine point, you know. It really
33 doesn't affect the taking of the wolves if they're
34 infected or not, but in reality it does, because once
35 it becomes in that area, and it doesn't get treated,
36 like Councilman Frank was saying, that, you know,
37 there's lack of people wanting to participate in that
38 take, so the population grows, and the fur's not being
39 used, so if you harvest this animal, you're throwing
40 it, and then you're dealing with a wanton waste issue,
41 which, you know, traditionally that's not what we're
42 about as trappers. It's, you know, what we take is
43 what we use or we sell. And so even though it doesn't
44 stop us from the take, but it hinders us or eliminates
45 us from wanting to use that resource.
46
47 MADAME CHAIR ENTSMINGER: I would agree
48 with that. Yeah. Okay. All right. I really
49 appreciate you coming to the meeting and bringing that
50 to our attention.

1 MR. BARRETTE: Thank you.
2
3 MADAME CHAIR ENTSMINGER: And we really
4 like to hear from the public.
5
6 MR. LARSON: And Virgil will help us
7 write the letter.
8
9 MR. WOODRUFF: And we're going to get
10 copies of his.....
11
12 MADAME CHAIR ENTSMINGER: Yeah. Al,
13 are you going to give us a copy of that, and then
14 Virgil.....
15
16 MR. BARRETTE: I've get a nice, clean
17 copy in the back.
18
19 MADAME CHAIR ENTSMINGER: Okay. Virgil
20 will help write the letter. Okay. What else.
21
22 MR. LARSON: That's fine. I'll talk to
23 him.
24
25 MADAME CHAIR ENTSMINGER: All right.
26 Okay. Moving rapidly along. We're bringing up.....
27
28 UNIDENTIFIED VOICE: Don't we have to
29 vote?
30
31 MADAME CHAIR ENTSMINGER:the
32 Yukon River salmon post-season report.
33
34 MR. LARSON: There should be a motion
35 and a vote.
36
37 MADAME CHAIR ENTSMINGER: Oh, I'm
38 sorry. Did we not do that? I'm getting in a hurry. I
39 thought I heard it.
40
41 UNIDENTIFIED VOICE: We have to vote.
42
43 MADAME CHAIR ENTSMINGER: You made the
44 motion and you seconded it. And now we have to vote.
45 No more discussion.
46
47 (No comments)
48
49 MR. BIEDERMAN: Are we voting on the
50 amendment?

1 MADAME CHAIR ENTSMINGER: No, we're
2 voting on.....
3
4 MR. BIEDERMAN: The whole thing.
5
6 MADAME CHAIR ENTSMINGER: Yeah.
7 Because I took it as a friendly amendment, yeah. All
8 right. Everyone in favor.
9
10 IN UNISON: Aye.
11
12 MADAME CHAIR ENTSMINGER: Anyone
13 opposed.
14
15 (No opposing votes)
16
17 MADAME CHAIR ENTSMINGER: All right. I
18 apologize, guys. Now we'll move rapidly along.
19
20 The Yukon River salmon post-season
21 report. The one that's been sitting on our -- it just
22 appeared during break. Gentlemen, K.J. wants to know,
23 this came from you guys?
24
25 MR. MASCHMANN: Yes.
26
27 MADAME CHAIR ENTSMINGER: Are you okay
28 with that?
29
30 MS. HOWARD: Yeah, I just need to keep
31 track.
32
33 MADAME CHAIR ENTSMINGER: All right.
34 Go ahead.
35
36 MR. MASCHMANN: Madame Chair. Council.
37 My name is Gerald Maschmann. I work for Fred Bue who's
38 to my right. He's the Yukon River Federal manager.
39 And the handout I gave you, Fred put together, is a
40 pretty good summary of the season.
41
42 I'd like to, with Madame Chair's
43 permission, just read in some highlights from that,
44 instead of reading in the whole thing.
45
46 MADAME CHAIR ENTSMINGER: Go ahead.
47
48 MR. MASCHMANN: Preseason 2010 Chinook
49 and fall chum salmon runs were projected to be below
50 average to average. The summer chum salmon run was

1 projected to be near average while coho salmon were
2 anticipated to be average.

3

4 Because the Chinook salmon have
5 performed below expectations in recent years, the
6 U.S./Canada Yukon River Panel provided funds as it had
7 in 2009 a special outreach preparation program during
8 the winter and spring. In May, prior to the start of
9 the salmon fishing activity, ADF&G and U.S. Fish and
10 Wildlife with input from users distributed a joint
11 Yukon River salmon fisheries 2010 outlook sheet that
12 described expectations of run strength and management
13 approaches for the coming season.

14

15 Most subsistence salmon fishermen
16 delayed their fishing effort due to high gas prices and
17 low fish abundance early in the season. Throughout the
18 drainage there were episodes of wet and cold weather
19 and high water events with heavy debris loads which
20 preempted subsistence fishing. As the Chinook salmon
21 migration moved upriver, managers considered reducing
22 fishing time in order to conserve salmon, but found
23 that poor fishing conditions coincided with periods of
24 Chinook salmon were passing through those areas.

25

26 Consistent with the preseason
27 management plan, no directed Chinook salmon commercial
28 periods occurred. Directed summer chum commercial
29 fishing periods were opened starting on June 28th and
30 occurred in Districts 1, 2, 4, and 6. The preliminary
31 season total commercial summer chum salmon directed
32 periods landed in Fishing Districts 1, 2, 4, and 6
33 combined was 9,897 Chinook and 232,888 chum salmon.

34

35 In-season run strength assessment of
36 Chinook and summer chum salmon was mainly based on the
37 lower river test fisheries at Emmonak and Mountain
38 Village, the Pilot Station sonar and subsistence
39 fishermen catch reports. The preliminary end of season
40 Pilot Station sonar estimate was approximately 114,500
41 Chinook salmon as compared to the 1995 to 2008 average
42 passage of 141,000 salmon. The total Chinook salmon
43 passage at the Eagle sonar was 34,600 and the border
44 passage estimate was 33,000. This was below the
45 Canadian spawning escapement goal of 42,500.

46

47 The preliminary end of season Pilot
48 Station sonar estimate was approximately 1.3 million
49 summer chum salmon as compared to the 1995 to 2008
50 average of 1.6 million fish. After observing the

1 performance of the summer chum salmon, managers entered
2 the 2010 fall chum season expecting a below average
3 fall chum run around 600,000 salmon. Near the midpoint
4 of the fall chum run, the run size projection was on
5 track to be near 400,000 which was well below
6 expectations. To conserve fall chum salmon, all main
7 river districts except District 5D were placed on their
8 regulatory windowed schedules. Additionally, one
9 subsistence fishing period was canceled beginning in
10 District 1 and implemented chronologically upriver
11 through Subdistricts 5B and 5C. Later in the season
12 upriver escapement projects were indicating that
13 restrictions were no longer necessary and the
14 subsistence fishing schedule was relaxed in the rest of
15 the Yukon River mainstem.

16
17 Although escapement assessment continues, it appears
18 that the drainage wide objective, the Chandalar River,
19 Tanana River and the Canadian mainstem fall chum salmon
20 stocks have attained their escapement objectives. The
21 Sheenjek and Fishing Branch Rivers may be near or below
22 goals.

23
24 The coho salmon run also had later than
25 average timing with a near average run size for the
26 season.

27
28 Based on in-season assessment, managers
29 did not open a directed fall chum salmon commercial
30 fishing. Commercial fishing did open late in the
31 season to target coho salmon in Districts 1, 2, and 6.
32 The preliminary total Yukon area fall season commercial
33 harvest was approximately 2,200 fall chum and 3,500
34 coho salmon.

35
36 Management of both summer and fall
37 season were challenging due to the weak and unusually
38 late salmon runs. Many fishermen voluntarily lowered
39 their subsistence harvest goals throughout the area,
40 worked harder than usual, or shifted their harvest to
41 other fish species to provide for household subsistence
42 needs this year.

43
44 In-season management actions were taken
45 to conserve both Chinook and fall chum salmon.
46 Subsistence fishing periods were canceled during the
47 fall season, sport fishing and personal use fishing
48 were closed in the fall, and some commercial fishing
49 opportunity for summer chum and coho salmon was
50 foregone to further conserve Chinook and fall chum

1 salmon. The end results were that most escapement
2 goals were achieved with some Chinook and fall chum
3 salmon stocks falling short of their goals.

4
5 The outlook for 2011 will be prepared
6 by ADF&G after escapement information and age
7 composition analysis are completed over the next
8 several months.

9
10 Thank you.

11
12 MADAME CHAIR ENTSMINGER: Council
13 members, any questions. Do you have one? Was that
14 your finger coming up? Go ahead. Go ahead, Andrew.

15
16 MR. FIRMIN: I just have a question for
17 Steve. We could probably fall back on this later, but
18 during one of the YRDFA teleconferences, the question
19 was posed to you concerning the 9800 by-catch of
20 Chinook salmon which were sold commercially, and the
21 question was posed to you about why they were letting
22 that go. And your response was basically that it
23 didn't matter because they weren't Canadian bound fish
24 anyway. And I just want to know -- we can go get the
25 transcripts if you'd like, but I mean, that was -- I
26 was wondering if you could just elate [sic] a little
27 more on that, because if you look at your own numbers,
28 35 percent of the harvest completion for Fort Yukon
29 area where the Yukon Flats takes an average of 2
30 percent of the entire fisheries, then that means we
31 took what, a half a percent of the fish that we
32 normally would? And it just kind of irks me that
33 allowing people to sell king salmon in a time of
34 shortage where we generally take 2 percent, we got a
35 half a percent. And I'm actually happy that nobody got
36 shut down on the Flats this year, because we generally
37 don't take a lot of fish, but I just wanted to pose
38 that question to you. I mean basically your answer
39 was, well, those fish weren't bound for Canadian
40 mainstem Yukon fish -- they weren't mainstem fish
41 anyway. I was wondering if you could elate [sic] a
42 little bit on that for me.

43
44 MR. HAYES: Madame Chair. I'll get to
45 that question, but first I'd like Mr. Maschmann to
46 explain his table in the report that he's given to you.

47
48 MR. MASCHMANN: Madame Chair. On Page
49 5 down at the bottom, those who listened to the YRDFA
50 teleconferences know that we have a project where in

1 select villages up and down the Yukon, we have folks
2 that interview the medium to heavy, some medium to
3 heavy fishermen throughout the season to give us kind
4 of a gauge on how they're progressing with their
5 harvest. And so for 2010, this is basically a
6 qualitative in-season assessment of what these folks
7 were telling us how far they were able to progress with
8 their harvest. Although it's not -- there will be
9 another interviews going on that the Department does
10 that gives more of the harder numbers, how many fish
11 people harvested, so this is really kind of an in-
12 season assessment of what those fishermen who were
13 interviewed, and how they progressed in-season, but
14 it's definitely not necessarily the final word on what
15 folks harvested.

16

17 MR. HAYES: Through the Chair. In-
18 season when we were looking at the directed chum
19 fishery, commercial fishery, one thing I guess to point
20 out is that we didn't start that fishery until 85
21 percent approximately of the king run had passed the
22 lower river districts. Based on genetic information,
23 at the time most of those fish in the run at that time
24 were bound for Alaska escapement streams. So I guess,
25 I don't recall what I said in the teleconference, but
26 the majority of those fish would be bound for Alaska
27 streams. And, of course, we were faring better at
28 meeting our escapements in those streams than we had
29 the Canadian goal over the years. So the thought
30 process was that typically when you're using the six-
31 inch or smaller mesh, you're going to be taking mostly
32 males, which we did. It was 70 percent males in that
33 harvest of those 9900 kings, and that the majority of
34 them are bound for the Alaska escapement streams. So I
35 guess pertaining to whatever my comment was, I would
36 have explained it that way, that the majority would
37 have been Alaska fish harvested.

38

39 Now, at the time that we initiated, you
40 know, those first two openings, the District 1 and
41 District 2, based on our assessment, we had thought
42 that the king number would have been lower than it was
43 at the time. So we did take a few more than we wanted
44 to in those first two periods in hindsight. We would
45 have liked it to have been lower.

46

47 With that said, Mr. Maschmann gave you
48 his presentation on what happened last year, and, of
49 course, the Chinook and the summer chum run both came
50 in lower than we projected pre-season. Taking that

1 into account, this winter we're going to be looking at
2 our management measures that we took this past year,
3 you know, on how we managed the fishery, and how to
4 apply that to next year, or, you know, the next couple
5 of years, based on that we're coming out with these
6 pre-season projections that aren't matching up with
7 what we're getting back, you know, in-season.

8

9 So there's a lot of variables out there
10 or unknowns. Marine environment. By-catch. Could be
11 things in-river potentially that are happening that are
12 unknowns that are affecting these runs.

13

14 So in coming up with our plan for 2011,
15 and Jason Hale is here, he may want to speak to this,
16 but we will be doing the pre-season meetings again this
17 winter with the users to present, you know, the outlook
18 of what we think next year's run will look like, and,
19 you know, how to manage it to best meet escapement
20 goals. And, of course, provide for subsistence uses
21 where we can. I would expect because of, as I said,
22 the variables that we're seeing in these unforeseen
23 things, that we're probably going to be looking at
24 something similar to 2009 in restrictions for
25 subsistence fisheries. I would expect that we're
26 probably not going to have a directed commercial
27 Chinook fishery based on the ones we've been seeing.
28 But we will be working with that this winter with the
29 users to come up with the plan for next year.

30

31 But once again based on what we've been
32 seeing in these runs, it's difficult, because, you
33 know, in 2009 I think we were probably a little too
34 restrictive. You know, we put 17,000 extra fish across
35 the border. That was on the backs of the subsistence
36 fishermen in Alaska. This year we probably weren't
37 restrictive enough. We missed the Canadian goal. So
38 we're going to have to come up with a plan, you know,
39 that could be somewhere in the middle of 2009 and 2010
40 so that we meet our goals and try to provide for the
41 subsistence uses as we can. And we'll be working on
42 that this winter.

43

44 MADAME CHAIR ENTSMINGER: Just before I
45 call on you, Andy, you brought up an issue that we
46 might want to address in our annual report, and I'd
47 like Staff to note that. You asked the question, why
48 are they allowed to sell the fish and I don't know that
49 you answered that when there's a time of shortage. And
50 I'm understanding, Virgil, I think you brought this up

1 a million times, how much a pound it's sells for on the
2 internet. And, I don't know, that's something I think
3 we should -- I don't know, this is a report here, but
4 it's an issue that we should talk about later. Okay.
5 And it possibly should go in our annual report. Okay.
6 Would you all agree? Yeah. Okay.

7

8 Andy.

9

10 MR. BASSICH: Thank you, Madame Chair.

11

12

13 When you do your sampling for genetics
14 on the by-catch of Chinook salmon in the fall chum
15 harvest, what's the protocol? Is that random sampling
16 or how do you go about determining, you know, which
17 stream these fish are coming from?

18

19 MS. HOWARD: Through the Chair. So
20 when there's incidental harvest in the commercial
21 fishery, the samplers go down to the processing
22 facility and they randomly sample. Their target is at
23 least 200 fish. And so they got, you know, 200 out of,
24 you know, 9900. It was a pretty good sample size. We
25 don't have that genetic information back from the lab
26 yet. So that will be upcoming in the next few months.

27

28 MR. BASSICH: I guess I'm a little
29 confused then. If you don't have that back, how do you
30 determine that that's -- what percentage is Alaskan-
31 bound and what percentage -- that's what I'm trying to
32 get to. How do you get to that number?

33

34 MS. HOWARD: So the genetic information
35 we do get in-season comes from our test fisheries. So
36 that gives us an indication of what's coming through
37 the river, like what stock proportions are coming
38 through the river at that time. And so typically what
39 we see is a high component of the Canadian stocks early
40 in the run, that first pulse and the second pulse. And
41 then it drops off. And so when Steve was looking at,
42 or the managers were looking at implementing the chum
43 fishery, they were looking at when that typically drops
44 off basically.

45

46 MR. BASSICH: Okay. Thank you. I
47 guess that clarifies. So it's correct to say then that
48 the statement that these proportions of fish were as
49 stated at the teleconferences, you really don't have
50 that information until later on in the season, but

1 that's your projection of what they will be because of
2 your test fisheries. So you're not actually -- when
3 you're talking in the teleconferences, you don't
4 actually have that genetic information of the harvest,
5 you only have the genetic information of the run
6 timing; is that correct?

7

8 MS. HOWARD: That's correct.

9

10 MR. BASSICH: Okay. That's what I
11 wanted to know.

12

13 And the other thing, I was looking at
14 another table here, and it's on Page 78, and it has to
15 do with the run timing of the Canadian stocks, and then
16 it's identified -- I'm sorry. It was identified that
17 the Canadian stocks that are farthest upstream tend to
18 come in later in the seasons than the closer drainages
19 such as the Pelly, the White, the Stewart, the
20 Klondike. And it's also stated in this study that the
21 farther -- the streams that were further upstream were
22 some of the larger producers in Canadian waters.

23

24 So I guess I'm trying to wrestle with
25 run timing here. If the larger producers of the
26 Canadian stocks tend to come in later, why is it that
27 we're seeing a larger component in the early run
28 timing? Am I clear on that question?

29

30 MS. HOWARD: Through the Chair. So I
31 think what that's referring to is they come in later
32 relative to other Canadian stocks. But in terms of the
33 over-all run, most of the Canadian stocks are really in
34 the early part of the overall Chinook run.

35

36 MR. BASSICH: Thank you. That
37 clarified that. Thank you.

38

39 MADAME CHAIR ENTSMINGER: Okay. Thank
40 you.

41

42 You know, I'm going to have to
43 apologize. It's hard for me to remember everybody and
44 your positions. So Steve and yourself, yeah, I'm
45 sorry.

46

47 MR. HAYES: Madame Chair. For the
48 record, my name is Steve Hayes. I work for the Alaska
49 Department of Fish and Game and I'm the summer season
50 area manager for the Yukon area.

1 MADAME CHAIR ENTSMINGER: And I know
2 Fred, but I don't know -- does everybody else? Go
3 ahead and introduce all yourselves. I'm sorry.
4
5 MS. HOWARD: Madame Chair. My name is
6 Katie Howard. I'm the Yukon area summer season
7 research biologist.
8
9 MADAME CHAIR ENTSMINGER: For?
10
11 MS. HOWARD: For Alaska Department of
12 Fish and Game. Yeah.
13
14 MADAME CHAIR ENTSMINGER: There's a lot
15 of hats here that it's hard to keep straight.
16
17 MR. ESTENSEN: Madame Chair. My name
18 is Jeff Estensen, and I'm the new fall manager for the
19 Yukon for Fish and Game. I took it over from Fred when
20 he retired.
21
22 MADAME CHAIR ENTSMINGER: Yeah, I see
23 Fred switched hats on us, so he can probably give us
24 his official title now.
25
26 MR. BUE: Yeah. Thank you. Again my
27 name is Fred Bue. I'm with U.S. Fish and Wildlife
28 Service. I'm the Yukon area management biologist.
29
30 MADAME CHAIR ENTSMINGER: Thanks for
31 doing that for me. Okay.
32
33 Donald had something.
34
35 MR. WOODRUFF: Yeah. Steve, I think
36 that one of the things that Andrew Firmin and I both
37 have an issue with, and maybe Virgil, too, is that it's
38 hard for Joe Shmoe fisherman to comprehend why they
39 sell, you know, the Chinook out of a chum fishery when
40 they're being restricted, or they're not even get
41 enough to can and put in the freezer, you know, for
42 their family and they want to see the stocks maintained
43 and building for their grandchildren. And I think that
44 the average fisherman doesn't understand that the
45 selling of Chinook out of the chum fishery is, you
46 know, a valid angle for the Fish and Game to take.
47
48 Thank you.
49
50 MADAME CHAIR ENTSMINGER: Before you

1 address that, I would ask who makes that decision? Who
2 makes the decision that somebody can sell a fish in a
3 fisheries like that? That's probably what we want to
4 know. Who makes that decision?

5
6 MR. HAYES: Madame Chair. At the last
7 Board of Fish meeting last year, last winter, prior to
8 that it was just considered incidental harvest when
9 you're having a directed chum fishery and fishermen can
10 sell those fish. That was the regulation.

11
12 MADAME CHAIR ENTSMINGER: So who makes
13 the decision? I'm sorry.

14
15 MR. HAYES: At the last Board of.....

16
17 MADAME CHAIR ENTSMINGER: It's the
18 Board of Fish that makes the decision.

19
20 MR. HAYES: Correct. But at the last
21 Board of Fish meeting, a new regulation was passed that
22 states that if we restrict subsistence fishing in one
23 or more districts along the Yukon, at that time, if we
24 have a directed chum fishery, then the incidental
25 Chinook can't be sold.

26
27 MADAME CHAIR ENTSMINGER: And before
28 you go on, that would go in effect when?

29
30 MR. HAYES: If we restrict subsistence
31 along the Yukon in one or more districts, and at a
32 later date we then have a directed chum fishery, that
33 would go into effect that they can't sell the
34 incidental fish.

35
36 MADAME CHAIR ENTSMINGER: And that
37 happened at your last Board of Fish cycle, which was in
38 place for this past season?

39
40 MR. HAYES: Correct. Right. And also,
41 you know, one thing to point out, it becomes a little
42 difficult that, you know, let's say we go into the
43 season -- well, actually this year, we didn't have any
44 restrictions on subsistence fisheries. So by
45 regulation we could not have restricted the sale of
46 incidental harvest based on the regulation. Now, in
47 working with the buyers though as we did in 2009, the
48 buyers agreed not to buy the Chinook salmon, and the
49 fishermen took them home for subsistence use.

50

1 Now, if we run into a problem like that
2 again, in working with the buyers, because the buyers,
3 they really want the chum. The market right now -- I
4 mean, obviously they can sell the kings if they had to,
5 but their market interest is in summer chum and fall
6 chum right now. They built that market up. So they
7 are willing to forego those Chinook incidental harvest
8 to be able to go chum fishing.

9

10 But I guess for a detailed answer, if
11 we don't restrict subsistence fishing, then they can
12 sell the kings if we have directed chum fishing.

13

14 MADAME CHAIR ENTSMINGER: But the
15 bottom line is the person that -- I mean, the entity
16 that deals with that decision is the Board of Fish.

17

18 MR. HAYES: That's correct.

19

20 MADAME CHAIR ENTSMINGER: Yeah. So if
21 we wanted to do anything to change that -- because
22 what's happening, if I'm understanding this correctly,
23 you guys try to predict what's going to happen, and
24 then maybe the opening was too much, and so subsistence
25 needs to be restricted first for that not to be
26 harvested. I mean, this looks like a cart ahead of the
27 horse.

28

29 Andy.

30

31 MR. BASSICH: Thank you, Madame Chair.
32 I guess the point I want to make is that the decision
33 on whether or not fish can be sold is not a management
34 decision, it's a decision and a regulation put in place
35 by the Board of Fisheries, and it has to meet certain
36 requirements before that regulation goes into effect,
37 so to get on the backs of the managers for that isn't
38 really proper in my mind. It's something that needs to
39 be addressed through the Board of Fish, which is has.
40 And if we choose to in this body, we could also bring
41 it before the Federal Subsistence Board, but I really
42 think the Board of Fish is the proper process and place
43 to address this, and it has been addressed and
44 regulations have been put into place, and it just
45 depends on a specific year and what takes place in that
46 year whether the regulation goes into effect. And I
47 hope that clarifies it for everyone. But I don't think
48 it's right for us as a Council to get on the backs of
49 managers for something that they have no control over.

50

1 MADAME CHAIR ENTSMINGER: I don't think
2 we were doing that.

3
4 MR. BASSICH: No. But it may be
5 perceived as that, and that's what I want to
6 assure.....

7
8 MADAME CHAIR ENTSMINGER: Well, it
9 didn't sound like it to me. It sounded like we were
10 asking questions and we were getting information. And
11 that's what this whole process is all about. So I
12 guess if we see that something's broke, we need to
13 think about we change that. Yeah. Okay. Thanks.

14
15 Well, let's move on then. Any other
16 questions.

17
18 (No comments)

19
20 MADAME CHAIR ENTSMINGER: All right.
21 Next. So we had all them people and we didn't get to
22 hear from all of them.

23
24 The next thing on our agenda then is
25 the proposed changes to subsistence fisheries
26 regulations. So we're going right into our proposals.
27 It seems like we're moving pretty good here.

28
29 Virgil had something. Go ahead,
30 Virgil.

31
32 MR. UMPHENOUR: Right. During the
33 break we discussed lunch, and so I don't know whether
34 you want to take an early lunch or not, but for
35 everyone's information, the Governor's in town today,
36 and we've been invited, the Council has been invited to
37 go to lunch with the Governor. And they're going to
38 start at 11:30. It's 11:20. So I wanted to throw that
39 out and see what the Council wants to do.

40
41 MADAME CHAIR ENTSMINGER: Are we
42 invited to just sit down and have lunch with the
43 Governor? We're pretty special.

44
45 MR. UMPHENOUR: Well, okay, what it is,
46 is it's this group of people have lunch together every
47 Wednesday to talk about hunting and fishing issues, and
48 the Governor's going to be there with them at lunch
49 today, and we've been invited to also attend.

50

1 MADAME CHAIR ENTSMINGER: Not by the
2 Governor then.
3
4 MR. UMPHENOUR: No, not by the
5 Governor.
6
7 MADAME CHAIR ENTSMINGER: Oh, shucks.
8
9 MR. UMPHENOUR: By the person that
10 organizes this thing.
11
12 MR. BASSICH: And where is that?
13
14 MADAME CHAIR ENTSMINGER: Yeah, where
15 is it?
16
17 MR. UMPHENOUR: It's going to be at the
18 John Deere dealership, which is across the street from
19 the Alyeska pipe yard on Van Horn Road.
20
21 MADAME CHAIR ENTSMINGER: How many
22 minutes away is that?
23
24 MR. LARSON: Fifteen. Ten.
25
26 MR. UMPHENOUR: That's about a 10-
27 minute drive from here probably.
28
29 MADAME CHAIR ENTSMINGER: Okay. So,
30 Council members, what are you thinking here. Would you
31 like to attend this.
32
33 SEVERAL: Yes.
34
35 MADAME CHAIR ENTSMINGER: Okay. So
36 we've got the cart ahead of the horse again getting you
37 guys up here it looks like.
38
39 Now, wait a minute, we've got how much
40 -- well, five minutes. So we do want to do that. So
41 when would we need to get back here? What time do we
42 need to be back here to start, giving you that much
43 time? How long is he speaking?
44
45 MR. UMPHENOUR: That's impossible for
46 me to know, but I would say if we broke now, you know,
47 we would need probably at least until 1:00 o'clock,
48 which would be an hour and a half, because we're going
49 to have about 20 minutes of travel time.
50

1 MADAME CHAIR ENTSMINGER: Right, and
2 there's.....
3
4 MR. UMPHENOUR: And there will be food
5 there.
6
7 MADAME CHAIR ENTSMINGER: Okay. All
8 right. So is everybody here invited, Virgil, or do you
9 know anything about that? Just us?
10
11 MR. UMPHENOUR: I don't know about
12 that. I know all the Council members are.
13
14 MADAME CHAIR ENTSMINGER: Okay. All
15 right. Well, it sounds like we're going to break for
16 lunch here at 11:30, and talk to each other. I have a
17 vehicle here. I can haul about four or five people I
18 think.
19
20 Donald.
21
22 MR. WOODRUFF: The Regency has a van,
23 and they could take some of us if we ask them.
24
25 MADAME CHAIR ENTSMINGER: Your mic
26 isn't on.
27
28 MR. WOODRUFF: (Indiscernible, mic not
29 on) and we can come and go when we want.
30
31 MADAME CHAIR ENTSMINGER: Okay. It
32 sounds like we'll work this out between us here. And
33 we'll break until 1:00 o'clock, and it's 10 minutes
34 late, be understanding.
35
36 (Off record)
37
38 (On record)
39
40 MADAME CHAIR ENTSMINGER: Okay. You
41 can make your way up here, Virgil and Andy. All right.
42
43
44 While Virgil's coming up, I'm going to
45 announce that Frank said he was going to be late, he
46 had to take a drive out to Badger Road, but he'll be
47 back. And had something he wanted to talk to us about
48 on burbot that he was lightened about from the reports,
49 so we'll wait until he gets back on that.
50

1 There's been a lot agencies asking me
2 questions. On the agency reports part of the agenda we
3 used to have a list of all the agencies there and then
4 other at the end. And currently what we have is A.
5 Office of Subsistence Management and B. National Park
6 Service. So just for those agencies out there, I'm
7 adding ADF&G, BLM, Fish and Wildlife Service, and Park
8 Service is already there, and the last one will be
9 other, because everyone's -- yes, and you'd be under
10 other. Okay. Is that okay? All right. All right.
11 Just so we don't miss anyone. Does that cover
12 everybody that's here.

