

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME II

7
8
9 Fairbanks Regency Hotel
10 Fairbanks, Alaska
11 October 14, 2010
12 8:30 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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1 P R O C E E D I N G S

2
3 (Fairbanks, Alaska - 10/13/2010)

4
5 (On record)

6
7 MADAME CHAIR ENTSMINGER: Well, I think
8 Virgil's going to show up at some point in Grafton, so
9 there's only two of them not at the table and so we'll
10 get started. We're only seven minutes late this
11 morning. And everybody's getting to their seat.
12 There's a lot of reports going to be coming at us here,
13 so we're probably going to -- we'll have some
14 suggestions -- I have some suggestions for my area
15 anyway that I'll be bringing up later. And all of you
16 be thinking about, you know, items for the annual
17 report and write them down on your note pad if you have
18 them so we don't forget them. And I think we mentioned
19 a couple the other day -- or yesterday that was. Not
20 two days ago.

21
22 But -- and we have those written down,
23 right, the stuff that we had brought up?

24
25 MR. LARSON: Yes, we do.

26
27 MADAME CHAIR ENTSMINGER: Yeah. Okay.
28 All right. So I think I'm ready to do this. We are
29 now on 11-05, customary trade, and we have David and
30 Larry at the table.

31
32 MR. JENKINS: Good morning, Madame
33 Chair, and Council. My name is David Jenkins and I'm
34 an anthropologist with the Office of Subsistence
35 Management. And you have in front of you three
36 proposals to limit or stop customary trade of salmon in
37 the Yukon and Yukon River Districts and OSM's
38 preliminary conclusion is to oppose each of these
39 proposals.

40
41 We'll first go through FP11-05 which is
42 a proposal to stop customary trade of salmon in the
43 Yukon River Districts 4 and 5 and a related proposal to
44 stop the use of salmon for dog food in these districts.
45 And then we'll move on to FP11-08 which is a proposal
46 to stop customary trade of chinook salmon when runs are
47 too small to satisfy subsistence needs and subsistence
48 fisheries are restricted and then we'll move on to
49 FP11-09 which is a proposal to limit the customary
50 trade of chinook salmon in the entire Yukon River

1 Management Area and a recommendation for recordkeeping
2 of all customary trades.

3

4 And the if you wish, we can discuss
5 some alternatives for Proposals 08 and 09 for your
6 consideration.

7

8 We'll start with FP11-05 which begins
9 on Page 126 of your Council books. This proposal was
10 submitted by Stanislaus Sheppard on behalf of the
11 Mountain Village Working Group and it has two parts.
12 It requests that the Federal Subsistence Board stop
13 customary trade of salmon in Yukon River Districts 4
14 and 5 and it requests that the Board stop the use of
15 salmon for dog food Yukon River Districts 4 and 5 with
16 one exception and that exception is whole chinook
17 salmon caught incidentally during a subsistence chum
18 salmon fishery in the Koyukuk River Drainage after the
19 10th of July.

20

21 So why should customary trade be
22 stopped. The proponent states that stopping the sale of
23 salmon under customary trade and stopping the use of
24 salmon for dog food will increase the amount of
25 subsistence-caught salmon available for human
26 consumption and will result in more salmon escaping to
27 spawning grounds. So this is the rationale for this
28 proposal.

29

30 And what I'd like to do is briefly go
31 through some of the regulatory history of customary
32 trade and a little bit of the regulatory history of
33 salmon use for dog food, mention briefly some of the
34 contemporary studies of customary trade, and then move
35 into some of the recent concerns that people have
36 raised about customary trade in the context of low
37 salmon runs. And I think it's useful to go through
38 these areas just to get everybody back into the
39 discussion -- the larger discussion of customary trade,
40 which as you know has been doing on for some period of
41 time now.

42

43 So the regulatory history, as you know
44 Title VIII of ANILCA recognized customary trade as a
45 subsistence activity. It was undefined in ANILCA and
46 it turned custom built -- let me say that differently.
47 Customary trade undefined in ANILCA was later defined
48 in implementing regulations as exchange for cash of
49 Fish and Wildlife resources.

50

1 Now, it's worth emphasizing that
2 customary trade as defined by Federal regulation refers
3 only to subsistence-caught fish or wildlife exchange
4 for cash, provided such exchanges do not constitute a
5 significant commercial enterprise. Any exchanges of
6 subsistence-caught fish for cash that rise to the level
7 of significant commercial enterprise are not customary
8 trades and are prohibited under current Federal
9 regulations. However, the term significant commercial
10 enterprise was not defined in regulation and this posed
11 a problem. No one knew -- no one still knows when
12 customary trade ended and a significant commercial
13 enterprise began.

14
15 There were two proposals that were
16 adopted in 2004 and 2005 to limit customary trade. The
17 Federal Subsistence Board reviewed and adopted these
18 regional proposals, the first in 2004 for Bristol Bay.
19 The Board limited the cash value per household of
20 salmon exchange and customary trade between rural
21 residents to no more than \$500 annually and limited the
22 cash value per household of salmon exchange and
23 customary trade between rural residents and others to
24 no more \$400 annually.

25
26 The Board also imposed a recordkeeping
27 requirement for rural to others but not for rural to
28 rural customary trade. Now, I reviewed the transcripts
29 from the RAC meeting that -- on this topic, Bristol
30 Bay, and it was interesting because in that meeting
31 there was no discussion of significant commercial
32 enterprise. So they felt that they could impose a
33 limit on customary trade, \$500 and \$400, but they
34 didn't do that in the context of any discussion of
35 significant commercial enterprise.

36
37 Now, the other solution that was
38 proposed and adopted was for the Upper Copper River
39 District and the Board limited the total number -- and
40 this is in 2005 -- the total number of salmon per
41 household exchanged in customary trade between rural
42 residents to no more than 50 percent of the annual
43 household harvest of salmon. So they didn't place a
44 dollar limit on it. They placed a percentage on it, no
45 more than 50 percent of household -- annual household
46 harvest.

47
48 The Board limited the cash value per
49 household of salmon exchanged in customary trade
50 between rural residents and others to no more than \$500

1 annually. So rural to rural was a percentage. Rural
2 to others was a dollar cap. The Board additionally
3 imposed a recordkeeping requirement for both rural to
4 rural and rural to others customary trade for the Upper
5 Copper River District. That recordkeeping requirement
6 means that customary trade sales must be immediately
7 recorded on a customary trade recordkeeping form, the
8 responsibility for which resides with the seller.

9
10 I reviewed the transcripts for this RAC
11 meeting too and they had a limited discussion of
12 significant commercial enterprise, but it wasn't the
13 central focus of their discussions on their solution to
14 limiting customary trade.

15
16 All right. Let me jump over to the
17 regulatory history of salmon use for dog food. In
18 2001, the Federal Subsistence Board following action by
19 the State Board of Fish adopted regulations requiring
20 that in the Yukon River Drainage chinook salmon are to
21 be used primarily for human consumption and not for dog
22 food. With the exception of fish unfit for human
23 consumption and small fish which were defined as jack
24 king 16 inches or less, which may be fed to dogs. Now,
25 the following year, the Board revised this regulation
26 as shown on the first page of this analysis.

27
28 Since 2001 -- since 200 really, there
29 have been a variety of studies of customary trade
30 funded by the Federal Subsistence Board, including
31 studies which describe sharing and barter and customary
32 trade in the Bristol Bay area, a study which describes
33 customary trade and barter in the Seward Penn area, and
34 a study which describes customary trade of salmon in
35 three communities on the Yukon River, including --
36 well, these three communities -- I'll tell you about
37 this shortly.

38
39 Now, Moncrieff's study, the study of
40 the Yukon River and the details of which are in the
41 analysis, in her study she noted that fishers reported
42 that they engaged in customary trade only if they first
43 harvested sufficient fish for their own family's use
44 and satisfied obligations to share fish with a network
45 of extended family and friends. They did not
46 subsistence fish primarily to sell fresh or processed
47 salmon. So cash raised, according to her study,
48 through customary trade appears to support other
49 subsistence activities and is used to pay for various
50 household expenses. Moncrieff didn't address

1 commercial or market level transactions in her report.

2

3 Two other recent studies of customary
4 trade reports similar -- report results similar to
5 Moncrieff's study. They're focused on different
6 regions as I noted, but in conjunction with studies on
7 the Yukon River indicate similar patterns -- broad
8 patterns of customary trade and so let me briefly
9 mention some of the key findings.

10

11 Customary trade is common, but it's not
12 frequent. Cash sales for customary trade are for
13 relatively small sums of money with a few exceptions
14 and customary trade is not part of the market economy.
15 For example, prices for subsistence-caught fish and
16 other resources exchanged under customary trade are
17 determined by tradition and not by market forces.
18 Okay.

19

20 All right. Let me jump over to the
21 other part of this proposal, salmon use for dog food.
22 In 1991, David Anderson researched the use of salmon
23 for dog food in seven communities along or near the
24 Yukon River, including Fort Yukon, Huslia, Kaltag,
25 Manley Hot Springs, Russian Mission, St. Marys, and
26 Tanana. Seventeen years later, Anderson and Cheryl
27 Scott conducted a similar study in these same seven
28 communities. Their intention was to document the
29 changes in the use of salmon for dog food between 1991
30 and 2008 and their findings include the following.

31

32 The number of mushing household
33 declined from 95 to 42. The number of sled dogs
34 declined from just a little over a thousand 300 to just
35 a little over 670. The total pounds of fish harvested
36 for dog food declined from 1,200,000 pounds to just
37 under 500,000 pounds. Now of the fish fed to sled
38 dogs, the percentage of salmon declined from 86 percent
39 to 71 percent, while the percentage of non-salmon
40 increased from 13 to 28 percent. And as you know, by
41 2008, the use sled dogs were sprint racing became the
42 most frequent use, slightly ahead of other uses such as
43 hauling and transportation.

44

45 All right. Now what about recent
46 concerns. In 2008 and 2009 and now as you know in
47 2010, continued low salmon runs sparked renewed
48 concerns about customary trade. In 2009, the
49 International Yukon River Panel requested clarification
50 from the Federal Subsistence Board about sales of

1 processed subsistence-caught fish under customary
2 trade. They wanted to know if the Federal Subsistence
3 Board considered that to be a legal activity.

4
5 The Board asserted that the Federal
6 regulations do not preempt State health regulations in
7 their response. In the same year, the Fairbanks Fish
8 and Game Advisory Committee and the Eastern Interior
9 RAC were also concerned with customary trade in the
10 context of these low salmon runs and they both
11 submitted to the Federal Subsistence Board special
12 action requests to suspend all customary trade of
13 chinook salmon between rural residents and others, and
14 the Board determined that the request didn't meet the
15 threshold for accepting a special action request and
16 consequently denied those requests.

17
18 All right. What are the effects of
19 this proposal. It seems to limit customary trade
20 between rural residents and customary trade between
21 rural residents and others. In Yukon Districts 4 and 5
22 in the proposal, salmon species are not identified and
23 the limitation refers to all species of salmon found in
24 the Yukon River. Another effect of the proposal would
25 be since it seeks to limit the use of salmon for any
26 species of dog food in the Yukon River Districts 4 and
27 5 -- that is to say it does seek to do this, the use of
28 sled dogs in rural Yukon communities is directly linked
29 with subsistence fishing which provides the bulk of
30 sled dog food. The number of mushing households and
31 the number of dogs has been in decline without
32 subsistence-caught fish. That trend may accelerate.
33 Precluding subsistence-caught salmon for use as dog
34 food may effectively end much of the use of sled dogs
35 in the Yukon area.

36
37 OSM's preliminary conclusion is to
38 oppose this proposal. Let me make two general points
39 and then I'll stop on this proposal. Both customary
40 trade and customary and traditional uses of wild
41 renewable resources for transportation purposes are
42 included in the definition of subsistence and if
43 limitations based on conservation concerns are
44 necessary, it may be appropriate to conduct an analysis
45 under ANILCA Section 804 which requires the Board to
46 select amongst subsistence users and not amongst
47 subsistence uses based on the premise that all
48 subsistence uses equally qualify for the subsistence
49 preference. In other words, there are no unimportant
50 subsistence uses. And with that, I'll end my comments.

1 Thank you.

2

3 MADAME CHAIR ENTSMINGER: Any
4 questions? Go ahead, Frank.

5

6 MR. GURTLER: Yes. I kind of opposed
7 this on account it limits to Districts 4 and 5. If
8 you're going to do something like this or even talk
9 about it, why don't we talk about the whole State. I
10 mean they're just cutting this one area down and I
11 don't like to be cut down a little at a time, a chunk
12 here, and then pretty soon, you're going to be picking
13 on everybody at little chunk at a time and why don't we
14 just oppose this thing right out because it doesn't --
15 it's not for everybody and I'd like to see if you're
16 going to do it, one way or the other, for everybody,
17 the same thing instead of picking on a little group
18 here and a little group there and -- let's talk about
19 that part.

20

21 MADAME CHAIR ENTSMINGER: Can you
22 respond to that.

23

24 MR. JENKINS: That's a concern that has
25 been raised at other Council meetings and for that
26 reason, I think many of them chose to -- or the ones
27 I've attended have chosen to oppose this proposal
28 because they didn't think it was appropriate to target
29 just a particular region.

30

31 MADAME CHAIR ENTSMINGER: Lester.

32

33 MR. ERHART: You need to say I can go
34 into Y6 and get my dog food? What's stopping me from
35 doing that?

36

37 MADAME CHAIR ENTSMINGER: You're
38 smiling. Go ahead and respond to that.

39

40 MR. JENKINS: Madame Chair, I don't
41 have a response to that.

42

43 MADAME CHAIR ENTSMINGER: Oh.

44

45 MR. JENKINS: But I am smiling, yes.

46

47 MADAME CHAIR ENTSMINGER: Yeah.

48

49 MR. JENKINS: That's my response.

50

1 MADAME CHAIR ENTSMINGER: Okay. Just
2 before you quit on your statement, I thought you said
3 two things, and I only heard one. Two last comments
4 and I thought I only heard one.

5
6 MR. JENKINS: Madame Chair, the first
7 was that both customary trade and customary and
8 traditional uses of wild, renewable use resources for
9 transportation are included in the definition of
10 subsistence. That was the first one.

11
12 MADAME CHAIR ENTSMINGER: That was one.
13 Okay.

14
15 MR. JENKINS: The second one was about
16 Section 804.....

17
18 MADAME CHAIR ENTSMINGER: Okay.

19
20 MR. JENKINS:and choosing between
21 users and uses.

22
23 MADAME CHAIR ENTSMINGER: Okay. I
24 understand now. Yeah. Does anyone else have
25 questions. Andrew.

26
27 MR. BASSICH: Other than the studies
28 you mentioned in your report here, is there any other
29 studies relating to this issue that you know of?

30
31 MR. JENKINS: There have been -- these
32 are the most recent that I cited here. There have been
33 other studies of customary trade, usually in the
34 context of sharing and barter, and they've not provided
35 quantitative information on how much or who or when
36 people have participated in customary trade. So they
37 limit -- the information is quite limited in the
38 earlier reports.

39
40 MADAME CHAIR ENTSMINGER: Other
41 questions.

42
43 (No comments)

44
45 MADAME CHAIR ENTSMINGER: I have a
46 couple. You mentioned the Copper River and how it's
47 done there and I think I'm getting different
48 information, so I want to clarify it in my mind. The
49 user can -- did you say 50 percent of the annual caught
50 or annual allowance can be sold?

1 MR. JENKINS: If you turn to Page 165,
2 you can see the language that governs that particular
3 regulation.

4
5 MADAME CHAIR ENTSMINGER: I want you to
6 do my thinking for me, please.

7
8 MR. JENKINS: Okay. Very well, Madame
9 Chair. The -- it is 50 percent of the annual household
10 harvest that can be exchanged. No more than 50 percent
11 in customary trade.

12
13 MADAME CHAIR ENTSMINGER: And then --
14 you know, I just -- sometimes there's so much
15 information flying that it's hard to get it through
16 your head and that's the way my mind works, so I'm
17 sorry. And also on that -- did you say that it's just
18 rural and rural can be sold, the 50 percent, or can it
19 be sold to anyone even a nonresident?

20
21 MR. JENKINS: That restriction is rural
22 to rural, the 50 percent, and then rural to others is
23 limit of \$400 annually.

24
25 MADAME CHAIR ENTSMINGER: I don't think
26 that's clear. And then the other thing I don't think
27 it's clear where I live is the fact that they need a
28 form. I heard that too, correct? Yeah. People don't
29 know this.

30
31 MR. JENKINS: That's correct. They
32 need a recordkeeping form for these customary trades.

33
34 MADAME CHAIR ENTSMINGER: I don't think
35 they know because I spend a lot of time with my
36 friends. And then I want to ask on the -- Katie John
37 has a fishwheel that's different than the rest of the
38 Copper River at Batzulnetas and is that the same
39 customary trade as what we're talking on the Copper
40 River or is it different?

41
42 MR. JENKINS: My understanding is that
43 would cover all customary trades in that region.

44
45 MADAME CHAIR ENTSMINGER: Including her
46 special permit, yeah.

47
48 MR. JENKINS: But I don't know the
49 specifics of a particular permit that she may have on
50 that -- for that fishwheel.

1 MADAME CHAIR ENTSMINGER: I'm real
2 closer to people and you have to live in the Mentasta
3 and I live out on the road, so only the people in
4 Mentasta qualify for that and I do not, so -- I almost
5 got a permit by mistake, so it's kind of odd. Yeah.
6 Okay.

7
8 And so across the State everything is
9 different it sounds like. They're doing these --
10 piecemealing things. Yeah. Okay. Any other
11 questions.

12
13 (No comments)

14
15 MADAME CHAIR ENTSMINGER: All right.
16 Alaska Department of Fish and Game comments?

17
18 MR. PAPPAS: Good morning, Madame
19 Chair. George Pappas, Department of Fish and Game.
20 Once again our comments will, as they appear in the
21 book, be incorporate in the transcripts and I'll
22 summarize therefrom and our comments begin on Page 139
23 for this proposal.

24
25 State and federal regulations
26 specifically allow customary trade of subsistence-
27 harvested salmon and provide for use of salmon for dog
28 food, but Federal and State regulations differ on the
29 definition of customary trade, for example, the sale of
30 fish. State regulations generally prohibit the sale of
31 subsistence-harvested fish while federal regulations
32 allow for cash sales. Furthermore, under current state
33 regulations, all fish processed for commerce must be
34 processed at a facility approved by the Alaska
35 Department of Environmental Conservation.

36
37 Sale of subsistence-harvested fish,
38 both processed and whole, is occurring in both urban
39 and rural communities in Alaska, contrary to existing
40 State and Federal regulations. Discrepancies in State
41 and Federal regulations, plus State requirements
42 regarding processing of fish to protect public health
43 and safety, may leave some people vulnerable to
44 citation under State and Federal regulations. This is
45 a significant issue for State resource managers, law
46 enforcement agencies, and Federal agencies that provide
47 for the subsistence priority on Federal lands.

48
49 In considering Proposals FP11-05, FP11-
50 08, and FP11-09, the Federal Subsistence Board has the

1 opportunity to adopt enforceable customary trade
2 regulations that are based on the history and patterns
3 of this use for this region of the State.

4
5 It is not possible to accurately
6 predict how this proposal will change harvest patterns
7 or escapement of fish to the spawning grounds because
8 Federal agencies lack information and data regarding
9 existing levels of harvest and actual sales of chinook
10 salmon. Subsistence users in Districts 4 and 5 would
11 have to secure other sources of food for their dogs
12 instead of Yukon River salmon harvested for subsistence
13 under Federal regulations.

14
15 Because State and Federal regulations
16 differ, subsistence fishermen are vulnerable to
17 prosecution when selling subsistence-harvested salmon
18 on lands and waters outside the boundaries where
19 Federal subsistence jurisdiction is claimed. If
20 adopted, this proposal would reduce the risk of
21 citation for subsistence fishermen in the Yukon River
22 drainage through established limitations on cash sales
23 of subsistence-harvested salmon, a definition of
24 significant commercial enterprise, specified fish
25 weight or number limits, and reporting requirements for
26 cash sales of subsistence-harvested salmon.