13

14 (No comments)

15

16 MADAME CHAIR ENTSMINGER: All right.
17 It's just probably an oversight of your Chair maybe
18 because when I looked at this, I didn't have time to
19 review it, and then once I -- it was too late to get it
20 in the book. So now we're making sure that people have
21 a chance to give their reports, because I talked to
22 several of the agencies; there are several things out
23 that really we need reports on. Weed control is one
24 that was brought up to my attention by Ruth Gronquist
25 with BLM. And you heard from the person who testified.

26

27 And then before we get started, we
28 always have a break and something comes up, and Andrew
29 had something that he wanted to share with us, and
30 maybe there's somebody here that would want to give
31 reports under other on the watershed. You said some of
32 the work that you're doing.

33

34 MR. FIRMIN: Oh, yes. I don't know how
35 much it pertains to some of these issues, but I work
36 with Yukon River Intertribal Watershed Council, and
37 they do a lot of water sampling along the river along
38 with USGS, and I don't know, I've never heard reports
39 from either of them at these meetings. And I don't
40 know how much of that information would pertain to some
41 of these issues, but they do -- a lot of their data,
42 you know, is the pH in the water and the temperature,
43 and among other things I know they do the oxygen rates
44 and a few other -- I can't remember all what they test
45 the water for, but I know it's done on a weekly basis
46 and it's done on a bi-weekly basis, and the USGS has a
47 monitoring station. And the funny thing is, is both of
48 these entities take the same types of water samples,
49 like a mile apart from each other and they don't even
50 know who each other are and what they're doing there.

1 And there's also some -- they have
2 permafrost monitoring stations nearby Fort Yukon where
3 they measure. They have a moisture meter and a
4 temperature sensor buried down to the permafrost level
5 in one, just under the soil -- or under the vegetation
6 layer, right along the top of the soil.

7
8 And I know they've been collecting this
9 data for years, and I just kind of thought maybe if
10 there's any issues that that might pertain to involving
11 the climate trends or any of the fishing trends, maybe
12 we could hear a report from one of those entities at a
13 future time.

14
15 Thank you.

16
17 MADAME CHAIR ENTSMINGER: So, Andrew,
18 would you -- are you requesting maybe -- because you
19 had told me there was a fellow that lives near here,
20 maybe he would give a report.

21
22 And then if that's a request I would
23 like to hear from council, is this things that you
24 would like to hear about.

25
26 MR. GLANZ: It would be interesting,
27 you know.

28
29 MADAME CHAIR ENTSMINGER: Yeah.

30
31 MR. FIRMIN: Yeah, I could give him a
32 call and ask him if he would come over and give us some
33 information pertaining to his studies.

34
35 MADAME CHAIR ENTSMINGER: Okay. And
36 would you guys like to see that on our agenda in the
37 future when we take up fisheries. Okay. And I see
38 some nodding of heads here. And I would just ask that
39 we add that. Actually it could come under agency, but
40 we might want to be specific about it.

41
42 And what agency does he work for?

43
44 MR. FIRMIN: The Yukon River
45 Intertribal Watershed Council.

46
47 MADAME CHAIR ENTSMINGER: So we might
48 have to add that to our reports on our agenda for the
49 future. Okay.

50

1 All right. I'm wondering what else I
2 have forgotten here. It's called senioritis I think.
3 Okay.
4
5 Actually I saw two people walk in that
6 look like new faces to me. Would you introduce
7 yourselves.
8
9 MR. POST: Jason Post from the Bureau
10 of Land Management (indiscernible) Fairbanks office.
11
12 MADAME CHAIR ENTSMINGER: Were you here
13 earlier?
14
15 MR. POST: (Indiscernible)
16
17 MADAME CHAIR ENTSMINGER: Okay. Good.
18 Is anyone else new here that came in that didn't get
19 introduced. And would you sign in. Thank you. I'm
20 sorry.
21
22 MR. VAN LANEN: James Van Lanen, ADF&G.
23 (Indiscernible, away from microphone.)
24
25 MADAME CHAIR ENTSMINGER: I'm sorry.
26 Your face was so familiar for two days, so I didn't
27 realize no one else saw you. Okay. All right. And
28 there's Rob.
29
30 MR. JESS: I'm Rob Jess (indiscernible)
31 Yukon Flats National Wildlife Refuge.
32
33 MADAME CHAIR ENTSMINGER: Okay. Thank
34 you. Please sign in.
35
36 And I'm going to give Frank the
37 opportunity, I told him we'd talk about it when he got
38 back. Burbot.
39
40 MR. GURTNER: Yeah, I have a concern
41 with the Burbot. I fish for burbot all the time, and I
42 see a lot of little fish inside of these burbot. I had
43 one there that had about maybe 300 little fry of some
44 kind. And that was only one burbot. What I'm
45 wondering is, I know they did a study on burbot and
46 they said there's a lot of them in the Tanana River,
47 and I know there's a lot in the Yukon. But if one
48 burbot had a couple, 300 of those little fries inside
49 of it. Now, I don't know what kind of fish they were
50 inside of the burbot. Ling cod. And I wondered if a

1 study has ever been done on what kind of fish they're
2 eating, whether it was the king salmon or the chum or
3 other white fish.

4

5 MADAME CHAIR ENTSMINGER: Yeah.
6 Whenever Council members have these kind of concerns
7 and they didn't get brought up, I always like to bring
8 them up. So I'm sorry if -- but go ahead, Rich.

9

10 MR. CANNON: Madame Chair. Through the
11 Chair. Perhaps if -- I know that John Burr was here
12 this morning, and I know that the Sports Fisheries
13 Division with ADF&G has, if anybody has looked at that,
14 has that kind of information, they likely would,
15 because they have done studies on burbot and other non-
16 salmon species. So that maybe could come up later in
17 the meeting and someone could alert John that his
18 question has been raised by a council member.

19

20 Thank you.

21

22 MADAME CHAIR ENTSMINGER: Yeah, so
23 would the people here from Fish and Game, if you could.
24 Yeah. And Joe just gave me a head's up, so we're on
25 for that. We'll get some information, Frank. Okay.
26 Probably under agency reports. Yes. Okay.

27

28 And I saw a hand over here.

29

30 MR. BASSICH: I just had a comment.

31

32 MADAME CHAIR ENTSMINGER: A quick
33 comment from Andy.

34

35 MR. BASSICH: Yeah. I just wanted to
36 say, Frank, that's something that I brought up eight
37 years ago when they were starting the AYKSSI reports
38 and studies and what are they going to spend money on,
39 and one of the things that I tried to bring to their
40 attention is the changing demographics and the use in
41 subsistence fisheries. It used to be people along the
42 Yukon River all had dog teams and would fish for non-
43 salmon species when the salmon species were not present
44 in the river, thereby taking lush or burbot, sheefish,
45 which are tremendous predators of fry, and various
46 species of whitefish. And I have always contended that
47 I think that's another very strong factor in mortality
48 of out-migration of salmon. And I think it has a much
49 greater impact on returns from spawning events than we
50 realize, because there's a greater number I believe of

1 these salmon-eating predators out there that aren't
2 being taken out of the system by subsistence users the
3 way they used to. And I think if you were to talk to
4 your parents, grandparents and all that, I think the
5 information would be there that that's what they lived
6 on when the salmon species weren't there. And I don't
7 think that's taking place now. So I think it's an
8 important part. And maybe it's something that could go
9 in to the resource monitoring plan under one of the
10 bullets pertaining to changes in subsistence harvest
11 and all that.

12

13 Thank you, Madame Chair.

14

15 MADAME CHAIR ENTSMINGER: Okay. Rich,
16 I guess since you're sitting right there, can we give
17 that information to you now that that is a concern.

18

19 MR. CANNON: Madame Chair. A similar
20 issue was brought up by the other Councils about
21 species other than salmon and whitefish that they would
22 like to see some attention given to, specifically to
23 lush, and what else. Basically we're planning, at
24 least I'm thinking about trying to broaden that a bit
25 when we talk about non-salmon species so that other
26 species other than just whitefish could be looked at as
27 well. If an investigator has a good proposal, that we
28 would entertain that as well.

29

30 Thank you.

31

32 MADAME CHAIR ENTSMINGER: So am I
33 hearing that that needs to be a proposal?

34

35 MR. CANNON: It doesn't have to be.
36 I'm talking about a proposal from an investigator. So
37 what we do is broaden our bullets.....

38

39 MADAME CHAIR ENTSMINGER: Oh, I see.

40

41 MR. CANNON:so that that would
42 encourage an investigator to put in a proposal.

43

44 MADAME CHAIR ENTSMINGER: Okay. All
45 right. I think now we can begin on our agenda again.
46 And we would be taking up the reports, introduction of
47 the Proposal FP11-01 and 11-06. And Rich Cannon is
48 going to give us that presentation.

49

50 And Donald before.

1 MR. WOODRUFF: I would like to inquire
2 why 11-01 and 06 were grouped together when there's
3 really a very distinct difference between the two.

4
5 Thank you.

6
7 MR. CANNON: Madame Chair. To Mr.
8 Woodruff, yes, when I looked at the two proposals, you
9 are correct, that there are some differences in intent.
10 However, the biological information available to
11 address both proposals were fairly similar, and I did
12 see a lot of relationship between the two from that
13 standpoint. And as we laid out the analysis, you can
14 look at them separately. And I will be making a
15 distinction between the intent of each one. I think
16 that will become clear to you as I go through the
17 analysis.

18
19 MADAME CHAIR ENTSMINGER: Is that okay,
20 Donald. Okay.

21
22 All right. Rich, go ahead.

23
24 MR. CANNON: For the record, my name is
25 Richard Cannon. I'm the Yukon fisheries biologist for
26 the Office of Subsistence Management.

27
28 I will be presenting the analysis for
29 two similar proposals, 11-01 and 11-06. The analysis
30 for these proposals can be found in your Council books
31 on Pages 45 through 64.

32
33 Proposal 11-06 [sic] was submitted by
34 the Eastern Interior Alaska Subsistence Regional
35 Advisory Council. It requests that all gillnets,
36 subsistence and commercial, with greater than six-inch
37 stretch mesh be restricted to not more than 35 meshes
38 in depth in Federal public waters of the Yukon River
39 drainage.

40
41 Proposal 11-06 submitted by the
42 Mountain Village Working Group would restrict the depth
43 of 7-1/2-inch stretch mesh gillnets to 20 meshes in
44 depth in Yukon River Districts 4 and 5.

45
46 Proposal 11-01 specifically addresses
47 regulatory change that the Eastern Interior Council
48 felt would enhance the quality of escapement. The
49 proposal was based on the concern that the average
50 length and weight of returning adult Chinook salmon is

1 declining, and because of the belief that the existing
2 allowable gillnets deeper than 35 meshes
3 disproportionately harvest larger sized female Chinook
4 salmon over males. That's its purpose. This proposal
5 would be applied to all gillnet fisheries occurring in
6 Federal public waters throughout the drainage.

7

8 However, the stated purpose of 11-06 is
9 to increase the numerical escapement by decreasing the
10 catch efficiency of gillnets in two upper Yukon River
11 fishing districts. So the same action, reducing
12 gillnet mesh depth, but for different purposes.

13

14 The analysis indicates that reducing
15 depth of gillnets would likely result in reducing
16 fishing efficiency of gear for commercial and
17 subsistence fishermen. That would be true for either
18 proposal. You reduce the size of the net, the surface
19 area is reduced, you're going to reduce its efficiency.

20

21 However, there's not way to quantify
22 reliably if a reduction of mesh depth to 20 meshes
23 would be more effective on reducing harvest numbers
24 than reducing fishing time, which managers routinely do
25 in order to reduce harvest levels. In addition, there
26 are no quantifiable data available to predict what
27 effect reduction would have on the harvest of the
28 larger and older aged female Chinook salmon. There is
29 no new information supporting decreasing size
30 selectivity of gillnets by reducing mesh depth. And
31 none of this -- no new information has been identified
32 since the Board last considered and rejected a similar
33 proposal.

34

35 I know that when the Eastern Interior
36 Council wanted to have this reconsidered, this
37 proposal, they resubmitted it actually, there was the
38 potential that a new study was going to be available by
39 this time. That was done by a scientist with the
40 National Marine Fisheries Service. And that's what we
41 were told at the time, it was last year, last spring,
42 that that was their projected time frame for getting
43 that study done. However, over the summer when I
44 contacted the investigator, he said his priorities got
45 changed around on him. And that study will not be
46 available until next spring. It won't be published.

47

48 Key information used in the analysis
49 summarized published studies that examined the spatial
50 distribution of migrating salmon in rivers. This

1 research suggests that migrating salmon generally swim
2 near the river bottom to avoid current. Larger fish
3 swim farther offshore in deeper water to avoid surface
4 wave drag. At least that's the best theory that we
5 have as to why they do that.

6
7 Evidence for Yukon River chinook salmon
8 from a large archival tag project suggests that Yukon
9 Chinook salmon swim along the bottom following
10 submerged river channels at depths ranging from less
11 than a few feet to over 90 feet. This information can
12 be found on Page 52 and summarized in Figure 1 on Page
13 53.

14
15 Test fishing with gillnets at the Pilot
16 Station sonar did not show any significant difference
17 in size of fish between shallower inshore catches and
18 deeper offshore catches. However, sonar traces do show
19 that fish disperse rapidly to avoid fishing activity.
20 So there's an avoidance effect that was shown in that
21 data. The Pilot Station data is summarized in Table 1
22 on Page 54.

23
24 If adopted, either proposal would pose
25 an additional burden on some if not all affected users
26 since they would have to modify existing gillnets. In
27 addition, adoption of either proposal would expand the
28 differences between Federal and State subsistence
29 regulations while increasing regulatory complexity and
30 enforcement concerns. Commercial and subsistence users
31 fishing in State-managed waters under State regulations
32 would still be permitted to use deeper gillnets.

33
34 That concludes my comments on the
35 analysis.

36
37 The recommendation was to oppose.
38 Madame Chairman.

39
40 And that concludes my summary of the
41 analysis, and I'd be happy to take your questions.

42
43 MADAME CHAIR ENTSMINGER: Council
44 members, any questions. Andrew.

45
46 MR. FIRMIN: In that Figure 1 there,
47 how do you know how deep the river is when they're in
48 there? On this table it says, you've got the depth of
49 them, but, I mean, do you just -- is it a radio located
50 thing where you can go say the river's 50 feet deep

1 there and they're swimming in 20 feet of water?

2

3 MR. CANNON: You're correct. The
4 archival tags just measures the depth that the fish is
5 at. You don't know what the depth of the river is at
6 that point. There's no GPS on board these tags. And
7 when I talked to the investigator about that, he said
8 it was his assumption that they were traveling along
9 the bottom.

10

11 MR. FIRMIN: I got a fish finder this
12 summer and I don't think I've seen fish on the bottom
13 of the river on my depth finder yet. And I think some
14 of the deepest spots that I've hovered around were 32
15 feet deep, and I don't think I even seen fish in the
16 areas that were that deep, just from my own visual
17 observations.

18

19 MADAME CHAIR ENTSMINGER: Okay. Andy.

20

21 MR. BASSICH: Yeah, just maybe a follow
22 up to Andrew's question. You know, if you look at that
23 Figure 1, you'll see that the gray lines go much
24 farther down the graph early on in the run and then as
25 they progress upriver they begin to shallow up more and
26 more and more. And it's pretty kind of consistent if
27 you really draw a line through that. So I can see
28 where the assumption would be that they're traveling
29 near the bottom down near the mouth or in the early
30 districts where depths are deeper and then as they move
31 upriver, they simply cannot go that deep, because the
32 river is shallower. So I think that would explain some
33 of those assumptions.

34

35 And also, Andrew, I've been running
36 depth finders for a couple years -- well, many, many
37 years, and king salmon do not show up, and chum salmon
38 do not show up on depth finders in the Yukon River very
39 well. Their air bladders just don't seem to reflect.
40 I've had a hard time trying to find them, too, and I
41 think ADF&G has, too. And that's why they've gone to
42 DIDSON sonars where they can visually see them instead
43 of tracking them through sonex. It is difficult to
44 spot them when you're looking down on them.

45

46 MADAME CHAIR ENTSMINGER: Does that
47 help, Andrew?

48

49 MR. FIRMIN: Yeah. I just wanted to --
50 I was just asking.

1 MADAME CHAIR ENTSMINGER: Okay. Are
2 there any other questions. Virgil's quiet. He must be
3 thinking. Okay.

4
5 MR. WOODRUFF: I've got one.

6
7 MADAME CHAIR ENTSMINGER: Donald.

8
9 MR. WOODRUFF: I appreciate the fact
10 that you used John Eiler's data, because at the last
11 meeting I pointed out that there was archival tags that
12 John used, and that we hadn't gotten a report from
13 that. And so this graph makes a big influence.

14
15 Thank you.

16
17 MADAME CHAIR ENTSMINGER: So is there
18 anything else, Larry.

19
20 MR. CANNON: No.

21
22 MADAME CHAIR ENTSMINGER: Okay. And no
23 questions. I'm hearing none, so next is ADF&G agency
24 comments.

25
26 MR. PAPPAS: Thank you. George Pappas,
27 Department of Fish and Game, subsistence liaison team.

28
29
30 Prior to my start here, our comments
31 are being incorporated into the transcript as they
32 appear in the book. I will do my best to summarize
33 from those comments, and I'll try to eliminate the
34 redundancy between repeating comments between
35 proposals.

36
37 MADAME CHAIR ENTSMINGER: Thank you.

38
39 MR. PAPPAS: So I'll try to be as
40 efficient as possible. Madame Chair.

41
42 Our comments begin for these proposals
43 on Page 58. And I'll rely upon the Federal analysis to
44 try not to repeat the same information again.

45
46 The proponents are concerned that
47 deeper gillnets select for older and larger Chinook
48 salmon, which are believed to migrate in deep water.
49 The Federal Subsistence Board and Alaska Board of
50 Fisheries previously reviewed similar proposals to

1 restrict gillnet depth in the Yukon fisheries and took
2 no action or opposed those proposals. Data for the
3 recent radio tagging project on the Yukon Chinook
4 salmon indicate that Chinook salmon utilize the entire
5 depth of the water column during migration.

6
7 Even if net depth restrictions could
8 alter harvest in a specific location, fishermen could
9 compensate for reduced net depth by fishing in
10 shallower locations where shallower nets would not
11 impede harvest of larger and more valuable Chinook
12 salmon. There are insufficient data to demonstrate
13 that the gillnet depth restrictions would effectively
14 alter size and age composition of the harvest.

15
16 If the proposal were adopted, harvest
17 of the Chinook and other salmon species in Federally-
18 regulated subsistence fisheries on the Yukon River
19 could be negatively impacted. These fishermen would
20 potentially need to fish longer hours to harvest the
21 same number of fish with less efficient nets.

22
23 Modification of existing nets or
24 purchase of new nets might be necessary in order to
25 comply with gear type restrictions that differ between
26 Federal and State fisheries. If Federal regulations
27 regarding allowable gear type are not the same as the
28 State regulations, it would create a conflicting
29 patchwork of waters under differing State and Federal
30 regulations, and it might be difficult for subsistence
31 users to know the boundaries of each.

32
33 For conservation issues, the Yukon
34 River Chinook salmon stock is currently classified as a
35 stock of yield concern.

36
37 For the opportunity provided by the
38 State, salmon may be harvested under State regulations
39 throughout the majority of the Yukon River watershed,
40 including a liberal subsistence fishery. Under State
41 regulations, subsistence is the priority consumptive
42 use; therefore State subsistence fishing opportunity is
43 directly linked to abundance and is not restricted
44 unless the run size is inadequate to meet escapement
45 needs.

46
47 The Department recommends opposing both
48 proposals, FP11-01 and FP11-06.

49
50 Thank you. Madame Chair.

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STATE OFFICIAL WRITTEN COMMENTS

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

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

Introduction:

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

The Federal Subsistence Board previously reviewed similar proposals to restrict gillnet depth in the Yukon River fisheries (FP05-03, FP06-04, FP09-13) and took no action or opposed those proposals. The Alaska Board of Fisheries unanimously opposed a proposal to restrict subsistence and commercial gillnets to 35 meshes in depth in the Yukon Area during its meeting January 26 31, 2010, after thorough review in an open public process that included numerous oral and written reports. The Alaska Board of Fisheries adopted a maximum mesh size of 7.5 inches for subsistence and commercial gillnets effective in 2011 in the Yukon Area. The Federal Subsistence Board took no action on deferred proposal FP09-13 to limit mesh depth at the April 13 14, 2010, meeting after adopting a deferred proposal FP09-12, which paralleled the Alaska Board restriction of a maximum mesh size of 7.5 inches. The change in mesh size effectively reduces the maximum depth of commercial gillnets in districts 1 3 by approximately three feet compared to the depth of an

1 8.5-inch mesh gillnet (commensurate with the current
2 gillnet commercial fishery). Most subsistence
3 fishermen will likely use their commercial gillnets for
4 commercial fishing.

5
6 Data from a recent radio-tagging
7 project on Yukon River Chinook salmon indicate that
8 Chinook salmon utilize the entire depth of the water
9 column during migration. (John Eiler, National Marine
10 Fisheries Service Auke Bay Laboratory, Juneau; personal
11 comm. 2009). Even if net depth restrictions could
12 alter harvest in a specific location, fishermen could
13 compensate for a reduced net depth by fishing in
14 shallower locations, where a shallower net would not
15 impede harvest of larger and more valuable Chinook
16 salmon. There are insufficient data to demonstrate
17 that gillnet depth restrictions would effectively alter
18 size and age composition of the harvest.

19
20 Impact on Subsistence Users:

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

37
38 Conservation Issues:

39
40 The Yukon River Chinook salmon stock is
41 currently classified as a stock of yield concern.
42 Since 2001, subsistence harvest levels have reached the
43 amounts reasonably necessary for subsistence use within
44 state regulations, except for 2002, 2008, and 2009. A
45 majority of the Yukon River drainage escapement goals
46 have been met or exceeded since 2000, including the
47 Chena and Salcha rivers, which are the largest
48 producers of Chinook salmon in the United States
49 portion of the drainage. The agreed-to escapement
50 objective for the Canadian mainstem was met every year

1 from 2001 through 2006, with 2001, 2003, and 2005 being
2 the three highest spawning escapement estimates on
3 record. However, the escapement objective for the
4 Canadian mainstem was not met in 2007 and 2008.
5 Exploitation rate on the Canadian-origin stock by
6 Alaskan fishermen has decreased from an average of
7 about 55% (1989 1998) to an average of about 44% from
8 2004 2008 (Howard et al. 2009). Although the
9 subsistence harvest remains stable at nearly 50,000
10 Chinook salmon annually, commercial harvests have
11 decreased over 60% from an average of 100,000 annually
12 (1989 1998) to the recent 5-year average (2005 2009) of
13 nearly 23,000 fish. It is not possible to determine if
14 size-selective harvests, variations in environment, or
15 a combination of factors are causing a decrease in
16 harvest of age-7 fish or decreasing size trends of
17 older fish (JTC SSS 2006). Decreasing size of Chinook
18 salmon has been anecdotally noted across much of the
19 state in recent years. However, increasing the number
20 of larger and older Chinook salmon in spawning
21 escapements through mesh size regulations should
22 provide better future production potential.

23

24 Opportunity Provided by State:

25

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

1 salmon (5AAC 01.236 (b)), as determined by the Alaska
2 Board of Fisheries, were met in the Yukon River
3 drainage for six of the last nine years.

4

5 Jurisdictional Issues:

6

7 A large percentage of the lands along
8 the Yukon River are state or private lands on which
9 subsistence users must use gear types consistent with
10 state regulations. Detailed maps are needed that
11 depict land ownership and specific boundaries of areas
12 where federal regulations are claimed to apply, so that
13 fishermen can know whether they are on state or private
14 lands (including state-owned submerged lands and
15 shorelands) where they must comply with state laws and
16 regulations. The Federal Subsistence Board does not
17 have authority to apply gear restrictions, such as
18 gillnet mesh size and depth regulations, to
19 state-regulated commercial and subsistence fisheries.

20

21 Recommendation:

22

23 Oppose proposals FP11-01 and FP11-06.

24

25 Cited References:

26

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

32

33 JTC SSS (Joint Technical Committee
34 Salmon Size Committee of the Yukon River US/Canada
35 Panel). 2006. Potential causes of size trends in Yukon
36 River Chinook salmon populations. Alaska Department of
37 Fish and Game, Division of Commercial Fisheries,
38 Regional Information Report No. 3A06-07, Anchorage.

39

40 MADAME CHAIR ENTSMINGER: All right,
41 Council members. Any questions of the State. Give
42 them a chance, a second here.

43

44 (No comments)

45

46 MADAME CHAIR ENTSMINGER: I'm not
47 hearing any questions. Okay.

48

49 Next is the Federal agencies.

50

1 (No comments)

2

3 MADAME CHAIR ENTSMINGER: I think I'm
4 out of practice. How do we do that part? Are there
5 any Federal agencies that have any agency comments
6 other than what has been brought forth by Rich Cannon.

7

8 (No comments)

9

10 MADAME CHAIR ENTSMINGER: I don't see
11 any.

12

13 Native, tribal, village, other.

14

15 (No comments)

16

17 MADAME CHAIR ENTSMINGER: And then we
18 have InterAgency Staff Committee comments. Jerry. You
19 have a nice little sign, too.

20

21 MR. BERG: I'll let Rich look around
22 for it. Thank you, Madame Chair.

23

24 The InterAgency Staff Committee did
25 meet over a month ago and reviewed all of the analyses
26 for these Federal proposals. And all of our comments
27 have been incorporated into the analysis, and so we
28 don't have any further comments on any of them. So I
29 just wanted to get up and let you know that, for this
30 one and for the future proposals. All o our comments
31 have already been incorporated into the analysis, and
32 so the presentations included all of our comments and
33 input thus far.

34

35 Thank you, Madame Chair.

36

37 MADAME CHAIR ENTSMINGER: Okay. Jerry,
38 state your position again.

39

40 MR. BERG: I'm the InterAgency Staff
41 Committee member for Fish and Wildlife Service.

42

43 MADAME CHAIR ENTSMINGER: To the main
44 person on the Board.

45

46 MR. BERG: Yeah, for the Federal
47 Subsistence Board member on the Board.

48

49 MADAME CHAIR ENTSMINGER: Yeah. Okay.
50 Thank you. Is there any questions.

1 (No comments)

2

3 MADAME CHAIR ENTSMINGER: Okay. We're
4 going through this pretty quickly.

5

6 Advisory group comments, neighboring
7 Regional Councils. Is that you?

8

9 MR. LARSON: Yes, Madame Chair. This
10 proposal has been previously considered by both the
11 Yukon Delta and the Western Interior Regional Advisory
12 Councils. Both of those Councils recommended opposing
13 the proposal.

14

15 MADAME CHAIR ENTSMINGER: And then I
16 guess is there any local, I'm sorry, Fish and Game
17 advisory committees.

18

19 (No comments)

20

21 MADAME CHAIR ENTSMINGER: And that
22 would be -- all right. And then any SRCs that have
23 commented on these two.

24

25 (No comments)

26

27 MADAME CHAIR ENTSMINGER: Now I need a
28 summary of written comments.

29

30 MR. LARSON: Madame Chair. The summary
31 of written comments can be found on Page 61 of your
32 Council book.

33

34 There one additional public comment
35 that has been distributed to the Council members today,
36 earlier this morning, and that is from the Kwik'pak
37 Fisheries group. It kind of looks like this document.
38 So that's the only written public comment we have
39 that's not contained in the Council's book.

40

41 We've had a number of public comments
42 on these two proposals together. There are three in
43 support of Proposal FP11-01. There is four in the book
44 that are in opposition to Proposal FP11-01, plus the
45 Kwik'pak testimony, which is also in opposition to
46 Proposal FP11-01. There are eight that oppose FP11-06
47 in addition to the Kwik'pak testimony. There are none
48 in support of FP11-06.

49

50 Thank you.

1 MADAME CHAIR ENTSMINGER: I'm sorry,
2 could you briefly, when you said the three support, who
3 that is?

4
5 MR. UMPHENOUR: Page 61.
6

7 MR. LARSON: Yes, Madame Chair. These
8 are found on Page 61 of your Council book. And there
9 are three. The first is from Tim Bodony from Galena,
10 and he thinks that limiting the net depth is the next
11 logical step in restricting the Chinook harvest.

12
13 We have a testimony from the Council of
14 Athabaskan Tribal Governments, and they agree that they
15 need to act now, because primarily these larger, older
16 upriver fish are depleted.

17
18 The final letter in support testimony
19 is from James E. Roberts, the Tanana Tribal Council.
20 He believes it's a necessary conservation measure to
21 protect Chinook salmon.

22
23 MADAME CHAIR ENTSMINGER: Does Council
24 want to hear all the opposed, or do you want to look at
25 it in your book. Okay. It's good that you have,
26 because I have not. I've got too many meetings I'm
27 going to. Everybody's seen them. Okay.

28
29 And is there any public testimony.

30
31 (No comments)

32
33 MADAME CHAIR ENTSMINGER: So now we're
34 down to the Regional Council recommendation and motion.

35
36 MR. UMPHENOUR: Move to adopt Proposal
37 FP11-01.

38
39 MR. GLANZ: I'll second that.

40
41 MADAME CHAIR ENTSMINGER: We'll take
42 them up separately. Okay. There's a motion to adopt
43 11-01 and a second. Now discussion. Virgil.

44
45 MR. UMPHENOUR: There is a conservation
46 concern with king salmon on the Yukon River. We've
47 been talking about it on this RAC for 11 -- well, 9
48 years I've been on it, talking about it. It's no
49 secret what's happened to the king salmon on the Yukon
50 River. The large fish have been selectively harvested

1 and when the fishery really got accelerated in the late
2 70s with drift netting expanding in the lower river the
3 Department restricted the depth of gillnets. They
4 restricted them to 45 meshes.

5
6 But the Department did a study before
7 they did that, and the study was done in '83 and '85.
8 At that time and I don't have these numbers right in
9 front of me, they did it in District Y-1 and Y-2. The
10 average depth of nets used in Y-1 I believe was a
11 little shallower than Y-2, but they were only 25 meshes
12 deep was the average, or the most people were using 25
13 mesh deep nets, and some of them were as high as 35
14 deep mesh nets. And in District 2 it was a little bit
15 deeper, around 30 to 35 meshes. But that was done in
16 '83 and '85.

17
18 Then later on in the 80s people really
19 got deep nets. Some of them were up to 60 meshes deep,
20 maybe even longer. I think I knew a guy from Marshall
21 that had 90-mesh deep nets.

22
23 The Department brought that to the
24 Board of Fish and then they made it so that they
25 couldn't be any deeper than 45 meshes. The Lower Yukon
26 AC put in a proposal to try to keep that from
27 happening. In fact I was on the Board of Fish when
28 that happened. That happened in '94 I believe. And so
29 they wanted to have these deep nets. The Department
30 recognized that it was harvesting more of the larger
31 fish and more of the female fish, and fish that are
32 headed to Canada. And the Department's put that in
33 Department comments in the past.

34
35 And so there is a conservation problem
36 here. And the way this recommendation addresses the
37 concern is that we didn't have these problems with the
38 older aged classes, the larger king salmon until people
39 started fishing with the really deep drift gillnets.
40 I've talked to a lot of oldtimers, and they say if you
41 really want to put those big fish on the spawning
42 grounds, you need to make the nets shallower.

43
44 And so I still support this. I was
45 hopeful that the study that was just referenced that
46 was supposed to be finished by the time this would go
47 before the Board would be done, but it hasn't been
48 done. So that leaves us in a little bit of a dilemma,
49 because I don't think that the Board will take any
50 action without any additional scientific information.

1 So maybe we should ask to table our proposal, ask the
2 Board to table our proposal until this study is
3 available.

4

5 And so I do -- maybe this isn't really
6 the right time to ask the Staff this question. I
7 should have asked it a while ago, but I believe that
8 Mr. Cannon said the study would be available next
9 spring instead of this spring. And so with the Board
10 changing their schedule, the way they do things now, I
11 guess it would be every other year, so we could either
12 recommend take no action or to table it; one or the
13 other.

14

15 But the issue is still there and the
16 issue is not going to go away. And after what happened
17 this last fishing season, I know the issue's not going
18 away.

19

20 So maybe someone else wants to speak to
21 this proposal.

22

23 MADAME CHAIR ENTSMINGER: I would like
24 people to speak, but I want to hear what I just heard
25 you saying.

26

27 We have a motion on the floor to adopt.
28 And now you're suggesting something different.

29

30 MR. UMPHENOUR: No, I'm saying that
31 maybe that is what we should do. We need to discuss
32 what we really what to do, because the issue is there.
33 It's a valid proposal. It's a totally valid proposal.

34

35 MADAME CHAIR ENTSMINGER: Okay. We're
36 discussing the proposal. Andy.

37

38 MR. BASSICH: Thank you, Madame Chair.
39 Yeah, I agree with Virgil. I also have been thinking
40 about the whole issue, and I think really we're going
41 to make far more progress than just having, whether you
42 call it windows or pulse protection, restrictions in
43 fishing applied riverwide throughout the run. I think
44 that's really going to be our best tool, because it
45 shares the burden of conservation on everyone. This
46 does direct a little bit of hardship on a particular
47 user group, and I'm all for everybody sharing the
48 burden. So I think I would be in agreement with Virgil
49 at this point in time.

50

1 We do have some mesh changes coming
2 into effect. I'd really like to see how those changes
3 in mesh effect the quality of escapement and, you know,
4 if we were to table this until the next Board cycle
5 when this report can come out, I think we'd be in a
6 better position then to either further this or let it
7 drop.

8
9 So I guess I would be in agreement with
10 Virgil. I'd like to see this maybe tabled. I don't
11 think I want to see a no action. I think I'd actually
12 like to keep it in the minds of people that it's there,
13 it's a tool we need to consider. And I think it would
14 be more effective if we ask for it to be tabled rather
15 than no action, because I think, correct me if I'm
16 wrong, if we do no action, then we have to start the
17 whole process over again.

18
19 MADAME CHAIR ENTSMINGER: Let's talk
20 about procedure for one second here. And I think
21 Robert can help me on that.

22
23 MR. LARSON: Yes, Madame Chair. The
24 motion to table would be in order if the Council
25 realizes that the issue would be dead at the next
26 meeting, provided there's no action being taking prior
27 to that. If the intent of the Council is to keep this
28 issue alive until the Board and the Council has the new
29 information that is wrapped up in this study, then the
30 appropriate motion would be to defer until this
31 information is available. And that would keep it alive
32 until whatever time it is.

33
34 MADAME CHAIR ENTSMINGER: Okay. One
35 other question on procedure here, help me out. So with
36 this motion on the floor to adopt, and second, to defer
37 do we need to pull?

38
39 UNIDENTIFIED VOICE: Need a new motion.

40
41 MADAME CHAIR ENTSMINGER: Just need a
42 new motion on top of it?

43
44 MR. LARSON: You would need a motion to
45 defer would be appropriate at this point.

46
47 MADAME CHAIR ENTSMINGER: Okay. I want
48 to hear from the rest of you how you feel on this.
49 Bill.

50

1 MR. GLANZ: I feel we're beating a dead
2 horse right now. It's not going to go anywhere. I
3 mean, you know, I was at the Fishing Board meeting in
4 January and it went nowhere there with the State. They
5 went to 7-1/2-inch and that was like pulling teeth when
6 they done that with all the opposition out in the
7 audience and different testimonies against it. So I'd
8 like to see it tabled.

9
10 MADAME CHAIR ENTSMINGER: Deferred?

11
12 MR. GLANZ: Yeah. Deferred, I'm sorry.
13 Not tabled, deferred.

14
15 MADAME CHAIR ENTSMINGER: Yes, I heard
16 you right.

17
18 MR. GLANZ: Right. Yes, I'm sorry.
19 Yeah. That's what I meant to say. Okay.

20
21 MADAME CHAIR ENTSMINGER: Yeah.
22 Others. Frank.

23
24 MR. GURTLER: I'd like to defer it,
25 too.

26
27 MADAME CHAIR ENTSMINGER: Okay.

28
29 MR. GLANZ: I'd like to withdraw my
30 second.

31
32 MADAME CHAIR ENTSMINGER: On the motion
33 to adopt.

34
35 MR. GLANZ: Yes, ma'am. Never mind.
36 You can disregard. I'll second it.

37
38 MADAME CHAIR ENTSMINGER: We're trying
39 to follow Robert's Rules. Okay. So I'm entertaining a
40 motion and did I heard that.

41
42 MR. BASSICH: Yeah. Madame Chair.
43 Make a motion that we defer this proposal.

44
45 MADAME CHAIR ENTSMINGER: To the next?

46
47 MR. BASSICH: To the next Board cycle,
48 once this.....

49
50 MADAME CHAIR ENTSMINGER: Not cycle.

1 MR. BASSICH: Well, our.....
2
3 MADAME CHAIR ENTSMINGER: Next year
4 after the study.
5
6 MR. BASSICH: After the study. I guess
7 defer this until the study becomes available for the
8 Board to take into consideration.
9
10 MADAME CHAIR ENTSMINGER: Right. Okay.
11 Did I hear a second.
12
13 MR. FIRMIN: Second.
14
15 MADAME CHAIR ENTSMINGER: Andrew
16 seconded it. Okay.
17
18 Discussion. Virgil.
19
20 MR. UMPHENOUR: Right. I think this is
21 the appropriate thing to do, because I don't think the
22 Board will take any action otherwise. And once that
23 study comes in, it will be new scientific, it will be
24 the latest scientific information. And I have
25 confidence that that study is going to demonstrate that
26 the larger fish do swim deeper and farther offshore,
27 and that this -- and therefore that would support
28 passage of the proposal. So I'm in favor of deferring
29 until after the study is available.
30
31 Madame Chair.
32
33 MADAME CHAIR ENTSMINGER: Thank you,
34 Virgil.
35
36 Would anyone else like to add to the
37 discussion on this.
38
39 (No comments)
40
41 MADAME CHAIR ENTSMINGER: You look
42 pretty happy I think.
43
44 So I'm going to tell you just for
45 discussion that I'm thinking very seriously about
46 sending the Secretary to that Board of Fish meeting
47 since he lives up there, and I think that he would
48 probably have a stronger voice probably, Virgil, than
49 you and I. So I'm thinking of that right now and we'll
50 talk about that later. But at any rate, so pay

1 attention.

2

3 All right. Anything else.

4

5 (No comments)

6

7 MR. GLANZ: Let's vote.

8

9 MADAME CHAIR ENTSMINGER: We've got to
10 vote. That's a call for the question. All right. Do
11 you think a roll call or we're going to -- well, do I
12 hear unanimous consent to defer this. Everyone say
13 aye.

14

15 IN UNISON: Aye.

16

17 MADAME CHAIR ENTSMINGER: Okay.

18

19 (No opposing votes)

20

21 MADAME CHAIR ENTSMINGER: Done. So you
22 want to take up 11-06 separately, is that what I'm
23 hearing.

24

25 MR. UMPHENOUR: Move to adopt Proposal
26 FP11-06.

27

28 MR. BASSICH: Second.

29

30 MADAME CHAIR ENTSMINGER: And it's been
31 seconded. Discussion. Virgil.

32

33 MR. UMPHENOUR: FP11-06 is nothing more
34 than a punitive action proposal against a discrete
35 section of the river. And it wouldn't really address,
36 if they went to address the issues that they raised,
37 then they would make it riverwide, and they only want
38 to do it in one section of the river upriver from them.
39 And so therefore I feel it's an irresponsible proposal,
40 and I do not support it.

41

42 MADAME CHAIR ENTSMINGER: Anyone else.
43 Andrew.

44

45 MR. FIRMIN: I agree with Virgil for
46 the same reasons. It's not a riverwide proposal. It's
47 targeting one area of the river and that's just -- I'd
48 just mirror Virgil's opinion.

49

50 MADAME CHAIR ENTSMINGER: Anyone else

1 want to add. Donald.

2

3 MR. WOODRUFF: I agree with Virgil, and
4 it seems to me if the Proposal 06 is submitted by
5 Mountain Village, they should participate. It should
6 be riverwide, and everybody, like Andy said, should
7 suffer the burden of conservation.

8

9 Thank you.

10

11 MADAME CHAIR ENTSMINGER: Anyone else.

12

13 (No comments)

14

15 MR. GLANZ: Call for the question.

16

17 MADAME CHAIR ENTSMINGER: All right.
18 The question's been called for. All in favor of 11-06.

19

20 (No affirmative votes)

21

22 MADAME CHAIR ENTSMINGER: All opposed.

23

24 IN UNISON: Aye.

25

26 MADAME CHAIR ENTSMINGER: Okay. I'm
27 assuming that's unanimous.

28

29 MR. UMPHENOUR: Okay. Move to adopt
30 Proposal FP11-02.

31

32 MADAME CHAIR ENTSMINGER: I think we're
33 going to -- we'll follow this procedure, Virgil.

34

35 MR. UMPHENOUR: Okay. I messed up.

36

37 MADAME CHAIR ENTSMINGER: Yeah. That's
38 all right. Okay. Next, the introduction of the
39 proposal and presentation of the analysis by Staff.
40 Rich.

41

42 MR. CANNON: Thank you, Madame
43 Chairman. Again for the record my name is Richard
44 Cannon, Yukon biologist, Office of Subsistence
45 Management.

46

47 The analysis for Proposal 11-02 begins
48 on Page 65. This proposal, submitted by Jack Reakoff
49 from Wiseman, requests that Federal public waters of
50 the Yukon River be periodically closed to subsistence

1 and commercial fishing from the river mouth to the
2 Canadian border. This is pulse protection.

3
4 These rolling closures would correspond
5 to periods of Chinook salmon migration when stocks
6 returning to Canadian waters constitute the majority of
7 the run. No harvest on these stocks would be allowed
8 for at least 12 years or until such time as this
9 stock's abundance and escapement quality is restored to
10 a level that provides sustained yields to support
11 historic harvest levels in commercial and subsistence
12 fisheries.

13
14 The proponent submitted this proposal
15 to address long-standing concerns expressed by Yukon
16 River fishers and Regional Advisory Councils regarding
17 diminished quality of escapement for Yukon River
18 Chinook salmon that spawn in Canada.

19
20 In order for the State and Federal
21 programs to cooperatively address this issue, however,
22 the existing State Chinook Salmon Management Plan would
23 have to be revised to establish an optimal escapement
24 objective rather than the maximum sustained yield
25 approach currently in place.

26
27 This issue is discussed on Pages 67 and
28 68 under the existing State regulations subheading of
29 the analysis.

30
31 The biological background which begins
32 on Page 72 of the analysis updates the Chinook salmon
33 stock status information recently provided the Federal
34 Board when it considered mesh size changes and
35 specifically addresses measures of quality of
36 escapement in managing for escapement goals in Alaska.

37
38 In addition, the analysis provides some
39 new information on the run timing of Canadian origin
40 stocks provided by a study of radio-tagged Chinook
41 salmon. This information is summarized in Figure 7 on
42 Page 78. The discussion of this information is found
43 on Page 77.

44
45 Although a high proportion of the upper
46 river Canadian-origin stock group enters the river
47 during the first pulses, individual Canadian Chinook
48 stocks actually enter the Yukon over a protracted
49 period of time.

50

1 The recommendation to oppose the
2 proposal is based largely on the Canadian stock run
3 timing information that suggests that simply closing
4 the fishery during the first pulses may not be an
5 effective means to conserve all the Canadian-origin
6 stocks. Rather, reducing exploitation over the run by
7 reducing fishing time when necessary may be a more
8 effective conservation measure. This could be
9 accomplished during years with poor runs by pulling
10 periods during the scheduled windows subsistence
11 openings early in the run or until such time that the
12 in-season assessment of the run determined that the run
13 was large enough to allow additional fishing
14 opportunity.

15
16 Individual stocks comprising the middle
17 and upper river stock groups, these are groups for the
18 entire river now. The middle is generally considered
19 the Tanana stock group, and then the upper river are
20 the Canadian stock group. Both these groups enter the
21 river in a very compressed time period with run timing
22 being highly overlapped. Differences in timing among
23 these stocks do not appear to offer a useful means to
24 conserve or target individual stocks or even between
25 these two stock groups in fisheries. However, there
26 may be sufficient difference in migratory timing of the
27 lower river stocks to allow managers to use these
28 differences to effectively target or conserve these
29 stocks.

30
31 And in the investigator from National
32 Marine Fisheries is Mr. Eiler. And this study is in
33 the process of being published. He allowed me a copy
34 of it in his final form before it went out for peer
35 review.

36
37 He discussed this in quite a lot of
38 detail. He looks at Chinook stock management
39 throughout the range of Chinook salmon. And what he
40 noted was that the migration timing of Chinook in
41 Alaska, particularly the Yukon is very, very compressed
42 compared to other Chinook salmon throughout their range
43 in Southeast Alaska, British Columbia and the Pacific
44 Northwest. And these comments about the usability of
45 timing to manage Yukon Chinook are based on his
46 analysis and discussion in this report.

47
48 One other additional comment on this.
49 There -- the genetic stock assessment report for 2009
50 was just recently made available in late September, and

1 well after these analyses were developed and sent out
2 to the Regional Advisory Councils. We are currently
3 reviewing this information. Our preliminary assessment
4 is that this information will actually support our
5 recommendation not to support this proposal, but that
6 information could not be included in the analysis
7 because it wasn't available to us.

8

9 Thank you, Madame Chairman. And I
10 would now like to take your questions. Thank you.

11

12 MADAME CHAIR ENTSMINGER: Council
13 members, any questions. Donald.

14

15 MR. WOODRUFF: On Page 78, looking at
16 this graph, the first two weeks, 99 percent of the fish
17 (indiscernible, mic not on). I don't know how.....

18

19 REPORTER: Turn your mic on.

20

21 MR. WOODRUFF: I'm sorry. To repeat
22 this, on Page 78, if you hold a straight edge up and
23 down this page, you can see that by June 20th or so 99
24 percent of the Canadian stock fish are passed, so the
25 first pulse fish and possibly the second pulse fish are
26 actually what this graph indicates. Am I reading that
27 wrong, Rich?

28

29 MR. CANNON: Well, these are, you're
30 looking -- I'm sorry. What you're looking at is the
31 percent of return, and so what you're seeing is that
32 these fish that are being tagged are tagged down by, as
33 you understand this graph, are being tagged down by
34 Marshall and Russian Mission. So that's when they're
35 coming through that part of the Lower Yukon.

36

37 MR. WOODRUFF: Right.

38

39 MR. CANNON: But if you look up, and
40 you can see out through June -- you know, look at June
41 24th through July 1st, and you look at Teslin, Big
42 Salmon and Little Salmon, those are some large stock
43 components. And they're still coming through the Yukon
44 River, lower river at that time.

45

46 It is true that a large percentage of
47 the Canadian -- I mean, unfortunately a lot of the
48 information that I now have seen, I haven't included in
49 the analysis. It wasn't available to me. But in
50 general, yes, the initial pulses of salmon that come

1 through the lower river, a high percentage of those are
2 Canadian, but there are Canadian stocks still -- or a
3 high percentage of those Canadian stocks are still
4 represented all the way through June.

5
6 MR. WOODRUFF: Perhaps that's the stock
7 we're catching in Eagle then.

8
9 MADAME CHAIR ENTSMINGER: Other
10 questions. Andy.

11
12 MR. BASSICH: Thank you. Rich,
13 thinking over the last say, let's just call it 10
14 years, how many years has the projected run coincided
15 with what actually came in, and how many years has the
16 projected run, preseason projection, been higher than
17 what actually came in? Do we have those numbers?

18
19 MR. CANNON: Through the Chair. Andy,
20 yes, that analysis has been done. I've heard it
21 presented by the State of Alaska, and I'd like to have
22 Katie come up. Father than just drawing from my poor
23 memory, it would be better to hear it from ADF&G Staff
24 who are present.

25
26 MADAME CHAIR ENTSMINGER: That's fine.
27 Go ahead. It's Katie? Okay.

28
29 MS. HOWARD: Through the Chair. So,
30 I'm sorry, I don't have that information at my
31 fingertips, but historically the projections have done
32 rather well. In the last four years or so, they've
33 been quite off, and they've over-projected. And that's
34 even when we account for the fact that we know that
35 they're going to be higher projections, the runs
36 recently have been much more volatile than the models
37 can predict for.

38
39 MR. BASSICH: I guess the point I'm
40 trying to make is is that here we are, we're using the
41 best science we have to make these projections, but the
42 runs continue to come in weaker than what the
43 projections are, even taking in account for the
44 knowledge that our projections are generally higher
45 than what comes in, and yet we still aren't able to
46 accurately predict what's going to come in. And my
47 concern is that when we're talking about pulse
48 protections, (A) we're trying to spread the burden of
49 conservation amongst everyone, and traditionally what's
50 happened in the past is lower river fisheries is

1 allowed to be conducted pretty much normal. And then
2 as the run comes in, we realize there aren't enough
3 fish and then restrictions go into place which impact
4 middle and upper river fishers, which we all know makes
5 all of us upriver and even in the middle river feel
6 kind of cheated. So we're trying to make, everybody's
7 trying to make a better effort to share that burden.

8
9 What troubles me with this is that
10 under the current regulations and policies we're not
11 allowed to, or we don't seem to be allowed to give the
12 managers, or the managers aren't taking the impetus to
13 put those restrictions on early knowing that in the
14 recent five years or so we need to be very cautious.

15
16 And I'm not sure if I'm really getting
17 my thought across to everyone, but I would really like
18 to see us work harder at recognizing that the best
19 analysis that we have are not matching up, and that we
20 need to work to be more conservative in our management
21 practices at the beginning of the run than we have been
22 in the past. I don't think we can continue on the
23 track we are to continue to allow normal fisheries in
24 the early part of the season and do this wait and see
25 type of fisheries. We need to take proactive steps in
26 our management so that all people are restricted
27 throughout the run at various times. And then if the
28 run comes in strong, well, so be it. If we get a
29 little better escapement, that's a good thing.

30
31 And I'm a little bit disturbed by some
32 of the comments I hear from managers occasionally where
33 whenever they talk about an over-escapement into an
34 area, like last year's over-escapement into Canada,
35 they say, well, we could have taken more. Well, yeah,
36 we could have taken more, but you know what, all of the
37 escapement goals are based on ranges. They're not a
38 set number. And we all recognize, at least on the
39 Yukon River Panel that it's okay, and it's actually
40 maybe a good thing to get some rivers where there's an
41 over-escapement or an above the -- or in the higher
42 range in that escapement. And maybe it's just
43 semantics, but I really think that managers have to
44 take some of the responsibility to manage those
45 fisheries for the fish, and people along the river have
46 to learn to accept the burden of conservation equally.

47
48 And you know, we had this YRDFA meeting
49 in 2009 where the people said, we want to restrict
50 everybody equally throughout the run. They told

1 managers that, and that's what they did in 2009, and we
2 got a good escapement, and, yeah, people had to work a
3 little harder to fish, but -- and some people didn't
4 meet their needs, but that was the right thing to do.

5
6 And then we have another meeting in
7 2009 -- I'm sorry, that was 2008. In 2009, pretty much
8 the same thing was agreed upon, and managers didn't do
9 that. Managers didn't restrict people early in the
10 season. And we didn't get escapement.

11
12 And I don't know if I'm really making
13 myself clear, but, you know, all of us fishermen, we'll
14 adapt. And we need to be more conservative at the
15 beginning part of the run.

16
17 MADAME CHAIR ENTSMINGER: Andy, I think
18 what you're trying to do is go immediately into our
19 discussion as far as adopting or not adopting the
20 proposal. So let's continue on with all these reports,
21 and then you can continue on with those thoughts.

22
23 MR. BASSICH: I've said enough.

24
25 MADAME CHAIR ENTSMINGER: Okay. All
26 right. Are there any other questions of Staff by any
27 other Council members.

28
29 (No comments)

30
31 MADAME CHAIR ENTSMINGER: Did you have
32 something to say, Rich.

33
34 MR. CANNON: Just (indiscernible, mic
35 not on)

36
37 MADAME CHAIR ENTSMINGER: Okay. All
38 right. Great. Yes, and thank you.

39
40 Okay. Next would be agency comments.

41
42 (No comments)

43
44 MADAME CHAIR ENTSMINGER: And Alaska
45 Department of Fish and Game.

46
47 MR. PAPPAS: Thank you, Madame Chair.
48 George Pappas again. Our comments begin on Page 90 in
49 your book.

50

1 If adopted, Federal subsistence users
2 would be required to forego harvest of Chinook salmon
3 during the first or second pulse of Chinook salmon
4 return to the Yukon River in the waters claimed under
5 Federal jurisdiction through the year 2022 unless stock
6 status and conditions improve before that time. The
7 proponent anticipates Federal subsistence users who
8 fish in Federally-claimed waters will likely see
9 reduction in harvest during enactment of this fisheries
10 management plan.

11
12 If Federal regulations differ from
13 State regulations, fishing for Chinook salmon may be
14 more liberal in waters not claimed under Federal
15 jurisdiction. This would increase the responsibility
16 of the subsistence users to identify the applicability
17 of different subsistence laws and regulations based on
18 land ownership and claimed Federal jurisdiction.