27
28 Opportunity Provided by State: The
29 Department supports subsistence harvest and use of
30 salmon consistent with existing state laws and
31 regulations, including customary trade. However,
32 5 AAC 01.010 prohibits sale of subsistence-harvested
33 fish, their parts, or their eggs unless otherwise
34 specified in State regulation. And we have two
35 exceptions in State regulations. One is for the Norton
36 Sound-Port Clarence area. They went to the Board of
37 Fish and asked to be able to sell customary trade fish
38 and I believe the limit's 200 fish and there's a
39 permitting requirement. And also Sitka Sound herring
40 roe on kelp in Southeast Alaska which is allowed and
41 that also is I believe permitted.

42
43 Although State law allows harvest and
44 use of fish for salmon to feed dogs in support of
45 transportation, the State prohibits targeting of Yukon
46 River kings for dog food, with a few exceptions, and I
47 believe those exceptions are fish -- regulation or fish
48 unfit for human consumption, some scraps, et cetera.

49
50 Regarding jurisdiction, while standing

1 on State or private lands, including State-owned
2 submerged lands and shorelands, persons must comply
3 with State laws and regulations and cannot sell
4 subsistence-harvested fish with two exceptions I
5 mentioned earlier. Federal subsistence regulations,
6 particularly customary trade regulations, pertain only
7 to fishing on and use of fish harvested on Federal
8 public lands and those waters where Federal subsistence
9 jurisdiction is claimed.

10

11 The sale of subsistence fish harvested
12 from all lands and waters, whether it be Federal,
13 State, or private, is restricted by State regulations
14 except to the extent superseded by the Federal
15 subsistence regulations on Federal lands. And also the
16 State of Alaska maintains jurisdiction of food safety
17 and food processing regulations regardless of where
18 fish are harvested.

19

20 While the Department supports
21 prohibition of use of Yukon River chinook salmon for
22 dog food to the extent already in our regulations, the
23 Department does not support prohibiting use of other
24 salmon species for dog food. Such a prohibition would
25 represent a significant and additional restriction to
26 subsistence in the absence of any conservation
27 concerns.

28

29 The Department supports adoption of
30 enforceable Federal customary trade regulations that
31 specify limits on cash sales and specify limits and
32 reporting requirements that should be applied drainage
33 wide, not just to specify areas of this proposal.

34

35 The Department has several
36 recommendations. The Department supports limitations
37 on sales of subsistence-harvested salmon for cash that
38 define significant commercial enterprise, specify fish
39 weights or number limits, and establish reporting
40 requirements for cash sales of subsistence-harvested
41 salmon. Regulations for customary trade may vary
42 within regions but should be applied drainage-wide.

43

44 The Department opposes prohibition of
45 use of salmon other than chinook salmon for dog food in
46 Districts 4 and 5. The Department opposes restricting
47 use of Yukon River chinook salmon harvested incidental
48 to other fisheries for dog food beyond which is
49 already in our regulations. And this issue should be
50 addressed during a joint meeting of the three Regional

1 Advisory Councils on the Yukon River Drainage because
2 this issue potentially affects subsistence users in the
3 entire Yukon River Drainage.

4

5 Thank you, Madame Chair.

6

7

8

STATE OFFICIAL WRITTEN COMMENTS

9

10

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

13

14 Fisheries Proposal FP11-05:

15

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

27

28 Introduction:

29

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

45

46 Sale of subsistence-harvested fish,
47 both processed and whole, is occurring in both urban
48 and rural communities in Alaska, contrary to existing
49 state and federal regulations. Discrepancies in state
50 and federal regulations, plus state requirements

1 regarding processing of fish to protect public health
2 and safety, may leave some people vulnerable to
3 citation under state and federal regulations. This is
4 a significant issue for state resource managers, law
5 enforcement agencies, and federal agencies that provide
6 for the subsistence priority on federal lands and those
7 waters where a federal subsistence management priority
8 is claimed. In considering FP11-05, FP11-08, and
9 FP11-09, the Federal Subsistence Board has the
10 opportunity to adopt enforceable customary trade
11 regulations that are based on the history and patterns
12 of this use for this region of the state.

13

14 Impact on Subsistence Users:

15

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

37

38 Opportunity Provided by State:

39

40 The department supports subsistence
41 harvest and use of salmon consistent with existing
42 state laws and regulations, including customary trade.
43 However, 5 AAC 01.010 prohibits sale of
44 subsistence-harvested fish, their parts, or their eggs
45 unless otherwise specified in state regulation. There
46 are only two exceptions listed in Chapter 5 of state
47 regulations: Norton Sound-Port Clarence Area for
48 salmon and Sitka Sound herring roe on kelp in Southeast
49 Alaska. Although state law allows harvest and use of
50 finfishes such as salmon to feed dogs in support of

1 transportation (i.e. AS 16.05.940(33)), the state
2 prohibits targeting of Yukon River drainage chinook
3 salmon for dog food, with some exceptions.#

4

5 Conservation Issues:

6

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

38

39 Jurisdiction Issues:

40

41 While standing on state and private
42 lands (including state-owned submerged lands and
43 shorelands), persons must comply with state laws and
44 regulations and cannot sell subsistence-harvested fish,
45 with two exceptions specified above. Federal
46 subsistence regulations, particularly customary trade
47 regulations, pertain only to fishing on and use of fish
48 harvested on federal public lands and those waters
49 where federal subsistence jurisdiction is claimed. The
50 sale of subsistence fish harvested from all lands and

1 waters (federal, state, or private) is restricted by
2 state regulations except to the extent superseded by
3 federal law on federal lands. The State of Alaska
4 maintains jurisdiction of food safety and food
5 processing regulations, regardless of where fish are
6 harvested.

7

8

Other Issues:

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10

While the department supports
11 prohibition of use of Yukon River chinook salmon for
12 dog food to the extent already in regulation, the
13 department does not support prohibiting use of other
14 salmon species as dog food. Such a prohibition would
15 represent a significant and additional restriction to
16 subsistence in the absence of a conservation concern.

17

18

The Alaska Department of Fish and Game
19 supports adoption of enforceable federal customary
20 trade regulations that specify limits on cash sales and
21 establish reporting requirements. However, any
22 restrictions or regulations that specify limits and
23 reporting requirements should be applied drainage-wide,
24 not just to specific districts as proposed.

25

26

Recommendations:

27

28

1. Support limitations on sale of
29 subsistence-harvested salmon
30 for cash that define
31 significant commercial
32 enterprise, specify fish weight
33 or number limits, and establish
34 reporting requirements for cash
35 sales of subsistence-harvested
36 salmon. Regulations for
37 customary trade may vary within
38 regions but should be applied
39 drainage-wide.

40

41

2. Oppose prohibiting use of
42 salmon other than chinook
43 salmon for dog food in
44 subdistricts 4 and 5.

45

46

3. Oppose restricting use of Yukon
47 River chinook salmon harvested
48 incidental to other fisheries
49 for dog food beyond that which
50 is already provided by state

1 regulation.

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4. This issue should be addressed during a joint meeting of the three Regional Councils within the Yukon River drainage because this issue potentially affects subsistence users in the entire Yukon River drainage.

Cited References:

Fall, J.A., C. Brown, M.F. Turek, N. Braem, J.J. Simon, W.E. Simeon, D.L. Holen, L. Naves, L. Hutchinson-Scarborough, T. Lemons, V. Ciccone, T.M. Krieg, and D. Koster. 2009. Alaska subsistence salmon fisheries 2007 annual report. Alaska Department of Fish and Game Division of Subsistence, Technical Paper No. 346, Anchorage.

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.

MADAME CHAIR ENTSMINGER: Thank you, George. Any questions.

(No comments)

MADAME CHAIR ENTSMINGER: You're getting off easy. Okay. Let the record reflect that Virgil has joined us. And also I see a bunch of new faces. I would think it would be nice if those who weren't introduced yesterday, if you would just stand up and introduce yourself today, that would be good for people here. Good morning.

MS. SWANSON: Good morning. I'm Nancy Swanson with the National Park Service. I'm the InterAgency Staff Committee person and I'm pleased to be here. Sorry I missed yesterday.

MADAME CHAIR ENTSMINGER: Welcome.

MS. SWANSON: Thank you.

MR. SIMON: Jim Simon, Alaska

1 Department of Fish and Game, Division of Subsistence,
2 Northern Regional Program Manager. Thank you.

3

4 MADAME CHAIR ENTSMINGER: And welcome.

5

6 MR. DUDGEON: Greg Dudgeon, National
7 Park Service, Superintendent, Gates of the Arctic,
8 Yukon-Charley Rivers National Preserve.

9

10 MADAME CHAIR ENTSMINGER: Okay. Thank
11 you.

12

13 MS. GREEN: Dana Green, Alaska
14 Department of Fish and Game, Assistant Manager for fall
15 season on the Yukon.

16

17 MADAME CHAIR ENTSMINGER: Okay.

18

19 MR. YOUNGBLOOD: Good morning. I'm
20 Gary Youngblood. I'm the Chief Ranger for Gates of the
21 Arctic National Park and Preserve in Yukon-Charley
22 Rivers National Preserve.

23

24 MADAME CHAIR ENTSMINGER: We'll be
25 talking to you later, huh.

26

27 MR. KELLER: I was here yesterday but
28 missed the introductions. I'm Peter Keller, Wildlife
29 Biologist for Tetlin National Wildlife Refuge.

30

31 MADAME CHAIR ENTSMINGER: Good morning,
32 everyone. Okay. We will continue. I see all the new
33 faces. It's nice to introduce yourself. Any Federal
34 agencies have comments?

35

36 (No comments)

37

38 MADAME CHAIR ENTSMINGER: Native tribal
39 village or other?

40

41 (No comments)

42

43 MADAME CHAIR ENTSMINGER: Okay. Now,
44 advisory group comments. Our neighboring Regional
45 Advisory Council. KJ's getting practice.

46

47 MS. MUSHOVIC: The Yukon-Kuskokwim
48 Council opposed. Western Interior Regional Council
49 opposed and the Seward Peninsula Regional Council
50 opposed.

1 MADAME CHAIR ENTSMINGER: Okay. Were
2 there any other comments from advisory committees or
3 SRCs.

4
5 (No comments)

6
7 MADAME CHAIR ENTSMINGER: And summary
8 of the written comments.

9
10 MS. MUSHOVIC: There was a written
11 comment that supported the .27(c)(11) and (12) portion
12 of the proposal with modification and opposed the
13 .27(i)(3)(xxi) portion of the proposal. That is in the
14 book. Do you need me to read that into the record what
15 they're.....

16
17 MADAME CHAIR ENTSMINGER: Only if they
18 have -- would you guys like to hear it? No. It's in
19 the book. They'll see it. If you have questions, you
20 can ask. It's on Page 142.

21
22 MS. MUSHOVIC: There were ten public
23 comments opposed to the proposal that are in the book
24 and then this -- the quick pack public comment that has
25 come in since publication of the book notes that it
26 agrees with the State recommendations and references
27 them. I was not aware of any other. Am I overlooking
28 any other public comment that's come in, Robert, that
29 you're aware of?

30
31 MR. LARSON: No.

32
33 MADAME CHAIR ENTSMINGER: Okay. Thank
34 you, KJ.

35
36 MR. PAPPAS: Madame Chair.

37
38 MADAME CHAIR ENTSMINGER: George sounds
39 like he has something to add -- or looks like. I'm
40 sorry.

41
42 MR. PAPPAS: Yes, Madame Chair. Just
43 to be fair, I'll say the same comment at all the RACs
44 I've been to. When you going through these proposals,
45 there are two issues you have to keep separate. One is
46 customary trade between rural and rural and one is
47 customary trade between rural and nonrural or other.
48 So just keep that in mind as we go through this. If
49 you want to make recommendations, the other two RACs
50 did consider that too.

1 Thank you, Madame Chair.
2
3 MADAME CHAIR ENTSMINGER: All right.
4 And did I hear someone here. Bill.
5
6 MR. GLANZ: I was just going to ask you
7 if we make a recommendation for this here, do we go
8 with all three or are we just going go one at a time?
9 There's 11-05, 11-08.
10
11 MADAME CHAIR ENTSMINGER: How do you
12 guys want to do it? I feel like -- we just took up 11-
13 05 and should we -- we should just deal with 11-05.
14 Yeah. Okay. So that leaves us to put a motion on the
15 floor.
16
17 MR. GLANZ: I'll make a motion we adopt
18 11-05.
19
20 MR. WOODRUFF: Second.
21
22 MADAME CHAIR ENTSMINGER: Okay. It's
23 been moved and seconded. Now discussion on 11-05.
24 Andy starting.
25
26 MR. BASSICH: Thank you, Madame Chair.
27 I'm going to be in opposition to this. I think it's
28 quite obvious that this proposal is similar to some of
29 the other proposals that seeks to limit one user group
30 along the river. There is no conservation concern as
31 far as the aspects of the feeding of dog -- or I'm
32 sorry -- feeding fish to dogs as far as fall chum go
33 for sure. We're making escapements on that and there
34 are regulations on feeding king salmon to dogs which I
35 think by and large everybody abides by that pretty well
36 along the Yukon River. I haven't heard of people
37 abusing that since that regulation went into place. I
38 think there were some really good public education on
39 that when that took place back in I believe 2001.
40
41 There is substantial evidence as -- and
42 I'll just reference the comments by OSM as to the use
43 of feeding salmon to dogs as a traditional use as a big
44 part of subsistence. And as far as customary trade
45 goes, I guess we're going to get into that a little bit
46 more, so I'm not going really address that aspect of it
47 quite so much as far as the trade between rural and
48 rural and rural and nonrural. I think we'll be taking
49 that up probably in more detail on later discussion.
50

1 I think this is just a really bad
2 proposal. I think it's something that is putting
3 division along the Yukon River and my main opposition
4 to this is that the burden of conservation should be
5 shared by all on the Yukon River and anytime we make
6 any kind of regulations, they should apply riverwide to
7 all users of all regions and therefore I will oppose
8 this.

9

10 MADAME CHAIR ENTSMINGER: Lester.

11

12 MR. ERHART: Yeah. I oppose this too.
13 I wanted to give you guys a little history of these
14 dogs. Back in the older days, they had different kind
15 of dogs which could survive pretty good on this Yukon
16 River salmon, but nowadays we have different dogs and
17 all it does is just maintain them. There was a guy in
18 town and I did a little survey, he said I fed my dogs
19 fish. I went 30 miles, took me three hours. I
20 switched them over to meat. He said it only took me an
21 hour and a half.

22

23 So I mean it's good maintenance food in
24 the springtime, but nobody's really going overboard
25 trying to kill them -- you know, kill the fish. And a
26 lot of the fish that they feed to dogs are poor quality
27 fish. They're not the real good stuff, you know. I
28 mean you, you don't take out the big -- the best fish
29 and try to give it to your dogs. You try to preserve
30 it for yourself. And that's the way at least the Native
31 people on the river do it and I see a lot of white
32 people do it too.

33

34 So I don't think this thing is being
35 abused very much and the dog quality is really going
36 downhill. Back when I was a kid, everybody had dogs,
37 but now just a few people have them. Thank you.

38

39 MADAME CHAIR ENTSMINGER: Thank you,
40 Lester. I think I heard a lot more this morning, but I
41 bet I'll hear more of it later, huh. Okay. Andy.

42

43 MR. BASSICH: Thank you. I'd just
44 like to add to Lester's comments there about -- the
45 report that Dave Anderson did demonstrated pretty
46 dramatically the drop of dog team use along the Yukon
47 River. It's kind of a dying culture and the number of
48 dog mushers themselves have been declining pretty
49 rapidly and I think maybe we ought put in a request to
50 have dog mushers and dog teams identified as a stock of

1 concern.

2

3 (Laughter)

4

5 MADAME CHAIR ENTSMINGER: Threatened.

6 Yes. Would any -- Bill.

7

8 MR. GLANZ: Yes. I go along with
9 Andrew there. That's just a discriminatory practice
10 being -- trying -- being implemented on the 4 and 5
11 Districts, so I'm also opposed.

12

13 MADAME CHAIR ENTSMINGER: Others.

14

15 (No comments)

16

17 MADAME CHAIR ENTSMINGER: Have

18 comments. Andrew.

19

20 MR. FIRMIN: If you look at some of the
21 numbers in here too, it looks like Alakanuk down in the
22 lower mouth of the Yukon are the ones that are making
23 all the money selling buckets of chum salmon for \$200 a
24 piece. I know people that sell their fish for like a
25 dollar a piece and I don't see how anybody on the upper
26 river where they want to restrict it is making any
27 money when the people on the lower river are the ones
28 looking like they're to me on the monetary place here
29 that they're the ones that are making the money on the
30 lower end of the river.

31

32 But this also is directed at the upper
33 and the middle Yukon and practice makes it a nil
34 proposal in my mind and I'm totally against it and
35 besides, until Title VIII of ANILCA, we have the right
36 to do this anyway. Thank you.

37

38 MADAME CHAIR ENTSMINGER: Thank you,

39 Andrew. Would anyone else like to add comments?

40

41 (No comments)

42

43 MADAME CHAIR ENTSMINGER: Okay. The
44 question's been called for. I will note, Frank, that
45 you had mentioned earlier that we should do it
46 statewide. That would be part of our comments I think
47 because you had mentioned that earlier. So -- okay.
48 Is everyone ready for the question. All in favor of
49 11-05.

50

1 (No aye votes)
2
3 MADAME CHAIR ENTSMINGER: All opposed.
4
5 IN UNISON: Aye.
6
7 MADAME CHAIR ENTSMINGER: Okay. Now,
8 how do you want to handle this one? Same way or --
9 Andy.
10
11 MR. BASSICH: Yeah, I think if --
12 David, if you could try and keep some of the redundant
13 analysis or comments -- you know, you were pretty
14 detailed on your first analysis and I think a lot of it
15 will carry onto some of these other customary trade
16 proposals, I would assume.....
17
18 MADAME CHAIR ENTSMINGER: Okay.
19
20 MR. BASSICH:in reading the book
21 and so if we can kind of keep it kind of concise, it
22 would help with moving along.
23
24 MADAME CHAIR ENTSMINGER: I think he
25 said that earlier, but.....
26
27 MR. JENKINS: Yeah. Madame Chair,
28 Andy, rest assured -- or I'll drop out of this point
29 and we can just move on.
30
31 MADAME CHAIR ENTSMINGER: All right.
32 On 11 -- let's see now. We're 11-08.
33
34 MR. BASSICH: Madame Chair, before we
35 start, let me clarify something about the Upper Copper
36 River District that may have been a little bit
37 confusing. It's 50 percent of the annual household
38 limit rural to rural and \$400 rural to others, but when
39 they're combined, that can't exceed the 50 percent
40 limit.
41
42 MADAME CHAIR ENTSMINGER: Okay.
43
44 MR. BASSICH: So you don't do 50
45 percent and then on top of that sell another \$400 rural
46 to others. So in combination it's a 50 percent limit.
47
48 MR. JENKINS: Okay. FP11-08 starts on
49 Page 164 of your books. Submitted by the Yukon-
50 Kuskokwin Delta Subsistence Regional Advisory Council.

1 This proposal requests that customary trade in the
2 Yukon River Fisheries Management Area be prohibited in
3 any year when chinook salmon runs are insufficient to
4 fully satisfy subsistence harvest needs and subsistence
5 fisheries are restricted.

6
7 As submitted, the prohibition would
8 only affect customary trade between rural residents.
9 The proponent states that prohibiting customary trade
10 in years of poor chinook salmon runs, quote, would have
11 significant positive effects on fish populations as
12 well as on the lawful subsistence fisher, end quote.
13 The proponent also states that under current
14 regulations when chinook runs are low subsistence users
15 are restricted but not subsistence uses.

16
17 In the case of customary trade, the
18 proponent argues that the emphasis should be reversed
19 and customary trade should be restricted before
20 subsistence users are restricted. The proponent is
21 particularly concerned with, quote, numerous reports of
22 Yukon River rural residents selling large numbers of
23 Yukon chinook salmon in the urban areas of our state,
24 end quote.

25
26 Now, note that the proposal seeks to
27 limit customary trade under .27(c)(11), which refers to
28 customary trade between rural residents. The
29 proponent, however, is also concerned with customary
30 trade between rural residents and others governed under
31 .27(c)(12). So as it stands, the current proposal
32 doesn't target all of the relevant regulations and if
33 adopted, the proposal would prohibit all customary
34 trade of any subsistence-caught fish between rural
35 residents under the conditions stated before, that is
36 if in any given year in the Yukon River Fisheries
37 Management Area chinook runs are insufficient to fully
38 satisfy subsistence harvest needs and subsistence
39 fisheries are restricted. So any amount of cash
40 exchanged in customary trade would thereby be
41 diminished.