19
20 Under the opportunity provided by the
21 State, salmon may be harvested under the State of
22 Alaska regulations throughout a majority of the Yukon
23 River watershed, including a liberal subsistence
24 fishery.

25
26 When the Yukon River Chinook salmon run
27 is below average, the State subsistence fishing periods
28 will be conducted based on the schedule and permitted
29 chronologically throughout the Alaska portion of the
30 drainage, which is consistent with the migratory timing
31 as the salmon run progresses upstream.

32
33 The Yukon River Chinook salmon stock is
34 currently classified as a stock of yield concern.
35 Since 2001, subsistence fishing time in the Yukon River
36 area has been limited by a window schedule.

37
38 The majority of the Yukon River
39 drainage escapement goals have been met or exceeded
40 since 2000, including the Chena and Salcha Rivers which
41 are the largest producers of the Chinook salmon on the
42 United States portion of the drainage.

43
44 The escapement objectives for the
45 Canadian mainstream was met every year from 2001
46 through 2006 with 2001, 3 and 5 being the three highest
47 spawning escapement estimates on record. The
48 escapement objective for the Canadian mainstem was not
49 met in 2007, 2008 and 2010.

50

1 Although the subsistence harvest
2 continues to remain stable at nearly 50,000 Chinook
3 salmon annually, commercial harvests have decreased
4 over 60 percent from an average of 100,000 to the
5 recent five-year average of 23,000.

6
7 Considering all salmon species
8 together, the over-all total subsistence harvest in the
9 Yukon River area has declined by approximately 30
10 percent since 1990. Specifically fall chum salmon
11 harvest have fallen within ANS ranges only three times
12 since 2001. It is not possible to determine whether
13 size-selective harvest, variation in environments or a
14 combination of factors are causing the decrease in
15 harvest of age 7 fish or decreasing size trends of
16 older fish. Decreasing size of Chinook salmon has been
17 anecdotally noted across much of the State in recent
18 years. However, increasing the number of larger and
19 older Chinook salmon in spawning escapements through
20 the mesh size regulations should provide for better
21 future production potential.

22
23 It is not necessary to prohibit harvest
24 of all Chinook salmon during the first pulse by
25 regulation for a 12-year period if a harvestable
26 surplus is available. A management strategy of
27 fisheries closures during the first pulse poses a
28 hardship to subsistence users and would likely increase
29 exploitation on other stocks or stock groupings. As
30 part of the pre-season planning with public
31 involvement, this type of action can be taken by
32 managers through emergency order authority as a
33 conservation measure or to meet escapement goals in the
34 Yukon River treaty commitments.

35
36 However, managers and fishermen need
37 flexibility in order to adjust the management
38 strategies. For example, given the variation in stock
39 timing -- excuse me, stock specific run timing, it may
40 be better to biologically distribute subsistence
41 closures over the first two pulses rather than singling
42 out the first pulse throughout the river.

43
44 The Department opposes this proposal.

45
46 Thank you. Madame Chair.

47
48 *****
49 STATE OFFICIAL WRITTEN COMMENTS
50 *****

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

3
4 Fisheries Proposal FP11-02:

5
6 Establish a new Yukon River chinook
7 salmon fisheries management plan for all fisheries in
8 order to protect the first pulse of returning salmon.

9
10 Introduction:

11
12 Jack Reakoff submitted this proposal to
13 establish a 12-year management plan to prohibit harvest
14 of chinook salmon in sequentially rolling statistical
15 area closures during the first pulse of returning
16 salmon (or the second pulse if the first pulse does not
17 materialize) in waters claimed under federal
18 jurisdiction from the mouth of the Yukon River to the
19 Canadian border. The proponent indicates this first
20 pulse protection plan will provide greater protection
21 of the chinook salmon stocks without negatively
22 impacting conservation of other stocks. The proposal
23 requests the pulse protection plan be implemented for
24 at least 12 years or until such time that chinook
25 salmon stock abundance and quality are restored to a
26 level that provides sustained yields from normal
27 commercial and subsistence fisheries. Note that
28 approximately half of Yukon River chinook salmon spawn
29 in Alaska and do not migrate the full 1,900 miles of
30 river.

31
32 Impact on Subsistence Users:

33
34 If adopted, federal subsistence users
35 would be required to forgo harvest of chinook salmon
36 during the first or second pulse of chinook salmon
37 returning to the Yukon River in waters claimed under
38 federal jurisdiction through the year 2022 unless stock
39 status and conditions improve before that time. The
40 proponent anticipates federal subsistence users who
41 fish in federal-claimed waters will likely see a
42 reduction in harvest during enactment of this fisheries
43 management plan. If federal regulations differ from
44 state regulations, fishing for chinook salmon may be
45 more liberal in waters not claimed under federal
46 jurisdiction. This would increase the responsibility
47 of subsistence users to identify the applicability of
48 differing subsistence laws and regulations based on
49 land ownership and claimed federal jurisdiction.

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Opportunity Provided by State:

Salmon may be harvested under State of Alaska regulations throughout the majority of the Yukon River watershed, including in a liberal subsistence fishery. Gear types allowed are gillnet, beach seine, hook and line attached to a rod or pole, hand line, and fish wheel. Although all gear types are not used or allowed in all portions of the Yukon River drainage, drift and set gillnets and fish wheels harvest the majority of fish taken for subsistence uses. Under state regulations, subsistence is the priority consumptive use. Therefore, state subsistence fishing opportunity is directly linked to abundance and is not restricted unless run size is inadequate to meet escapement needs. When the Yukon River chinook salmon run is below average, the state subsistence fishing periods may be conducted based on a schedule implemented chronologically throughout the Alaska portion of the drainage, which is consistent with migratory timing as the salmon run progresses upstream. Federal regulations under Special Actions to restrict federally-eligible users have been rare and mirrored the state in-season actions necessary to meet escapement goals, except where state and federal regulations differ in subdistricts 4-B and 4-C. Amounts reasonably necessary for subsistence (ANS) for chinook salmon (5AAC 01.236 (b)), as determined by the Alaska Board of Fisheries, have been met in the Yukon River drainage for six of the last nine years (below ANS in 2002, 2008, and 2009).

Conservation Issues:

The Yukon River chinook salmon stock is currently classified as a stock of yield concern. Since 2001, subsistence fishing time in the Yukon Area has been limited by a windows schedule, which was further restricted in 2008 and 2009 because of conservation concerns for chinook salmon. Subsistence harvest levels for chinook salmon have been within the amounts reasonably necessary for subsistence (ANS) ranges since 2001, except for 2002, 2008, and 2009. A majority of the Yukon River drainage escapement goals have been met or exceeded since 2000, including the Chena and Salcha rivers, which are the largest producers of chinook salmon in the United States portion of the drainage. The escapement objective for the Canadian mainstem was met every year from 2001 through 2006, with 2001, 2003, and 2005 being the three

1 highest spawning escapement estimates on record. The
2 escapement objective for the Canadian mainstem was not
3 met in 2007 and 2008. Exploitation rate on
4 Canadian-origin stock by Alaskan fishermen decreased
5 from an average of about 55% (1989 1998) to an average
6 of about 44% from 2004 through 2008 (Howard et al.
7 2009). Although the subsistence harvest continues to
8 remain stable at nearly 50,000 chinook salmon annually,
9 commercial harvests have decreased over 60%, from an
10 average of 100,000 annually (1989 1998) to the recent
11 5-year average (2005 2009) of nearly 23,000 fish.
12 Considering all salmon species together, the overall
13 total subsistence salmon harvest in the Yukon Area has
14 declined by approximately 30% since 1990 (Fall et al.
15 2009:39). Specifically, fall chum salmon harvests have
16 fallen within ANS ranges only three times since 2001
17 (Fall et al. 2009:43).

18
19 It is not possible to determine whether
20 size-selective harvests, variations in environment, or
21 a combination of factors are causing a decrease in
22 harvest of age-7 fish or decreasing size trends of
23 older fish (JTC SSS 2006). Decreasing size of chinook
24 salmon has been anecdotally noted across much of the
25 state in recent years. However, increasing the number
26 of larger and older chinook salmon in spawning
27 escapements through mesh size regulations should
28 provide for better future production potential. The
29 Alaska Board of Fisheries adopted a maximum mesh size
30 of 7.5 inches for subsistence and commercial gillnets
31 effective in 2011 in the Yukon Area. The Federal
32 Subsistence Board took no action on deferred proposal
33 FP09-13 to limit mesh depth at the April 13 14, 2010,
34 meeting after adopting deferred proposal FP09-12
35 parallel to the Alaska Board restriction to a maximum
36 net mesh size restriction of 7.5 inches.

37
38 Jurisdiction Issues:

39
40 A large percentage of the lands along
41 the Yukon River are state or private lands on which
42 subsistence users must use gear types consistent with
43 state regulations. If this proposal is adopted,
44 detailed maps are needed that depict land ownership and
45 specific boundaries of areas where federal regulations
46 are claimed to apply, so that fishermen know when they
47 are on state or private lands (including state-owned
48 submerged lands and shorelands) where they must comply
49 with state laws and regulations.
50

1 Other Issues:

2

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

21

22 Recommendation:

23

24 Oppose.

25

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27

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31 Krieg, and D. Koster. 2009. Alaska subsistence salmon
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33 Fish and Game Division of Subsistence, Technical Paper
34 No. 346, Anchorage.

35

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

41

42 JTC SSS (Joint Technical Committee
43 Salmon Size Committee of the Yukon River US/Canada
44 Panel). 2006. Potential causes of size trends in Yukon
45 River chinook salmon populations. ADF&G, Division of
46 Commercial Fisheries, Regional Information Report No.
47 3A06-07, Anchorage, AK.

48

49 MADAME CHAIR ENTSMINGER: Does anyone
50 have any questions of ADF&G.

1 (No comments)
2
3 MADAME CHAIR ENTSMINGER: You guys are
4 pretty quiet today.
5
6 MR. BASSICH: I have one.
7
8 MADAME CHAIR ENTSMINGER: Okay.
9
10 MR. BASSICH: Yeah. Thank you. The
11 last statement that you made, that it might be more
12 effective to have closures on both pulses for
13 conservation measures, what would it take for the
14 Department to make that decision, to make that call?
15 What would they have to see to make that call?
16
17 MR. PAPPAS: If you don't mind, I'd
18 like to call up the salmon manager, Steve Hayes. Thank
19 you.
20
21 MADAME CHAIR ENTSMINGER: We don't
22 mind. Now that we know officially who he is now.
23
24 MR. HAYES: Madame Chair. Mr. Bassich.
25 It really is going to depend on what we're seeing in-
26 season, the abundance of the run. And, of course, as
27 you all know, we're taking genetic sampling, so it
28 would depend, too, on, you know, the proportion of
29 Canadian versus U.S. stocks at that time. But I would
30 have to say if we were looking at reducing on both the
31 first and second pulse, we're probably looking at a
32 pretty poor run at that point.
33
34 MR. BASSICH: Thank you. And so,
35 Steve, could you then explain or let us know how you
36 would -- what it would take, what would trigger you to
37 have one pulse closure, restrictions on one pulse
38 coming up the river? Would it be the same thing just
39 to a lesser degree? You know, I'm trying to get in my
40 head what is it you need to see to say, okay, our run's
41 not coming in as good as we had projected given the
42 earlier statements that our projections are
43 traditionally over the last five or six years above
44 what the actual runs are going to be showing up.
45
46 MR. HAYES: I'll probably have to
47 answer that in two different ways. If we go back to
48 2009 where our preseason -- we went into the season
49 with the pulse closure on the first pulse. I mean,
50 that was planned. And one of the difficulties we have

1 is that when you're trying to restrict on the first
2 pulse, there's not enough time to gain the information
3 in the lower river to be effective on that. So you
4 really need to go into the season with that being
5 planned. And, of course, that would be based on our
6 projection, preseason projection, which as Dr. Howard
7 stated, you know, the last four years we've had some
8 difficulties in the projection of what we actually get
9 back.

10

11 And then the other one would be in-
12 season, if we're seeing that the run is not producing
13 as we would have expected, that maybe that we would be
14 looking at restricting on the first pulse maybe further
15 upriver above Districts 1, 2 and 3, and the lower river
16 districts we have to restrict on the second pulse. I
17 mean, it's one of those in-season things that you have
18 to be able to adjust. That's why with this proposal it
19 really limits your ability to adjust.

20

21 I don't know if I answered your
22 question or not.

23

24 MADAME CHAIR ENTSMINGER: Donald.

25

26 MR. WOODRUFF: Steve, what's the sort
27 of turn-around time from your stock assessment. Is
28 that a week or two weeks when you take a sample and
29 then you know that -- the labs come back with the stock
30 assessment of whether that's, you know, mainstem or
31 whatever the conclusion is from your lab.

32

33 Thank you.

34

35 MR. HAYES: I believe the time right
36 now, it's taking them about 36 hours to get the results
37 back.

38

39 MADAME CHAIR ENTSMINGER: Anyone else
40 have any questions. Go ahead, Grafton.

41

42 MR. BIEDERMAN: Yes. Concerning that,
43 is that what Chairman -- or what Andy was talking about
44 is probably the same subject that's accountable for the
45 fish count from Yukon River drainage is probably what
46 we need to hear from for his question.

47

48 MADAME CHAIR ENTSMINGER: Are you
49 asking a question, Grafton.

50

1 MR. BIEDERMAN: Yes.
2
3 MADAME CHAIR ENTSMINGER: Could you
4 help me out again.
5
6 MR. BIEDERMAN: It's the same thing as
7 Andrew was talking about, the fish counting people from
8 Holy Cross or that fish drainages coming in for how
9 much salmon in spawning is coming up the river.
10
11 MADAME CHAIR ENTSMINGER: Do you
12 understand the question. I don't.....
13
14 MR. BIEDERMAN: Yes, that this
15 pertaining to their Yukon River drainage fisheries
16 assistance.
17
18 MR. BASSICH: You're talking about the
19 YRDFA teleconferences?
20
21 MR. BIEDERMAN: Yes.
22
23 MR. BASSICH: I think he's referring to
24 the -- I'm sorry.
25
26 MADAME CHAIR ENTSMINGER: Help me out.
27
28 MR. BASSICH: If I'm not mistaken, I
29 think he's referring to the teleconferences that take
30 place preseason, but I'm not really sure what your
31 question is, Grafton.
32
33 MR. BIEDERMAN: Yes, that's the
34 availability of, or information that we needed from the
35 Yukon River drainage people that do the fish counting.
36
37 MADAME CHAIR ENTSMINGER: Are you
38 saying you don't see enough information, or what are
39 you saying.
40
41 MR. BIEDERMAN: Yes. Yes. Not enough
42 information.
43
44 MADAME CHAIR ENTSMINGER: Okay. And
45 you don't think it's getting to the people or what.
46
47 MR. BIEDERMAN: Yes. They are giving
48 out information and stuff like that, but pertaining to
49 his answer is that we need more information from the
50 people that are doing the fish counting.

1 MADAME CHAIR ENTSMINGER: If I
2 understand this process correctly, we are going to go
3 through all of these agency comments and possibly get
4 the information you're looking for.
5
6 MR. BIEDERMAN: Yes.
7
8 MADAME CHAIR ENTSMINGER: Yeah. Okay.
9 If you don't hear that, can you let me know.
10
11 MR. BIEDERMAN: Yes.
12
13 MADAME CHAIR ENTSMINGER: Okay. All
14 right. Okay. Any other questions of the Department of
15 Fish and Game. Virgil.
16
17 MR. UMPHENOUR: Right. I'm going to
18 ask, the question's for Steve. Steve, you said it
19 takes, if things are going good, 36 hours to get the
20 results back from the GSI sampling. How big a sample
21 is that?
22
23 MR. HAYES: I'm going to defer to Dr.
24 Howard.
25
26 MS. HOWARD: Through the Chair. So a
27 minimum of 100, approximately 100. That will get us
28 Canadian versus U.S. More than that, we can get finer
29 resolution of where those fish are coming from.
30
31 MR. UMPHENOUR: Thank you. So this
32 summer during the king salmon run, I think they did
33 that weekly. I'm not sure but I believe it was done --
34 maybe it was done weekly. How often was it done?
35
36 MS. HOWARD: So when we're getting the
37 in-season genetic information, we try to capture a
38 pulse so that we know, okay, in that pulse these fish
39 were going to these different places. So we try to
40 sample a pulse of fish and then send that information
41 -- send those samples to the genetics lab, and they get
42 us information within 36 hours of receiving the
43 tissues.
44
45 MR. UMPHENOUR: Thank you.
46
47 MADAME CHAIR ENTSMINGER: Any other
48 questions. All right.
49
50 MR. BIEDERMAN: Yes, Virgil, thanks for

1 answering that. That's just what my question was for.

2

3 MADAME CHAIR ENTSMINGER: Oh, good.
4 Thanks for letting us know, Grafton, how we got that
5 covered.

6

7 All right. Great. Okay. We're
8 finished with Fish and Game agency comments. And now
9 we're going to the Federal agencies. I'm going to call
10 them all out together. Federal agencies.

11

(No comments)

12

13
14 MADAME CHAIR ENTSMINGER: Native,
15 tribal, village other.

16

(No comments)

17

18
19 MADAME CHAIR ENTSMINGER: And
20 InterAgency Staff. And I'm understanding that, you
21 know, it's all in the book for InterAgency Staff, so I
22 won't call on that one. I'll just call on the other
23 ones.

24

(No comments)

25

26
27 MADAME CHAIR ENTSMINGER: Okay.
28 Hearing none, we'll move on to the advisory group
29 comments. Now, neighboring Regional Councils. Robert
30 has that information for us.

31

32 MR. LARSON: Madame Chair. The Yukon-
33 Kuskokwim Delta Regional Council recommended opposing
34 this proposal.

35

36 The Western Interior Regional Advisory
37 Council recommended supporting with a modification.
38 That modification was to implement the action over a
39 four-year time period. And they had some recommended
40 language that specifies a sequential closure to protect
41 Canadian-bound Chinook salmon.

42

43 MADAME CHAIR ENTSMINGER: All right.
44 Local advisory committees and SRCs. Are there any
45 comments from them.

46

(No comments)

47

48
49 MADAME CHAIR ENTSMINGER: Next is the
50 written comments.

1 MR. LARSON: Madame Chair. Written
2 public comments can be found on Page 93 of your Council
3 book. There is one in support and five in opposition.
4 There is also one written public comment that we
5 received by mail, and that is also in opposition to the
6 proposal.

7
8 MADAME CHAIR ENTSMINGER: Okay. Did
9 you hear from? Okay. Andrew thought he was going to
10 hear from -- who was it? Yukon. Fort Yukon. Some
11 people up there, but he did not hear from them.

12
13 Is there any public testimony.

14
15 (No comments)

16
17 MADAME CHAIR ENTSMINGER: All right.
18 Now.

19
20 MR. UMPHENOUR: Move to adopt Proposal
21 FP11-02.

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

24
25 MADAME CHAIR ENTSMINGER: Okay. It's
26 on the table. Discussion. I think you started some,
27 Andy. Go ahead, Virgil.

28
29 MR. UMPHENOUR: I can understand why
30 the proposer proposed this, what he intends to do.
31 However, what I think would happen if this proposal
32 were adopted is that it would put undue pressure on the
33 other stocks in the Yukon River. I don't see how -- I
34 know they have it in -- he has it in his proposal to
35 do these closures so it's not detrimental to do first
36 and second pulse closures to protect the Canadian
37 stocks and not be harmful to other stocks, but I don't
38 see how you could do that and not be harmful to other
39 stocks. I think it would put more pressure on the
40 other stocks. And some of the other stocks, like the
41 Chena, have been having problems now for five
42 consecutive years. Fisheries have been restricted in
43 the Tanana River to get escapement on the Chena River.
44 So I can't really support it in that manner. I can
45 understand why he does it.

46
47 And I do have a little bit of anecdotal
48 information, but it's accurate information. And that
49 is the test fishwheel operator in Nenana didn't realize
50 there were so many female king salmon in the first part

1 of the run until they had that closure in 2009. He was
2 really surprised at the number of female king salmon
3 that got caught in his test fishwheel. And that was as
4 a result of having that I think seven-day closure, you
5 know, last year. Not this year, but last year when
6 they did close the first pulse.

7

8 Thank you.

9

10 MADAME CHAIR ENTSMINGER: All right.
11 Any more discussion on this proposal. Do you want to
12 add to that. Go for it, Andy.

13

14 MR. BASSICH: Well, yeah, I kind help
15 when I think about this whole issue, I can't help but
16 think that we've got it all backwards. Really what we
17 should have is restrictions in place every year and the
18 managers should have to go to the Commissioner to get
19 rid of the restrictions given the situation we're in.

20

21 You know, I agree with Virgil to a
22 certain extent. I realize that it could put some undue
23 pressure on other stocks, but I think I'm going to
24 support the proposal simply because I really think we
25 have to start somewhere and I really think that the
26 Canadian stocks are in bit trouble. They're not doing
27 well. They're not going to continue to do well until
28 we start getting fish up there. It's my feeling that
29 the number 1 priority should be to try and get back the
30 7-year-old fish, because if we've done that, then I
31 think we've been successful in getting quality of
32 escapement back up. And I do acknowledge that this
33 will put some pressure on other stocks, but I think we
34 have to start somewhere.

35

36 I also believe that there's some, on
37 Page 74, about the third paragraph, on exploitation
38 rates, they're talking about Canadian-origin fish, and
39 they say that the harvest has been going down in the
40 last five or six years or more, eight years. But I
41 don't think that's -- they state in here that it's due
42 to a decline in -- or it's due to more conservative
43 fisheries management, and I disagree with that. I
44 think it's due to a decline in Canadian stocks in
45 general. If they're not there, you're not going to
46 harvest them.

47

48 So I really think we have to protect
49 that Canadian component. I realize that the middle,
50 Tanana River, is also a huge contributor, but I really

1 think that a series of small closures is by far the
2 best management tool that we have. So I'm going to
3 support it.

4

5 MADAME CHAIR ENTSMINGER: Frank.

6

7 MR. GURTLER: Well, I have a problem
8 with -- I really don't know anything about what Canada
9 does with their fish once it goes across the border,
10 and I'm having a problem with that. Have they had any
11 commercial season openings in Canada since we've had
12 this problem on the Yukon River of not very many fish
13 coming up the river? Or what's the problem -- what
14 kind of problems are they having with that.

15

16 MADAME CHAIR ENTSMINGER: Can anyone
17 answer that for Frank. I see Steve coming to the
18 table.

19

20 MR. HAYES: Madame Chair. I don't have
21 the specific or exact numbers, but since the king
22 salmon decline, they've been pretty conservative in
23 Canada. The only commercial that they had was they
24 took a couple of hundred kings in 2009, but they're
25 also voluntarily reducing their subsistence harvest by
26 50 percent.

27

28 And, of course, the other thing is once
29 the fish do cross the border into Canada, they have
30 their own management plan on how to deal with the fish
31 once they hit the Canadian waters. But they have been
32 very conservative on that side of the border.

33

34 MADAME CHAIR ENTSMINGER: Do you have
35 any follow up, Frank. I can tell you're thinking.
36 Turn your mic on.

37

38 MR. GURTLER: (Indiscernible, mic not
39 on)

40

41 MADAME CHAIR ENTSMINGER: Okay.
42 Virgil.

43

44 MR. UMPHENOUR: Okay. My question is
45 going to be of Robert. And that is, Robert, the
46 Western RAC, they modified it to just four years. Is
47 that the only modification they made? What exactly was
48 their modification?

49

50 MADAME CHAIR ENTSMINGER: You should

1 have a copy there, right?
2
3 MR. LARSON: Mr. Chair [sic], I think
4 that we would best be advised by somebody that was at
5 the Council, Mr. Rich Cannon or Larry Buklis to answer
6 that question.
7
8 MR. CANNON: Madame Chair. I have in
9 front of me the exact language that they acted on. I
10 assume you have that and the Counsel has it as well.
11
12 MADAME CHAIR ENTSMINGER: Yes. One
13 minute. Virgil, I see you have it. Okay.
14
15 MR. CANNON: And in there are you
16 interested, through the Chair to Mr. Umphenour, are you
17 interested.....
18
19 MR. LARSON: This is what they have in
20 front of them right here.
21
22 (Whispered conversation)
23
24 MADAME CHAIR ENTSMINGER: Are you
25 answering your own question by reading it, Virgil.
26
27 MR. UMPHENOUR: Right. I answered my
28 own question by reading it, so now I have a question of
29 the management Staff if this were passed. So we need
30 the management up there.
31
32 MADAME CHAIR ENTSMINGER: The
33 management Staff?
34
35 MR. UMPHENOUR: Right.
36
37 MADAME CHAIR ENTSMINGER: It might be
38 -- keep your ears on, Virgil has a question. Go ahead,
39 Virgil, with that question.
40
41 MR. UMPHENOUR: Okay. I don't know if
42 the management Staff has this in front of them, but I'd
43 like them to take a look at it, and if this were
44 passed, how would they manage.
45
46 MADAME CHAIR ENTSMINGER: Okay.
47 Virgil, would you like to have that read into the
48 record so it's.....
49
50 MR. UMPHENOUR: Or I can read it into

1 the record.

2

3 MADAME CHAIR ENTSMINGER: All right.

4

5 MR. UMPHENOUR: Okay. This is what
6 they changed it to. It would be effective for a period
7 from 12 years to 4 years. And then they'd modify the
8 language to read, Federal public waters of the Yukon
9 River will be closed or predominantly closed to the
10 taking of Chinook salmon by all users sequentially from
11 the river mouth to the Canadian border during the first
12 pulse of Chinook salmon through very short or no
13 openings using statistical area closures to provide
14 greater to provide greater protection, to expressly
15 protect the U.S./Canadian Yukon River Panel agreed upon
16 escapement goal without negatively impacting
17 conservation of other stocks. This regulation will be
18 in place for four years.

19

20 So my question of the management staff
21 is, if this were passed, how would you manage it? How
22 would you do that?

23

24 MADAME CHAIR ENTSMINGER: Does that
25 take both State and Federal to answer that question.
26 Okay. State gets to talk first? Oh, okay. Go ahead,
27 Fred.

28

29 MR. BUE: Thanks, Madame Chair. Fred
30 Bue, Fish and Wildlife.

31

32 Yeah, I guess this proposal, it
33 actually pertains to Federal public waters, is the
34 first thing to get straight. And so it's going to be
35 different throughout the drainage depending on your
36 location.

37

38 And, you know, in concept it would
39 similar to 2009 where we go into the season thinking
40 that we're going to just pull a period and protect that
41 pulse block of fish.

42

43 But the contingent statement in there,
44 if it adversely affects another stock that we're aware
45 of, if that's the case, then we would have to make the
46 choice to pulse protection or -- because if you close
47 on that pulse, which dictates you open on another
48 segment of the run, you don't want to open onto that
49 segment if you're going to impact that stock. So if
50 you're pretty confident that there's -- you know,

1 that's the Tanana stocks, and they're doing really
2 poor, you know, within 12 years you may have a trend
3 and indication that the Tanana is doing poorly, so you
4 may not want to harvest on the back side of the run.
5 You may also have information by that time that there's
6 -- the females are abundant in the back side of the
7 run, and so, yeah, pulling off of the front first pulse
8 may be a good thing to get fish up the river, but it
9 may also be a male component, and we want to protect
10 the female component. So we may get some information
11 in-season that tells us that that's not a good idea.
12 And so there's information coming all the time.

13

14 But I think, you know, the concept is
15 to pull off of the pulse if the run comes in as a
16 pretty good mixture, we think we have a pretty good
17 cross section of the run, and that it would protect
18 fish, then probably what we would be doing.

19

20 Madame Chairman.

21

22 MADAME CHAIR ENTSMINGER: Follow-up
23 question, Virgil.

24

25 MR. UMPHENOUR: No, actually I liked
26 the answer I got.

27

28 MADAME CHAIR ENTSMINGER: Okay. Now
29 you heard from Fred, now we get to hear from Steve.

30

31 MR. HAYES: Yeah. Madame Chair. I'll
32 reference Fred, he did a really good job of covering
33 it, but I think one thing to point out is every run is
34 different every year as we've seen. So I think it's
35 even -- it's a tough question to answer. You know, if
36 you're going into the season with a set pulling off the
37 first pulse, that's great, but, you know, as Fred kind
38 of mentioned, there's other parts of the run that may
39 come in differently that you have to do different
40 things with. You may be looking at further
41 restrictions. You know, those are unknowns that we
42 don't know until we're in-season. So it's a tough
43 question to answer, and I'd be real leery of, you know,
44 saying how we would actually manage it in-season. The
45 only known thing we would have is that we're going to
46 pull off the first pulse. The rest of it's unknown
47 until we're in season.

48

49 MR. UMPHENOUR: Well, that causes me to
50 have to ask this question. As a manager, would you

1 prefer to have the Boards, that is both Boards just put
2 permanent windows in there that can't be changed like
3 we go the Board to do to the Copper River, because the
4 Department opposed that when the Fairbanks Advisory
5 Committee proposed that proposal to protect the early
6 run sockeye going up the Copper River and the early run
7 king salmon. We got the Board to put windows in for
8 the first two statistical weeks. The Department
9 opposed it at first, but now they really like it. They
10 don't have to argue with the commercial fishermen any
11 more. They're automatically closed. They only get one
12 opening a week. Would you rather have that type of a
13 thing than something like this to manage? That would
14 be easy to manage. You're only going to get to fish
15 two 16-hour periods a week, period, no matter what.
16 Would you rather have something like that.

17

18 MADAME CHAIR ENTSMINGER: So it sounds
19 like you're asking them what they think.

20

21 MR. HAYES: I would just go back to my
22 earlier statement, Virgil, and say that every year is
23 different. And I can't predict the future and I have
24 to manage the run as they come. So that would be a
25 difficult question to answer.

26

27 MADAME CHAIR ENTSMINGER: Fred.

28

29 MR. BUE: I guess I have to add to the
30 -- to some extent there's an allocation element of what
31 which fish are going where, and sometimes we know a
32 little bit on timing where the fish are bound for, and
33 so depending on -- recent years the run seems to be
34 getting later and later, and maybe that stacks up, you
35 know, the Canadian portion on top of the Tanana more
36 than typically, it's -- you know, they're spread out a
37 little bit more and so, you know, the more typical run,
38 staying off the front end of the run may be benefitting
39 the upper river stocks. If they're overlapping more,
40 it may be -- I don't know what the situation is. And
41 so some of that we kind of hedge from if there's an
42 allocation element, and we see something like that
43 coming ahead. And so that's -- it's the sort of
44 decision that we're looking for the Boards to give us
45 direction on. And through the public process.

46

47 Mr. Chairman.

48

49 MADAME CHAIR ENTSMINGER: Donald and
50 then Virgil -- or, Virgil, was that a follow-up

1 question? Okay.

2

3 MR. UMPHENOUR: I know that that was an
4 unfair question I asked, but I had to ask it anyway,
5 because that is what happened in the Copper River. The
6 managers now like that. They were opposed to it when
7 it was proposed. We go the Board to pass it, and now
8 they actually like it, because it makes life a lot
9 easier for them. That's why I asked. But I know it
10 was unfair to ask in a public process, but I had to do
11 it anyway.

12

13 Thank you.

14

15 MADAME CHAIR ENTSMINGER: All right.
16 Donald.

17

18 MR. WOODRUFF: Fred, Larry Buklis gave
19 us a synopsis about the State having a different --
20 well, in other words, the fisheries up the river, it
21 would all like a patchwork quilt if we adopted this
22 proposal and the State didn't necessarily go along with
23 that, but don't you, Fred, have the ability to
24 coordinate with the State and make so much more of a
25 smooth process, maybe like in '09 when we did get a
26 very good escapement, but yet the fishermen suffered a
27 little bit?

28

29 MR. BUE: To some extent, yeah, as
30 managers we coordinate as much as possible, but it does
31 take some commitment and support from the public to go
32 with. These are pretty dramatic things, because it's
33 requiring people to forego their harvest even if there
34 may be a reasonably good run, and that's a significant
35 burden on some subsistence fishermen. It's more of a
36 burden on some than others, and so it's depending on
37 the strength of the run or what we're seeing in-season,
38 it's a significant problem, but we also see that
39 there's value in conserving the fish.

40

41 And we coordinate as much as possible,
42 just for a big part of it, it's -- well, it's two-fold.
43 One is the effectiveness of the windows, pulse
44 protection. If you allow it in some places, not in
45 others, then it's less effective.

46

47 But also you try to coordinate so that
48 the public is not confused and they're not being pulled
49 around depending -- they're not confident in where
50 they're fishing, so either they take a chance and risk

1 fishing or else they don't go fishing because they're
2 uncertain.

3

4 MADAME CHAIR ENTSMINGER: Andy.

5

6 MR. BASSICH: Thank you, Madame Chair.

7

8 Virgil, thank you for asking that
9 question, because I guess that was the point I'm trying
10 to get across. I really think that we need to go to a
11 much more conservative management practice, and I
12 believe both fishermen and managers will adapt to that.
13 And that's where I really think we need to go to fix
14 this fisheries and its problems. I know it's a tough
15 sell, especially at the beginning, but I think it's one
16 of those things that people learn to live with and make
17 the best of in the future.

18

19 In regards to this particular proposal,
20 I've been rethinking it, and one of the things I didn't
21 have in my head when I was giving my support was this
22 was strictly for Federal waters, and that becomes a big
23 problem. And so I'm going to withdraw my support of
24 this particular proposal, and I would hope that maybe
25 in the future our Council can come up with a proposal
26 of similar nature but would be something that we could
27 get the Board of Fish to accept and work through the
28 process, both State and Federal, because I really like
29 this proposal in concept, but as it's written and with
30 the impacts of it only affecting Federal waters, it
31 will not accomplish what needs to be done, so I'm going
32 to withdraw my support of it.

33

34 MADAME CHAIR ENTSMINGER: I was
35 starting to like it. Well, I guess it's interesting to
36 me that the Western Interior took the proposal, Jack
37 happens to be their Chair, and modified it this way.
38 And sometimes you wonder. I know what you're saying.
39 I mean, I really have a hard time understanding where
40 all the land -- you know, the Federal/State is on that
41 river, and I guess in talking to you guys all the time,
42 and going to all these meetings, it sounds so bloody
43 complicated. But I'm wondering, do you want to talk
44 about, you know, just if it was supported, that Western
45 did? I know you've withdrawn it and it probably
46 wouldn't pass, but it would show your concerns.

47

48 Andy.

49

50 MR. BASSICH: Well, I think our

1 concerns are in the transcripts here, and it may not
2 show in a motion or whatever, but, you know, I think in
3 the future we can readdress it and really maybe we need
4 another year or so of working with the public and
5 working with all the agencies and managers to try and
6 come up with some other solutions or something similar
7 to this that would be more acceptable to everyone. We
8 are making progress in public perception in certain
9 areas, and getting people to realize that we need more
10 conservation as fishermen. So I think maybe just the
11 timing isn't right, and the fact that this did come
12 before the Board of Fish last year as a -- it wasn't a
13 full-blown proposal, but it was talked about a lot at
14 the Board of Fish meeting, this idea of pulse
15 protection. And so it's out there, and I think it's
16 just something that needs a little bit of time to grow
17 and gain acceptance, you know.

18

19 MADAME CHAIR ENTSMINGER: Okay. Rich,
20 did you have something to add to this?

21

22 MR. CANNON: Actually I just want to
23 help the Council as they're discussing this proposal.
24 I didn't mention this earlier, but on Page 44, to help
25 the Council consider Federal lands, there is a map of
26 the entire Yukon drainage that has the conservation
27 units displayed, and so basically so you can see the
28 patchwork that we're dealing with on the Yukon River.

29

30 Thank you, Madame Chairman.

31

32 MADAME CHAIR ENTSMINGER: Donald.

33

34 MR. WOODRUFF: Fred, I have one more
35 question. From your history with the State and the
36 Feds, isn't the first pulse a fair large female
37 component, or am I confused about that? Generally
38 speaking historically.

39

40 MR. BUE: Yeah, I think I'm going to
41 have to defer to Steve on that one here.

42

43 MR. WOODRUFF: I have an idea, but
44 it's.....

45

46 MR. HAYES: Madame Chair. It really
47 depends on the age comp of the first pulse that's going
48 through. I don't know how many people hear in-season
49 data, but I always refer to the early fish, prior to
50 the first pulse coming in, which typically are a lot of

1 males on average every year. But it really does depend
2 on the age comp. Last year with their higher 5-year-
3 old run when they came in, so we had more males in that
4 run last year. In 2009 we had a lot of 6-year-olds
5 which meant we had a lot more females. So it really
6 does depend on the age comp.

7
8 MADAME CHAIR ENTSMINGER: I'd really
9 like to hear from you who haven't said anything.
10 Lester, can you add to this, how you feel.

11
12 MR. ERHART: The way I look at it, it's
13 kind of a hard thing to manage. But we all know what's
14 the big problem. We can go to Fred Anderson and years
15 ago when nobody could driftnet down the river, we
16 didn't have this problem. But now they're allowed to
17 driftnet and we've got a problem. So the way I look at
18 it, you should back off a little bit on those guys and
19 tell them, come on, you can't drift net as much as you
20 should, because, I mean, I know guys down that there
21 talk about it, that hook two nets together and, man,
22 make a clean sweep, like 100 kings at a time. I mean,
23 I don't know how much protection they got there or
24 anybody to watch them, but that's what I heard anyway.

25
26 MADAME CHAIR ENTSMINGER: So are you
27 going to tell me how you feel about this proposal.

28
29 MR. ERHART: No, I don't know.

30
31 MADAME CHAIR ENTSMINGER: Bill.

32
33 MR. GLANZ: Yes. I'm totally opposed
34 to it. The only one who's going to suffer is the
35 Federal people. It says, impact, if adopted is Federal
36 would be required to forego. To me, that's totally
37 B.S., you know. It should be all riverwide. Whereas
38 that's all we're doing, is just taking a little piece
39 here and little piece there. So I'm totally opposed to
40 this.

41
42 MADAME CHAIR ENTSMINGER: Would anyone
43 else like to speak to this. Virgil.

44
45 MR. UMPHENOUR: The managers already
46 have the authority to do this, and they can do it if
47 they deem it's necessary. And I'm hopeful that we will
48 have more closures. So I will be opposed to it. But
49 the managers already have the emergency order authority
50 to do this in-season if they think the run is bad.

1 I'd just like to point out that when it
2 was done year before last, I know Andy was surprised at
3 how many females he saw in the early part of the run.
4 I know the guy that runs the test fishery on the Tanana
5 River was really surprised at the number of large
6 females in the first part of the run. And that was
7 when they closed the first pulse. A bunch of those
8 fish were headed to the Tanana River as well as Canada.
9

10 So I'm opposed to it. The managers
11 already have the authority to do it. I'm hopeful that
12 they will -- that we'll have more meaningful windows in
13 the future, but they already have the authority to do
14 it.

15
16 Thank you.

17
18 MADAME CHAIR ENTSMINGER: Did you have
19 anything to add, Andrew.

20
21 MR. FIRMIN: Yeah. I kind of like to
22 entertain this idea. It's another option for us, but I
23 think the way it's written, it's a little bit too
24 extreme for my tastes to support this in any way. And
25 as Virgil said, they already have the power to do this
26 if need be. So I oppose this.

27
28 MADAME CHAIR ENTSMINGER: Anyone else
29 like to add any comments. Bill.

30
31 MR. GLANZ: You know, I'd like to add
32 one more. Also, I feel it ties the hands of the
33 biologists who really know what's going down on the
34 river. They have all the technology, where if you give
35 them something in stone, it's impossible to maintain.
36 I mean, there's -- what if you don't need to shut the
37 pulse down two years from now or three. I mean,
38 whatever. So I'd leave it up to the biologists myself.
39 That's my opinion.

40
41 MADAME CHAIR ENTSMINGER: Anything
42 else, guys.

43
44 (No comments)

45
46 MR. FIRMIN: Question.

47
48 MADAME CHAIR ENTSMINGER: Are you ready
49 for the question? Okay. All in favor of the proposal.

50

1 (No affirmative votes)
2
3 MADAME CHAIR ENTSMINGER: All opposed.
4
5 IN UNISON: Aye.
6
7 MADAME CHAIR ENTSMINGER: Okay. Now we
8 need a break. Ten minutes. Fifteen.
9
10 (Off record)
11
12 (On record)
13
14 MADAME CHAIR ENTSMINGER: Okay,
15 everyone. We'll try to get started again. Herd these
16 fish to the wheel. Yeah, there's a lot of missing guys
17 there. There's Bill. Where did they all go. I guess
18 I was to hastily running to get together. Oh, there's
19 one. All right. I guess we're moving pretty rapidly
20 here. I have a lot of agencies asking me about
21 reports. So I think we'll have lots of reports
22 tomorrow.
23
24 The next proposal is 11-03. And it
25 looks like Rich is on line. Go ahead.
26
27 MR. CANNON: Madame Chair. For the
28 record, Richard Canon, fisheries biologist for the
29 Yukon River, Office of Subsistence Management.
30
31 The analysis for Proposal 11-03 begins
32 on Page 95 of your Council book. This proposal was
33 submitted by Andrew Firmin from Fort Yukon. It
34 requests that Federal public waters of the Yukon River
35 Subdistrict 5D be further subdivided into three
36 subdistricts to provide managers additional flexibility
37 to more precisely regulate harvest while conserving the
38 Chinook salmon run that spawns in the Upper Yukon
39 River.
40
41 This proposal as submitted appears to
42 change existing State regulations. If the Board were
43 to adopt the proposal as Federal regulations and
44 redefine this subdistrict's boundaries, State and
45 Federal regulations would not be aligned and could
46 result in confusion for fishermen.
47
48 The intent of the proposal is to
49 provide managers enhanced capability to manage
50 subsistence fisheries in Subdistrict 5D, thereby

1 conserving Upper Yukon Chinook salmon spawning stocks.

2

3 Map 2 found on Page 98 and Table 1 on
4 Page 102 provide a summary of the relevant information
5 associated with this proposal. This subdistrict is
6 very long, requiring over a week for migrating fish to
7 travel through it; therefore the intent of the proposal
8 makes sense and should be supported. However, other
9 options are available to address the positive intent of
10 this proposal without placing State and Federal
11 regulations potentially in conflict.

12

13 In the short term, both State and
14 Federal managers could agree with the benefit of
15 modifying existing boundaries of Subdistrict 5D.
16 During the 2009 fisheries season managers used
17 emergency order authority to divide the subdistrict
18 into an upper and lower subdistrict during management
19 of the fall chum salmon fishery. This could
20 potentially be done for the Chinook salmon fishery as
21 well.

22

23 A longer-term option would be for the
24 proponent to submit the proposal to the Board of Fish
25 during an upcoming meeting. If adopted as State
26 regulation, existing Federal regulations would
27 automatically adjust so that the State and federal
28 regulations were consistent.

29

30 I don't think I have any more comments.
31 And, Madame Chair, for the reasons I've just gone
32 through, our preliminary conclusion is not to support
33 the proposal as developed.

34

35 Thank you.

36

37 MADAME CHAIR ENTSMINGER: It sounded
38 like you sounded pretty positive there for a while
39 though.

40

41 MR. CANNON: I support the idea. It's
42 the actual procedures that you'd use to do it that I've
43 raised some concern about. Madame Chair.

44

45 MADAME CHAIR ENTSMINGER: Donald.

46

47 MR. WOODRUFF: When I was on the Board
48 of YRDFA (indiscernible, mic not on). When I was on
49 the Board of YRDFA, I proposed that we split 5D up into
50 two districts, and the reason for that is it's such a

1 huge district that as a representative for that whole
2 area, I could not travel to Beaver and Stevens Village
3 from Eagle and represent the people. And they said,
4 okay, that's a great idea, but we'll have to give the
5 lower river one more seat, because, you know, if you
6 split the district, then you have to have a
7 representative. And so they passed it and nothing ever
8 happened. They never took any action to pursue this,
9 but yet they agreed that that was a great idea. And so
10 I'm going to support this proposal.

11
12 And it seems to me that there's lots of
13 times that the Federal agencies say, well, the State's
14 not going to be aligned with us, so we're not going to
15 go with it. And it seems like, well, it's up to the
16 State to make some adjustments and sort of become one
17 with the Feds instead of the opposite, which is what
18 Rich is saying.

19
20 And so I'm going to support this
21 proposal, and I think it's a great idea. Get better
22 representation and a better management of the
23 fisheries.

24
25 Thank you.

26
27 MADAME CHAIR ENTSMINGER: We'll try to
28 stick to some questions, and then a lot of what you're
29 saying is discussion points later. Yeah.

30
31 So if we have any questions of Rich.
32 Anyone else have any questions regarding this. Andy.

33
34 MR. BASSICH: Yeah. I guess I just
35 need a little bit clarification, Rich. So what you're
36 saying is, is the only why it's not being support by
37 OSM or by you is because the State hasn't adopted it
38 first; is that correct?

39
40 MR. CANNON: The main reason reasons
41 are that in the short term it could be implemented and
42 has been in the case of fall chum. I feel that a
43 better solution that would allow for both State and
44 Federal system to come into alignment would be to allow
45 the Board of Fisheries to act on it. And because of
46 the agreement we have with the State, our regulations
47 would automatically conform to it.

48
49 MR. BASSICH: Follow up. Thank you,
50 Madame Chair.

1 When I look at your map on Page 44 on
2 Federal subsistence fisheries jurisdiction, the entire
3 5YD and a little bit of 5C are all Federally-controlled
4 waters. And so although I understand what you're
5 saying with the issues of alignment and everything, I
6 don't see where it really -- having the Federal Board
7 pass this right now to give that tool to managers, to
8 me, and it's all in Federal waters anyway, to me it
9 makes sense, and then let the State come into
10 compliance with that or to come in alignment I should
11 say with that in the future. I don't get it.

12
13 MADAME CHAIR ENTSMINGER: Yeah. That
14 was actually a question I had, is how much of the land
15 is Federal, and I see that one little chunk right there
16 that is not; is that correct? I'm looking at Page 44.

17
18 MR. BASSICH: All the way to the
19 border, it's all Federal, from 5C. Excuse me. Madame
20 Chair. From the end of 5C, which then, which then
21 starts into 5D, right around Tanana, that region -- I'm
22 sorry, a little bit above Tanana, it's all Federal
23 waters from there to the Canadian border. So all of
24 5D, which this proposal is referring to, is all in
25 Federal waters anyway right now.

26
27 MADAME CHAIR ENTSMINGER: So what is
28 that chunk of land there that isn't gray, in between.

29
30 MR. BASSICH: If you look on this map
31 here.

32
33 MADAME CHAIR ENTSMINGER: Well, I'm
34 looking at this one on 44. So let me look at that
35 other one.

36
37 MR. WOODRUFF: Maybe Andrew can clarify
38 for us. Is from 22-Mile Slough to Fort Yukon, isn't
39 that State land?

40
41 MR. FIRMIN: No, that's refuge land,
42 but there is a small section between the Yukon Flats

43
44 MR. WOODRUFF: And Beaver?

45
46 MR. FIRMIN:Wildlife Refuge and
47 the Yukon-Charley National Park, there is a short
48 section there, and it looks like from the other map
49 here that there's a short section between the Yukon-
50 Charley National Park and the Border by Eagle, that

1 there's a short section that's not Federal.

2

3 MADAME CHAIR ENTSMINGER: Yeah, but
4 then it's my understanding now that all of these Native
5 lands along the Yukon River would be under State; is
6 that correct.

7

8 MR. BUKLIS: Madame Chair.

9

10 MADAME CHAIR ENTSMINGER: Yes.

11

12 MR. BUKLIS: In terms of jurisdiction,
13 the Federal subsistence fishing regulations would apply
14 on all waters within or adjacent to the external
15 boundaries of the conservation unit. So if there is a
16 patchwork of non-Federal land, if that land is inside
17 the conservation unit, we claim jurisdiction for
18 Federal subsistence management. But you're right,
19 there are significant sections of land outside the
20 conservation units that would not be in our
21 jurisdiction that are near relevant communities. For
22 example, Eagle, and Fred knows these areas better than
23 I, Eagle and Circle.

24

25 MADAME CHAIR ENTSMINGER: Circle. But
26 the land.....

27

28 MR. BUKLIS: Are outside the
29 conservation units.

30

31 MADAME CHAIR ENTSMINGER: That land on
32 the Yukon River and Stevens, Beaver and Fort Yukon,
33 that would be under Federal?

34

35 MR. BUKLIS: Yes, because it's within
36 the boundaries of the conservation unit. Even though
37 they are in-holdings, the Federal subsistence fishing
38 regulations apply within the external boundaries,
39 unlike hunting. Hunting, it depends on which lands
40 you're standing on. In the fishing regulations, it's
41 dependant on whether you're within the external
42 boundaries of the conservation unit or not. So Stevens
43 Village is within the external boundaries, so it would
44 be under Federal jurisdiction, for example. Those
45 lands around Stevens Village.

46

47 MADAME CHAIR ENTSMINGER: How do they
48 justify the difference in game and fish?

49

50 MR. BUKLIS: The subsistence fishing

1 jurisdiction is based on the principle of reserved
2 water rights. And the conservation units have a claim
3 to the reserved water rights, and that's our Federal
4 fishing jurisdiction.

5
6 MADAME CHAIR ENTSMINGER: Now, is
7 that.....

8
9 MR. BUKLIS: That was established I
10 believe in the Katie John case.

11
12 MADAME CHAIR ENTSMINGER: Is that
13 disputed by the State right now?

14
15 MR. BUKLIS: I know it's been raised as
16 a point of contention in comments, and the State will
17 follow with their comments on his proposal. As far as
18 current status of litigation, I'm not sure.

19
20 MADAME CHAIR ENTSMINGER: I was just
21 trying to get this in my head.

22
23 Virgil.

24
25 MR. UMPHENOUR: I think that was the
26 Katie John case is what caused that.

27
28 MADAME CHAIR ENTSMINGER: Yeah.

29
30 MR. UMPHENOUR: But let me ask this
31 question while I've got the floor. So up by Circle I
32 suppose, but I don't know, because I don't have the
33 appropriate map that would tell me that, but up by
34 Circle, the map here shows white. You know, our map
35 that we've got. And so I assume it's probably all --
36 it's a checkerboard of Native Corporation land probably
37 there, because of the way ANILCA or the Alaska Native
38 Land Claims Settlement Act went where they got every
39 other township is what they did. And so beings that's
40 not totally enclosed or surrounded by a conservation
41 unit, then they don't have jurisdiction on that Native
42 corporation land; is that correct?

43
44 MR. BUKLIS: Madame Chair. Yes, that's
45 correct, because it's outside the conservation unit.
46 It's non-Federal lands, and it's outside the
47 conservation unit, so our jurisdiction for fisheries
48 doesn't apply.

49
50 MR. CANNON: This is exactly the kind

1 of consideration that, you know, we looked at when we
2 when we looked that this. when we did the analysis of
3 the proposal.

4
5 First of all, it came in changing State
6 regulations. So we had to look at our own Federal
7 regulations. This has not been done. Boundary changes
8 have not been done under fisheries up to this point.
9 But we felt we could, and our solicitor agreed.

10
11 MADAME CHAIR ENTSMINGER: On the
12 Federal side, you mean.

13
14 MR. CANNON: On the Federal side. So
15 we felt we could, so we put that into the proposal so
16 that we could. We felt we could legally go ahead and
17 do this. And then when we sat down with the managers,
18 these issues came up, that you'd have some communities
19 that would be in and some out. That's why the
20 recommendation that we made is to use a different --
21 other processes to accomplish it. It is a good idea.

22
23 MADAME CHAIR ENTSMINGER: Well, I guess
24 we're gathering information right now, so we'll
25 continue to do that, and get confused.

26
27 Did you have another question.

28
29 MR. FIRMIN: Yes. Just kind of to sum
30 up your opposition then, it's basically, you're saying,
31 it would be easier to present this to the State first?

32
33 MR. CANNON: The easiest way to do it
34 is to allow the -- let the managers know that this is
35 something that you're interested in doing, and I think
36 that in certain years, you know, when there is a
37 problem, where you have to try to provide more
38 conservation, then they would take that action, because
39 it makes it easier for them as well. And they can do
40 that with time and area authority that they already
41 have.

42
43 A longer term solution that would fix a
44 lot of these jurisdictional problems would be to
45 convince the Board of Fisheries to do it. And if that
46 happens, automatically through our agreement with the
47 State, our regulations would come into compliance with
48 that.

49
50 We're not saying that we're just doing

1 this, because -- you know, we do think these things
2 through from a Federal perspective. We're not just
3 going to follow what the State does. But in this case,
4 it makes more sense to do it this way. And that's the
5 way we felt, and that's why we put this in the
6 analysis.

7
8 MADAME CHAIR ENTSMINGER: I want to
9 understand that completely. You're saying that the
10 managers can actually do this?

11
12 MR. CANNON: They can with their time
13 and area authorities, and they've done it for fall chum
14 already.

15
16 MADAME CHAIR ENTSMINGER: Okay. I just
17 wanted it clear in my head. Thank you.

18
19 Fred.

20
21 MR. BUE: Yeah. Thank you, Madame
22 Chair. Yes, as Rich said, we have done it in the past.

23
24 I think maybe what some of you aren't
25 aware of is that Subdistrict 5D is open seven days a
26 week. That's their normal schedule. Even when we have
27 windows in the lower river, 5D is still open seven days
28 a week.

29
30 And so when this would come into play
31 is when we have some sort of closure or restriction.
32 And so that's what the idea is, to protect a portion of
33 the run as it moves through. 5D is a very long
34 district, and so in 2009 we saw that happening and so
35 we split it in half to give -- to target portions of
36 the fish as they go up river.

37
38 This spring -- well, I don't know, I
39 guess it was in June, we went up to Fort Yukon and we
40 talked with Andrew and the community about this in
41 fact. And it's not a big deal. We try to work with
42 the people that have come up with recognizable
43 boundaries that people can, whether they're in State
44 waters or Federal waters, so that they can -- they know
45 where these locations are. They're easily
46 identifiable, and so we have no problems going with,
47 you know, being more specific, narrowing it done. But
48 that as it stands, it would be when we're doing a
49 conservation action. Right now since it's open seven
50 days a week, it's pointless to do it.