42
43 If adopted, the proposal would limit
44 the ability of Federally-qualified subsistence users to
45 engage in customary trade. Presumably non-Federally-
46 qualified users as the recipients would also find their
47 engagement in customary trade curtailed and note that
48 the total number of fish exchanged in customary trade
49 is unknown and therefore the effect of this proposal on
50 fish populations is unknown.

1 OSM's preliminary conclusion is to
2 oppose this proposal and why oppose. Customary trade
3 is recognized as legitimate subsistence activity under
4 Title VIII of ANILCA. As defined by Federal Management
5 regulations, customary trade refers only to
6 subsistence-caught fish or wildlife exchange for cash
7 as we noted before, provided such exchanges do not
8 constitute a significant commercial enterprise. Any
9 exchanges that rise to that level are not customary
10 trades and are prohibited. In other words, existing
11 regulations governing customary trade prohibit turning
12 subsistence foods into commodities for sale on the open
13 market.

14
15 The proposal does not explicitly target
16 customary trade of subsistence-caught chinook salmon,
17 but as written would preclude all customary trade of
18 any subsistence-caught fish and in order to align this
19 proposal with the apparent concern over the conduct of
20 the customary trade in urban centers of Alaska, the
21 Regional Advisory Council may choose to support this
22 proposal with modification, the modification being the
23 addition of the appropriate paragraph, .27(c)(12) which
24 addresses customary trade between rural residents and
25 others.

26
27 Let me note again that customary trade
28 is included in the definition of subsistence and if
29 limitations based on conservation concerns are indeed
30 necessary, it would be more appropriate to conduct an
31 analysis under ANILCA Section 804 which requires the
32 Board to select among subsistence users not uses based
33 on the premise that all subsistence uses equally
34 qualify for the subsistence preference. And with that,
35 I'll end my comments.

36
37 Thank you.

38
39 MADAME CHAIR ENTSMINGER: Larry.

40
41 MR. BUKLIS: Thank you, Madame Chair.
42 I wanted to emphasis a point that David made in his
43 overview and FP11-08 presentations and that is there
44 was some discussion a few minutes ago about piecemeal
45 approaches and statewide approaches. Just to reinforce
46 the analyses and I think points he did make: The
47 Federal Board did take up customary trade rule making
48 and that was following a work group process. And that
49 was -- members from each of the Councils were invited
50 to participate and I know there's changes in Council

1 membership, so I don't know if any of you currently
2 part of this Council were part of that work group. It
3 was around 2002, 2003 -- my point being that the work
4 group did the best job they could and the Board moved
5 ahead and the regulations for the program statewide are
6 what they are by the Federal Board action. The Board
7 recognized in doing that that there may be regional
8 differences that warrant some further features region
9 by region, but they didn't arrive such specificity
10 statewide.

11
12 That's why you have those clauses for
13 Bristol Bay and the Upper Copper River District which
14 may look like a piecemeal approach to you, but that
15 followed the general approach. So there was the work
16 group. There was rule making that gave us the
17 customary trade regulations we have and then two
18 regions did develop some specific features for their
19 regions and then you have these clauses added for
20 Bristol Bay and the Upper Copper River District.

21
22 So that's sort of the evolution from
23 work group to base regulations to some stipulations by
24 regions. And whether the Yukon River Management Area
25 or the three Regional Council regions are viewed as
26 regions is largely dependent on Council recommendations
27 and Board action. We could have a Yukon area approach
28 or we could have each of the Regional Councils in this
29 area with their own recommendations.

30
31 Thank you, Madame Chair.

32
33 MADAME CHAIR ENTSMINGER: Andy.

34
35 MR. BASSICH: Thank you, Madame Chair.
36 Larry, thanks for bringing that up because I think that
37 brings a really important thing up that I'd like to try
38 and keep in mind with this, and that is that, you know,
39 as we know statewide and especially on Yukon River
40 chinook salmon issues every part of the river has
41 different uses, different techniques, and we all have
42 to recognize that and keep that in mind.

43
44 And I think that also applies -- it's
45 not a bad idea to look at what some of the other
46 regions have done, but every region has different
47 resources, different quantities of resources, and
48 different methodologies of using those resources. And
49 so I think it's really important when we start working
50 on the customary trade issue that we keep that in mind

1 and recognize that the Yukon River itself has certain
2 resource limitations and uses and so we're going to
3 have to be kind of creative and it's not a bad idea to
4 start from someone else's template, but we have very
5 unique circumstances here that we're going to have to
6 address because it is such a large drainage
7 geographically unlike a lot of these other regions.
8 It's a very large area geographically and it also, you
9 know, reaches into Canada and has a lot of implications
10 there as well.

11
12 So just wanted to bring that up.
13 Something to keep in mind in the discussion.

14
15 MADAME CHAIR ENTSMINGER: Well, I'm
16 hearing from you, Andy, that you think it should be
17 piecemeal, but you think it should be by river not --
18 the whole river not that piecemeal and I wonder if any
19 other of the Council members have thoughts on that same
20 thought. Frank.

21
22 MR. GURTLER: Well, I know we're making
23 more regulations and more proposals and cutting back on
24 what you could do with what little fish you get and
25 what little money you make off of those fish, but when
26 you're paying \$9 a gallon for gas in some places and
27 you're allowed to sell how much? \$500 worth of fish
28 maybe?

29
30 MADAME CHAIR ENTSMINGER: Uh-huh.

31
32 MR. GURTLER: At \$9 a gallon, now --
33 and the people out in the villages doesn't have any --
34 don't have any money. They don't have any jobs and now
35 we're trying -- people are trying to cut them back with
36 what little they have left, just for the purpose of
37 preserving the salmon, but I kind of think we're -- we
38 haven't heard anything on how the fisheries have been
39 doing with our salmon out there or Area M or anything
40 and here we are still making regulations against
41 ourself on the people in the Yukon River. Every one of
42 these proposals is cutting back and I don't like the
43 sound of all this myself and the people don't like it.
44 I've talked to a lot of people and what little money
45 there is out there, they don't have any and what little
46 money they make off the fish is to -- survival,
47 existing. Not even that hardly.

48
49 MADAME CHAIR ENTSMINGER: Frank, I
50 really appreciate your comments, but I'm also hearing

1 based on my question earlier that this -- that the
2 Yukon River is different than other places in Alaska.
3 Okay? And that's kind of what I wanted to get a
4 feeling from everybody, if they agree on that. Yeah.
5 Go ahead, Frank.

6
7 MR. GURTLER: Yeah. Well, a lot of the
8 other places, they have roads and -- to the cities and
9 stuff, but down on the Yukon River, there is any road
10 and to go to -- what's the -- to Kaltag alone is about,
11 what, \$600 round trip just to fly in.

12
13 MADAME CHAIR ENTSMINGER: Uh-huh.

14
15 MR. GURTLER: So what are you going to
16 do? Where are you going to get that \$600 to come into
17 Fairbanks to buy groceries and hotel room and bring
18 your groceries back when it's a dollar a pound to haul
19 the groceries back.

20
21 MADAME CHAIR ENTSMINGER: I feel your
22 pain and your frustration really. I think we all do.
23 Yeah. It's hard for people to understand that unless
24 they've lived it. Did you have something else to add,
25 Lester?

26
27 MR. ERHART: Yeah. I wanted to put
28 this in there. I don't know if it'd do any good, but
29 you take my grandma for instance. She came from a fish
30 camp, she went to somebody in the village and said
31 could you take me home. I ain't got no money, but I'll
32 give you some of my fish out of my smokehouse, you
33 know. And if you tried to tell her that she was wrong,
34 man, you would have had a big fight on your hands and
35 that's my comment.

36
37 MADAME CHAIR ENTSMINGER: Yeah. Well,
38 I think something that came up about this, the
39 paperwork, I mean I can tell you even on the road
40 system where Katie John is and there's not going to be
41 any paperwork done. They don't even understand about
42 this stuff. It's hard for them to do that kind of
43 thing, so that paperwork was pretty amazing. Oh, yeah,
44 you got to fill out this report that you're going to be
45 doing this.

46
47 Any other -- Frank.

48
49 MR. GURTLER: You know, just looking at
50 the form when you fill out for giving it to the Fish

1 and Game, that report on how much fish you sold. I'm
2 going to pay taxes on that and I -- if we don't, we're
3 illegal.....

4

5 (Laughter)

6

7 MADAME CHAIR ENTSMINGER: Good point.
8 Andrew has more.

9

10 MR. FIRMIN: I think this is another
11 touchy issue as well, but, you know, it's -- I don't
12 know what -- part of this is that I think this whole
13 proposal needs to be rewritten and more specific
14 because the way it reads now as if chinook runs are
15 insufficient to satisfy subsistence needs and customary
16 trade will be prohibited which basically tells me that
17 all customary trade will be prohibited, so just because
18 the king salmon aren't running, that means I can't go
19 buy jack fish off my neighbor or chum salmon. I mean
20 it's basically restricting all customary trade and this
21 is just seems to me that that is not something that has
22 any -- some fish have -- other fisheries that have
23 nothing to do with king salmon or chinooks and that's
24 just something that this whole proposal needs to be
25 reworked and respecified as a species -- species to
26 species because that means what I can't go give my
27 neighbor a pack of cigarettes for a bucket of pike guts
28 or his king salmon guts, you know, when he's done in
29 his smokehouse. I mean that's just something that this
30 whole proposal needs to be reworked over in my mind.
31 Thank you.

32

33 MADAME CHAIR ENTSMINGER: That's very
34 good. Very good discussion. Any other discussion.
35 Donald.

36

37 MR. WOODRUFF: I think at first when I
38 read this proposal this last winter, I thought it was a
39 valid concern because there is an issue of abuse of
40 customary trade and it came up at our last RAC meeting
41 and Andy called it cancer. And -- to cite the minutes.
42 And so when I wrote my written comment thinking maybe
43 perhaps freeze-up would catch me and I couldn't get,
44 you know, to the meeting, I supported this proposal,
45 but I didn't see the details of rural to rural resident
46 trade or the fact like Andrew pointed out.

47

48 Now he's talking about bartering.
49 That's different than customary trade for money.
50 Bartering has been legal forever and I'll cite a

1 situation from last meeting where I pointed out that I
2 used to trade king salmon strips to a local resident in
3 Eagle for a birthday cake and that's -- you know, I did
4 that for years and years and years. I had the Park
5 Service deliver the cake. I don't think that's going
6 to happen anymore.

7

8 But I just want to point out that we
9 need to be very specific on these -- I'm going to
10 retract my support for this proposal and oppose it
11 because like Andrew says, it's not specific enough.
12 Thank you.

13

14 MADAME CHAIR ENTSMINGER: Yeah. This
15 is very good discussion. That's what we learn by going
16 to meetings, I guess, how things change or how it looks
17 on the surface. Any other discussion.

18

19 (No comments)

20

21 MADAME CHAIR ENTSMINGER: Okay. I'm
22 going to point out something for staff though. For me
23 personally, I think that if there's anything done, it
24 does have to be all three Councils and I -- something
25 has to be identified somewhere on like -- significant
26 commercial enterprise has to be -- some semblance of
27 understanding of what it is. And I guess I agree with
28 the region by region also. So -- I see George at the
29 table, he must want to add something.

30

31 Go ahead, George.

32

33 MR. PAPPAS: Thank you, Madame Chair.
34 Before you getting to the comments, been at most of the
35 RAC meetings and I guess Junior Assistant Coordinator
36 Larson can help me on this one. When I was in Hoonah
37 talking to the RAC Chair, I said why aren't you
38 interested in talking about customary trade. Even
39 though the proposals throughout the book, I said what's
40 the practices in Southeast. He said we trade food for
41 food. There's very few folks that trade food for -- or
42 Federal subsistence foods for cash. That's a practice
43 there of trading food for food and the other issue came
44 up of why -- I've been asked at other RAC meetings, why
45 is this so important. Why is the chinooks on the Yukon
46 most important.

47

48 Well, a lot of folks in this State if
49 not the majority think that chinook -- Yukon chinooks
50 are the best meat in the State and that puts it at a

1 different level in comparison to trading, Dolly Varden
2 or some other fish from other parts of the State and
3 that puts a higher economic pressure on it which brings
4 us to a different level than some of the other issues.
5 So I wanted to try to add that to the conversation.

6
7
8
9
10

Thank you, Madame Chair.

STATE OFFICIAL WRITTEN COMMENTS

11 \

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

14
15

Fisheries Proposal FP11-08:

16
17

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

22
23

Introduction:

24
25

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

42
43

44 Sale of subsistence harvested fish,
45 both processed and whole, is occurring in both urban
46 and rural communities in Alaska, contrary to existing
47 state and federal regulations. Discrepancies in state
48 and federal regulations and state requirements
49 regarding processing of fish to protect health and
50 safety of the public may leave some people vulnerable
to citation under state and federal regulations. This
is a significant issue for state resources managers,
law enforcement agencies, and federal agencies that

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

9

10 Impact on Subsistence Users:

11

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

36

37 Opportunity Provided by State:

38

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

49

50 Conservation Issues:

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

34
35
36

Jurisdiction Issues:

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

1 regulations, regardless of where fish are harvested.

2

3

Other issues:

4

5

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

11

12

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

26

27

Recommendation:

28

29

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

35

36

Cited References:

37

38

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39 Braem, J.J. Simon, W.E. Simeon, D.L. Holen, L. Naves,
40 L. Hutchinson-Scarborough, T. Lemons, V. Ciccone, T.M.
41 Krieg, and D. Koster. 2009. Alaska subsistence salmon
42 fisheries 2007 annual report. Alaska Department of
43 Fish and Game Division of Subsistence, Technical Paper
44 No. 346, Anchorage.

45

46

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

1 MADAME CHAIR ENTSMINGER: I think I'm
2 -- the Chair is confused. We just had the analysis on
3 11-08 and now you just presented -- no.

4
5 MR. PAPPAS: A precursor to my
6 presentation. Thank you, Madame Chair.

7
8 MADAME CHAIR ENTSMINGER: I'm sorry?

9
10 MR. PAPPAS: A precursor. Are you
11 ready for my comments?

12
13 MADAME CHAIR ENTSMINGER: Yes. We're
14 going down the list now -- now that I found myself.

15
16 MR. PAPPAS: Summarizing our summary,
17 existing Federal customary trade is limited to whole
18 fish unless processed fish are produced in compliance
19 with Alaska Department of Environmental Conservation
20 food safety rules. Adoption of limitations on cash
21 sales of subsistence harvested salmon for cash would
22 remove the risk of citation for subsistence fishermen
23 on the Yukon River drainage, particularly regulations
24 that define significant commercial enterprise, specify
25 fish weights or number limits, and clarify where
26 subsistence harvested fish may be sold under federal
27 regulations, and establish reporting requirements for
28 cash sales of subsistence-caught fish.

29
30 The Department supports adoption of
31 enforceable Federal customary trade regulations that
32 specify limits on cash sales and establish reporting
33 requirements. However, restrictions or regulations
34 that specify limits and reporting requirements should
35 be applied drainage-wide.

36
37 violations of existing Federal
38 customary trade and State fish processing regulations
39 is an enforcement problem that has significant
40 implications for subsistence users and the public.
41 More education on State and Federal regulations and an
42 enforceable definition on what constitutes a
43 significant commercial enterprise are needed.

44
45 We propose implementing a monitoring
46 program to produce needed resource data. We request
47 clarification of the roles and responsibilities of
48 Federal and State enforcement agencies. The Department
49 proposes this issue be addressed during a joint
50 Regional Advisory Council meeting within the Yukon

1 Drainage because this issue potentially affects
2 subsistence users in the entire Yukon Drainage. And the
3 Department supports a modified proposal that requires
4 reporting and regulates sales of subsistence harvested
5 fish during all years not just those during low returns
6 and adopts a definition of significant commercial
7 enterprises and addresses education and enforcement
8 issues.

9

10 Thank you, Madame Chair.

11

12 MADAME CHAIR ENTSMINGER: Any questions
13 of George.

14

15 (No comments)

16

17 MADAME CHAIR ENTSMINGER: Okay.

18 Federal agencies, any comments.

19

20 (No comments)

21

22 MADAME CHAIR ENTSMINGER: Native tribal
23 village, any comments.

24

25 (No comments)

26

27 MADAME CHAIR ENTSMINGER: Okay. Going
28 to our neighboring Regional Advisory Council comments.

29

30

31 MS. MUSHOVIC: Okay. The Yukon-
32 Kuskokwim Council supported with the following
33 modification that the total cash value per household of
34 salmon taken with Federal jurisdiction on the Yukon
35 River Fishery Management Area in exchange in customary
36 trade to rural residents may not exceed \$750 annually.

37

38

39 The Western Interior Regional Council
40 opposed this proposal but suggested a working group be
41 established to further consider the issue and the
42 Seward Peninsula Regional Advisory Council took no
43 action.

44

45 MADAME CHAIR ENTSMINGER: Thank you.
46 And summary of the written comments. The other two
47 were never here, so.....

48

49 MS. MUSHOVIC: There are two in your
50 book in support and four in opposition of this

1 proposal. The quick pack written comments that you
2 have state that they totally agree with the State's
3 position and recommendation and continue that. They
4 believe that this is a good starting point for
5 discussions to proceed and encourage both the Western
6 and Eastern Interior RACs to not completely oppose the
7 proposal. Were you aware of any other written that had
8 come in?

9

10 MADAME CHAIR ENTSMINGER: Okay. I'm
11 going to let the record reflect that Donald who was one
12 of the supporters is no longer a supporter, so that
13 would be one in support and five opposed based on him
14 being present at this meeting. And then I'm looking at
15 CATG. Can you give us anything on that? Because
16 they're listed as support.

17

18 MR. FIRMIN: I'm sure -- I know James
19 has -- because I work with him daily, I know he
20 probably may have made the same assumptions as Don. In
21 fact this is a good idea to start getting some type of
22 regulations in place on some of the customary trade,
23 but after -- maybe he didn't go through it with a fine
24 tooth comb and get the reports that we did from OSM and
25 ADF&G, but I can't speak for him openly.

26

27 MADAME CHAIR ENTSMINGER: Well, I'm
28 just curious -- staff here. If he goes home and talks
29 to his people, is it too late for that to go in on the
30 record for the Federal Board meeting that it -- there
31 might be a change in their position? Thanks, Larry.

32

33 MR. BUKLIS: Yes, Madame Chair. The
34 correspondent on the proposal could send us further
35 input and we could amend that for the Board book.

36

37 MADAME CHAIR ENTSMINGER: So with this
38 meeting, is Don's taken care of?

39

40 MR. BUKLIS: Yes. He's spoken to it
41 directly.

42

43 MADAME CHAIR ENTSMINGER: Okay.

44

45 MR. BUKLIS: And if the other
46 correspondent contacts us or better yet writes us a new
47 note and makes any adjustment, if that's what they want
48 to do.....

49

50 MADAME CHAIR ENTSMINGER: Yeah, I.....

1 MR. BUKLIS:we would.....
2
3 MADAME CHAIR ENTSMINGER: There's time
4 to do it.
5
6 MR. BUKLIS: We would advance that
7 forward, yes.
8
9 MADAME CHAIR ENTSMINGER: Okay.
10
11 MR. BUKLIS: The Board meets in January
12 and.....
13
14 MADAME CHAIR ENTSMINGER: Right.
15
16 MR. BUKLIS:the book production
17 will be during December, so if they get on it here in
18 October/November, we can address it.
19
20 MADAME CHAIR ENTSMINGER: Okay. I just
21 wanted to bring that up so they have a chance to do
22 that because then it would be misleading at the Board.
23 You're probably going to be there anyway, so -- yeah.
24 All right. Council members, we're open for a motion.
25
26 MR. GLANZ: I move we adopt 11-08.
27
28 MR. GURTLER: Second.
29
30 MADAME CHAIR ENTSMINGER: Okay. It's
31 been moved and seconded. Discussion. Go ahead, Andy.
32
33 MR. BASSICH: Thank you, Madame Chair.
34 Actually I'm going to support this, but I would like to
35 make modifications to it that address some of our
36 earlier discussion and I think the reason why I want to
37 support this is we have a very severe conservation
38 concern of king salmon on the Yukon River.
39
40 MADAME CHAIR ENTSMINGER: Okay. Andy,
41 I would suggest that you make that in an amendment to
42 this motion and then we'll end up discussing that if
43 there's a second.
44
45 MR. BASSICH: Okay. I can do that.
46 I'd like to make an amendment to the motion to include
47 the words that transactions -- or that customary trade
48 of chinook salmon be suspended on years when
49 subsistence restrictions have been put in place during
50 the chinook season and also that I would like the

1 inclusion of .27(c)(12) in this proposal which would
2 preclude sales of subsistence-caught chinook salmon
3 from rural to others to take place.

4
5 MADAME CHAIR ENTSMINGER: It sounds
6 like we need some language. Can we get some help here.
7 Because we need some language so it's on the record,
8 it's a motion to amend with that modification and then
9 I'd have to have a second for discussion. Not?

10
11 MR. BASSICH: Five-minute break.

12
13 MADAME CHAIR ENTSMINGER: Five-minute
14 break. Okay. Sounds good.

15
16 (Off record)

17
18 (On record)

19
20 MADAME CHAIR ENTSMINGER: Hey, is the
21 guys out in the hall there, can you sway them in this
22 way. There's one, two, three. All right. Okay. Okay.
23 We're working on some wording when we took a five-
24 minute break which turned into longer and are you going
25 to make that motion?

26
27 MR. BASSICH: Yes.

28
29 MADAME CHAIR ENTSMINGER: And you got
30 your wording?

31
32 MR. BASSICH: Yes.

33
34 MADAME CHAIR ENTSMINGER: Okay. Go for
35 it.

36
37 MR. BASSICH: Madame Chair, I just have
38 maybe a question of how we should do this. We have a
39 motion on the table that's been seconded. Is the
40 proper method to just make a modification to that
41 motion or do we need to -- I mean how do we do this
42 procedurally?

43
44 MADAME CHAIR ENTSMINGER: Well, I --
45 Robert's my parliamentarian. I think I understand it,
46 but I'll let him do it.

47
48 MR. LARSON: Madame Chair, there's
49 probably several ways to do this, but because of the
50 discussion that has happened so far, my advice would be

1 to propose an amendment to the proposal that's in front
2 of you. You vote on the amendment and then you'll have
3 a new main motion.

4

5 MADAME CHAIR ENTSMINGER: And that was
6 my understanding, so you're making an amendment to the
7 motion.

8

9 MR. BASSICH: Yes, Madame Chair. I'd
10 like to make an amendment to the motion on the table
11 right now and the wording can be -- most of the wording
12 can be found on Page 165 of the booklet and it's about
13 the middle of the page under iii in parentheses. And
14 this proposal reads, If in any given year in the Yukon
15 River Fisheries Management Area chinook runs are
16 insufficient to fully satisfy subsistence harvest needs
17 and subsistence fisheries are restricted, customary
18 trade of chinook salmon will be prohibited. And this
19 is under .27(c)(11) and I would like that same wording
20 to also be put into .27(c)(12) which in that part of
21 the regulation refers to rural to other use of
22 customary trade.

23

24 MADAME CHAIR ENTSMINGER: Okay. Can
25 you refer to the -- what page that was on, that
26 language.

27

28 MR. BASSICH: 165 of the booklet.

29

30 MADAME CHAIR ENTSMINGER: Right.
31 Number.....

32

33 MR. BASSICH: Sorry. 165 of the
34 booklet and it's under iii in parentheses approximately
35 the middle of the page.

36

37 MADAME CHAIR ENTSMINGER: Does
38 everybody understand his motion? No. If you
39 understand the motion, I'm -- if you don't understand
40 the motion, tell me.

41

42 MR. GLANZ: I just want to make a
43 comment on the motion.

44

45 MADAME CHAIR ENTSMINGER: No, you -- we
46 have to have a second to.....

47

48 MR. FIRMIN: Could I get a
49 clarification?

50

1 MADAME CHAIR ENTSMINGER: Clarification
2 from Andrew.

3
4 MR. FIRMIN: Would that still -- would
5 that disclude [sic] rural to rural residents and make
6 it only rural to other residents?

7
8 MR. BASSICH: No. Madame Chair, the
9 intent of this motion -- or amendment to the motion is
10 to make that apply to both rural to rural sales and
11 rural to other sales. So all sales of chinook salmon,
12 customary trade sales of chinook salmon would be
13 restricted during times of restricted fisheries to
14 subsistence users on the Yukon River.

15
16 MADAME CHAIR ENTSMINGER: Okay. All
17 I'm trying to do is clarify his motion. Virgil.

18
19 MR. UMPHENOUR: Okay. So it is your
20 intent this would not apply to barter, correct?

21
22 MR. BASSICH: That is correct.

23
24 MR. UMPHENOUR: Second the motion.

25
26 MADAME CHAIR ENTSMINGER: The motion
27 has been seconded. The amendment to 11-08. Now we
28 will have discussion.

29
30 MR. BASSICH: Madame Chair, I'd like to
31 -- I bring this forward because I think we have a very
32 severe conservation concern of chinook salmon on the
33 Yukon River. We have for almost a decade. In the last
34 four years, we have not met escapement goals and treaty
35 obligations to Canada three out of those four years and
36 three out of the last ten years, we have not met our
37 treaty obligations.

38
39 This has been a topic of -- a major
40 topic of concern at both RAC meetings and Board of Fish
41 meetings. It's a concern that's been voiced by upper
42 river and this RAC for many years. I think that the
43 use of customary trade -- I recognize personally that
44 it's a valid use. I have no problem with it on years
45 when there is sufficient resources in the river to meet
46 subsistence needs. However, we've been working very
47 hard this RAC, many other ACs, and many people in the
48 State have been working very hard to try and rebuild
49 salmon stocks and I see the use of customary trade when
50 the resource is low in abundance as a tremendous

1 hindrance to the process of trying to rebuild these
2 stocks. I think it has the potential of growing
3 substantially in the future -- the very near future
4 partly because of the lack of commercial fisheries on
5 the Yukon River. I think this customary trade will
6 expand to many users.

7
8 I asked yesterday of the number of
9 household users are fishers on the Yukon River and I
10 got a number of anywhere between 1,300 and 1,600
11 households are actively fishing along the Yukon River.
12 And in my mind when I protract -- or project additional
13 harvest of salmon for cash and you start factoring in
14 1,600 or anywhere from a thousand to 1,600 people,
15 that's a tremendous impact on a resource.

16
17 One of the numbers that I came up with
18 here, it was suggested that maybe there be a poundage
19 restriction put on customary trade of about 200 pounds.
20 Well, if you took 1,600 households and allow them all
21 200 pounds, that's 320,000 pounds of salmon harvested
22 and we're trying to rebuild stocks here and we're going
23 to increase our harvest by that amount if we were to,
24 you know, go by that method of restriction? So I don't
25 think poundage is a way to do it.

26
27 I think that if -- I think this is a
28 really good first step in trying to do some very
29 serious conservation in times of low abundance. I
30 think this will have impacts to subsistence users.
31 Those that are practicing customary trade right now
32 will have to suffer a bit of hardship, but this
33 proposal as amended would apply to all users so all
34 users would be sharing that burden of conservation and
35 I think that -- I think it's a good thing. I think
36 it's a necessary thing at this point in time for us to
37 do this.

38
39 MADAME CHAIR ENTSMINGER: Thanks, Andy.
40 I think there's going to be quite a bit of discussion
41 here, so, Bill.

42
43 MR. GLANZ: I'm totally against it
44 because it still does not -- it says it will preclude
45 all customary trade of subsistence-caught fish. That's
46 in the last paragraph of this thing, so I'm against
47 that modification.

48
49 MADAME CHAIR ENTSMINGER: Okay.
50 Virgil.

1 MR. UMPHENOUR: Well, I asked Andy if
2 it would affect barter. I think one of the problems
3 with this issue is people confuse barter with customary
4 trade and barter is trading one subsistence resource
5 for another. Customary trade is actually selling --
6 and this is where people get confused too -- is
7 actually selling fish in the round only. I say that
8 again: fish in the round only. There probably isn't
9 hardly any real customary trade going on and the reason
10 I say that is because that's fish in the round only,
11 head, guts, and all.

12
13 In these remote regions, people are not
14 selling fish in the round to anyone. So the Office of
15 Subsistence Management, the Department of Interior,
16 everyone else is suffering from the ostrich syndrome.
17 They have their head in the sand. They don't know
18 what's going on. No one is selling fish in the round.
19 In order to sell fish in the round, you have to keep
20 them wholesome, keep them from spoiling. There's no
21 way to do that.

22
23 You heard I think Lester -- or no, it
24 wasn't Lester. It was Frank talking about how much
25 transportation costs, how much freight costs. People
26 aren't shipping fish in the round from up and down the
27 Yukon River to people in Anchorage or Fairbanks or
28 someone that's someplace to sell. They would have to
29 have ice, put them on ice, get them chilled down. Then
30 they would have to ship them in special containers that
31 the airlines are going to let them ship them on that
32 don't leak. None of that's being done.

33
34 This is totally bogus and baloney.
35 They need to address the real issue. It's not fish in
36 the round. It's processed fish which is already
37 against the law. DEC and FDA is not going to do a damn
38 thing about it. That's who enforcement leaves it up to
39 is DEC and FDA to handle that issue. They just totally
40 ignore it.

41
42 I think this is a good proposal the way
43 it's been amended. Our RAC actually put basically
44 almost the same thing forward in the form of a special
45 action request of the Federal Subsistence Board which
46 they rejected, either last year or year before we did
47 that. Yes, we did.

48
49 MADAME CHAIR ENTSMINGER: No. You --
50 Virgil, help me out here. You have me so confused on

1 what you're saying. Customary trade, I need a
2 definition.

3

4 MR. UMPHENOUR: Okay. I already told
5 you the definition, Sue.

6

7 MADAME CHAIR ENTSMINGER: I know. I
8 just don't -- I did not understand it that way and I
9 want Staff to agree with what he's saying or tell us
10 what the definition of customary trade is.

11

12 MR. JENKINS: If I heard you right,
13 Madame Chair, you wanted the definition of customary
14 trade.

15

16 MADAME CHAIR ENTSMINGER: Yeah. I mean
17 his definition right now is telling me that it's fish
18 in the round only.

19

20 MR. JENKINS: Well, in the Federal
21 regulations, it allows for the sale of fish, their
22 parts and their eggs as customary trade. It doesn't
23 specify fish in the round only. It says parts -- their
24 eggs and their parts are allowed.

25

26 I think what Mr. Umphenour is referring
27 to is the assertion by the State that processing has to
28 meet State health regulations. And perhaps this is a
29 point to make a comment on that.

30

31 If you look at the State's comments on
32 Page 139 at the bottom, they cite Title 18 of the
33 Alaska Administrative Code, Chapter 34, and if you look
34 at number 1 there -- give you a moment to look at that.
35 It says persons who process seafood products -- and
36 that includes freshwater fish too -- to be sold as part
37 of commerce. All the studies of customary trade with
38 which I'm familiar indicate that it's a noncommercial
39 phenomena, that customary trade moves through
40 noncommercial networks and that it's not subject to
41 market forces.

42

43 So if Title 18, Chapter 34 in its
44 entirety refers to commerce and market phenomena and if
45 customary trade as all the studies indicate is not a
46 market phenomena, this title and this chapter may not
47 in fact apply to it. And I recognize the State asserts
48 that it applies to it and I recognize that the Federal
49 Government also asserts that these regulations apply,
50 but I don't think it's been tested and it's in my mind

1 an open question still. Does that help?

2

3 MADAME CHAIR ENTSMINGER: No.

4

5 (Laughter)

6

7 MADAME CHAIR ENTSMINGER: Donald.

8

9 MR. WOODRUFF: My understanding is that
10 at the Biederman Fish Camp, they loaded bales of dry
11 caught chum on steamboats for years and years and years
12 all through the '40s and that was for a market value.
13 That was commercial and I don't know that that wasn't
14 considered at that time customary trade up and down the
15 river. I mean there were -- the miners stored their
16 dogs there for the summer and they fished for those
17 miners all summer while they were mining. And so I
18 would assume that a lot of those fish went to the
19 miners' camps for the winter trapping season and that
20 they were traded back and forth amongst each other.
21 Those are dry chum salmon. That's not necessarily what
22 we're talking about chinook, but I'm referring to
23 customary trade. Thanks.

24

25 MADAME CHAIR ENTSMINGER: Andy, I'd
26 like to hear from the rest of the group if that's okay.

27

28

29 MR. BASSICH: I was just going to ask
30 for a clarification.

31

32 MADAME CHAIR ENTSMINGER: Okay.

33

34 MR. BASSICH: Thank you. David, I
35 believe that working group that you referred to earlier
36 in I believe it was, what, 2001, Virgil, when we had
37 the customary trade, big discussions, and when the
38 Board -- the Federal Subsistence Board adopted these, I
39 believe that working group actually defined customary
40 trade of chinook salmon as Virgil described. Did you
41 find that in your -- because I know that I've seen that
42 written as a definition of customary trade of chinook
43 salmon on the Yukon River.

44

45 MR. FIRMIN: I'm trying to look it up
46 online (indiscernible-away from microphone).

47

48 MR. JENKINS: I'm going to defer this
49 to someone who has a longer administrative history than
50 I do which is all of nine months.

1 MR. BUKKLIS: Madame Chair, the -- Larry
2 Buklis, OSM. The question that's been raised by the
3 comments is -- has to do with processing whole fish and
4 I think the confusion has arisen when it was asserted
5 that only whole fish are customary trade and I think to
6 clarify that point, customary trade is what Dr. Jenkins
7 talked about earlier in the day about exchange of fish
8 for cash. That's customary trade.

9
10 Now the issue that's been raised which
11 has been debated is what aspects of customary trade are
12 allowed. So customary trade is the exchange of fish.
13 We're not asserting that customary trade is only the
14 exchange of whole fish. Customary trade is a practice.
15 It's a longstanding practice. You all know more about
16 that than I do, but what's in debate is health codes
17 and regulations and jurisdictions and what is allowed.

18
19 But if you're asking us what is
20 customary trade, is it only whole fish, customary trade
21 is the traditional practice as you all know about. The
22 issue is what the health codes allow and legalize or
23 not. But it goes too far to say customary trade is
24 only whole fish. Customary trade is the
25 traditional.....

26
27 MADAME CHAIR ENTSMINGER: So he's not
28 right in his argument.

29
30 MR. BUKKLIS: On that point.

31
32 MADAME CHAIR ENTSMINGER: Okay.

33
34 MR. BUKKLIS: He raises a valid point of
35 concern that others have raised too. David mentioned
36 the State for one -- about health codes and standards
37 and what is allowed legally. But you asked what is
38 customary trade. It is the practices of longstanding
39 that David has described today.

40
41 MADAME CHAIR ENTSMINGER: Right.

42
43 MR. BUKKLIS: All of that. That's
44 customary trade.

45
46 MADAME CHAIR ENTSMINGER: Yeah. So
47 people selling strips is customary trade.

48
49 MR. BUKKLIS: It's customary trade. Now
50 what does the health law allow and what does it

1 technically not allow. That may be in some dispute or
2 question or debate depending on who you are, but all of
3 these practices we're describing are customary trade.

4

5 The one threshold David made clear is
6 that significant commercial enterprises are not
7 customary trade. They're significant commercial
8 enterprises. But this other threshold that was alluded
9 to of whole fish and other fish, that's not a threshold
10 that defines customary trade or not.

11

12 MADAME CHAIR ENTSMINGER: Yeah. That's
13 what I wanted clarified and I appreciate that.

14

15 MR. BUKLIS: The one break point is
16 significant commercial enterprise. That's a break
17 point.

18

19 MADAME CHAIR ENTSMINGER: Okay.

20

21 MR. BUKLIS: You go over that and
22 you're not in customary trade.

23

24 MADAME CHAIR ENTSMINGER: Okay.

25

26 MR. BUKLIS: Whole fish and parts of
27 fish isn't a threshold that makes it customary trade or
28 not. It's a health code issue.

29

30 MADAME CHAIR ENTSMINGER: Yes. And I
31 would like to hear from others. So discussion.

32

33 MR. BASSICH: So a motion so that we're
34 discussing the motion specifically.

35

36 MADAME CHAIR ENTSMINGER: I thought we
37 did that. We're in discussion of your amendment right
38 now.

39

40 MR. BASSICH: Right. But I think what
41 a lot of the Council members don't -- aren't
42 recognizing right now from what I'm hearing of the
43 discussion is that this motion is only during times of
44 restrictions to subsistence and it only pertains to
45 chinook sales. Okay? Larry just brought up a point
46 that customary trade, he's using the big broad picture.
47 This motion now only targets the customary trade of
48 chinook salmon and that's very different than trying to
49 stop all customary trade.

50

1 MADAME CHAIR ENTSMINGER: Okay.
2
3 MR. BASSICH: That addresses Andrew's
4 concern that he brought up. That's addresses Lester's
5 concern.
6
7 MADAME CHAIR ENTSMINGER: All right.
8
9 MR. BASSICH: So I just wanted to
10 clarify that so everybody realizes this is very
11 specific and it only happens on years when there's
12 restrictions to subsistence harvest.
13
14 MADAME CHAIR ENTSMINGER: But I really
15 want to hear from the quiet ones, okay? And who's
16 first? Frank?
17
18 MR. GURTLER: Well, any law that you
19 make, any proposal you adopt is going to hurt the
20 people in any shape or form as far as I'm concerned and
21 I - it's good to protect the fish. It's good to do
22 this. It's good to do that, but at the expense of
23 people starving to death? No. If you know what I
24 mean. Somebody has to make a living some way out there
25 in the bush and a lot of the elders, that's all the
26 money they get is customary trade, bartering, and you
27 start putting laws on them, they aren't going to listen
28 to them anyway and they will get arrested and then
29 they'll get a free room and board, three squares a day,
30 whatever. But -- airplane ride and everything.
31
32 But I -- I'm against this proposal
33 because you start picking on people again for no reason
34 at all as far as I'm concerned. We'd like to save the
35 fish, sure. Everybody does. But at whose expense.
36 The people that live out there. They have enough
37 restrictions already. You got the river's flowing down
38 there that's got a lot drift in it, you can't set a
39 net. You can't drift net. You can't put a wheel in.
40 So the fish are going by.
41
42 I mean there's going to be fish going
43 by, but not as much as we like, but what are we going
44 to do about it. We're going to cut everybody off and
45 -- doing things, making their living, and starving to
46 death. No. Totally against any proposal that does
47 that to the people.
48
49 MADAME CHAIR ENTSMINGER: And that's
50 how you see this.

1 MR. GURTLER: Thank you.
2
3 MADAME CHAIR ENTSMINGER: Thanks.
4 Frank. Lester. I saw you go for that mic.
5
6 MR. ERHART: Yeah. This is a tough
7 thing, but I see that this is putting restrictions on
8 the older people. Nowadays you don't see no young
9 people out there doing this kind of stuff because they
10 don't know how and it's too much work for them. And
11 the older people is that one that's going to get it.
12
13 You wait another 20 years and there'll
14 be no more of it. That's my comment.
15
16 MADAME CHAIR ENTSMINGER: Can you
17 translate that.
18
19 (Laughter)
20
21 MADAME CHAIR ENTSMINGER: I hope I
22 didn't hear what you were saying. You're going to live
23 forever, right.
24
25 MR. ERHART: I hope. But I know that's
26 what goes on. The young people.....
27
28 MADAME CHAIR ENTSMINGER: Your mic got
29 turned off.
30
31 MR. ERHART: The young kids, they don't
32 -- they got no -- very much interest in it. It's too
33 much work for them.
34
35 MADAME CHAIR ENTSMINGER: Which is a
36 shame. Yeah. Okay. Speaking to the amendment to the
37 motion, any more discussion. Virgil.
38
39 MR. UMPHENOUR: I like the amendment to
40 the motion and I'll tell you why I like it. For one
41 thing, it does not affect barter. People confuse
42 barter and customary trade all the time. Barter is
43 just trading one subsistence item for another
44 subsistence item. That's barter. Such as trading
45 dried moose meat for salmon strips. That's barter.
46
47 If the runs are so poor that
48 subsistence has to be restricted, then people should
49 not be catching those fish -- those chinook salmon.
50 When people are restricted and are not allowed to fish

1 subsistence to feed their family, then other people
2 that are in an area where it's much easier to catch the
3 fish, even if there's not that many fish coming up the
4 river, they still catch off the fish, should not be
5 allowed to catch as many fish as they want and go sell
6 them when there's people farther up the river, say at
7 Fort Yukon, say Holy Cross, for instance. Holy Cross,
8 they can catch the heck out of the fish. They haven't
9 started splitting off to other rivers yet. So the guys
10 at Holy Cross go out with the drift gillnet, 45 meshes
11 deep, 300 feet long, go catch 80 fish in one day.