1 MADAME CHAIR ENTSMINGER: Andy.

2

3 MR. BASSICH: Yeah. Maybe it's just a
4 point of clarification, too, is this issue became
5 apparent in 2009 during the Chinook season when we were
6 fortunate enough to have some conservation measures put
7 in place to protect king salmon, and when it came time
8 to try and do the restrictions for conservation in 5YD,
9 it was such a large unit that by the time the fish got
10 to Fort Yukon, you know, when it was open say up in
11 Eagle or whatever, the fish weren't even there. And
12 then by the time the fish got to Eagle, they were
13 closing the unit down to shut 5YD in Eagle, but it was
14 also affecting Fort Yukon. So basically the people in
15 Fort Yukon never had a chance to fish when the fish
16 were there. That the unit was so big that they
17 couldn't close it down to protect the pulses in the
18 proper places.

19

20 And that's where this issue came up.
21 This is what we're trying to address. And it's a
22 conservation thing for the benefit of the fish, and
23 also for the subsistence fishermen, because managers,
24 if this is in place, can set these boundaries. They
25 can have openings and closures more specific to
26 population areas and subsistence users areas when the
27 fish are coming through those areas. Okay. So it
28 benefits the fish, because they can protect the major
29 pulses coming through, but it also benefits the
30 subsistence fishermen, because it will allow them to
31 open up smaller areas when fish are there to allow
32 subsistence activities to take place.

33

34 MADAME CHAIR ENTSMINGER: Any more
35 questions. Did you have one.

36

37 MR. FIRMIN: I have just a quick
38 statement.

39

40 MADAME CHAIR ENTSMINGER: Okay. Go
41 ahead.

42

43 MR. FIRMIN: Another thing just to put
44 it out there, that these boundaries that were put into
45 this proposal, they are existing boundaries with State
46 and Federal regulations. I know that after 22-Mile
47 Slough by Circle you have to have a subsistence fishing
48 permit. So that's a well-known boundary there with the
49 people in the Flats. And as well as anybody that went
50 down by the boundary by Beaver, is an existing moose-

1 hunting boundary, so anybody that's on the river also
2 knows that boundary. And the Stevens Village boundary
3 is one that's existing right now.

4

5 Thank you.

6

7 MADAME CHAIR ENTSMINGER: Okay. All
8 right. Any other questions.

9

10 (No comments)

11

12 MADAME CHAIR ENTSMINGER: That was our
13 presentation on the analysis. Now we have Department
14 of Fish and Game.

15

16 MR. PAPPAS: Thank you, Madame Chair.

17

18 The intent of this proposal is to give
19 management a finer tool to more precisely regulate
20 harvest while protecting portions of the salmon run.
21 The proponent indicates the size of 5D is too large to
22 effectively manage pulses of fish that require
23 protection, when they require protections.

24

25 Impacts to subsistence users. Federal
26 subsistence could benefit from sequential closures due
27 to increased opportunities to harvest fish within
28 salmon pulses when salmon pulses are present. Federal
29 subsistence users within the proposed districts would
30 benefit from more precise and succinct area closures.
31 Adoption of this proposal has the potential to more
32 evenly distribute Federal subsistence harvest within 5D
33 during salmon runs that require reduced exploitation
34 for conservation purposes.

35

36 For jurisdiction issues, the Federal
37 Board does not have the authority to establish
38 regulatory boundaries for the State-regulated
39 commercial and subsistence fisheries.

40

41 If the Federal Subsistence Board adopts
42 fisheries subdistrict boundaries that are different
43 from existing boundaries authorized by the Alaska Board
44 of Fisheries, subsistence users will be responsible for
45 knowing where the claimed Federal jurisdiction applies,
46 and difficulty in enforcement may result.

47

48 The Department and Federally-designated
49 officials already have delegated or regulatory
50 authority to close and open fisheries by area. For

1 example, open and close fishing areas such as requested
2 in this proposal. As long as the State managers and
3 designated Federal officials continue the current
4 cooperative consultation process for management,
5 adoption of this proposal is not necessary to manage
6 the salmon runs through 5D. If State resource managers
7 determine that subdistricts are needed on a reoccurring
8 basis, a proposal to the Alaska Board of Fisheries to
9 formalize further subdivision of 5D could be developed.

10

11 And the Department does oppose this
12 proposal at this time.

13

14 Thank you, Madame Chair.

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STATE OFFICIAL WRITTEN COMMENTS

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

Fisheries Proposal FP11-03:

Further subdivide Upper Yukon River
Area Subdistrict 5-D.

Introduction:

Andrew Firmin submitted this proposal to further subdivide Yukon River Area fisheries Subdistrict 5-D into three new subdistricts, 5-E, 5-F, and 5-G, for the purpose of improving management efficiency of the federal subsistence fishery. The proposal was also submitted as a proposal to the Alaska Board of Fisheries. The intent of the proposal is to give management a finer tool to more precisely regulate harvest while protecting portions of the salmon runs. The proponent indicates adoption of this proposal will enhance fisheries managers abilities to manage a large stretch of the Yukon River for the benefit of fish populations as well as user groups during times when it is necessary to reduce subsistence fishing time for conservation purposes. The proponent indicates the size of Subdistrict 5-D (approximately 400 miles in length) is too large to effectively manage if pulses of fish require protection. In 2008 and 2009, Subdistrict 5-D was divided into two sections when subsistence fishing time was restricted in order to meet escapement goals. This proposal would define three new

1 subdistricts as follows:

2

3 5AAC05.200 (e)(4)(i) Subdistrict 5E
4 consists of the Yukon River drainage from ADF&G
5 regulatory markers located approximately two miles
6 downstream from Waldron Creek upstream to the
7 Hadweenzic River.

8

9 5AAC05.200 (e)(4)(ii) Subdistrict 5F
10 consists of the Yukon River drainage from Hadweenzic
11 River upstream to 22 Mile Slough.

12

13 5AAC05.200 (e)(4)(iii) Subdistrict 5G
14 consists of the Yukon River drainage from 22 Mile
15 Slough upstream to the United States Canada border.

16

17 Impact on Subsistence Users:

18

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

33

34 Opportunity Provided by State:

35

36 Salmon may be harvested under state
37 regulations throughout the majority of the Yukon River
38 watershed, including a liberal subsistence fishery.
39 Gear types allowed are gillnet, beach seine, hook and
40 line attached to a rod or pole, hand line, and fish
41 wheel. Although all gear types are not used or allowed
42 in all portions of the Yukon River drainage, drift and
43 set gillnets, and fish wheels harvest the majority of
44 fish taken for subsistence uses. Under state
45 regulations, subsistence is the priority consumptive
46 use. Therefore, state subsistence fishing opportunity
47 is directly linked to abundance and is not restricted
48 unless run size is inadequate to meet escapement needs.
49 When the Yukon River chinook salmon run is below
50 average, the state subsistence fishing periods may be

1 conducted based on a schedule implemented
2 chronologically throughout the Alaska portion of the
3 drainage, which is consistent with migratory timing as
4 the salmon run progresses upstream. The regulatory
5 schedule for Subdistrict 5-D allows subsistence fishing
6 seven days per week. If the run is not large enough to
7 meet escapement goals, Alaska Department of Fish and
8 Game will restrict fishing time or close subsistence
9 fishing. Amounts reasonably necessary for subsistence
10 for chinook salmon (5AAC 01.236 (b)), as determined by
11 the Alaska Board of Fisheries, have been met in the
12 Yukon River drainage for six of the last nine years.

13

14 Conservation Issues:

15

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

47

48 Jurisdiction Issues:

49

50 The federal board does not have

1 authority to establish regulatory boundaries for
2 state-regulated commercial and subsistence fisheries.
3 If the Federal Subsistence Board adopts fisheries
4 subdistrict boundaries that are different from the
5 existing boundaries authorized by the Alaska Board of
6 Fisheries, subsistence users will be responsible for
7 knowing where the claimed federal jurisdiction applies.
8 Difficulty in enforcement may result.

9
10 A large percentage of the lands along
11 the Yukon River are state or private lands on which
12 subsistence users must use gear types consistent with
13 state regulations. If this proposal is adopted,
14 detailed maps are needed that depict land ownership and
15 specific boundaries of areas where federal regulations
16 are claimed to apply, so that fishermen know when they
17 are on state or private lands (including state-owned
18 submerged lands and shorelands) where they must comply
19 with state laws and regulations.

20
21 Other Issues:

22
23 The Alaska Department of Fish and Game
24 and the federally designated officials already have
25 delegated or regulatory authority to close and open
26 fisheries by area as necessary; i.e., open and close
27 fishing areas such as requested in this proposal. As
28 long as the state managers and designated federal
29 officials continue the current cooperative consultation
30 process for management, adoption of this proposal is
31 not necessary to manage salmon runs through Subdistrict
32 5-D. If state resource managers determine that
33 subdistricts are needed on a re-occurring basis; a
34 proposal to the Alaska Board of Fisheries to formalize
35 further subdivision of Subdistrict 5-D could be
36 developed.

37
38 Recommendation:

39
40 Oppose.

41
42 Cited References:

43
44 Fall, J.A., C. Brown, M.F. Turek, N.
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47 Krieg, and D. Koster. 2009. Alaska subsistence salmon
48 fisheries 2007 annual report. Alaska Department of
49 Fish and Game Division of Subsistence, Technical Paper
50 No. 346, Anchorage.

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

6
7 MADAME CHAIR ENTSMINGER: Any questions
8 of George.

9
10 MR. BASSICH: I've got a question.

11
12 MADAME CHAIR ENTSMINGER: Andy.

13
14 MR. BASSICH: I'm going to ask kind of
15 a hard question for you. If this proposal was brought
16 before the Board of Fish, do you think the Department
17 of Fish and Game would be in support of it?

18
19 MR. HAYES: Madame Chair. Another
20 tough question that we, of course have a process to
21 review proposals that come in front of us. And we'd
22 have to see the proposal first.

23
24 MR. BASSICH: I guess as written, if it
25 was like this, as a manager, would this be an effective
26 tool? How would it affect you negatively I guess would
27 maybe be a better question. How would that affect you
28 negatively if this proposal was adopted by both State
29 and Federal.

30
31 MR. HAYES: Well, I guess speaking for
32 the State management, kind of referring back to what
33 Mr. Bue had stated, that it does work in times of
34 conservation. It is a large subdistrict. We did it in
35 2009 where we split it in half so that you can move
36 fish through that are unmolested.

37
38 The issue of subdividing it into, as
39 this proposal states, three separate subdistricts, it
40 would create more news releases for each one of those
41 subdistricts that you'd have to issue, more EOs
42 potentially that would affect those three different
43 areas instead of one now. So i a time of conservation
44 we already have the EO authority to implement to where
45 were we can break that subdistrict down like we did in
46 2009, or if the runs are fine and we don't need to
47 restrict, we leave it alone.

48
49 MR. BASSICH: Yeah, but I'm confused.
50 If the biggest issue that I'm hearing you say is that

1 you have to put news releases out, then if you did an
2 EO, wouldn't you have to do that anyway?

3

4 And my feeling is let's get this in
5 place, let's get these boundaries established so that
6 people know. If you were to do an emergency order and
7 then try and set these boundaries, and people aren't
8 familiar with them, it seems to me you would a much
9 greater chance of there being a violation due to a
10 boundary or something than if it was set in place,
11 people became very familiar with it, and that was
12 status quo. That was the way it worked. That's my
13 thinking long term here.

14

15 So that's all I wanted to say.

16

17 MADAME CHAIR ENTSMINGER: Any comments
18 from that.

19

20 (No comments)

21

22 MADAME CHAIR ENTSMINGER: Okay.

23 Virgil.

24

25 MR. UMPHENOUR: Well, it hasn't been
26 done in a long time because of the status of the
27 commercial fishery, but in the 90s, because that
28 subdistrict I think their allocation was either 400 or
29 600 king salmon for commercial, and there was a
30 commercial guy fishing at Circle, and then a couple of
31 them at Stevens Village. I do know that the Department
32 during the commercial fishery had to -- so that they
33 could -- because the district is so long they actually
34 subdivided and had emergency order commercial openings
35 in different parts of District 5D back in the 90s,
36 because I know, because I was buying the fish. and so
37 if this was done, and if there was a commercial fishery
38 again, then that would also benefit the management of
39 the commercial fishery, because when the allocation for
40 all of 5D is the same thing, and you have people
41 fishing 300 miles apart, then you can't really open the
42 commercial fishery and manage it in a proper manner
43 when your people are 300 miles apart. Someone on one
44 end or the other is going to catch fish, and the other
45 ones are just going to be -- the season might be open,
46 but there might not be any fish. Have you given any
47 thought to that.

48

49 MR. HAYES: Madame Chairman. Yeah, I
50 don't have a response to that question, Virgil, at this

1 time.

2

3 One think I think, because 5D, they
4 have an allocation, if you're going to split it up into
5 three different subdistricts, that allocation may have
6 to obviously be looked at again.

7

8 MADAME CHAIR ENTSMINGER: All right.

9

10 MR. HAYES: I think one more point to
11 get back to go back to Andy's question is, some of the
12 comments earlier that were made, you know, between the
13 State and Federal waters and the confusion that it's
14 going to cause to the public, obviously would be a
15 major thing, and I'm not saying that this would be a
16 bad proposal, but in order to keep things in alignment
17 with the management, the managers, you know, to go
18 through the process in front of the State Board may be
19 the better approach.

20

21 MADAME CHAIR ENTSMINGER: All right.

22 And I guess we'll know when those calls are for
23 proposals.

24

25 Okay. Anything else.

26

27 MR. BIEDERMAN: Yes.

28

29 MADAME CHAIR ENTSMINGER: Grafton.

30

31 MR. BIEDERMAN: Due to resect that the
32 -- what the announcements or people are saying, is that
33 I'm pretty sure that the State or Federal, if we make
34 these, like if we vote on like a proposal for it, or we
35 do take it onto beneficiary for the people, on what
36 we're talking about, is that State and Federal
37 regulations that we do give you is that you have to
38 take it in front of your board members, Board of Fish
39 and Game to make -- so that we can make this for the
40 people, that you just have to take it back to your --
41 take it to the State or Federal to make an amendment on
42 it.

43

44 MR. HAYES: I believe right now the
45 proposal you have in front of you is for the Federal
46 Subsistence Board. In order to change or put this
47 proposal, if there were a proposal put in front of the
48 State Board of Fishery to change Subdistrict 5D into
49 three different subdistricts, that would have to be a
50 whole separate issue from this setting here.

1 MADAME CHAIR ENTSMINGER: Grafton, we'd
2 have to put a proposal before the Board of Fish under
3 their cycle, whenever they put out a call for
4 proposals. And when that call comes out, we would have
5 to put in a proposal there.

6
7 MR. BIEDERMAN: Yes, it had come to my
8 mind. Yes.

9
10 MADAME CHAIR ENTSMINGER: Okay. Uh-
11 huh. All right. Anything else. George.

12
13 MR. PAPPAS: Through the Chair.
14 Grafton, clarification. I think what I heard was you
15 might recommend this process adopt the proposal and
16 that would encourage the Board of Fish to adopt a
17 proposal. Was that what you were trying to say, sir?

18
19 MR. BIEDERMAN: Yes.

20
21 MR. PAPPAS: Thank you.

22
23 MADAME CHAIR ENTSMINGER: Oh, okay.
24 I'm doing a bad job. Sorry, Grafton.

25
26 Okay. Well, we'll move on to the rest
27 of this. The agency comments, and it's Federal
28 agencies, Native tribal, village or other.

29
30 MR. JESS: Madame Chair. We have one.

31
32 MADAME CHAIR ENTSMINGER: Rob.

33
34 MR. JESS: Madame Chair. Rob Jess,
35 refuge manager for Yukon Flats.

36
37 I'm probably not going to say anything
38 that hasn't been said before, but just to kind of
39 surmise it. The Refuge supports the proposal based on
40 management and biological reasons. Obviously 5D's the
41 largest district on the river.

42
43 What we feel and see is that, and we've
44 talked to many of the villages and have worked with
45 Andrew on this as well, is that subdividing it would
46 allow for better monitoring the fish movements, and
47 then also better management efficiency during times of
48 conservation concern. And I would certainly add at
49 this point in time, if we're not in a period of
50 conservation concern at this point now, I don't know

1 what is. And I would certainly like to see this
2 happen. We're not sure of the mechanism of how to, but
3 if the managers have the ability to do this of their
4 own volition, I would love to see this happen, and I
5 know the people on the Flats would as well.

6
7 If you look at 460 miles for Unit 5, I
8 don't know what a fish travels, just guessing, what, 30
9 miles in a day maybe. Something like that. You've got
10 what, 12 to 15 days from one end to the other end of
11 the district. And, you know, we're only going to
12 increase efficiency in these lean times relative to
13 fisheries management if we further subdivide this down.

14
15 One of the other things is that
16 relative to the villages on the Flats, and Andrew
17 again, we had tested this, that the proposed boundaries
18 do more closely align with traditional harvest
19 patterns. we've gone to each of the villages. We know
20 that the proposed boundary lines are in fact
21 traditional, both hunting and fishing boundary lines.
22 And so they're very well recognized by the residents
23 out there, and I don't think the implementation will be
24 that difficult for us to do.

25
26 The other thing, and just to kind of
27 conclude on this, is that my naivete on how to get this
28 done, I'm not exactly sure, but one way or another I
29 would like -- the Refuge would certainly like to see
30 this.

31
32 And, Madame Chair, both you and Mr.
33 Firmin had seen the difficulties when we part ways
34 between State and Federal regulations based on the
35 moose management meeting the last couple days. You see
36 that you basically have to have a lawyer with you to
37 figure out the regulations. And I would just hope that
38 we could move forward on this one way or another to
39 implement this, both State and Federal.

40
41 And that's it.

42
43 MADAME CHAIR ENTSMINGER: Yeah. Thank
44 you, Rob. But I also recognize that whenever we do
45 something in the Federal, that it makes it even more
46 complicated if it isn't done on the State, so that's
47 kind of tough.

48
49 Yeah. Andy.
50

1 MR. BASSICH: Within the proposed --
2 I'm looking at Page 98 in our book if you have that.
3 And on that it shows the difference proposed units.
4 Regarding proposed 5E and 5F, are there State waters
5 within those boundaries right now, or are those all
6 Federally-controlled waters? Do you know? Because it
7 seems to me if we're comparing that with this other map
8 that we were looking at earlier, really the only State
9 waters would fall within 5G. And so the majority of
10 this, that's not really an issue. It's just 5G, Circle
11 to Eagle, and within that region you're looking at less
12 than, well, 70 households fishing. So I think that's
13 something to consider. I mean, you know, they brought
14 up the point that there are State waters within, we're
15 not in compliance. But if it's only the area between
16 Circle and Eagle, and basically it would just be from
17 Calico Bluff to the border, which comprises 98 percent
18 of the Eagle fishermen, would be State waters. But
19 it's open seven days a week anyway. And if they had a
20 statistical area closures, it's going to include -- all
21 those people were going to be included anyway, so I
22 just don't see the big issue with they're maybe not
23 being in compliance for a few years between the State
24 and the Feds.

25
26 But I guess it would depend on whether
27 or not there are State in-holdings within E and F.
28 That would be something to look at.

29
30 MADAME CHAIR ENTSMINGER: Okay. Any
31 other questions or comments right now. Donald.

32
33 MR. WOODRUFF: One other issue that is
34 kind of burning with me is that the upper river
35 boundary of Yukon-Charley is not designated, so that
36 there are hunters and fishers that are confused about
37 where that line is, and it doesn't seem to be an agreed
38 upon spot that Yukon-Charley wants to let people know
39 about. They don't have signs, they don't have any
40 markers, so that's very confusing for a lot of people.
41 That's it.

42
43 MADAME CHAIR ENTSMINGER: I'm glad I
44 don't live on the Yukon. I'm sorry. I mean, this is
45 so complicated.

46
47 MR. GLANZ: Yeah. Madame Chair. Also
48 Sam Creek is not marked. I mean, there's a creek, but
49 if you don't have a GPS you don't know if it's Sam
50 Creek or what the other boundary is, you know, on the

1 other side.

2

3 MADAME CHAIR ENTSMINGER: I hope you
4 have your GPS's.

5

6 MR. GLANZ: I hate to myself see
7 the.....

8

9 MADAME CHAIR ENTSMINGER: No, did you
10 want -- go ahead.

11

12 MR. GLANZ: No, I just kind of hate to
13 see this pass like this. Couldn't we do it as a motion
14 to the State Board? Whether we could change it like
15 Andrew has here? We could.....

16

17 MADAME CHAIR ENTSMINGER: Well, let's
18 go ahead and finish all these comments, and then we'll
19 discuss this.

20

21 MR. GLANZ: Yeah. Okay.

22

23 MADAME CHAIR ENTSMINGER: Yeah. The
24 next one, we heard from the agencies, the Federal
25 agencies, and now it's the advisory groups. And if I
26 have overlooked anyone, it's because there's no one
27 here. That's why I'm doing that.

28

(No comments)

29

30
31 MADAME CHAIR ENTSMINGER: Neighboring
32 Regional Advisory Councils.

33

34 MR. LARSON: Madame Chair.

35

36 MR. BIEDERMAN: Let me speak. Yes.
37 Excuse me. Yes, Ms. Speaker, I was just wondering
38 whether the subject that we were just on, is that the
39 -- does that take a motion?

40

41 MADAME CHAIR ENTSMINGER: Grafton. No,
42 on this, back of your name is a list of things that we
43 go through this process when we take up proposals. And
44 at this time I'm on 3, which is the advisory group
45 comments, and when we get to this number 6, that's when
46 we do the motion. Okay. Yeah. All right.

47

48 Robert's going to go through the
49 neighboring Regional Councils. He lost it, but he
50 found it. I do that all the time. Go ahead.

1 MR. LARSON: Madame Chair. The Yukon-
2 Kuskokwim Delta Regional Advisory Council recommended
3 to oppose the proposal.

4
5 The Western Interior Regional Council
6 had a recommendation to defer. If you look at the
7 handout that was distributed for 03, you'll see that
8 the reasons that they cited to defer was to allow for
9 more local input and opportunity to submit to the State
10 process while also considered in the Federal process.
11 So their recommendation is to defer and work with the
12 State.

13
14 MADAME CHAIR ENTSMINGER: And then
15 local Fish and Game advisory committees. Was there
16 anything sent in or taken up.

17
18 (No comments)

19
20 MADAME CHAIR ENTSMINGER: And now is
21 the SRCs.

22
23 (No comments)

24
25 MADAME CHAIR ENTSMINGER: Okay.
26 Summary of the written comments.

27
28 MR. LARSON: Madame Chair, we have
29 written public comments. There is one in support of
30 this concept on Page 110 of your Council book.

31
32 We also have a written public comment
33 that was submitted to the Council, and that is in
34 opposition, but in their comments they explain that
35 they believe that this is a good idea, and it would be
36 beneficial, but the idea would be that it should be
37 submitted to the Board of Fish at the same time or in
38 conjunction. Very similar to the position taken by
39 Western Interior.

40
41 MADAME CHAIR ENTSMINGER: All right.
42 Thank you. So no more public testimony.

43
44 Now is the time for our motion. Do I
45 hear a motion.

46
47 MR. UMPHENOUR: Move to adopt Proposal
48 FP11-03.

49
50 MR. WOODRUFF: Second.

1 MADAME CHAIR ENTSMINGER: Okay. It's
2 been moved and seconded.

3

4 Now discussion. Council. Andrew.

5

6 MR. FIRMIN: As was said before when
7 Steve was saying and other, Richard, that this is a
8 conservation tool. And as Rob pointed out, this is the
9 time for conservation, and I think instead of waiting
10 for it to be an emergency order, it just should be
11 something that should be in place, because it's not
12 like the -- I'm sure there's going to be future
13 closures and future emergency orders, so I think it's a
14 tool that needs to just be in place now before. Kind
15 of planning ahead than waiting for something to happen.

16

17 MADAME CHAIR ENTSMINGER: Okay. Andy.

18

19 MR. BASSICH: I think this is good for
20 fish, and it's good for the subsistence users in the
21 area. I think it's a good example of users of the
22 resource identifying something that will be to
23 conservation and trying to move regulation in that
24 direction. Positive regulation in that direction. And
25 I think quite frankly I understand why the opposition
26 is there, but I don't -- in my mind, it doesn't really
27 carry that much merit. I think it's something that we
28 should put in place, because it's the right thing to
29 do. It benefits the user and the resource, and I think
30 the agencies should just adapt to that.

31

32 You know, I see this as setting kind of
33 a precedent for trying to get some positive stewardship
34 going on from the resource. You know, we don't have a
35 lot of positive -- on the Alaskan side we don't have a
36 lot of positive stewardship going on from the people.
37 It seems like everything is always being jammed down
38 their throat instead of the people coming forward and
39 saying, this is what we want to do to make it better.
40 This is an example of that, and so I'm going to support
41 it.

42

43 MADAME CHAIR ENTSMINGER: Council
44 members. Grafton.

45

46 MR. BIEDERMAN: Yes. As Andy was
47 saying, that I'm in support of his issues, too. That's
48 just what I had on my mind.

49

50 MADAME CHAIR ENTSMINGER: Okay. Okay.

1 Virgil.

2

3 MR. UMPHENOUR: Thank you, Madame
4 Chair. I want to discuss just a little bit the
5 procedure and the process.

6

7 The process to do this, if we were to
8 go along with what the Western wanted to do, which was
9 defer and submit through the State process. If we
10 submit through the State process, if you do the regular
11 proposal, that's two years away. It's too late to do
12 an agenda change request for this year. However, the
13 Council or Andy or someone, or the Refuge could submit
14 a petition to the Board of Fisheries. Once a petition
15 is submitted, they have 30 days to either accept the
16 petition and then schedule it for deliberations, or to
17 reject it. And the criteria for a petition is very
18 narrow criteria. And so the thing to do -- I mean, it
19 addresses conservation is what this thing addresses.
20 That does meet the criteria for the Board of Fish.
21 You'd have to get a Board of Fish member to carry your
22 water, and maybe it would pass and they would schedule
23 it for a meeting so that it could be implemented for
24 this coming season. But that's the only process there
25 that there is to do other than wait two years.

26

27 Or you could wait until next year in
28 October and -- or it would be heard in October, because
29 they have their agenda change request at the work
30 session every year.

31

32 So that is what the process would be.
33 And so the question is, do you want to petition the
34 Board of Fisheries or ask the Refuge to petition the
35 Board of Fisheries, and then they would -- if you do
36 it, then they're going to hear it at their next
37 meeting, or they'll do it by teleconference, one or the
38 other. But that's what the process would be.

39

40 And if the Board of Fisheries did it,
41 then -- and I don't know when the Federal Subsistence
42 Board's going to meet, but it's possible it could be
43 done before they meet and we could recommend approval
44 on this, you know, pass it contingent on submitting a
45 petition to the Board of Fisheries.

46

47 Madame Chair.

48

49 MADAME CHAIR ENTSMINGER: Well, my
50 head's swimming again. I've heard a lot of things

1 here. Now other people want to say anything towards
2 this, because I want you to talk about what I'd heard
3 here from the Staff about they do this sometimes. They
4 get together, and they do this. I think that's how I
5 understood it. They'll come together and do this in
6 times when they need to. So I want you guys to talk
7 about that also in your deliberations here and your
8 discussions.

9

10 And I see Steve has put the microphone
11 there, and it must be he would like to say something.

12

13 MR. HAYES: Madame Chairman. I'm
14 trying to figure out how to say this. In reference to
15 Virgil and filing a petition to the Board of Fish with
16 this, I believe the petition would have to be for a
17 conservation concern. And this would not rise to that
18 level for the fact that we already have this in our
19 management authority in regulation to do this. So I'm
20 not sure if that would work.