12
13 They're making up strips. They're
14 selling those strips. They're vacuum sealing them.
15 They're shipping them to Barrow. They're shipping them
16 to Anchorage, shipping them all over the place, but
17 then people up at Fort Yukon, up in Andrew's
18 neighborhood, they get restricted. They don't get to
19 fish seven days a week anymore. Even if they did,
20 they'd have a hard time catching fish and they're not
21 catching any fish because the people down at Holy Cross
22 got to go catch as many as they wanted and sell as many
23 as they wanted. To me that is not fair. And so that's
24 why I am in favor of this proposal -- or this amendment
25 to the proposal because it's a fair proposal and I do
26 want to point out again that our RAC and the Fairbanks
27 Advisory Committee both submitted something similar to
28 the amendment, to the Federal Subsistence Board in the
29 form of a special action request which they rejected.

30
31 MADAME CHAIR ENTSMINGER: Can you
32 identify what the difference is?

33
34 MR. UMPHENOUR: What the
35 difference.....

36
37 MADAME CHAIR ENTSMINGER: What we had
38 put in and how -- you said.....

39
40 MR. UMPHENOUR: What we put in was
41 almost the same thing. I mean it was maybe worded a
42 little bit different, but it was quite a lot longer.
43 But we've got it somewhere here in the records. I don't
44 know where, but -- but we put in a proposal similar to
45 this, that asks for basically the same thing, that if
46 subsistence is restricted, then there will be no
47 customary trade allowed for chinook salmon in the Yukon
48 River. We did put that in and the Federal Subsistence
49 Board did not pass it.

50

1 So I'm speaking in favor of the
2 amendment because I believe it's the right thing to do.
3 If people are getting restricted and not getting their
4 subsistence needs met, then I don't think other people
5 that live in an area where it's easier to catch a fish
6 because they're concentrated and because the river's
7 not braided, it's only one channel and they're allowed
8 to use drift nets, 300 feet long, commercial drift nets
9 and 45 meshes deep that they shouldn't be able to go
10 catch as many as they want and sell them. That's how I
11 look at it. It's a conservation issue and it's a
12 fairness issue.

13

14 Thank you, Madame Chair.

15

16 MR. WOODRUFF: Vote on this amendment
17 and it passes, then we go back to the original and vote
18 on it?

19

20 MADAME CHAIR ENTSMINGER: The main --
21 that would be the main motion then that we vote on
22 again. Uh-huh. So I haven't heard from a couple of
23 you yet, especially you, Andrew. I'd like to hear from
24 you.

25

26 MR. FIRMIN: I could see a lot of sides
27 to this and my biggest feeling on this is when it's
28 restricting rural to rural, like say, for example, in
29 2009, I was firefighting all summer and didn't get a
30 chance to fish, so my mother went and bought her fish
31 and made her strips and her jars and if I wasn't there
32 to fish for her and there were restrictions in place,
33 then she wouldn't have had any fish, period, other than
34 under a barter system, but a lot of people don't want
35 to barter. I mean what's the difference. Then she'd
36 have to go to the store and pump gas for somebody. I
37 mean that's not something -- and it's the same thing
38 like along the lines as what Lester was saying with the
39 older people, the elders.

40

41 A lot of elders don't fish. They can't
42 fish anymore. My neighbor's 90 years old. He still
43 fishes, but my grandparents are in their 80s and they
44 can't go get in a boat and check a net or anything like
45 that. He'd probably get lost on the way to the boat
46 landing now. If he didn't have customary trade, then
47 he probably wouldn't get any fish unless there was
48 somebody there that just had to go here you go and give
49 it to him, which does happen, but I'm just thinking
50 that I agree with some of the issues here, but I think

1 rewording and stripping ANILCA under Title VIII under
2 Federal law in five minutes is something that's -- I
3 don't agree with and I think that we need to defer this
4 to a work group and have it thought out and well
5 planned out before we start trying to pass laws and --
6 that I don't fully agree with at the moment. Thank
7 you.

8

9 MADAME CHAIR ENTSMINGER: Does anyone
10 else want to comment. Bill.

11

12 MR. ERHART: I do.

13

14 MADAME CHAIR ENTSMINGER: Oh, go ahead,
15 Lester. Then Bill.

16

17 MR. ERHART: You know, there's
18 different kind of fish. I mean what are we talking
19 about, the main, big king salmon or are we talking
20 jacks or what kind of fish are we talking about here.
21 That's what I want to know.

22

23 MADAME CHAIR ENTSMINGER: Chinook. The
24 chinook which is.....

25

26 MR. ERHART: There's small jacks too.
27 You know, they're still a chinook.

28

29 MR. BASSICH: Yeah, but if you could
30 feed jacks to your dogs and you should be able to sell
31 them to.....

32

33 (Laughter)

34

35 MR. ERHART: (Indiscernible-away from
36 microphone).....

37

38 MADAME CHAIR ENTSMINGER: Turn your mic
39 on. Lester.

40

41 MR. ERHART: I mean it says in the book
42 you get to feed jacks to your dogs, but -- I don't
43 know. You should be able to sell them too I think.

44

45 MR. BASSICH: I was going to call for
46 the question.

47

48 MADAME CHAIR ENTSMINGER: Are we ready
49 to vote on this. After you, I'd like to comment a
50 couple thins.

1 MR. JENKINS: Thank you, Madame Chair.
2 I think one of the things that drives me to this too is
3 I'm thinking long term. You know, I hear a lot of
4 discussion and I respect what I'm hearing from Frank
5 and what I'm hearing from Lester and also from Andrew
6 and that's why I try to make this as specific as
7 possible and not to take effect unless we are in dire
8 straits as far as meeting subsistence needs.

9
10 One of the things that really concerns
11 me and I hear everybody talking about not being able to
12 get the fish that we're so dependent on it, but think
13 about what happens if customary trade gets to the point
14 where the runs are reduced so low that we don't even
15 have a fishery. Then where are we at. And believe me,
16 that's where we're headed. Right now, that's where
17 we're headed.

18
19 Think about that. If customary trade
20 is unregulated and we're allowed to sell fish, people
21 can catch more fish and sell it instead of just meeting
22 their food needs, make cash from it, to reduce the
23 stock even more, what's management going to do? They
24 have to take that into account. We have a system
25 whereby we are allowed to fish to a certain point. You
26 know, you have to have a certain amount of fish in the
27 river because they even have subsistence harvest.
28 Right? So if we don't even reach that number, we don't
29 even have subsistence harvest. Which is going to be
30 harder on the people and the elders and everyone? Not
31 being able to sell a few fish for some gasoline or not
32 being able to eat it. I'll close with that.

33
34 MADAME CHAIR ENTSMINGER: Okay. I --
35 Staff, I think I have a question. Is the
36 interpretation that I hear here correct on this
37 amendment that -- how can I phrase the question.
38 Sometimes I hear conflicting things from the people
39 here.

40
41 So Virgil's interpretation about the
42 people being able to set a net up river and catch as
43 many as they want could happen. Well, what -- this
44 would stop that?

45
46 MR. JENKINS: Madame Chair, as written,
47 the proposal is about the cessation of customary trade
48 when chinook runs are insufficient to fully satisfy
49 subsistence harvest needs. A possible flaw of this
50 proposal is there is no definition of what that means

1 when runs are insufficient to fully satisfy those
2 needs.

3
4 MADAME CHAIR ENTSMINGER: The amendment
5 says restricted I'm hearing?

6
7 MR. JENKINS: When fisheries are
8 restricted, it says, yes. It says.....

9
10 MADAME CHAIR ENTSMINGER: Yeah.

11
12 MR. JENKINS: When runs are
13 insufficient to fully satisfy subsistence harvest needs
14 and subsistence fisheries are restricted. And when
15 they are restricted, so there are two things that are
16 going on, the restriction and meeting subsistence needs
17 when -- we don't know what that means in this proposal.
18 It doesn't give us a definition of when those are fully
19 satisfied, those needs.

20
21 Two things going on, the restriction
22 and the need.

23
24 MADAME CHAIR ENTSMINGER: Yeah.

25
26 MR. JENKINS: So there are two criteria
27 that need to be met.

28
29 MADAME CHAIR ENTSMINGER: I see your
30 hand, Virgil, but could I continue. So I guess what I
31 want to say from me personally is I think there's some
32 confusion and I think it really needs to be worked out
33 and when I hear passionate speaking from our elders
34 here and the people on the Yukon, I know how you feel,
35 Andy, I appreciate that, and I'm -- I feel that's vital
36 important to protect the resource, but I think I have
37 to agree with Andrew. Sometimes our wording might need
38 a lot more work and I -- I really think that we need to
39 be passionate to that and I actually prefer what Andrew
40 said is a working group and get on it asap and have a
41 proposal at the next Board cycle that's been worked on
42 by everyone.

43
44 And I see -- I'm going to let Virgil go
45 first because he had his hand up, but you're next,
46 Frank.

47
48 MR. UMPHENOUR: To me it's clear.

49
50 MADAME CHAIR ENTSMINGER: Okay.

1 MR. UMPHENOUR: If subsistence
2 fisheries are restricted, then customary trade would be
3 prohibited. It's that simple. And so do we need a
4 definition of restricted? That's the question.
5 Restricted to me means that the fishing time you're
6 allowed gets reduced by regulation. You have certain
7 amount of standard fishing time by regulation
8 throughout the river. If that gets reduced, then
9 you're restricted. You know, the fishing time, and
10 so.....

11
12 MADAME CHAIR ENTSMINGER: So we have to
13 have people.....

14
15 MR. UMPHENOUR: And so the -- if people
16 don't understand what restricted means, we could put in
17 parenthesis, i.e., normal fishing time reduced, that
18 would define what we mean by restricted, then.....

19
20 MADAME CHAIR ENTSMINGER: Okay.

21
22 MR. UMPHENOUR:that would --
23 maybe that would clarify it enough. But I'm going to
24 say something on the working group stuff. I've been
25 involved in, you know, this -- these hunting and
26 fishing politics and the salmon treaty for way over 20
27 years. I've been on so many working groups, I can't
28 even count them all. And some of them, they want
29 consensus. All consensus is, is an excuse for not
30 making a decision. That's all it is. You don't
31 accomplish anything 99 percent of the time when you
32 have to go by consensus because not everyone's going to
33 agree.

34
35 And so, you know, I was trained many,
36 many years ago as a young man to be an infantryman and
37 to be an infantry NCO and later an infantry officer and
38 the worst thing that you can have is indecisiveness and
39 not being able to make a decision because even a
40 decision that's half-assed bad is better than no
41 decision at all. And so that's -- in our working
42 groups, you find that we have to have action and right
43 now.....

44
45 MADAME CHAIR ENTSMINGER: Virgil.

46
47 MR. UMPHENOUR:our salmon stock
48 -- chinook salmon stocks are in such dire straits, I
49 agree with Andy. We're in danger of really severe
50 subsistence restrictions or maybe no fishing at all.

1 We have got some brood years coming up.....
2
3 MADAME CHAIR ENTSMINGER: Virgil. I
4 understand.
5
6 MR. UMPHENOUR:really put very
7 few fish on the spawning grounds and the quality of
8 escapement was so poor that we may have years where
9 there's no fishing allowed period within the next
10 several years. And so I think that this is a good
11 amendment and if people would like restricted defined
12 so that we understand what restricted means, then maybe
13 we should do that. Maybe that would make some people
14 feel more comfortable.
15
16 MADAME CHAIR ENTSMINGER: You need to
17 make these guys.....
18
19 MR. UMPHENOUR: But inaction I think is
20 criminal.
21
22 MADAME CHAIR ENTSMINGER:good.
23
24 MR. UMPHENOUR: I think inaction is
25 criminal. We need to take action.
26
27 MADAME CHAIR ENTSMINGER: All right. I
28 hear your voice.
29
30 MR. UMPHENOUR: Thank you.
31
32 MADAME CHAIR ENTSMINGER: But I feel
33 like you need to make them feel warm and fuzzy too. So
34 -- Frank.
35
36 MR. GURTLER: Well, I hear what he's
37 saying, but what if you restrict one area -- what if
38 you restrict one area, does that mean that only that
39 area is going to be restricted to the selling of fish
40 and bartering or whatever it is?
41
42 MADAME CHAIR ENTSMINGER: This is the
43 discussion that needs to be. You people -- warm and
44 fuzzy is my words, but you have to feel comfortable.
45
46 MR. GURTLER: Well, I'm not
47 because.....
48
49 MADAME CHAIR ENTSMINGER: So somebody
50 needs to answer that. Well -- I know you called for

1 the question, but we had more discussion. So I'm
2 sorry. It's better to have it on the record. And you
3 feel you can answer that?

4

5 MR. FIRMIN: Well, I'll speak to it.

6

7 MADAME CHAIR ENTSMINGER: Go ahead.

8

9 MR. FIRMIN: So after Virgil just said
10 and maybe I am feeling a little warm and fuzzy about it
11 now because like say for this instance this summer,
12 District 5 and 6 were not restricted, but the Lower
13 Yukon was restricted to their window schedules and
14 reduced fishing times. So would that mean those lower
15 districts couldn't under customary trade sell any fish,
16 but in District 5 where I'm at since we weren't
17 restricted, I still would be able to go sell my mother
18 king salmon. I mean maybe we do need a restriction
19 under definitions.

20

21 MADAME CHAIR ENTSMINGER: Well, I think
22 that's why we're having -- I told you they have to feel
23 comfortable and that's vital. But I mean, Staff, can
24 you help on this.

25

26 MR. BUKLIS: Madame Chair, just to
27 clarify, the original proposal that's in the book and
28 the original motion was that bolded language on Page
29 165 and then the motion to amend would add the phrase
30 of chinook salmon. And so I just wanted to be clear
31 that discussion about some of these phrases about
32 harvest needs, restrictions, when is the fishery
33 restricted, does it go up and down the river, that's
34 inherent in the proposal. And the analysis speaks to
35 it and David touched on it in his comments just now.
36 That's not to raise questions about the amendment.
37 That's inherent in the proposal.

38

39 So the amendment was to add the phrase
40 of chinook salmon and to export all of that to the
41 world, to others section. So much of this discussion
42 is about the main motion, but just so you're clear.

43

44 MADAME CHAIR ENTSMINGER: Oh, okay.

45

46 MR. BUKLIS: In re-reading the
47 paragraph as amended, you may have felt additional
48 features were added, but to be clear, all Mr. Bassich's
49 motion to amend did was added the clarifying language
50 of chinook salmon. Much of the discussion -- which is

1 fine, but much of the discussion is about the main
2 motion and the main proposal. I just want to clarify
3 that and.....

4
5 MADAME CHAIR ENTSMINGER: Well, I need
6 help here because I think.....

7
8 MR. BUKLIS: No. That's fine.

9
10 MADAME CHAIR ENTSMINGER:I
11 think.....

12
13 MR. BUKLIS: And Dr. Jenkins' comments
14 was just

15
16 MADAME CHAIR ENTSMINGER:a lot of
17 these guys don't understand. Yeah.

18
19 MR. BUKLIS: And David's comment was
20 simply trying to illuminate those features of the
21 proposal, but the amendment is simply of chinook
22 salmon.

23
24 MADAME CHAIR ENTSMINGER: And, see, our
25 discussion should stay to the amendment right now. So
26 we have -- now, do you understand it? Yeah. Lester,
27 do you understand it? All right. So you're not warm
28 and fuzzy yet. Andy, help.

29
30 MR. BASSICH: Okay. Thank you. I
31 think we got a little bit confused by some of David's
32 comments too. I think what we need to understand is
33 that there is a process in which management goes
34 through every time we have a run a salmon. There are
35 numbers of salmon that have to be calculated as coming
36 up the river before they open up certain fisheries, and
37 as far as subsistence goes, they will never put
38 restrictions on subsistence fisheries on the Yukon
39 River unless they feel that they are not going to be
40 able to meet escapement goals. That's the only time
41 that they won't -- that they will put these
42 restrictions in place.

43
44 So that means that the run of salmon is
45 not projected or is not being seen physically by pilot
46 station, test nets, whatever, that the run is not going
47 to be strong enough to reach escapement goals and
48 provide all subsistence needs: amounts necessary for
49 everyone. So then they put a restriction in place so
50 that they can make sure that some subsistence needs are

1 met to a certain extent and salmon can then also make
2 it to the spawning grounds.

3
4 The number one priority is to try and
5 get fish to the spawning grounds and meet escapement
6 goals and then.....

7
8 MADAME CHAIR ENTSMINGER: Okay.

9
10 MR. BASSICH:and then subsistence
11 comes under the next priority and then the next thing
12 to happen to put restrictions on some subsistence. If
13 they do that, there won't be any commercial fisheries.
14 So you're getting thing confused. Now, once this goes
15 into place -- if restrictions are put in place on the
16 Yukon River, all subsistence fishermen -- this doesn't
17 affect region by region. This would apply to the
18 entire Yukon River Drainage in Alaska. All customary
19 trade sales of chinook salmon anywhere in the drainage
20 would not be allowed.

21
22 MADAME CHAIR ENTSMINGER: Andy.

23
24 MR. BASSICH: And I don't know how to
25 say it more clear than that.

26
27 MADAME CHAIR ENTSMINGER: Andy. I
28 might understand it, but the people that -- sitting
29 here that don't understand it need to understand it.

30
31 MR. BASSICH: That's what I'm trying to
32 do.

33
34 MADAME CHAIR ENTSMINGER: And I'm --
35 and Lester said no, he doesn't feel warm and fuzzy
36 about it, that.....

37
38 MR. BASSICH: Madame Chair, you don't
39 have to feel warm and fuzzy. We're not always all
40 going to agree on something.

41
42 MADAME CHAIR ENTSMINGER: I know.

43
44 MR. BASSICH: That's part of the
45 process here.

46
47 MADAME CHAIR ENTSMINGER: I'd like to
48 him time to think about.....

49
50 MR. BASSICH: And I think everybody's

1 speaking their voice and their opinions and I think
2 that's really important.

3

4 MADAME CHAIR ENTSMINGER: Let's take a
5 break for a minute.

6

7 (Off record)

8

9 (On record)

10

11 MADAME CHAIR ENTSMINGER: First out,
12 Virgil has some language for -- I don't know how we're
13 going to do this procedurally, Virgil.

14

15 MR. UMPHENOUR: I do. Friendly
16 amendment.

17

18 MADAME CHAIR ENTSMINGER: Okay. To the
19 amendment -- of the amendment. Okay. Virgil.

20

21 MR. UMPHENOUR: Thank you, Madame
22 Chair. I have a friendly amendment to the amendment to
23 hopefully clarify the intent, so I will read it. This
24 is on that iii on Page 165.

25

26 If in a given year in the Yukon River
27 Fisheries Management Area chinook runs are insufficient
28 -- and this is the new language -- to provide the
29 amount necessary for subsistence, comma, treaty border
30 passage, comma, and escapement goals and subsistence
31 fisheries are restricted, customary trade will be
32 prohibited, comma, this will not affect barter, period.

33

34

35 MADAME CHAIR ENTSMINGER: All right.
36 That'd be kind of nice for us to see that.

37

38 MR. BASSICH: (Indiscernible-away from
39 microphone) have to had one more word (indiscernible-
40 away from microphone).

41

42 MADAME CHAIR ENTSMINGER: What is it?

43

44 MR. BASSICH: You left out customary
45 trade of chinook salmon.

46

47 MADAME CHAIR ENTSMINGER: That's what I
48 thought.

49

50 MR. BASSICH: It has to have of chinook

1 salmon. That was a big part of the amendment.

2

3 MR. UMPHENOUR: Okay. Right.

4

5 MADAME CHAIR ENTSMINGER: I have it
6 here, but I thought he had it somewhere else. That's
7 why I wanted to see it. Okay. Do we have the ability
8 to have that in print for our Council members? Larry.

9

10 MR. BUKLIS: Madame Chair, we can work
11 with that work station and type it up and print it.

12 One, I don't know if it's appropriate if we speak to
13 the motion. There has been a second, but just a.....

14

15 MADAME CHAIR ENTSMINGER:

16 Clarification.

17

18 MR. BUKLIS: Yeah. Administrative
19 point. The Federal program does not recognize amounts
20 needed for subsistence. That term isn't something that
21 is an action item in Federal regulations and you're
22 making a motion on Federal regs. That's a State term.

23

24 MADAME CHAIR ENTSMINGER: Yeah. What's
25 it for Federal? There's a term.

26

27 MR. BUKLIS: There was an initial work
28 group process on subsistence use amounts, but that was
29 suspended. So we don't have a corresponding term.

30

31 MADAME CHAIR ENTSMINGER: Okay. Then
32 we can't -- I have to agree that that refers to
33 something else.

34

35 MR. BUKLIS: That's just an
36 administrative.....

37

38 MADAME CHAIR ENTSMINGER: It's not in
39 our -- the Federal system. Go ahead. Virgil.

40

41 MR. UMPHENOUR: Okay. Then instead of
42 saying to provide amount necessary for subsistence, we
43 could say are insufficient to provide subsistence needs
44 -- the normal subsistence needs.

45

46 MADAME CHAIR ENTSMINGER: I think this
47 is why Andrew had.....

48

49 MR. UMPHENOUR: Or something on the
50 order of that.

1 MADAME CHAIR ENTSMINGER: So I guess
2 something on the order that might not work for the
3 record on a motion -- go ahead, Larry.

4
5 MR. BUKLIS: Madame Chair, I -- it
6 seems like all these clauses that are being proposed
7 here lead up to the action term which is subsistence
8 fisheries are restricted. I mean that's the measurable
9 action and so this motion that's being discussed has a
10 whole series of new clauses which add to the existing
11 one, but they all lead up to the single action term
12 subsistence fisheries are restricted for chinook -- or
13 subsistence chinook salmon fisheries I guess are
14 restricted. And that we do understand and the point
15 that David made earlier was, you know, if there's any
16 question about restricted, then you may want to be
17 specific, but these other action terms don't.....

18
19 MADAME CHAIR ENTSMINGER: It's like
20 insignificant, yeah.

21
22 MR. BUKLIS: Yes.

23
24 MADAME CHAIR ENTSMINGER: Okay. All
25 right. Well, then just the restricted part, are you
26 telling me that that should be a little more clear?
27

28 MR. BUKLIS: All I'm saying is your own
29 Council raised questions about does one restriction in
30 one place set the situation for the rest of the year
31 everywhere else. Those questions came up. My only
32 point is, all these other features about management
33 lead up to the single action term subsistence fisheries
34 are restricted and that probably is sufficient and you
35 probably don't need those other clauses.

36
37 Now if you have questions about
38 subsistence fisheries restricted and how seriously do
39 they have to be restricted, that's another discussion.

40
41
42 MADAME CHAIR ENTSMINGER: Okay. Andy.

43
44 MR. BASSICH: Thank you, Madame Chair.
45 Virgil, I think maybe I agree with Larry. I think
46 really the best thing to do if we want to make a
47 friendly motion -- amendment -- I'm sorry -- would be
48 to just strike are insufficient to fully satisfy
49 subsistence needs and, and so then it would just read
50 if in any given year the Yukon River Fisheries

1 Management Area chinook runs are restricted, customary
2 trade will be -- customary trade of chinook would be
3 prohibited. Just strike that other part.

4

5 MADAME CHAIR ENTSMINGER: I think it
6 needs typed up and we all see it, so what is it? Like
7 ten minutes. We'll still need to.....

8

9 MR. BUKLIS: Yes, Madame Chair. Five
10 or ten minutes. We can have it typed and printed.

11

12 MADAME CHAIR ENTSMINGER: Yeah.

13

14 MR. BASSICH: Did everybody see the YK
15 RAC's amendment?

16

17 MADAME CHAIR ENTSMINGER: And you say
18 that to say something else?

19

20 MR. BASSICH: Oh, no. It's just
21 another idea, but I don't like putting a monetary value
22 on customary trade when there's nothing behind backing
23 that dollar amount.

24

25 MADAME CHAIR ENTSMINGER: Okay.

26

27 MR. BASSICH: Because that has -- they
28 could be selling it for 25 cents a pound. They could be
29 selling it for a hundred dollars a pound. It's just
30 there's no basis for that number.

31

32 MADAME CHAIR ENTSMINGER: Uh-huh.
33 Well, right now we're -- we have wording that needs to
34 go to amendment to the amendment and I'm wondering
35 procedurally could this be just the wording for the
36 first amendment instead of the amendment for the
37 amendment. That confuses people. Procedurally, can we
38 just -- with the concur of the second, the wording be
39 for just the amendment. Larry.

40

41 MR. BUKLIS: Madame Chair, the initial
42 amendment which was seconded would simply add the
43 phrase of chinook salmon.....

44

45 MADAME CHAIR ENTSMINGER: Uh-huh.

46

47 MR. BUKLIS:to what is in your
48 book. It is exactly what's in your book on Page 165 in
49 bold except it would say customary trade of chinook
50 salmon. That's all that amendment did and then it

1 exported that. It took it and repeated it in the other
2 feature about rural to others. Much of the discussion
3 got into then talking about subsistence needs,
4 restrictions and other issues that have raised these
5 other amendment ideas. The original amendment is just
6 of chinook salmon.

7

8 MADAME CHAIR ENTSMINGER: Okay.

9

10 MR. BUKLIS: That's all that was.

11

12 MADAME CHAIR ENTSMINGER: So we should
13 both then.

14

15 MR. BUKLIS: We can try to capture more
16 of the discussion in a single type statement.

17

18 MADAME CHAIR ENTSMINGER: Okay. And
19 we're going to type that up and we'll come back as soon
20 as you tell us you're done. Thank you. Oh, and while
21 he's going -- go ahead, Larry -- Andrew.

22

23 MR. FIRMIN: Andy pointed this out a
24 little bit to me, but maybe you could maybe define
25 restricted for me a little bit. What is restricted? I
26 mean does it mean you're going -- like if half the
27 fishery was shut down or is it -- what type of
28 restrictions will have to happen before this kicks in?

29

30 MADAME CHAIR ENTSMINGER: We had a
31 request for Fred to come up.

32

33 MR. BUE: Thank you, Ms. Chairman. I
34 think it's -- in my mind, restriction is going beyond
35 the window schedule, which is anything beyond that and
36 typically what we do is we try to district
37 restrictions. If we restrict one area, we try to do it
38 sequentially upriver and that's how we typically plan
39 it. If we have assessment or something that changes
40 that and says that our assessment was off, then we may
41 change that and like you said, Andrew, is in the fall
42 season, we decided to forego applying that restriction
43 in Subdistrict 5D last fall.

44

45 But for the most part, a restriction is
46 typically starts in the lower river, moves upriver.
47 It's pulling one period, reducing fishing time, and
48 it's typically on the basis of fishing time is what a
49 restriction is. But we have management authority over
50 time and area and that's what we're doing by -- we're

1 looking at areas of the river. We're restricting
2 fishing time and that's how we try to regulate harvest.

3

4

5 And so restriction is something going
6 beyond the normal window fishing schedule set in
7 regulation.

8

9 MADAME CHAIR ENTSMINGER: Go ahead.

10

11 MR. FIRMIN: So like say over the
12 summer where they did have like a reduced fishing times
13 under the -- with the window schedule as in the Lower
14 Yukon, would you consider that a restriction under this
15 clause or would that -- would this customary trade
16 would have been left alone this summer? If this law
17 was in effect say this summer, had the restricted
18 windows this summer, there was reduced fishing time I
19 believe it was in some parts of Lower Yukon. So in
20 your mind, if this law was in effect, would that have
21 affected customary trade I guess is what I'm trying to
22 say.

23

24 MR. BUE: Madame Chair. As proposed, I
25 think that in my mind that a restriction is a
26 restriction and so if you restrict it in one area, I
27 think the intent here is to apply it drainage-wide in
28 Alaska. And so, yeah, I would take that as the intent
29 and direction would be to apply it if we restrict it in
30 one area, subsistence harvest, and then this is to
31 apply to customary trade, so, yeah, it would be
32 prohibited.

33

34 MR. FIRMIN: Well, let me reword what I
35 just said. Like when you said beyond the window
36 schedule, but the Lower Yukon is already on a window
37 schedule and then they went to a reduced window
38 schedule. So that's what I'm saying. So when they
39 reduce that window schedule in other places, would that
40 have made this law to where, no, I can't sell fish, I
41 guess is what I'm saying.

42

43 MR. BUE: Yes. As is proposed, that's
44 how I interpret it at this time. If there's somebody
45 else that gives me direction beyond that, but as
46 proposed, that's what I'm interpreting at this point.

47

48 MADAME CHAIR ENTSMINGER: So the next
49 expert besides you, Fred, sitting here trying to get
50 wording or who is it that's in this room?

1 MR. BUE: I think it'd be Larry as the
2 regulation person.

3
4 MADAME CHAIR ENTSMINGER: Yeah. I was
5 afraid of that. He didn't hear all this discussion.
6 Do you want to ask him that question. Right here.
7 Because he was helping back here and he probably didn't
8 hear all that discussion and he's the one that probably
9 could answer that more thoroughly for you. Because
10 he's -- Fred said it's his.....

11
12 MR. FIRMIN: Yeah. That's kind of my
13 -- that's what I gather too.

14
15 MADAME CHAIR ENTSMINGER: Okay. Go
16 ahead and ask it again.

17
18 MR. FIRMIN: Okay. This is -- I'll say
19 it again. Basically like over the summer -- to say the
20 past summer, under the regular windows because they had
21 the scheduled window openers down in the Lower Yukon,
22 when they have reduced fishing time like they did over
23 the summer, but those restrictions weren't placed on
24 the whole river, but when they did reduce those windows
25 to shorten their times, would that have made this law
26 go into effect.

27
28 MR. BUKLIS: Madame Chair, I believe
29 that from the discussion, it's clear that you wanted an
30 integrated approach to the Yukon River Management Area.
31 So if as Fred Bue said, if there were reductions in the
32 windowed schedule in the river, that would affect --
33 that would trigger this prohibition of customary trade
34 for chinook salmon in the Yukon River area. And as he
35 said, they typically roll those restrictions upriver
36 sequentially but not always and there's an example he
37 had of a case where Subdistrict 5D did not have such a
38 restriction, but others did in the window schedule, but
39 this customary trade clause as I understand it would
40 kick in once that threshold -- once that trigger was
41 set.

42
43 That's how I understand your discussion
44 and that's how I think I would read that regulation.
45 Anything you can build into the regulation -- I'm not
46 saying you have to do that here, but a regulation that
47 is more specific and clear and says something like that
48 would take away the ambiguity. So if in implementing
49 this in the management plan or the regulation, it was
50 clear that a reduction from the window schedule within

1 the Yukon River area would cause this prohibition on
2 customary trade throughout the Yukon River area. That
3 makes it less ambiguous.

4
5 But I think that's how I understand
6 your discussion.

7
8 MADAME CHAIR ENTSMINGER: How'd you do
9 on the language?

10
11 MR. BUKLIS: We're very close.

12
13 MADAME CHAIR ENTSMINGER: So should we
14 step down for a minute?

15
16 MR. BUKLIS: That would help.

17
18 MADAME CHAIR ENTSMINGER: Okay.

19
20 (Off record)

21
22 (On record)

23
24 MADAME CHAIR ENTSMINGER: Okay. We
25 have the language in front of you. The original
26 amendment at the top and the additional modification to
27 the amendment at the bottom. Do you want to read it,
28 Virgil. Do you want to read it. Oh, I'm sorry. You
29 did hear me.

30
31 MR. UMPHENOUR: Okay. This additional
32 modification to amendment. So what I'm going to read,
33 it says, in any given year in the Yukon River Fisheries
34 Management Area.....

35
36 MADAME CHAIR ENTSMINGER: I'll have to
37 stop you for a second. Somebody's taking big deep
38 sighs behind me.

39
40 MR. LARSON: Oh, we've lost some
41 formatting, so what we've found is that the copy that
42 you have in front of you is not the copy that we
43 discussed. There's a formatting issue here that I have
44 to resurrect.

45
46 MS. MUSHOVIC: When we lost the
47 (indiscernible-away from microphone) so we've got to
48 stick them back in. Sorry. You know, it might be
49 faster. I could run -- I will walk to each of
50 your.....

1 MADAME CHAIR ENTSMINGER: Well, just
2 tell us.
3
4 MS. MUSHOVIC: Okay. It's a
5 mistake.....
6
7 MR. LARSON: You could read it into the
8 record.
9
10 MADAME CHAIR ENTSMINGER: KJ, just tell
11 us.
12
13 MS. MUSHOVIC: It is if in any given in
14 the Yukon River Fisheries Management Area, the normal
15 chinook salmon subsistence fishing schedule is reduced
16 in any portion, customary trade of chinook salmon will
17 be prohibited for the entire drainage for that season,
18 with a similar paragraph to be included in
19 Section C(12). And this is to differentiate from the
20 original proposal language.
21
22 MADAME CHAIR ENTSMINGER: What she's
23 doing is she's starting at the second sentence where it
24 ends in salmon and she's crossing out runs are
25 insufficient to fully satisfy subsistence harvest needs
26 and subsistence fisheries are restricted. That is
27 crossed out. And you're highlighting; is that what
28 you're doing?
29
30 MS. MUSHOVIC: Yeah. That -- the
31 highlighting is to show the additions, the changing.
32
33 MADAME CHAIR ENTSMINGER: Oh, I see
34 what -- all she's doing now is just taking the words
35 that are changes and highlighting them. You guys want
36 to know what those are or just look at the language.
37 It just.....
38
39 MR. UMPHENOUR: We scratched out,
40 Madame Chair.
41
42 MADAME CHAIR ENTSMINGER: Yeah. I think
43 they've got it. That is scratched out. So the
44 different language is, if you want to highlight this,
45 the normal, then salmon after chinook. That's all new
46 words. Then after restricted, subsistence fishing
47 schedule is reduced in any portion. That's
48 highlighted. It's new words. And then after trade,
49 highlight of chinook salmon will be prohibited and
50 highlight for the entire drainage of the season.

1 That's all new words. Okay.

2

3 Did I hear a second. What? Well, I
4 didn't hear one, so year.

5

6 MR. BASSICH: I'll second that.

7

8 MADAME CHAIR ENTSMINGER: Okay. Now
9 this is the amendment to the amendment. Discussion on
10 the amendment to the amendment. Virgil.

11

12 MR. UMPHENOUR: I think this captures the intent
13 and it also clarifies -- instead of just saying
14 restricted, it clarifies what restricted is. It takes
15 restricted out and just says that subsistence fishing
16 schedule is reduced, that's being restricted. That's
17 easy for everyone to understand and there's no question
18 about what happened. Schedule got reduced. That
19 totally -- to me it totally clarifies it and makes it
20 so that anyone that reads it is going to know what's
21 going to happen. Madame Chair.

22

23 MADAME CHAIR ENTSMINGER: Okay. I
24 believe that's pretty understood. Andrew, did you have
25 a question.

26

27 MR. FIRMIN: Oh, yeah. I do have a
28 quick question or two for our panel of experts here.
29 Say this law is -- goes into effect and the chinook
30 salmon season is restricted and there's a chum season
31 commercial opening and they incidentally catch 9,000
32 more -- 9,900 more king salmon, will they still be able
33 to sell that incidental catch while the rest of the
34 river is restricted?

35

36 MR. UMPHENOUR: By the regulation
37 passed by the Board of Fisheries, they would not be
38 able to do that because with the regulation, where it
39 says they cannot sell incidental-caught chinook salmon
40 only goes into effect if subsistence fisheries have
41 been restricted. Subsistence fisheries will have been
42 restricted and so they would not be able to sell the
43 bycatch, but I want to defer to the Staff to see if
44 they interpret that the same way I do.

45

46 MADAME CHAIR ENTSMINGER: Go ahead. Is
47 it Fred, you're going to answer that?

48

49 MR. BUE: I apologize. I was thinking
50 on something that was stated just prior to your last

1 question, Virgil. I was pondering another aspect of
2 it. Could you please repeat.

3

4 MR. UMPHENOUR: The question that Andy
5 asked was if there's a directed -- after the chinook
6 run is past the lower river and the Department
7 determines there's a surplus of chum salmon and has a
8 chum directed fishery, would the bycatch of chinook
9 salmon and the chum salmon directed fishery be able to
10 be sold and my answer was no, they would not because
11 there had been restrictions placed on the subsistence
12 fishery for chinook salmon. And the regulation passed
13 by the Board of Fisheries, that's I believe -- I
14 believe I'm correct in that if there's restrictions
15 placed on the subsistence fishery, then there would be
16 no sale of incidental-caught chinook, and so the
17 question is am I right or wrong.

18

19 MADAME CHAIR ENTSMINGER: I see some
20 people really thinking.

21

22 MR. BUE: That's a difficult one.
23 You're talking about a commercial fishery that's under
24 State jurisdiction and so I have some ideas there, but
25 I believe that's a State-managed regulation. I'm -- I
26 have a question about jurisdiction on that question.

27

28 MADAME CHAIR ENTSMINGER: Well, I don't
29 want to get wrapped around the axle, but -- okay.
30 Well, let's speak to the -- yeah. Go ahead.

31

32 MR. FIRMIN: Well, then just to say
33 like over the summer, the subsistence fishing season
34 was restricted and their incidental catch was sold this
35 summer. So in my mind, that would restrict customary
36 trade, but the incidental catch would still be sold as
37 with the past summer. This is the way I see it. I'm
38 not for certain, but that's the way I'm reading it.

39

40 MADAME CHAIR ENTSMINGER: Okay.
41 Virgil.

42

43 MR. UMPHENOUR: The State's
44 representative is in the audience. I suggest we call
45 him up to answer the question.

46

47 MADAME CHAIR ENTSMINGER: All right.
48 You've been requested to come up and enlighten us.

49

50 MR. ESTENSEN: Madame Chair, the

1 question was, was that if there was -- after the
2 chinook run if there was a summer chum directed fishery
3 if the chinook salmon were harvested incidentally would
4 they be able to be sold.

5
6 MADAME CHAIR ENTSMINGER: That's right.

7
8 MR. ESTENSEN: That's the question and
9 my.....

10
11 MADAME CHAIR ENTSMINGER: No. That's
12 what he asked, right?

13
14 MR. UMPHENOUR: Right.

15
16 MADAME CHAIR ENTSMINGER: Okay.

17
18 MR. UMPHENOUR: However, he asked if
19 the subsistence fishery had been restricted would they
20 be able to sell the incidental-caught chinook.

21
22 MADAME CHAIR ENTSMINGER: Okay.

23
24 MR. ESTENSEN: Madame Chair, my
25 understanding of the regulation is that if there had
26 been a restriction to the subsistence harvest, they
27 would not be able to be sold incidental harvest, but if
28 there had not been a restriction to the subsistence
29 fishery, then they could be.

30
31 MADAME CHAIR ENTSMINGER: So are you
32 recognizing a Federal restriction also or is this all
33 done together in conjunction?

34
35 MR. ESTENSEN: I'm not the -- I'm the
36 summer manager and I don't know that I should be
37 speaking for Steve, but I do -- making -- not sure of
38 the regulation. Maybe I should just leave it at that.

39
40
41 MADAME CHAIR ENTSMINGER: George looks
42 like he has information.

43
44 MR. ESTENSEN: I am speaking to the
45 State regulations, so -- not the Federal.

46
47 MADAME CHAIR ENTSMINGER: This is
48 the.....

49
50 MR. ESTENSEN: Is that clear?

1 MADAME CHAIR ENTSMINGER:that
2 swims through my brain. Okay. Speaking of the motion,
3 other comments or discussion. Fred.

4
5 MR. BUE: I hate to do this to you and
6 it adds some confusion, but there are some gear
7 restrictions that are allowed in times of conservation
8 to restrict gear to chinook gear or to restrict gear to
9 chum gear. I don't know if you recall back in the
10 early 2000 when we had concerns for chum salmon. We
11 did have some restrictions there, and so fishing time
12 may not be the only restriction that's out there.

13
14 MADAME CHAIR ENTSMINGER: Okay. Andy.

15
16 MR. BASSICH: Thank you. In this
17 friendly motion -- amendment, it says subsistence
18 fishing schedule is reduced. It talks nothing about
19 gear. So you're talking just time, not gear.

20
21 MADAME CHAIR ENTSMINGER: All right.
22 One more quick question from Andrew.

23
24 MR. FIRMIN: I know there's some
25 enforcement personnel in the room, but so maybe they
26 could answer this. If this was -- say goes into effect
27 next summer, these enforcement people going to be at
28 AFN arresting people for selling strips and dried
29 salmon next year? This be my second question to this.
30 Who's going to enforce it if it does go into effect.