21

22 MADAME CHAIR ENTSMINGER: Okay. Anyone
23 else. Or do you want to -- Virgil, go ahead.

24

25 MR. UMPHENOUR: Okay. One of the other
26 things, maybe it's an ACR criteria, is to correct a
27 regulation. Lots of times the Board does housekeeping,
28 what they call housekeeping things. This could be
29 actually classified as a housekeeping proposal.
30 However, they don't normally like to take up petitions
31 or housekeeping things as a petition. But to me this
32 more or less borders or is a housekeeping thing,
33 because you already have the authority, you have done
34 it in the past. If the situation arises, you're going
35 to do it in the future. This would put it in
36 regulation and make it clear so the public and everyone
37 knows what's going to happen, and to me that's
38 basically a housekeeping thing. And I think if the
39 Department of Fish and Game and the Federal managers
40 got together, maybe you could -- you could probably
41 make it happen is what I think.

42

43 So what do you think of that idea.

44

45 MR. HAYES: Well, of course, I can't
46 speak for the Federal manager, but it's something we
47 can get together to discuss and see where it would go.

48

49 MADAME CHAIR ENTSMINGER: Fred's coming
50 to the mic, so let's hear what.....

1 MR. BUE: Hi. He referred to a Federal
2 manager, but I think, you know, if this case arises,
3 that that's exactly what we intended to do anyways in
4 times of conservation. We saw that the 22-mile Slough
5 was an existing boundary and that's why we did it last
6 year or in 2009, because it was convenient, it was a
7 most notable location. Now that we have some head's
8 up, I think it's very easy for us to work with the
9 communities in the Yukon Flats through Andrew or CATG
10 or whoever it is to just do this. And it's not
11 necessarily something that rises the emergency
12 regulation level, and it's not necessarily an ACR type
13 thing. But I think it's something that we intend to do
14 if we have a conservation issue, and that's certainly
15 what Steve and I have talked about. It's no guarantee,
16 but that's the direction we're heading.

17
18 MADAME CHAIR ENTSMINGER: Steve.

19
20 MR. HAYES: Yeah. I want to just add
21 to that. We've already had discussions about this for
22 next year, you know, looking at the conservation that
23 we may have to take. And we discussed, you know, as we
24 did in 2009, we had to reduce the subdistrict, and, of
25 course, for management that worked. And we would be
26 doing the same thing.

27
28 I just want to make it clear from the
29 management standpoint the need to divide this
30 subdistrict into three subdistricts is not there unless
31 you're in a conservation management mode.

32
33 MADAME CHAIR ENTSMINGER: Council
34 members, I'd like to hear the discussion on that
35 portion of what we're -- you know, the fact that
36 they're saying they already have it. And I hear what
37 you guys have said. I just want to hear more
38 discussion. And, Andy, do you want to wait, because I
39 thought I saw you nod your head.

40
41 MR. BASSICH: So basically you're
42 saying that we're not in a conservation mode for
43 Chinook salmon.

44
45 MR. HAYES: Based on our preseason
46 projection for next year, if we determine that we're
47 going to have to go into the season or even in-season
48 with pulling periods, then we would assume that's going
49 to happen all the way up the river. And then at that
50 -- we would look at subdividing 5D in half or whichever

1 way we feel best to get the fish through there.

2

3 Based on the preseason projection, if
4 it was looking like a great run and we weren't going to
5 have to have restrictions, they're open seven days a
6 week on fishing, so there's no need to subdivide that
7 if you weren't planning on restrictions.

8

9 So going into next year with the need
10 -- when I say conservation, what I'm saying is there's
11 a possibility, a high possibility that we could be
12 looking at pulling periods, which at that time we would
13 be subdividing that subdistrict.

14

15 MADAME CHAIR ENTSMINGER: Andy.

16

17 MR. BASSICH: So, Steve, if you were
18 to subdivide the districts next year to try and
19 parallel what you did in 2009, is what I'm hearing you
20 say, you'd still probably only divide 5 into 2 sections
21 instead of 3?

22

23 MR. HAYES: Madame Chair. That's what
24 we did in 2009, but we're open for suggestions. We're
25 going to have the preseason meetings that YRDFa will
26 put on, and we'll take comments from the public on
27 different ways to handle it.

28

29 MR. BASSICH: Okay. Thank you. That's
30 exactly what we're getting here. This is the public
31 coming to you and saying in 2009 this happened, and
32 this is what's wrong with what happened, and this is
33 our solution to that problem.

34

35 MADAME CHAIR ENTSMINGER: So I'm
36 hearing.....

37

38 MR. BASSICH: And the way I see it is
39 -- excuse me, Madame Chair. The way I see it, we
40 subdivided at 22-Mile Slough I believe in 2009; is that
41 correct? So all we're doing is adding one more border
42 in just above Beaver, and I'm not familiar with that
43 landmark. I don't live in that area, but it's
44 obviously something that's been thought about and is a
45 recognizable landmark. So all we're really doing is
46 just adding one more border there to allow people from
47 Beaver, Fort Yukon and Eagle to all fish at separate
48 times on the run. I just see it as a much more
49 surgical method.

50

1 MADAME CHAIR ENTSMINGER: Okay. I want
2 to hear from everyone here, so, Steve, yeah, go ahead.

3
4 MR. HAYES: Madame Chair. I don't
5 think at this point, Dan, it's not that we're
6 disagreeing on how to subdivide it. It's just that
7 from my point as a manager is that we don't need it
8 every year unless it's needed for a conservation tool.

9
10 MADAME CHAIR ENTSMINGER: Donald.

11
12 MR. WOODRUFF: I'm going to support
13 this proposal for because of the previous discussion
14 amongst us all. Thank you.

15
16 MADAME CHAIR ENTSMINGER: More
17 discussion. Bill.

18
19 MR. GLANZ: Not really discussion, but
20 I thought we had a memo of under -- what do you call
21 it, memorandum of understanding with the State on this
22 fish issue, so we'll be violating that memo where Steve
23 and them guys manage the whole river, and we're trying
24 -- I mean, I'm in favor of it. I'm not against that,
25 but I believe we're going about it the wrong way. I
26 mean, you know it's too bad we didn't have -- but
27 again, we're going to be shooting blanks anyway. OSM
28 has already opposed it, you know.

29
30 (Laughter)

31
32 MR. GLANZ: So we're shooting blanks
33 here unfortunately.

34
35 MADAME CHAIR ENTSMINGER: Let's cut to
36 the chase. Yeah. Well, I mean, I want to be
37 realistic. I understand the passion from you guys. I
38 truly do. But I just want to hear the discussion that
39 we're -- this is a proposal to the Federal Board to
40 create these lines, and I'm being told that this can be
41 done, so then it becomes to me a trust level. So now I
42 want to hear from you, is that sufficient to you or do
43 you want to push this on like I'm hearing over here.
44 Push it on to make your word be heard.

45
46 MR. LARSON: Can I make one comment?

47
48 MADAME CHAIR ENTSMINGER: I suppose you
49 could. I'm hearing a wish to make a comment from
50 Robert. Shall we allow it?

1 (Laughter)

2

3 MADAME CHAIR ENTSMINGER: Okay. Go
4 ahead.

5

6 MR. LARSON: Thank you, Madame Chair.
7 I just wanted to be clear that regarding Mr. Glanz's
8 last statement. The analysis that you have in front of
9 you is a Staff analysis that is put together by the
10 Office of Subsistence Management. Those analysts, who
11 are knowledgeable people, have used whatever they have
12 for factual information, and they have an OSM-
13 generated, it's called the preliminary conclusion.
14 Now, that is not the Board of Game -- or I mean the
15 Subsistence Board. So those are your advisors. But
16 those aren't the decisionmakers. So you are part of
17 the decision-making process. And with the Board. So
18 let's just be clear on that.

19

20 MR. GLANZ: Thank you. I didn't know
21 that, Robert. I thought that that was the final -- not
22 the final, but I figured they was going to lean this
23 right up here and they're going to go with him. I
24 mean, you know -- okay.

25

26 MADAME CHAIR ENTSMINGER: Thanks,
27 Robert. Sometimes I guess we're out in the woods so
28 long we just get to right to what we're thinking here,
29 and maybe we're not analyzing it the whole way through.

30

31 I mean, can I -- Frank, have you
32 thought this through, how you would like to see this
33 go.

34

35 MR. GURTLER: Well, I think the people
36 from that area there are the ones that want this
37 proposal. Okay. Well, they don't have anything
38 against it, do they, and it's not going to hurt them
39 any, so I'm for it.

40

41 MADAME CHAIR ENTSMINGER: Okay. Anyone
42 else. Grafton.

43

44 MR. BIEDERMAN: Yes. I would go ahead
45 and be with William and Frank.

46

47 MADAME CHAIR ENTSMINGER: Okay. Andy,
48 did you have one last thing you wanted to say.

49

50 MR. BASSICH: No.

1 MADAME CHAIR ENTSMINGER: No. All
2 right.
3
4 UNIDENTIFIED VOICE: Question.
5
6 MADAME CHAIR ENTSMINGER: Are you
7 ready. Everybody's ready for the question. All right.
8 We don't need a roll call or anything I don't think.
9 But all in favor.
10
11 IN UNISON: Aye.
12
13 MADAME CHAIR ENTSMINGER: Anyone
14 opposed.
15
16 (No opposing votes)
17
18 MADAME CHAIR ENTSMINGER: Make note
19 that Lester stepped out. Okay.
20
21 I'm with you. I rely on you guys
22 heavily on this stuff. All right. Let me look at
23 this. Okay.
24
25 Now, Rich is still on the seat there.
26 In Mentasta we call it the hot seat.
27
28 MR. CANNON: Madame Chair. For the
29 record Richard Cannon, Office of Subsistence
30 Management.
31
32 The analysis for Proposal 11-04 is
33 found on Pages 111 through 123. This proposal,
34 submitted by Stanislaus Sheppard with the Mountain
35 Village Working Group, requests the use of fishwheels
36 be prohibited for the harvest of salmon in Districts 4
37 and 5 of the Yukon River to allow more fish to escape
38 to the spawning grounds.
39
40 Current Federal and State regulations
41 allow subsistence users to utilize fishwheels to
42 harvest salmon in the mainstem Yukon River, from the
43 mouth to the Canadian border.
44
45 It should be noted that if this
46 proposal were adopted, Federally-qualified users would
47 still be able to utilize fishwheels to harvest salmon
48 under State regulations in State waters in Districts 4
49 and 5 from just south of Anvik to the Canadian border.
50

1 The proposed OSM preliminary conclusion
2 is to oppose this proposal. Eliminating the use of
3 fishwheels in Districts 4 and 5 in Federal regulations
4 would not accomplish the proponent's objective, and
5 that is to allow more fish to escape to the spawning
6 grounds as Federally-qualified users would still be
7 able to utilize fishwheels to harvest salmon under
8 State regulations.

9
10 When run projections indicate that
11 escapement short falls are likely, fisheries managers
12 have the ability and authority to restrict harvest
13 under the existing regulatory management framework such
14 as reducing fishing time or not opening fishing periods
15 to increase escapement as was done for Chinook salmon
16 escapement into Canada in 2009.

17
18 Fishwheels comprise only 7 percent of
19 the reported combined subsistence and personal use gear
20 types on the Yukon River, with set gillnets comprising
21 48 percent and drift gillnets 37 percent. The use of
22 fishwheels is on the decline in the Yukon River.
23 Gillnets have become the predominant gear type for
24 salmon subsistence fishing.

25
26 That concludes the Staff comments.
27 Madame Chair.

28
29 MADAME CHAIR ENTSMINGER: Any questions
30 of Rich regarding the analysis.

31
32 (No comments)

33
34 MADAME CHAIR ENTSMINGER: All right.
35 Hearing none, we will now hear from Fish and Game, and
36 then other Federal agencies.

37
38 MR. PAPPAS: Thank you, Madame Chair.
39 You'll find our comments on Page 118 in the book, and
40 there's a good table to look at while we go through
41 this. The Western Interior found this was a good
42 reference.

43
44 Subsistence fisheries on the Yukon
45 River employ a number of gear types, including
46 fishwheels to harvest salmon at different times of
47 year. This method and timing of harvest are based on
48 traditional customary uses in different areas of the
49 Yukon River Drainage. Studies conducted by the
50 Department found between 2003 and 2007 the average

1 proportion of primary gear types used for subsistence
2 salmon fishing in the Yukon River drainage were set
3 gillnet at 53 percent, drift gillnets 38 percent, and
4 fishwheels at 8 percent.

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

19
20 The Department recommends opposing this
21 proposal, but also we suggest that more information is
22 needed on the size distribution of fish harvested in
23 fish wheels and more investigation of the type of gear,
24 modifications that could be implemented that would be
25 consistent with gillnet mesh size actions taken by both
26 the Federal Subsistence Board and the Alaska Board of
27 Fisheries for the entire Yukon River drainage. Such
28 research project could be party funded through the
29 Fisheries Resource Monitoring Program.

30
31 Thank you, Madame Chair.

32
33 *****
34 STATE OFFICIAL WRITTEN COMMENTS
35 *****

36
37 Alaska Department of Fish and Game
38 Comments to the Regional Advisory Council

39
40 Fisheries Proposal FP11-04: Prohibit
41 use of fish wheels in districts 4 and 5 of the Yukon
42 River.

43
44 Introduction:

45
46 Stanislaus Sheppard of the Mountain
47 Village Working Group submitted this proposal to
48 prohibit use of fish wheels on the Yukon River in
49 districts 4 and 5 where federal jurisdiction is claimed
50 in order to increase fish escapement to the spawning

1 grounds.

2

3

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

14

15

15 Impact on Subsistence Users:

16

17

18 If adopted, federal subsistence users
19 would be prohibited from using fish wheels in districts
20 4 and 5 on the Yukon River where federal jurisdiction
21 is claimed. Fish wheels are a highly effective gear
22 type for harvesting salmon in the upper Yukon River.
23 Even though fish wheels comprise only 8% of the gear
24 types used to harvest salmon, for some subsistence
25 fishermen it is their only means of harvesting salmon.
26 Prohibiting use of fish wheels as a gear type for
27 federal subsistence users in these districts is
28 expected to significantly reduce salmon harvest for
29 some subsistence fishermen and may eliminate harvest
30 for others.

30

31

31 Opportunity Provided by State:

32

33

34 Salmon may be harvested under state
35 regulations throughout the majority of the Yukon River
36 watershed, including a liberal subsistence fishery.
37 Salmon may be harvested under state subsistence
38 regulations throughout Yukon River District 4 and
39 subdistricts 5-A, 5-B, and 5-C during two 48-hour
40 periods per week from June 15 through September 30, as
41 established by emergency order. The subsistence
42 fishery in Subdistrict 5-D is open 24 hours per day,
43 seven days per week. The state subsistence fishery is
44 open during commercial fishing periods but is closed
45 during the 24 hours prior to a commercial fishing
46 opening. The state subsistence fishing periods are
47 normally linked to abundance or commercial fishing
48 periods and are conducted based on a schedule
49 implemented chronologically, which is consistent with
50 migratory timing as the salmon run progresses upstream.

50

1 Legal gear for the state subsistence
2 salmon fishery in subdistricts 4-B and 4-C and District
3 5 includes fish wheels, hand lines, set gillnets, and
4 beach seines. Drift gillnets may be used for
5 subsistence fishing in Subdistrict 4-A to target
6 chinook salmon from June 10 through July 14, and chum
7 salmon may be taken with drift gill nets after August
8 2. There are no household harvest limits for the state
9 subsistence fisheries in districts 4 or 5. Amounts
10 reasonably necessary for subsistence (ANS) (5AAC 01.236
11 (b)), as determined by the Alaska Board of Fisheries,
12 have been met for chinook salmon in the Yukon River
13 drainage for six of the last nine years (below ANS in
14 2002, 2008, and 2009).

15

16 Conservation Issues:

17

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

41

42 Jurisdiction Issues:

43

44 The department continues to request
45 correction of the Yukon River map labeled Federally
46 Managed Waters in the federal staff analysis. This
47 label incorrectly implies the federal government
48 manages more than federal subsistence fisheries. The
49 State of Alaska manages the sustainability of fish,
50 including subsistence, commercial, sport, and personal

1 use fisheries, in all waters except where waters are
2 closed to non-federally qualified subsistence users.
3 The state also manages other uses of and public
4 activities in these waters, which uses are not managed
5 by the Federal Subsistence Board or federal land
6 management agencies.

7

8 Recommendation:

9

10 Oppose.

11

12 We suggest that more information is
13 needed on the size distribution of fish harvested in
14 fish wheels and more investigation of the type of gear
15 modifications that could be implemented and would be
16 consistent with the gillnet mesh size actions taken by
17 both the Federal Subsistence Board and Alaska Board of
18 Fisheries for the entire Yukon River drainage. Such a
19 research project would be appropriate to fund through
20 the Fisheries Resource Monitoring Program.

21

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14
15 MADAME CHAIR ENTSMINGER: All right.
16 Any questions. Andy.

17
18 MR. BASSICH: Are aware that ASL data
19 from Eagle fishwheels has been delivered to the
20 Department of Fish and Game since 2004? Very specific
21 ASL, girth and weight. So you do have that information
22 there.

23
24 And just for the Council, it basically
25 shows that fishwheels in the Upper Yukon region around
26 Eagle tend to catch smaller, primarily male fish, which
27 is exactly what we're trying to do to increase quality
28 of escapement.

29
30 MADAME CHAIR ENTSMINGER: George.

31
32 MR. PAPPAS: Yes, that was discussed in
33 detail at the Western Interior. Thank you.

34
35 MADAME CHAIR ENTSMINGER: Okay. Any
36 other questions.

37
38 (No comments)

39
40 MADAME CHAIR ENTSMINGER: Okay. Any
41 other Federal agencies want to speak.

42
43 (No comments)

44
45 MADAME CHAIR ENTSMINGER: Native or
46 tribal, village, other.

47
48 (No comments)

49
50 MADAME CHAIR ENTSMINGER: Advisory

1 group comments. Our neighboring Regional Advisory
2 Councils. Robert.

3

4 MR. LARSON: Yes, Madame Chair. This
5 topic has been taken up by both the Yukon-Kuskokwim and
6 the Western Interior Regional Advisory Councils. Both
7 of those Advisory Councils recommended that we oppose
8 -- or that they would oppose, the Board would oppose
9 the proposal.

10

11 Thanks.

12

13 MADAME CHAIR ENTSMINGER: Okay. And
14 then the local Fish and Game advisory committees or
15 SRCs.

16

17 (No comments)

18

19 MADAME CHAIR ENTSMINGER: Okay.

20 Summary of written comments.

21

22 MR. LARSON: Yes, Madame Chair. This
23 proposal has generated 12 public written comments.
24 They can be found on Page 121 in the Council book.
25 It's also generated two written public comments that
26 are not included in the book. All of the 12 that are
27 in the book are in opposition to the proposal. The two
28 written public comments that we received outside of the
29 book, one from Kwik'pak Fisheries and one from Gerald
30 Nicholia, are both in opposition to the proposal.

31

32 MADAME CHAIR ENTSMINGER: I'm sorry
33 Any public testimony.

34

35 (No comments)

36

37 MADAME CHAIR ENTSMINGER: Okay. It's
38 time for the motion.

39

40 MR. UMPHENOUR: Move to adopt Proposal
41 FP11-04.

42

43 MR. GLANZ: And I'll second that.

44

45 MADAME CHAIR ENTSMINGER: It's been
46 moved and seconded. Discussion. Lester.

47

48 MR. ERHART: I am against this. Ever
49 since I was a young man, that's all I know how to do is
50 fish with a fishwheel. In the rapids area there's no

1 eddies. If we do away with the fishwheel, how are we
2 going to get fish? They won't let us driftnet. So
3 that's just like cutting our hands off to me.

4

5 If you run a fishwheel, say you want to
6 catch king salmon, you have to be 12-foot or better in
7 order to pick up king salmon. If you're less than
8 that, you hardly catch any. But lately it's been a lot
9 of males, a lot of jacks. We don't really get very
10 many big ones. Maybe one in 48 hours or something like
11 that. I don't know what you call big, but right now
12 what I call big is 16 pounds.

13

14 (Laughter)

15

16 MR. ERHART: 16 to 20 pounds.

17

18 UNIDENTIFIED VOICE: That's sad.

19

20 MR. ERHART: Yeah, it is.

21

22 And another thing, I own a commercial
23 license for this area, and not only me, a bunch of
24 other people do, too. What are you going to do about
25 it? Are you going to buy us out if you shut this off?
26 If you shut us off from fishing with the fishwheel, you
27 have to buy our license.

28

29 That's my comment.

30

31 MADAME CHAIR ENTSMINGER: I love
32 hearing from you.

33

34 Bill, then Virgil.

35

36 MR. GLANZ: Okay. Thank you. I also
37 oppose this measure fullheartedly. I believe it's just
38 striking back at us for our always wanting to get rid
39 of the driftnets. I mean, let's look at, you know, the
40 daylight on that one.

41

42 MADAME CHAIR ENTSMINGER: Most likely.
43 Virgil.

44

45 MR. UMPHENOUR: And I oppose the
46 proposal as well. There are -- I believe the Upper
47 Yukon is around 190 commercial fishing permits. I
48 don't know how many are fishwheel and how many are
49 setnet, but there's probably 70 maybe, or 80, I don't
50 know, commercial fishwheel permits in the upper river

1 in Districts 4, 5 and 6. Of course, he didn't include
2 District 6, but the people with fishwheel permits in
3 District 6, or that fish there, can go fish in District
4 4 or 5 if they want to.

5
6 Anyway, I don't think actually the
7 proposal would be legal, because of what Lester brought
8 up. What are they going to do, buy your commercial
9 fishing license for a fishwheel? So I don't think the
10 proposal is legal to begin with. And it's nothing more
11 than a ridiculous proposal to deny a method of fishing
12 that's been going on for 100 years.

13
14 Madame Chair.

15
16 MADAME CHAIR ENTSMINGER: Yeah. Thank
17 you, Virgil. Frank.

18
19 MR. GURTLER: Yeah. I think what I
20 would like to say is we seem to be getting to fighting
21 amongst each other again. And I really don't approve
22 of that. On some of these proposals that we make,
23 we're going to have to watch real close on what we're
24 saying about different districts, because it's coming
25 back on us now. And what we'll do about it, except pay
26 a little more attention to what we're doing on making
27 these resolutions and proposals, and how we word them.

28
29
30 MADAME CHAIR ENTSMINGER: I just want
31 to comment. Both our elders here on this Council, it's
32 really important, Lester and Frank, to hear from you
33 guys and tell us more. You know, you were a small boy
34 when you -- it's part of your life from a child, so
35 that's the kind of thing that they need to hear at the
36 Federal Board level. So the more you can expound on
37 that for him when he takes it down there, that's
38 important here. So if you have more to add, I'd
39 appreciate hearing it. I know you're men of few words,
40 but it's very passionate, and I think that definitely
41 has to go before the Board, that kind of thing.

42
43 MR. ERHART: Well, way back then, like
44 you say, when I was a small boy, well, there were men
45 in the village that wanted to keep up the traditions,
46 you know. And they're the ones that taught us what can
47 do what and what can't do what, you know, like with
48 your fishwheel. Said that if you want to catch king
49 salmon, you've got to be in 12 feet of water or better.
50 And if you want to, you know, just catch, you know,

1 subsistence and whitefish and stuff, you'll be under
2 that. And that's the way it was. And how to put in
3 your leads and all this other stuff that goes with it.

4
5 I think myself that -- I mean, I'm not
6 against the guy that run the fish net, but he seems to
7 be the guy that works the hardest to me, because that's
8 back-breaking work, checking them nets. I mean, I
9 tried it one year when I was young, and I didn't care
10 for it.

11
12 That's my comment.

13
14 MADAME CHAIR ENTSMINGER: Does anyone
15 else have anything to add. Andrew.

16
17 MR. FIRMIN: I've got kind of a funny
18 one and I mentioned to a couple of you earlier. My
19 neighbors are kind of simple people, and all they know
20 is fishing and wheels and when I left to come over
21 here, he asked me where I was going and what I was
22 coming over here for, and I told him I've got to go
23 make sure they don't take your wheel away from you.
24 And he goes, gee, if they take my fishwheel away, I
25 guess I'll have to start fishing with dynamite.

26
27 (Laughter)

28
29 MR. FIRMIN: And that was his comment.
30 It's not my opinion. But I also oppose this, and this
31 proposal's something that's uncalled for. It's
32 directed at a certain part of the river, and I almost
33 see it as a waste of time for all of us. But I oppose
34 it.

35
36 MADAME CHAIR ENTSMINGER: Anyone else
37 want anything to add.

38
39 (No comments)

40
41 MADAME CHAIR ENTSMINGER: I just want
42 to add that it's very significant to see this five-year
43 average at 53 percent set gillnet and 38 percent drift
44 gillnet, and fishwheels 8 percent. So it's very
45 insignificant in my opinion.

46
47 That made you raise your hand. Oh,
48 okay. Rich, what would you like to add.

49
50 MR. CANNON: Madame Chair. I just

1 wanted to let the -- I know that in your -- on how the
2 other Councils voted that you may not have had some of
3 the discussion that occurred, but I was at all of the
4 Council meetings. And just to mention, the Y-K Delta
5 Council, they did not feel that many of these proposals
6 were appropriate, that they thought they were not
7 helpful. And that's why you see them opposing so many
8 of them, so they would agree with you about that.

9

10 MADAME CHAIR ENTSMINGER: Thank you for
11 sharing that.

12

13 Andy.

14

15 MR. BASSICH: Yeah. Thank you, Madame
16 Chair. Yeah, you know, I think one of the things
17 that's happened over the time and maybe been
18 misunderstood is that this RAC is a pretty proactive
19 RAC on conservation, and unfortunately I think some
20 people have taken some of our actions or proposed
21 actions as a direct assault on them and their fishing,
22 trying to take fish away from them. And certainly
23 that's never been the intent of me and I think this
24 Council. I think this Council has basically put
25 proposals forth which they feel are the best for the
26 fish so that we can all fish. And as I've said many
27 times, if we take care of the fish, that means that we
28 will have commercial fishing, that we will have full
29 subsistence harvest. And that's what my premise, and I
30 think this Council has been trying to do is let's take
31 care of the fish for the future so that commercial
32 fishermen downriver don't have to put in for help from
33 the Federal Government, that Steve Hayes doesn't have
34 to put restrictions in place on subsistence fishermen
35 or on commercial fishermen. That's what we're trying
36 to do here, but I think it's been unfortunately
37 misunderstood as an attack on trying to take their
38 fishing rights away.

39

40 I just wanted to put that in, because I
41 know in speaking with some of our friends downriver in
42 Y-K RAC, I know them very well from the Yukon River
43 Panel and everything, and I think many of those people
44 understand it, but sometimes others don't really
45 understand what it is we're trying to do here, and they
46 take personal affront to it. And that's why I think we
47 get proposals like this occasionally.

48

49 But I just wanted to make that
50 statement so that anybody reading these transcripts of

1 our meetings understand where we're coming from on some
2 of our proposals. It's not to take fish away from
3 people, it's to try and provide more fish in the future
4 for people.

5
6 MADAME CHAIR ENTSMINGER: Yeah. Which
7 is all good comments to add to proposals when our
8 representative goes to the Board.

9
10 Anything else.