31
32 MADAME CHAIR ENTSMINGER: Does somebody
33 have the courage to answer that. They're just laughing
34 and smiling. Enforcement, is there any enforcement in
35 the room that can answer that? They can't answer it,
36 Andy. Okay. Virgil.

37
38 MR. UMPHENOUR: Madame Chair, we could
39 send a letter to the Director, Mr. Probasco, and ask
40 him to communicate to enforcement that we think that
41 enforcement should be out there enforcing this new
42 regulation if the Board does indeed -- or we should
43 send a letter to the chairman of the Board that if they
44 pass this that we expect it to be enforced.

45
46 MADAME CHAIR ENTSMINGER: Well, let's
47 just handle this amendment and vote on it. Is there
48 any other discussion on this amendment, the language on
49 the amendment to the amendment.

50

1 (No comments)
2
3 MADAME CHAIR ENTSMINGER: Okay. Did
4 someone call for the question?
5
6 MR. BASSICH: Yes.
7
8 MADAME CHAIR ENTSMINGER: Okay. I have
9 asked Andrew, he's the Secretary, to do a roll call
10 vote and that's how we're going to do this. Starting
11 with me?
12
13 MR. FIRMIN: You're number one.
14
15 MADAME CHAIR ENTSMINGER: Yes.
16
17 MR. FIRMIN: Well, for roll call vote,
18 we'll go down the list and number one would be Sue
19 Entsminger, Chair.
20
21 MADAME CHAIR ENTSMINGER: Yes.
22
23 MR. FIRMIN: Andrew Firmin, Secretary,
24 yes. Grafton Biederman, he's.....
25
26 MADAME CHAIR ENTSMINGER: Absent.
27
28 MR. FIRMIN:absent. Lester
29 Erhart.
30
31 MR. ERHART: Yes.
32
33 MR. FIRMIN: Andy Bassich.
34
35 MR. BASSICH: Yes.
36
37 MR. FIRMIN: William Glanz.
38
39 MR. GLANZ: Yes.
40
41 MR. FIRMIN: Frank Gurtler.
42
43 MR. GURTLER: Yes.
44
45 MR. FIRMIN: And Donald Woodruff.
46
47 MR. WOODRUFF: Yes.
48
49 MR. FIRMIN: And Virgil.
50

1 MR. UMPHENOUR: Yes.
2
3 MR. FIRMIN: Unanimous.
4
5 MADAME CHAIR ENTSMINGER: Okay. The
6 amendment to the amendment passes unanimously. So now
7 we have in front of us the amendment with this
8 language. Did I do that right, Virgil? I didn't.
9 Man, I just don't get it, do I. Go ahead
10
11 MR. UMPHENOUR: What you have is the
12 proposal as amended before us.
13
14 MADAME CHAIR ENTSMINGER: Okay. We
15 have 11-08 with the amendment.
16
17 MR. UMPHENOUR: Because what we've done
18 is totally changed what the proposal was with the
19 amendment. And so it's the proposal as amended.
20
21 MADAME CHAIR ENTSMINGER: Yeah.
22 Proposal 11-08 as amended. Everyone understand it?
23
24 MR. BASSICH: Madame Chair, can we
25 clarify to the Council that a yes, or a support vote
26 would mean what and what a not not supporting would
27 mean?
28
29 MADAME CHAIR ENTSMINGER: Okay.
30
31 MR. GLANZ: Excuse me, Andy. Say that
32 again, please.
33
34 MADAME CHAIR ENTSMINGER: He wants
35 clarified what a yes and no vote means and I would like
36 the parliamentarian to do that because he'd probably do
37 a better job than I.
38
39 MR. LARSON: Madame Chair. The main
40 motion in front of the Council right now is the
41 language that was provided to you through the second
42 time around that has bolded and strike-out language
43 underneath the title of additional modification to
44 amendment. That is now your main motion.
45
46 A positive vote -- a yes vote would be
47 to recommend adopting this language. A no vote would
48 be to not adopt the proposal as amended. So the
49 proposal would go away. Okay? Is that clear?
50

1 MR. GLANZ: No. I'm not clear on that
2 either.
3
4 MADAME CHAIR ENTSMINGER: I am.
5
6 MR. LARSON: So Madame Chair, this is
7 the main motion.
8
9 MADAME CHAIR ENTSMINGER: That's right.
10
11
12 MR. LARSON: So this is the main
13 motion.
14
15 MADAME CHAIR ENTSMINGER: I think we
16 are kind of wrapped up because there was two
17 amendments. The first.....
18
19 MR. LARSON: The main motion is now as
20 written in this document that was printed and
21 distributed. A yes motion -- a yes on this motion --
22 or a yes on this proposal would recommend adopting this
23 language. A no on this proposal would recommend not
24 adopting this language.
25
26 MADAME CHAIR ENTSMINGER: I just -- I
27 see Larry has come up. Oh, okay.
28
29 MR. BUKLIS: Madame Chair. I concur
30 that it's exactly as Robert ha described.
31
32 MADAME CHAIR ENTSMINGER: Okay. Andy.
33
34 MR. BASSICH: Yeah. So, Bill, I think
35 -- and correct me if I'm wrong. What we just voted on
36 was the adoption of the modification to the amendment.
37 Now we would be voting on the lower and adopting that;
38 is that correct?
39
40 MADAME CHAIR ENTSMINGER: No. We just
41 did that.
42
43 MR. LARSON: The answer is yes, that
44 you have a modified proposal. FP11-08 is now this
45 language that you see in front of you.
46
47 MR. BASSICH: Okay. Okay. Thank you.
48
49 MR. GLANZ: So, if I may, Robert, so
50 then FP11-08, that's not there. This is FP11-08 now,

1 correct?

2

3 MR. LARSON: That is absolutely

4 correct.

5

6 MADAME CHAIR ENTSMINGER: Well, is
7 there any other discussion on the main motion now as
8 amended. Virgil.

9

10 MR. UMPHENOUR: Well, I'm in favor of
11 the main motion as amended. I think it is very clear
12 and very easy for the public to understand and it
13 addresses the issue that we've spent a couple hours
14 discussing and that we've discussed at practically
15 every meeting we've had for the last ten years. So I
16 think this addresses that issue and I think it's the
17 best effort we can come up with to address this issue
18 which is basically abuse of our salmon resource by a
19 very, very few individuals in times of conservation
20 problems with the chinook salmon. Madame Chair.

21

22 MADAME CHAIR ENTSMINGER: Anyone else
23 what to put anything on to this? Frank.

24

25 MR. GURTLER: Hypothetically, what is
26 Canada decides to up their quota and then it would come
27 on -- work its way on down to putting this into effect,
28 hardships on us.

29

30 MADAME CHAIR ENTSMINGER: Virgil.

31

32 MR. UMPHENOUR: They can't do that. We
33 have a salmon treaty between the United States and
34 Canada that both countries have agreed to and in that
35 treaty, the Canadians are allowed a certain percentage
36 of the fish to use however they want to use them and we
37 are allowed a certain percent of the fish to use
38 however we want to use them that are above escapement
39 needs. And so the Canadians cannot just decide that.
40 It has to be agreed upon by the United States side of
41 the Yukon River Panel. Madame Chair.

42

43 MADAME CHAIR ENTSMINGER: Anyone else
44 have anything. Andrew.

45

46 MR. FIRMIN: I just like to say again
47 what I said earlier that I think that -- I see the need
48 for conservation and I see need for it, but I think
49 this is another restriction being placed on people that
50 needs to be thought out a little longer and I'd still

1 like to defer it to a work group to have a little more
2 planning into it and maybe have this restriction in a
3 time of need and, however, we are in a time of need,
4 but what happens in, you know, ten years. How do we
5 get it back off the books if we don't want it there
6 anymore.

7

8 The only way that would work around it
9 I guess would be because it would be in a time of
10 abundance, but -- per se. But like I said, I'd still
11 like to defer to a work group.

12

13 MADAME CHAIR ENTSMINGER: Anyone else
14 have anything to add.

15

16 (No comments)

17

18 MADAME CHAIR ENTSMINGER: Okay.
19 Question's been called. We're doing roll call again.

20

21 MR. FIRMIN: Okay. Roll call vote for
22 the motion on the floor. This was FP11-08 as amended.
23 Virgil.

24

25 MR. UMPHENOUR: Yes.

26

27 MR. FIRMIN: Donald Woodruff.

28

29 MR. WOODRUFF: No.

30

31 MR. FIRMIN: Frank Gurtler.

32

33 MR. GURTLER: No.

34

35 MR. FIRMIN: William Glanz.

36

37 MR. GLANZ: No.

38

39 MR. FIRMIN: Andrew Bassich.

40

41 MR. BASSICH: Yes.

42

43 MR. FIRMIN: Lester Erhart.

44

45 MR. ERHART: No.

46

47 MR. FIRMIN: Grafton absent. And
48 Andrew Firmin. No. Sue Entsminger.

49

50 MADAME CHAIR ENTSMINGER: No.

1 MR. FIRMIN: Split seven to two.
2
3 MADAME CHAIR ENTSMINGER: Okay. So in
4 lieu of that, I'd entertain a motion for -- I don't
5 know if it's going to be a letter or what, a
6 recommendation for a work group. Is that what I'm
7 hearing or do we need to do that?
8
9 MS. MUSHOVIC: And you could put it in
10 your annual report.
11
12 MADAME CHAIR ENTSMINGER: We do need to
13 do that. We can put it in the annual report and a
14 letter.
15
16 MS. MUSHOVIC: And a letter.
17
18 MADAME CHAIR ENTSMINGER: And a letter.
19 So.....
20
21 MR. GLANZ: It needs a motion?
22
23 MADAME CHAIR ENTSMINGER: It needs a
24 motion. Andy.
25
26 MR. BASSICH: Madame Chair, I'd like to
27 make a motion that a work group to work on the issues
28 of customary trade be formed to include all three RACs
29 and -- I guess that's good enough.
30
31 MR. GLANZ: I'll second that for him.
32
33 MADAME CHAIR ENTSMINGER: Okay.
34 Discussion. Do we need any more discussion on that?
35
36 Donald.
37
38 MR. WOODRUFF: Thank you. I'm not sure
39 which RAC Andy was referring to because there's four of
40 them or five or them that are on our sheet here. Are
41 you talking about all the RACs, Andy?
42
43 MR. BASSICH: Riverside. Eastern,
44 Western, and YK Delta.
45
46 MADAME CHAIR ENTSMINGER: Because it's
47 specific to the Yukon. So that's understood is the
48 letter is for the three Councils for the Yukon River.
49 Okay. And it's been seconded. Yes.
50

1 MR. BASSICH: Madame Chair, do we need
2 to -- this wouldn't be all three RACs getting together
3 I would assume. Is this something where
4 representatives from each RAC would come together in a
5 working group or -- I would think that would be a much
6 more fiscally responsible way to do it, but I'm not
7 sure if that's also the most productive way to do
8 it.....

9
10 MADAME CHAIR ENTSMINGER: Oh, I see.

11
12 MR. BASSICH:given my experience
13 with, you know, different cultural issues and how
14 people like to make decisions, it's pretty important
15 that we.....

16
17 MADAME CHAIR ENTSMINGER: Maybe the
18 motion should say to draft an -- or draft a proposal
19 for the Yukon River and give it a time certain. I
20 don't know.

21
22 MR. BASSICH: Madame Chair, I think the
23 issue in my mind is whether it's going to be a tri-RAC
24 meeting to try and hammer out some of these customary
25 trade issues or whether it's representatives from each
26 RAC trying to do it. My concern.....

27
28 MADAME CHAIR ENTSMINGER: I see what
29 you're saying now.

30
31 MR. BASSICH:to just having
32 representatives is my experience with some of the RACs
33 is that culturally they prefer to make decisions as a
34 group as opposed to having a representative make
35 decisions for the group.

36
37 MADAME CHAIR ENTSMINGER: I think what
38 I would recommend is a working group of the three RACs,
39 just a group. Not all of them, not the whole tri-
40 Council meeting. They get together and they hash it
41 out and come up with a proposal. They go before the
42 Board and there's a time certain on it. Okay. So I
43 would ask you to -- and the second to concur with that
44 suggestion.

45
46 MR. BASSICH: Madame Chair, I would
47 concur with that and I guess the next step would be to
48 assign people from this RAC that would go and be part
49 of that working group.

50

1 MADAME CHAIR ENTSMINGER: Right. So is
2 there any other discussion on that motion. Do you have
3 something to add for us, Robert?

4
5 MR. LARSON: It's a semantics thing as
6 much as anything, but under the Federal Advisory
7 Committee Act, you know -- wanted to have a Board-
8 sponsored group to address this issue, more likely what
9 we should have is we should just start referring it to
10 a subcommittee -- subcommittee of the RAC.

11
12 MADAME CHAIR ENTSMINGER: Subcommittee
13 and not working group. Yeah.

14
15 MR. LARSON: See, and it would be a
16 subcommittee of not only one RAC, but of three and it's
17 -- I assume that that's what you're taking about.....

18
19 MADAME CHAIR ENTSMINGER: It is.

20
21 MR. LARSON:because that's the
22 correct -- if we just start with that right language,
23 then there's no confusion later on.

24
25 MADAME CHAIR ENTSMINGER: We did this
26 before. We messed this up and said working group and
27 it's got to be a subcommittee. Yes. Okay.

28
29 MR. GLANZ: Should we redo it?

30
31 MADAME CHAIR ENTSMINGER: Yeah, redo it
32 and then come up with a time certain and then we'll get
33 a concur from the second.

34
35 MR. BASSICH: Madame Chair, make a
36 motion to form a subcommittee comprised of members of
37 each Regional Advisory Committee, i.e., Eastern,
38 Western, and YK Delta, to work on the issues of
39 customary trade and create a proposal to present before
40 the Federal Subsistence Board.

41
42 MADAME CHAIR ENTSMINGER: I.....

43
44 MR. WOODRUFF: Second.

45
46 MR. BASSICH: I don't know. I would
47 need help on that.

48
49 MADAME CHAIR ENTSMINGER: Well.....

50

1 MR. GLANZ: I'll just concur with the
2 second.
3
4 MADAME CHAIR ENTSMINGER: Okay.
5
6 MR. GLANZ: We could actually probably
7 withdraw the first one, make it a whole lot simpler if
8 we could do it that way.
9
10 MADAME CHAIR ENTSMINGER: Yeah. It's
11 done. It's -- we've.....
12
13 MR. GLANZ: All right.
14
15 MADAME CHAIR ENTSMINGER: Yeah. Now, I
16 think we should put a time certain on it and push for
17 -- I mean I would -- yeah. Larry.
18
19 MR. BUKLIS: Madame Chair, just remind
20 you the schedule's coming up -- January 2011, coming
21 up, is the regular -- the next regular fisheries
22 Federal Board meeting. January 2012 is the next
23 regular wildlife cycle Board meeting and January 2013,
24 fisheries comes back around. So you've got 2011 which
25 would be probably too soon. That's the cycle we're in
26 now and that's what these proposals are aiming at.
27 Then you've got January '12 is wildlife. January '13
28 is fish cycle. Those are the two next cycles.
29
30 MADAME CHAIR ENTSMINGER: I think what
31 I'm hearing here is that time is of the essence. So I
32 -- to push it way out, what, three years.....
33
34 MR. BUKLIS: No. I'm just letting --
35 you were asking about schedule.
36
37 MADAME CHAIR ENTSMINGER: Yeah. Okay.
38
39
40 MR. BUKLIS: The proposals you're
41 dealing with now, the regular proposals you're dealing
42 with, without work groups, are scheduled to come before
43 the Board in January about four months from now.
44 January 2011. That's the work of these Councils now.
45
46 MADAME CHAIR ENTSMINGER: I guess what
47 I'd like to see happen is something happen as soon as
48 possible and they have that information go before this
49 coming Board. So I -- yeah, I hear some -- is that
50 possible?

1 MR. BUKLIS: Well, Madame Chair, the
2 proposals of record that you've been addressing,
3 another Council recommended modifications that would
4 put it in place. I mean the Board has to meet in
5 January to take up the various views expressed. This
6 Council's proposing a subcommittee. Western Interior
7 proposed what they called a work group. Seward
8 Peninsula proposed or recommended taking no action and
9 YK recommended specific new regulations with dollar
10 amounts. The Board's public meeting will take all of
11 that and make a decision.

12

13 MADAME CHAIR ENTSMINGER: Yeah.

14

15 MR. BUKLIS: We can't -- I don't know
16 how to get a work group launched in the face of one
17 Council with a solution now. I mean whatever my
18 opinion is, you asked me about process.....

19

20 MADAME CHAIR ENTSMINGER: Yeah.

21

22 MR. BUKLIS: Your work, like the other
23 Councils' work, is leading to a January meeting and
24 that's where the Board will decide how to take the
25 various recommendations and do something. And the next
26 regular meeting after that is January 2012 for
27 wildlife. They can go out of cycle. I'm just letting
28 you know what the schedule is. But to get ahead of
29 January 2011 would be to get out ahead of the process
30 we're in.

31

32 MADAME CHAIR ENTSMINGER: Robert.

33

34 MR. LARSON: One thing that the Council
35 should keep in mind is that a subcommittee of the
36 Council is put in place to provide a recommendation not
37 to the Board but to the Council. So they are not a
38 decision-making body. They only provide advice to the
39 Council for the Council's actions.

40

41 Now the Council can take the results of
42 a subcommittee and do what they will with it.

43

44 MADAME CHAIR ENTSMINGER: Uh-huh.

45

46 MR. LARSON: But it is -- it's not the
47 property of the Council until the Council meets and
48 either approves or disapproves or amends or whatever
49 they do, take this information that is gathered during
50 this process and do something with it.

1 MADAME CHAIR ENTSMINGER: But can we
2 suggest that this come up at the 2012 wildlife? Uh-
3 huh.

4
5 MR. BUKLIS: Madame Chair, certainly
6 you could.....

7
8 MADAME CHAIR ENTSMINGER: That's
9 what.....

10
11 MR. BUKLIS:ask that this process
12 be started and concluded for the January 2012 wildlife
13 cycle.

14
15 MADAME CHAIR ENTSMINGER: Okay.

16
17 MR. BUKLIS: The Board may or may not
18 act on that, but that is a legitimate request.

19
20 MADAME CHAIR ENTSMINGER: Andy.

21
22 MR. BASSICH: So, Robert, hearing you.
23 I understand that. What -- I guess I'm still a little
24 confused now. Basically what we're trying to do and
25 what I'm hearing from Western RAC and what we're trying
26 to do here is to form a subcommittee which would have
27 representation from each RAC to work on this issue to
28 present something to the Federal Subsistence Board at
29 the earliest possible date, is my general feeling from
30 the Western RAC and certainly from this RAC. So what's
31 the procedure for doing that? I guess -- hearing Sue
32 and hearing Larry, you know, we may not -- we may be
33 able to ask for this to be put before the Board out of
34 cycle, but is it possible for us to put this
35 subcommittee, i.e., working group, together this winter
36 to make those recommendations to come back to the RACs
37 for their winter meetings to approve so that they could
38 then be forwarded to the Board if we have some form of
39 success in that subcommittee.

40
41 That's what I envision I would like to
42 see done. I'm just not sure of the procedures, but I
43 think we need to work on this this winter prior to the
44 winter meetings for each individual RAC on the Yukon
45 River so that when they go to their winter meetings,
46 they have this before them to either approve or not
47 approve and then we can go from there and see whether
48 we would like -- if we have enough consensus among the
49 RACs to ask for an out-of-cycle presentation of this to
50 the Board.

1 MR. LARSON: Madame Chair. That -- I
2 think Andy has stated the process very clearly is that
3 once the working group -- or the subcommittee/working
4 group is formed, they meet. They provide a
5 recommendation to their -- to all of the affected RACs,
6 Regional Advisory Councils. Those Councils would in
7 fact then do a Council action in support or whatever
8 and at that point, then they could move forward for
9 consideration by the Board.

10
11 But the process is the subcommittee
12 meets, they report to their respective Councils, the
13 Council acts, has some action item, and then it's
14 forwarded on appropriately to the Board.

15
16 MADAME CHAIR ENTSMINGER: So in short,
17 we can -- the answer is yes, we can push it for that
18 cycle and that's what I would -- I'm hearing here.
19 Larry.