11
12 MR. BIEDERMAN: Yes, Madame Chairman.
13 I'd like to also address what he was saying is that
14 we're here to speak for the people and that whatever
15 that we vote on is for the people. It's just like, you
16 know, we're making amendments to make an address to
17 that, to the Board of Fish and Game is that we're doing
18 things here for the Yukon, not only for the Yukon, but
19 for the people. That's the whole reason why the people
20 have us on here on the Board so that we can make these
21 recommendations with a positive note of addressing it,
22 and as we go back to our hometowns, that people that
23 are doing the fishing or the hunting, is that we're
24 doing these proposals and regulations for them so that
25 we're not doing it for ourselves, we're doing it for
26 the public and for the people.

27
28 Thank you.

29
30 MADAME CHAIR ENTSMINGER: Thank you,
31 Grafton.

32
33 Anything else. I thought I saw your
34 hand up there, Virgil. Go ahead.

35
36 MR. UMPHENOUR: I just want to expand a
37 little bit on what Andy said. Some of the people in
38 the Lower Yukon that are primarily commercial fishermen
39 think that we are -- some of the conservation driven
40 proposals that are strictly for conservation reasons,
41 that our RAC and some of the upper river Fish and Game
42 State advisory committees put in is directed at their
43 commercial fishery. The proposals have not been
44 directed at their commercial fishery. We simply
45 basically put all the options before the Board of Fish
46 on addressing the conservation problems that we have on
47 the Yukon River, and they would affect the upper river
48 people just as much as the lower river people.

49
50 And I've been told, I was told they

1 were going to do this, submit this proposal, and some
2 of the other proposals that are before us right now to
3 teach us a lesson not to submit these proposals that
4 are basically conservation minded. I've told some of
5 these people that they are cutting off their nose to
6 spite their face by opposing our proposals, and that
7 they won't have a commercial fishery for king salmon in
8 the near future. I told them prior to them not having
9 a commercial fishery in the future. Now they haven't
10 had one for three years for Chinook salmon. And this
11 proposal is a result of that. It's just a ridiculous
12 proposal with zero merit. So I will be opposed to it.

13

14 Madame Chair.

15

16 MADAME CHAIR ENTSMINGER: Okay.

17 Anything else.

18

19 (No comments)

20

21 MADAME CHAIR ENTSMINGER: The

22 question's been called for. All in favor.

23

24 (No supporting votes)

25

26 MADAME CHAIR ENTSMINGER: All opposed.

27

28 IN UNISON: Aye.

29

30 MADAME CHAIR ENTSMINGER: Okay. What

31 we are doing here, it was recommended by Staff to go

32 ahead and take up 07, because Rich is the presenter,

33 and then we'll take up 5 after that. Is the Council

34 okay with this.

35

36 MR. BASSICH: Certainly.

37

38 MADAME CHAIR ENTSMINGER: All right.

39 Moving on to 11-07 for presentation of analysis.

40

41 MR. CANNON: Madame Chair. Again for

42 the record, Richard Canon, OSM.

43

44 The analysis for Proposal 11-07 begins

45 on Page 145. The proposal, submitted by Stanislaus

46 Sheppard with the Mountain Village Working Group,

47 requests the use of drift gillnets be prohibited for

48 the harvest of salmon in Districts 4 and 5 of the Yukon

49 area to allow more fish to escape to the spawning

50 grounds.

1 Current Federal and State regulations
2 allow subsistence users to utilize drift gillnets to
3 harvest salmon in the lower 500 miles of the Yukon
4 River from the mouth upstream through Subdistrict 4A
5 near the village of Koyukuk. In Subdistricts 4B and
6 4C, only Federally-qualified users may utilize drift
7 gillnets for the harvest of Chinook salmon from June
8 10th to July 14th. Both Federal and State regulations
9 do not allow the use of drift gillnets for the harvest
10 of salmon in District 5. Therefore, this proposal only
11 applies to the use of drift gillnets for the harvest of
12 salmon by Federally-qualified users in Federal public
13 waters of District 4, that is, Subdistricts 4A, 4B and
14 4C.

15
16 It should be noted that if this
17 proposal were adopted, Federally-qualified users would
18 still be able to fish with drift gillnets for Chinook
19 and chum salmon under State regulations in State waters
20 in Subdistrict 4A.

21
22 The Federal drift gillnet fishery in 4B
23 and 4C has been in place since 2005. The majority of
24 Federally-qualified subsistence users fishing with
25 drift gillnets in Subdistricts 4B and 4C are residents
26 of Galena and Ruby.

27
28 In the first five years of this
29 fishery, an average of 35 permits have been issued per
30 year, with an average of 7 permits actually fished. A
31 total of 188 Chinook salmon have been harvested. This
32 is an average of 38 fish per year. This information is
33 provided in Table 2 on Page 153.

34
35 When run projections indicate that
36 escapement shortfalls are likely, fishery managers have
37 the ability and authority to restrict harvest under the
38 existing regulatory management framework such as
39 reducing fishing time or not opening fishing periods to
40 increase escapement, as was done for Chinook salmon
41 escapement in Canada in 2009.

42
43 For these reasons, Madame Chairman, the
44 preliminary Staff conclusion is to oppose this
45 proposal.

46
47 Thank you.

48
49 MADAME CHAIR ENTSMINGER: Any questions
50 of Rich.

1 (No comments)

2

3 MADAME CHAIR ENTSMINGER: Quiet again.

4 Okay. ADF&G.

5

6 MR. PAPPAS: Thank you, Madame Chair.

7

8 This one is difficult to summarize.

9 I'll do my best.

10

11 The creation in 2005 of the Federal
12 subsistence drift gillnet fishery in Subdistricts 4B
13 and C of the Yukon River by the Federal Subsistence
14 Board expanded a fishing opportunity on a fully
15 utilized stock classified as a stock of yield concern.
16 At the time Department Staff were concerned that
17 interest in harvest efficiency in this new fishery
18 would result in additional pressure on a stock
19 classified as yield concern.

20

21 Based on return permits reports
22 prepared by the Federal Staff, few fishermen use this
23 gear type and few fish are harvested. State resource
24 managers continue to monitor participation and harvest
25 associated with this fishery.

26

27 The Alaska Board of Fisheries
28 determined that the drift gillnets are not customary
29 and traditional gear types used in District 4B and C
30 and experience with the fishery has shown that their
31 use is problematic in the area due to river morphology
32 and amounts of large woody debris in the water column.
33 Many sections of the river in Subdistricts 4B and C are
34 too shallow to efficiently use drift gillnets, and
35 large woody debris can entangle nets, resulting in
36 great cost to fishermen.

37

38 The Department considers use of set
39 gillnets and fishwheels as providing for many Federal
40 priority -- excuse me. Use of gillnets and fishwheels
41 as providing for meaningful Federal subsistence
42 priority.

43

44 Concerns for potential impacts to other
45 users, Canadian Chinook salmon stocks and fisheries
46 management are reasons that the Yukon-Kuskokwim Delta,
47 the Eastern Interior RAC, and the Alaska Board of
48 Fisheries, YRDFA and the Department originally opposed
49 the drift gillnet fishery in this area. Despite recent
50 data that indicates this fishery is having limited

1 impact on reducing fishing effort or harvest, the
2 Department remains concerned about an expanded drift
3 gillnet fishery in the Subdistricts 4B and C on a stock
4 of yield concern.

5
6 Because Subdistrict 4A has large
7 tributary streams with different salmon stocks,
8 prohibiting drift gillnets in Subdistrict 4A could have
9 a negative impact on Federal subsistence users fishing
10 for Chinook salmon and fall chum salmon.

11
12 Prohibiting the use of drift gillnets
13 as a gear type for Federal subsistence users in
14 Subdistricts 4B and C is not expected to reduce salmon
15 harvest by many fish, if at all. Since establishment
16 of the Federal subsistence drift gillnet fishery in
17 2005, there's been relatively low effort and harvest of
18 Chinook salmon based on returned permits and reports
19 prepared by Federal program. Thus the impact on
20 Federal subsistence users is expected to be minimal if
21 this proposal's adopted.

22
23 Opportunity provided by the State.
24 Drift gillnets may be used from June 10th through July
25 14th for subsistence fishing in Subdistrict 4A to
26 target Chinook salmon, and chum salmon may be taken by
27 drift gillnets after August 2nd.

28
29 Regarding jurisdictional issues.
30 Individuals are responsible for knowing what gear type
31 is allowed in a particular area. While standing on
32 State or private lands, including State-owned submerged
33 lands and shorelands, persons must comply with State
34 laws and regulations regarding subsistence harvest.

35
36 If this proposal is adopted, State and
37 Federal regulations will be the same for Subdistricts
38 4B and C, but will be different for Subdistrict 4A. So
39 the Department has a two-part recommendation. One is
40 to oppose prohibition of drift gillnets in Subdistrict
41 4A. It's currently legal under State regulations.
42 And, two, support prohibition of drift gillnets in
43 Subdistricts 4B and 4C.

44
45 Thank you, Madame Chair.

46
47 *****
48 STATE OFFICIAL WRITTEN COMMENTS
49 *****
50

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

3

4 Fisheries Proposal FP11-07:

5

6 Prohibit use of drift gillnets in
7 districts 4 and 5 of the Yukon River Management Area.

8

9 Introduction:

10

11 Stanislaus Sheppard of the Mountain
12 Village Working group submitted this proposal to
13 prohibit use of drift gillnets in Yukon River districts
14 4 and 5 by federal subsistence users in order to allow
15 more fish to escape to the spawning grounds. Federal
16 subsistence regulations allow subsistence fishing with
17 drift gillnets in District 4 (including subdistricts
18 4-A, 4-B, and 4-C) but not in District 5.

19

20 The creation in 2005 of the federal
21 subsistence drift gillnet fishery in subdistricts 4-B
22 and 4-C of the Yukon River by the Federal Subsistence
23 Board expanded fishing opportunity on a fully utilized
24 stock classified as a stock of yield concern. At the
25 time, department staff were concerned that interest and
26 harvest efficiency in this new fishery would result in
27 additional pressure on a stock classified as a yield
28 concern. Based on returned permits and reports
29 prepared by the federal subsistence program, few
30 fishermen use this gear type and few fish are
31 harvested. State resource managers continue to monitor
32 participation and harvest associated with this fishery.
33 The Alaska Board of Fisheries reviewed this stock of
34 concern designation in January 2010 and continued to
35 support the classification.

36

37 The Alaska Board of Fisheries
38 determined that drift gillnets are not a customary and
39 traditional gear type used in subdistricts 4-B and 4-C,
40 and experience with the fishery has shown that their
41 use is problematic in this area due to river morphology
42 and amount of large woody debris in the water column.
43 Many sections of the river in subdistricts 4-B and 4-C
44 are too shallow for efficient use of drift gillnets,
45 and large woody debris can entangle nets, resulting in
46 great cost to the fisherman. The department considers
47 use of set gillnets and fish wheels as providing a
48 meaningful federal subsistence priority. Concerns for
49 potential impacts to other users, Canadian chinook
50 salmon stocks, and fisheries management are reasons the

1 Yukon-Kuskokwim Delta and Eastern Interior Regional
2 Advisory Councils, Alaska Board of Fisheries, Yukon
3 River Delta Fisheries Association, and the department
4 originally opposed the drift gillnet fishery in this
5 area. Despite recent data that indicate this fishery
6 is having limited impact on reducing fishing effort or
7 harvests, the department remains concerned about an
8 expanded drift gillnet fishery in subdistrict 4-B and
9 4-C on a stock of yield concern.

10

11 Impact on Subsistence Users:

12

13 Adoption of this proposal would
14 restrict federal subsistence fishermen from harvesting
15 salmon using drift gillnets in subdistricts 4-A, 4-B,
16 and 4-C where it is currently authorized by federal
17 regulations on waters where federal jurisdiction is
18 claimed. Because Subdistrict 4-A has large tributary
19 streams with different salmon stocks, prohibiting drift
20 gillnets in Subdistrict 4-A could have a negative
21 impact on federal subsistence users fishing for chinook
22 and fall chum salmon. Prohibiting use of drift
23 gillnets as a gear type for federal subsistence users
24 in subdistricts 4-B and 4-C is not expected to reduce
25 salmon harvest by many fish, if at all. Since
26 establishment of the federal subsistence drift gillnet
27 fishery in 2005, there has been relatively low fishing
28 effort and harvest of chinook salmon, based on returned
29 permits and reports prepared by the federal program.
30 Thus, the impact upon federal subsistence users is
31 expected to be minimal.

32

33 Opportunity Provided by State:

34

35 Current state regulations are based on
36 customary and traditional fishing patterns and gear
37 types. The legal gear for the state subsistence salmon
38 fishery in subdistricts 4-B and 4-C and District 5
39 includes fish wheels, hand lines, gillnet, and beach
40 seine. Drift gillnets are not allowed in subdistricts
41 4-B and 4-C and District 5, but they are allowed in
42 Subdistrict 4-A under state regulations.

43

44 Subsistence fishing time is based on
45 the customary and traditional timing of fisheries and
46 management strategies of the department. Subsistence
47 openings correspond with timing of fish returns as they
48 progress upstream through the system. Drift gillnets
49 may be used from June 10 through July 14 for
50 subsistence fishing in Subdistrict 4-A to target

1 chinook salmon, and chum salmon may be taken with drift
2 gillnets after August 2.

3
4 Salmon may be harvested under state
5 regulations throughout the majority of the Yukon River
6 watershed, including a liberal subsistence fishery.
7 Salmon may be harvested under state subsistence
8 regulations throughout District 4 and subdistricts 5-A,
9 5-B, and 5-C during two 48-hour periods per week from
10 June 15 through September 30, as established by
11 emergency order. The subsistence fishery in
12 Subdistrict 5-D is open 24 hours per day, seven days
13 per week. In addition to the 48-hour state subsistence
14 fishing periods, the state subsistence fishery is open
15 during commercial fishing periods but not during the 24
16 hours prior to the opening of the commercial fishing
17 season. State subsistence fishing periods are normally
18 linked to abundance or commercial fishing periods and
19 are conducted based on a schedule implemented
20 chronologically, which is consistent with migratory
21 timing as the salmon returns progress upstream. There
22 are no household harvest limits for state subsistence
23 fisheries in subdistricts 4 and 5. Amounts reasonably
24 necessary for subsistence (5AAC 01.236 (b)), as
25 determined by the Alaska Board of Fisheries in January
26 2001, have been met for chinook salmon in the Yukon
27 River drainage for six of the last nine years (below
28 ANS in 2002, 2008, and 2009).

29
30 Conservation Issues:

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

1 100,000 annually (1989 1998) to the recent five-year
2 average (2005 2009) of nearly 23,000 fish.

3

4

Jurisdiction Issues:

5

6

Individuals are responsible for knowing
7 what gear type is allowed in a particular area. While
8 standing on state and private lands (including
9 state-owned submerged lands and shorelands), persons
10 must comply with state laws and regulations regarding
11 subsistence harvest. Since a large percentage of the
12 lands adjacent to the Yukon River are state or private
13 lands, we request detailed maps that depict the
14 boundaries within which federal regulations are claimed
15 to apply. If this proposal is adopted, state and
16 federal regulations will be the same for subdistricts
17 4-B and 4-C but will be different in Subdistrict 4-A.

18

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

30

31

Recommendations:

32

33

Support with modification:

34

35

36

1. Oppose prohibition of drift
gillnets in Subdistrict 4-A.

37

38

39

2. Support prohibition of drift
gillnets in subdistricts 4-B
and 4-C.

40

41

42

Cited References:

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

1 MADAME CHAIR ENTSMINGER: Okay. Any
2 questions of George here.
3
4 (No comments)
5
6 MADAME CHAIR ENTSMINGER: None. You
7 read it pretty fast.
8
9 (Laughter)
10
11 MADAME CHAIR ENTSMINGER: Okay. Next
12 we have any other agencies, Native, tribal, village,
13 anything.
14
15 (No comments)
16
17 MADAME CHAIR ENTSMINGER: Okay.
18 Advisory committee, or advisory groups or Regional
19 Advisory Councils.
20
21 MR. LARSON: Yes, Madame Chair. The
22 Yukon-Kuskokwim Delta and the Western Interior Regional
23 Councils recommended opposing this proposal.
24
25 MADAME CHAIR ENTSMINGER: Okay. And
26 then evidently we don't have any Fish and Game or SRCs
27 taking this stuff up or I'd hear about it. So summary
28 of the written comments.
29
30 MR. LARSON: Yeah. Madame Chair.
31 There are 11 written public comments in your Council
32 book. They can be found on Page 159. They are all in
33 opposition to the proposal.
34
35 There is one additional comment that
36 was not included in the book. That's from the Kwik'pak
37 Fisheries, and they agreed with the State's position to
38 oppose the prohibition of drift gillnets in
39 Subdistricts 4A, but support the prohibition of drift
40 gillnets in Subdistricts 4B and 4C..
41
42 And that's the summary of written
43 public comments.
44
45 MADAME CHAIR ENTSMINGER: I have a
46 question. Who's Kwik'pak anyway? Where are they from?
47 Do you guys know Kwik'pak Fisheries?
48
49 UNIDENTIFIED VOICE: They're buyers.
50

1 MADAME CHAIR ENTSMINGER: Oh, they're
2 fish buyers. Is it a CDQ group. Yeah. Okay.
3
4 Now we're into making a motion.
5 Virgil.
6
7 MR. UMPHENOUR: Move to adopt Proposal
8 FP11-07.
9
10 MR. WOODRUFF: I'll do the second on
11 that also.
12
13 MADAME CHAIR ENTSMINGER: Okay There's
14 been a motion and seconded.
15
16 Discussion. All right. Virgil.
17
18 MR. UMPHENOUR: The only support for
19 this proposal comes from the proposer. There's
20 substantial amount of opposition to this proposal. And
21 the proposer gets to fish with a drift gillnet, and he
22 doesn't want people upriver to be able to. And so
23 what's good for the goose is good for the gander.
24 That's the way I look at it. He wants to be able to
25 fish with a drift gillnet and not let people upriver
26 fish with a drift gillnet, because he wants to improve
27 the escapement. and so if he really wants to improve
28 the escapement that much, then he should quit fishing a
29 drift gillnet himself.
30
31 So I will be in opposition to this
32 proposal. Madame Chair.
33
34 MADAME CHAIR ENTSMINGER: Okay. Other
35 discussion.
36
37 MR. WOODRUFF: I also oppose it along
38 with Virgil for the same reasons.
39
40 MADAME CHAIR ENTSMINGER: So can any of
41 you guys enlighten me why the State has this support on
42 B and C, without asking George. I don't think I get
43 it. Do you know why they did that?
44
45 MR. BIEDERMAN: This is like proposing
46 Proposal -- I believe that what they're saying is that
47 all the entities are east, west, south, I believe that
48 they all have a voting chance with the public to vote
49 on that.
50

1 MADAME CHAIR ENTSMINGER: And you're
2 talking to the State.
3
4 MR. BIEDERMAN: Yes. I'm also with
5 William and Virgil.
6
7 MADAME CHAIR ENTSMINGER: Okay. Yeah,
8 George, enlighten me.
9
10 MR. PAPPAS: The same question was
11 asked at the Western Interior, why does the State
12 oppose B and C. The bottom line, the Board of
13 Fish.....
14
15 MADAME CHAIR ENTSMINGER: Support
16 prohibition, okay.
17
18 MR. PAPPAS: Or support the
19 prohibition, correct. The Alaska Board of Fisheries
20 had a full-blown meeting on this. There was a public
21 testimony, community involvement, et cetera. And with
22 the criteria the State has, as I understand, that it
23 was determined not to be a customary and traditional
24 gear type in that area, and we're following what the
25 Board of Fisheries' decision is.
26
27 Thank you, Madame Chair.
28
29 MADAME CHAIR ENTSMINGER: Andy.
30
31 MR. BASSICH: Yeah. Just off the top
32 of my head, kind of from what I remember when it was
33 allowed to open up drift fisheries in the Subdistricts
34 4B and C I think it was, it was pretty controversial at
35 the time, and the State fought it pretty strongly, but
36 I think the Federal Board took it on and said it was
37 okay, recognizing the advantages to subsistence users
38 in the area. And it was brought to the attention that
39 there were very few setnetter fishwheel sites in the
40 region, and that there was a lot of overcrowding for
41 fishing, a lot of competition for fishing in the areas,
42 and so they were hoping to open up the area a little
43 bit larger to alleviate some of that congestion for
44 subsistence fishermen.
45
46 And that's off the top of my head, but
47 it seems to me that's what took place a number of years
48 ago when this proposal initially allowed the expansion
49 of the driftnet fisheries in the area.
50

1 MADAME CHAIR ENTSMINGER: Yeah. And
2 the reason we're taking this up is it's a cross-over
3 proposal, because this is west of Tanana, which is in a
4 different region.

5
6 So does that mean that people from
7 Tanana can go over to this section of the river under
8 Federal regs and throw in a drift gillnet, but they
9 can't in State waters.

10
11 MR. CANNON: They can in State -- oh,
12 that's right.

13
14 MADAME CHAIR ENTSMINGER: Am I
15 understanding that correctly?

16
17 MR. CANNON: Yes.

18
19 MADAME CHAIR ENTSMINGER: Okay.

20
21 MR. CANNON: Under the Federal
22 subsistence program, and you have to be a qualified
23 user, Federal subsistence user to do it.

24
25 MADAME CHAIR ENTSMINGER: So, Andy, you
26 were wrong when you told me there were no places where
27 the regulations were different. This is different
28 right here on the river.

29
30 MR. BASSICH: That's true.

31
32 MADAME CHAIR ENTSMINGER: Yeah.
33 Virgil.

34
35 MR. UMPHENOUR: Yeah this was before
36 the State Board several times, and it's been before the
37 Federal Board several times. And one of the things
38 that I really find interesting is that when the Federal
39 Board finally approved it, they approved it so that the
40 gillnet could be no deeper than 35 meshes, our proposal
41 that we are deferring. So in that fishery it can't be
42 over 35 meshes deep for a good reason. And the State
43 pointed that out in their objections to it, that it
44 would catch more of the predominantly Canadian-bound
45 large female king salmon. That's why they opposed it.
46 And then that's why the Federal Board limited it to 35
47 meshes deep so they wouldn't catch quite so many of
48 them.

49
50 Anyway that fishery, if you look on

1 Page 153, it has the data. It's only been there since
2 2005. It shows what they catch. It's relatively
3 insignificant. I'll just read, analysis of harvest
4 amounts for 2005 to 2008, the most recent years for
5 which there are comparable subsistence data for all of
6 District 4, show that the amount of Chinook salmon
7 harvested in the Federal drift gillnet fishery
8 represents approximately one percent of the amount
9 harvested by Galena and Ruby residents, and
10 approximately three-tenths of one percent of the amount
11 harvested in all of District 4. It's biologically
12 insignificant.

13

14 And so I'm not in favor of doing away
15 with the drift gillnet fishery in Subdistricts 4B and
16 4C. It makes it so the people that live in Ruby --
17 otherwise they would have to drive their boats 80 miles
18 to go fishing. And so that would be placing an undue
19 burden on those people. The amount of fish they catch
20 is totally insignificant. I'm totally opposed to the
21 proposal, period.

22

23 Madame Chair.

24

25 MADAME CHAIR ENTSMINGER: That's
26 excellent discussion. Frank.

27

28 MR. GURTLER: When did they close drift
29 netting on the Yukon River around Ruby and in that
30 area? That's 4B. Because I remember driftnet fishing
31 down there in the late 50s. And I think they closed it
32 then. They told me I couldn't fish there driftnetting
33 any more. Because I used to fish above Ruby in the
34 early days with driftnet.

35

36 MADAME CHAIR ENTSMINGER: Can anyone
37 answer that?

38

39 MR. UMPHENOUR: Page 149.

40

41 MR. WOODRUFF: Yeah. Virgil has said
42 1976 is what he said anyway that the.....

43

44 MADAME CHAIR ENTSMINGER: Virgil, are
45 you finding it in there?

46

47 MR. UMPHENOUR: Right. It's in the
48 Staff analysis on Page 149, the second paragraph.
49 Subsistence users were allowed to continue use drift
50 gillnets throughout the Yukon River drainage until the

1 1977 season. In December '76, the Board of Fish
2 prohibited the use of drift gillnets for subsistence
3 fishing in the Middle and Upper Yukon areas, District 4
4 through 6.

5
6 Madame Chair.

7
8 MADAME CHAIR ENTSMINGER: Thanks for
9 reading that.

10
11 MR. BASSICH: What is the next
12 sentence.

13
14 (Laughter)

15
16 MADAME CHAIR ENTSMINGER: Andy wants
17 you to read the next sentence. Wow. It reiterates
18 what he said. All right.

19
20 MR. BASSICH: Can I call the question.

21
22 MADAME CHAIR ENTSMINGER: Yep. Anybody
23 else have any more discussion on this.

24
25 (No comments)

26
27 MR. BASSICH: I'll call for the
28 question.

29
30 MADAME CHAIR ENTSMINGER: The
31 question's been called for. All in favor of 11-07.

32
33 (No supporting votes)

34
35 MADAME CHAIR ENTSMINGER: All opposed.

36
37 IN UNISON: Aye.

38
39 MADAME CHAIR ENTSMINGER: Okay. You
40 know what, I think I'm ready to quit, are you guys, for
41 the day.

42
43 UNIDENTIFIED VOICE: Sounds good to me.

44
45 MADAME CHAIR ENTSMINGER: Okay. What
46 time are we supposed to start tomorrow. 8:30.

47
48 (Indiscernible comments, microphones
49 not on)

50

1 MADAME CHAIR ENTSMINGER: What did you
2 just say?

3
4 UNIDENTIFIED VOICE: Let's start
5 earlier.

6
7 MADAME CHAIR ENTSMINGER: Start
8 earlier. No, I've got to take my car over to the
9 garage. I can't start earlier. 8:30's fine. Okay.
10 We will reconvene in the morning at 8:30. And then
11 I'll have an idea for some of these people with their
12 reports where we're at, because I think some of the
13 reports for agencies might start before lunch. Yeah.
14 Okay

15
16 Virgil has an announcement.

17
18 MR. UMPHENOUR: The Fairbanks Advisory
19 Committee is meeting tonight at 7:00 o'clock. You're
20 all invited to come. It's over at -- I can never think
21 of the name of that hotel, the one over next to the
22 airport. The Alpine, yeah. Anyway, it starts at 7:00
23 o'clock. That way you can have some more meeting in
24 today.

25
26 (Laughter)

27
28 MADAME CHAIR ENTSMINGER: More
29 meetings, yeah. I have two more announcements.

30
31 MR. GLANZ: Also the Yukon-Charley's
32 going to have two rangers here tomorrow for us at the
33 meeting they said to answer some questions.

34
35 MADAME CHAIR ENTSMINGER: Yeah, I'm
36 sorry I didn't announce that.

37
38 MR. GLANZ: Okay. So they just told me
39 that earlier, and I forgot to mention it to you.

40
41 MADAME CHAIR ENTSMINGER: There are
42 probably some other things that was told to me at break
43 that is swimming away in my head, so forgive me if I
44 forget.

45
46 Frank.

47
48 MR. GURTLER: Is it all right if we
49 leave our reports and paperwork here.

50

1 MADAME CHAIR ENTSMINGER: Yeah, is it
2 okay if we leave our stuff in this room.

3
4 REPORTER: Yeah.

5
6 MADAME CHAIR ENTSMINGER: Yeah. Okay.
7 All right. good job. See you guys tomorrow.

8
9 (Off record)

10
11 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

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

DATED at Anchorage, Alaska, this 25th day of October 2010.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14