20
21 MR. BUKLIS: Madame Chair, Robert's
22 correct that that timeline conceptually could happen,
23 but I remind you the Federal Board meets in mid
24 January. If they then commissioned a subcommittee to
25 be formed, to meet, to work, to reach consensus and
26 report out and be ready to report out at the Council
27 meetings that begin in mid February, that's an
28 ambitious -- I know the concerns are large on the Yukon
29 and time is of the essence, but that is very ambitious.
30 From a commissioning in mid January to be ready for the
31 Council meetings in February/March with an issue like
32 this is very ambitious.

33
34 MR. BASSICH: Madame Chair, I'm an
35 ambitious person. I believe this Council is a very
36 ambitious Council and I'd like to see that take place
37 or at least the best attempt that we can make at that
38 to take place. So what I'm asking for is some help
39 from the Office of Subsistence Management in helping us
40 to formulate that subcommittee so that we can get on
41 with this business.

42
43 MADAME CHAIR ENTSMINGER: Okay.

44
45 MR. LARSON: I hate to belabor this
46 point, but the assistance that would be most valuable
47 at this point if the Council decides to form a
48 subcommittee would be to narrowly focus the work of
49 this subcommittee in fact so it's -- it doesn't get
50 sidetrack on other issues. If there's one issue in a

1 timeline and -- that -- you know, that should be very
2 clearly articulated by the Council with a charge of
3 work so they could move forward and do that work in a
4 timely manner.

5

6 So that would be my advice.

7

8 MADAME CHAIR ENTSMINGER: And I think
9 that's great advice. How do we -- do we need to change
10 our -- I mean we're discussing that we want to start
11 the subcommittee and we're discussing time certain and
12 we're -- I'm seeing a nodding of heads as soon as
13 possible and I think it would be nice, even though it's
14 ambitious -- well, I don't know if that -- ambitious is
15 what we want to do, even though it might seem like it
16 couldn't get done. That's what we're pushing for. Do
17 I see an agreement with the Council that you would say
18 let's try to push for having it at our next meeting?
19 Something -- that this subcommittee meet and come to us
20 at the next meeting and -- I see some shaking of heads.
21 Frank.

22

23 MR. GURTLER: Well, what's the rush on
24 this?

25

26 MADAME CHAIR ENTSMINGER: The fish.

27

28 MR. GURTLER: I mean we got -- we could
29 do all that and probably try, but it's just going to --
30 isn't it important to have this set up or whatever.....

31

32 MADAME CHAIR ENTSMINGER: There are
33 some concerns. I hear the concerns and I also hear
34 you. I don't know. It's probably -- government works
35 slow. I see a lot. So us -- our -- yeah. Okay. So
36 you probably don't agree that it's as soon as possible.
37 Is that what I'm hearing?

38

39 (No comments)

40

41 MADAME CHAIR ENTSMINGER: I don't think
42 you do.

43

44 MR. GURTLER: One way or the other.

45

46 MADAME CHAIR ENTSMINGER: Other Council
47 members.

48

49 (No comments)

50

1 MADAME CHAIR ENTSMINGER: The motion is
2 -- we said time certain, but we didn't give it time and
3 then.....
4
5 MR. UMPHENOUR: Question.
6
7 MADAME CHAIR ENTSMINGER:Robert's
8 -- just call for the question. All right. And then
9 after we call for the question, let's just give them
10 some direction, okay? All right. Is anyone opposed to
11 doing this?
12
13 (No comments)
14
15 MADAME CHAIR ENTSMINGER: Okay. So
16 we're -- the motion passes unanimously. Now, let's
17 just give them some direction.
18
19 MR. GLANZ: Madame Chair.
20
21 MADAME CHAIR ENTSMINGER: Uh-huh.
22
23 MR. GLANZ: Who are we going to have on
24 the subcommittee?
25
26 MADAME CHAIR ENTSMINGER: All right.
27 Let's appoint several.
28
29 MR. GLANZ: Myself, Madame Chair, I'd
30 like some diversity, like Andy and Andrew and maybe
31 even Frank here. That be pretty down the line where
32 they'd all have differing views and if that be -- okay.
33
34 MADAME CHAIR ENTSMINGER: I would
35 totally agree to that. Does anyone have any opposition
36 to that or would anyone else like to be on this
37 subcommittee.
38
39 MR. GURTLER: I'm not going to be in
40 the State for a while here, so.....
41
42 MADAME CHAIR ENTSMINGER: This winter?
43
44 MR. GURTLER: Yeah.
45
46 MADAME CHAIR ENTSMINGER: When do you
47 come home? When do you come back?
48
49 MR. GURTLER: (Indiscernible-away from
50 microphone.)

1 MADAME CHAIR ENTSMINGER: Oh, okay.
2 You're not available this -- till after February.
3 Yeah. Okay. So, Lester, are you?
4
5 MR. ERHART: (Indiscernible-away from
6 microphone.)
7
8 MADAME CHAIR ENTSMINGER: You're busy,
9 but you're available?
10
11 MR. ERHART: No.
12
13 MADAME CHAIR ENTSMINGER: Oh, you're
14 not available. Well, I think these two would probably
15 do -- and Bill.
16
17 MR. GLANZ: I'll go along with them.
18 Sure. I'll do it.
19
20 MADAME CHAIR ENTSMINGER: All right.
21 So there's three. I think that would be good. All
22 right. Sounds good to me.
23
24 MR. BASSICH: Do we need to focus the
25 duties of this subcommittee a little bit more? Is that
26 something that you feel we need to do right now or is
27 just -- are we -- is just formulating the subcommittee
28 and trying to get it organized with the three RACs all
29 we need to do because I think it's pretty clear that
30 there's a couple of issues that are paramount to
31 discuss on this, but I think that subcommittee could
32 also identify those equally. I don't know that we
33 really need to spend the time. I think the
34 subcommittee itself can identify the issues that need
35 to be worked on to make this enforcement and good for
36 the user and good for the fish and.....
37
38 MADAME CHAIR ENTSMINGER: Uh-huh.
39
40 MR. BASSICH:that should be a
41 part of their job as I see it, so I'm asking that we
42 don't get bogged down and trying to be too specific
43 right now and that we just try and get some dates set
44 as soon as possible. I think it would take some
45 collaboration with the different RACs and then we can
46 move from there. One suggestion I'd like to make is
47 that I know a number of people are coming to Anchorage
48 in early December for the Yukon River Panel meeting
49 there and so it might be fiscally responsible to try
50 and schedule it around that meeting which ends I think

1 on the 6th or 7th of December. So that's just an
2 option to throw out there.....

3

4 MADAME CHAIR ENTSMINGER: Good idea.

5

6 MR. BASSICH: Because I know a number
7 of representatives from the different regions will be
8 there for that.

9

10 MADAME CHAIR ENTSMINGER: Uh-huh. That
11 would be a good subcommittee. Yeah. And then like --
12 yeah. Okay. Do we -- yes, Larry.

13

14 MR. BUKLIS: Madame Chair, just remind
15 you the Board meeting on the proposal you're addressing
16 which one Council has stipulated a new regulation for
17 is in mid January. So just to be frank with you, I
18 don't know how they would commission a tri-Council
19 subcommittee for a December meeting when they don't
20 take up the issue until mid January. That's why I said
21 getting ready for the February Council meetings will be
22 ambitious. I don't want to understate how ambitious
23 that is.

24

25 Western Interior has picked February
26 23rd to begin their meeting. Our Board meets in mid
27 January. So you got about five weeks from Board
28 meeting to Western Interior Council meeting for the
29 committees to be formed, meet, reach consensus or
30 something, and report back. It's five weeks.

31

32 MADAME CHAIR ENTSMINGER: Maybe they
33 should meet after the Board meeting. Yeah. But I mean
34 people -- there's going to be representatives at the
35 Board and the Board will make decisions and then it
36 seems like, wow, maybe they should be there for that.
37 The subcommittee should probably be in Anchorage to
38 hear all this and I think we're going to let Staff work
39 this out for us. I think you hear our intention and I
40 don't know that we need to spend a lot more time on it.
41 Andrew.

42

43 MR. FIRMIN: Just an idea maybe if it's
44 -- doesn't seem quite possible that much will get done
45 between that in that five-week period, maybe like we
46 said when we should try to schedule our RAC meetings on
47 the same place about the same time. We could have them
48 all in Fairbanks or Anchorage or something so that all
49 the RACS could.....

50

1 MADAME CHAIR ENTSMINGER: So
2 you're.....
3
4 MR. FIRMIN:maybe the
5 subcommittee could show up a little bit earlier and
6 then we could have some kind of consensus between the
7 RACs at our winter meeting.
8
9 MADAME CHAIR ENTSMINGER: Uh-huh.
10
11 MR. FIRMIN: Something along those
12 lines. It's just an idea.
13
14 MADAME CHAIR ENTSMINGER: Not
15 necessarily a tri-Council meeting.
16
17 MR. FIRMIN: Not necessarily but have
18 them in the same place so we can walk across the hall
19 and talk to each other, confer over lunch or dinner at
20 the same time.
21
22 MADAME CHAIR ENTSMINGER: Okay.
23
24 MR. FIRMIN: Maybe have a subcommittee
25 meet at the same place before. Then the RACs will be
26 there after.
27
28 MADAME CHAIR ENTSMINGER: Uh-huh.
29
30 MR. FIRMIN: While it's all fresh in
31 our heads instead of going home for a few months and
32 coming back and what were we talking about again kind
33 of thing.
34
35 MADAME CHAIR ENTSMINGER: Right.
36 Right. I don't know if that's possible, but it said --
37 Andrew's giving the Staff that suggestion.
38
39 All right. I think we can move along
40 now to -- is it lunchtime. Our reports are going to
41 get pushed back. All right. I do want to note that
42 Barbara Cellarius is here from Glenn Allen and if we
43 could get some of those -- if we get this -- we need to
44 give her time to drive home today. I think that would
45 be nice, so we'll -- I don't know how long this 11-09
46 will take us after lunch, but sometime soon after lunch
47 -- should we just take that up first so she can drive
48 home? I'd like to -- want to do that. Okay. We'll do
49 that and then we'll do 11-09. Okay. An hour and 15?
50 Okay. So 1:30 we'll be back.

1 (Off record)

2

3 (On record)

4

5 MADAME CHAIR ENTSMINGER: We'll get
6 started. I guess we're going to get started. I was
7 kind of waiting for Lester and Andrew to show up. Oh,
8 okay. All right. Thank you.

9

10 We are giving Barbara a chance to jump
11 up here so she can get -- drive home tonight and not
12 spend another day in town. So, Barbara, I kind of
13 bailed and told him to call back. So he'll be calling
14 back in a few minutes, so if you can handle the other
15 issues, give us the reports and then -- wait a minute.
16 I think he's on. Is that Bruce Rogers?

17

18 MR. ROGERS: Yep, that's me.

19

20 MADAME CHAIR ENTSMINGER: Excellent.
21 Thank you. Is Judy with you?

22

23 MR. ROGERS: She is not.

24

25 MADAME CHAIR ENTSMINGER: Okay. Hello,
26 Bruce. This is Sue. How are you doing.

27

28 MR. ROGERS: Good. I'm all right. Sue,
29 how are you?

30

31 MADAME CHAIR ENTSMINGER: Well, I don't
32 know if I'm ready to talk about ORVs again, but we're
33 about to do it. So -- okay. We're just getting
34 started after our lunch and Barbara's here and the --
35 we're all sitting here and everybody can hear you just
36 fine. So I'll let Barbara start.

37

38 MS. CELLARIUS: Okay. Thank you,
39 Madame Chair. For the record, my name is Barbara
40 Cellarius and I'm the Subsistence Coordinator for
41 Wrangell-St. Elias National Park and Preserve and I am
42 going to start with that -- something general for the
43 Park Service, so it's not specific to Wrangell-St.
44 Elias. And I just want to say a few words about
45 something and there's -- you have a handout. It's
46 labeled Tribal Consultation, looks like this for the
47 RAC members. It's one of the pieces of paper that I
48 passed out.

49

50 We just wanted to let you know that our

1 National Park Service nationwide is undertaking an
2 effort to consult with Federally-recognized Indian
3 tribes on gathering in national parks for traditional
4 cultural purposes. So on that briefing sheet, sort of
5 describes this initiative. It has -- will most likely
6 have a greater impact for tribes in the Lower 48
7 because there are more restrictions on what they can
8 currently gather in parks. But we're also wanting to
9 make sure that we talk to tribes up here and we're at
10 the initial scoping stage. So what we've done at
11 Wrangell is we went a letter out to the tribes that are
12 affiliated with the National Park, with Wrangell-St.
13 Elias and making some phone calls. And that's all I'll
14 say about that unless there are any questions.

15
16 MADAME CHAIR ENTSMINGER: Any
17 questions.

18
19 (No comments)

20
21 MS. CELLARIUS: Okay. Couple of other
22 reports on what we're doing. I put together a report
23 about some of the things that I've been working on.
24 I'm not going to really talk about it but would
25 certainly be happy to answer questions. Has a few
26 paragraphs on the front about some things I've been
27 doing lately and on the back, we have some preliminary
28 data about how many Federal subsistence permits we
29 issued for hunting this year.

30
31 And then I'll move on to the wildlife
32 report. So another piece of paper with Park letterhead
33 at the top and the only thing I'll really talk about is
34 the Chisana Caribou Herd. And so since your last
35 meeting, we've had some public meetings on the draft
36 management plan for this Chisana Caribou Herd and we
37 also solicited written comments and we've recently been
38 in touch with the Canadians to see where they are in
39 terms of their consultation process and where we are
40 basically with a plan.

41
42 The Canadians hope to have the plan
43 before the Yukon Fish and Wildlife Board in mid October
44 which starts a 60-day public consultation period. And
45 so they're planning to have a planning group meeting
46 probably in mid December. The Minister would like to
47 see the plan there in the Yukon and one of the things
48 that has come out of the public comments is the -- it
49 will probably be added to the plan that the idea of
50 eventually establishing a minimum herd number. So

1 that's where things are with the management planning
2 process.

3
4 The other thing that I will mention is
5 that one of the pieces that was seen as needed before a
6 hunt was established, there was a proposal before you
7 in the spring. The Federal Subsistence Board deferred
8 that proposal, but one of the things that was seen --
9 well, there were two things identified as needing to
10 happen before a hunt was established. One was the
11 completion of this plan and the other one was a census
12 to be conducted this fall and having a stable
13 increasing population shown in that census.

14
15 And they did the census on the Canadian
16 side on Monday of this week. That's why Judy's not
17 here and they are -- I don't know if Judy is up today.
18 They didn't do the Canadian census on -- this is a
19 transboundary herd, so some of the animals are in the
20 Yukon and some of the animals are in the U.S. They
21 surveyed the U.S. area on Monday. Weather prohibited
22 them from doing that on -- earlier this week and so
23 that may be where Judy is today.

24
25 And I'll stop there with the wildlife
26 side of things and see if there's any questions.

27
28 MADAME CHAIR ENTSMINGER: Virgil.

29
30 MR. UMPHENOUR: I noticed in your
31 handout you're doing a survey of how many Dall sheep
32 there are in the park. When do you think that'll be
33 done because it doesn't say.

34
35 MS. CELLARIUS: The survey itself was
36 done this summer and they're working on the analysis of
37 the data. They're using some kind of a statistical
38 technique, so they actually have to -- they have to go
39 in and do some analysis through the numbers in order to
40 get a populate -- or, you know, a survey estimate with
41 the confidence interval, that kind of thing. I expect
42 they'll be working on that this fall or this winter,
43 but I don't know the exact timing. I could ask and
44 find out if you'd like.

45
46 MADAME CHAIR ENTSMINGER: Any other
47 questions.

48
49 (No comments)
50

1 MADAME CHAIR ENTSMINGER: Okay. Are we
2 moving into ORVs which I spent -- let's see now -- was
3 it four meetings. Four meeting.

4
5 MS. CELLARIUS: Four work group
6 meetings and then special SRC meeting.

7
8 MADAME CHAIR ENTSMINGER: Yeah. I was
9 on a subcommittee with the Subsistence Resource
10 Commission and we spent a lot of time on this EIS to
11 try to get good comments and it was really -- a lot of
12 time was spent on it and then the SRC met last week in
13 Tok two days and then what happened was we sent our
14 comments in early because it didn't look like we were
15 going to meet again before the public comment period
16 was up and then it turned out that we have time to do
17 that and we as a RAC can do that also. I just thought
18 I'd point that out today and let them give you a report
19 on the ORV. All right.

20
21 MS. CELLARIUS: Before Bruce starts,
22 maybe I'll just mention what you have in front of you
23 for the Council members. There's this handout with a
24 photograph on the front of it. It's the executive
25 summary from the ORVEIS and then there's a public
26 comment sheet. So you can put your comments on this or
27 you can -- it tells you on the sheet other ways in
28 which you can comment. And then I will also mention
29 that in a box next here to the handout table, I have
30 two copies of the full EIS, so if anyone would like a
31 copy, feel free to grab one. So that looks like this.

32
33
34 MADAME CHAIR ENTSMINGER: To add weight
35 to your car. No. It's a pretty big document, that
36 one. And also didn't you hand out those comments from
37 the SRC?

38
39 MS. CELLARIUS: Yes. I forgot to
40 mention that. There two sets of comments from the
41 Subsistence Resource Commission to the Park about the
42 project. One is a cover letter to the Superintendent
43 with three pages of comments and the other is a single-
44 page letter that just has three additional comments
45 that the SRC made at its meeting last week.

46
47 MADAME CHAIR ENTSMINGER: And Bruce is
48 on line and he's the planner, so he's going to give us
49 a brief update. I know this is a lot of material. We
50 could spend as much time or more than you did on that

1 last proposal on this subject, but since the SRC spent
2 a lot of time on it, it's still important for us to
3 look at this and maybe have some comments later. So,
4 Bruce, go ahead.

5
6 MR. ROGERS: Okay. Thanks, Sue. Yeah,
7 this is Bruce Rogers and I'm the Planner at Wrangell-
8 St. Elias National Park and Preserve. I work down here
9 out of Copper Center and as you've guys have discussed,
10 we've got this draft environmental impact statement out
11 and it really covers nine trails in the northern
12 portion of the Park, what we call the Nabesna District
13 and these nine trails all originate off the Nabesna
14 Road.

15
16 So the reason we're doing this EIS is
17 that in 2006 and basically the lawsuit challenged the
18 Park's authority to issue permits for recreational
19 off-road vehicle use. So there was a settlement done
20 on that lawsuit and one of the conditions of the
21 settlement said that we would do an environmental
22 impact statement considering the impacts of off-road
23 vehicle use.

24
25 So what you see here is a draft and
26 you've got a copy of the executive summary. When we
27 put the draft out in August -- I think it was August
28 8th or August 10th, and we're running this for a 90-day
29 comment period, so folks have until November the 10th
30 to comment on the draft. And then we'll take all the
31 comments that we get and kind of organize them and
32 process them and consider the comments and make any
33 changes that we deem are appropriate between the draft
34 and the final.

35
36 When the final EIS comes out, there'll
37 be an appendage in the final that actually has all the
38 comments that were received and how we responded to
39 them. And then the final will also show any changes
40 that were made in the document as a result of the
41 comments. So -- and then we're hoping to get a final
42 EIS out basically by May of 2011 and then do what's
43 called a record of decision that kind of documents the
44 Agency's decision by the end of June 2011.

45
46 So that's kind of a summary of the
47 process and where we are and let me just -- it seems
48 like we're keeping these very brief. I'll do that and
49 then you have questions, I can flesh things out. But
50 let me talk about -- a little bit about the range of

1 alternatives that's covered in this draft EIS.

2

3 We basically -- we have five
4 alternatives that are considered and we have identified
5 (indiscernible-away from microphone) five of a
6 preferred alternative and very briefly (indiscernible-
7 away from microphone) five, we would fix the trails
8 using various means and then after they're fixed, we
9 would permit recreational off-road vehicle use on the
10 improved trails and of course we'd continue to allow
11 subsistence off-road vehicle use on the improved
12 trails.

13

14 Until the time that those trails are
15 fixed, we would continue to allow subsistence off-road
16 vehicle use and we would monitor that use to ensure
17 that resource impacts so (indiscernible-away from
18 microphone) the trails don't get worse. If monitoring
19 showed that things were getting worse, then we would
20 consider the range of management options including
21 (indiscernible-away from microphone) possible spot
22 maintenance or all the way up to closure.

23

24 So that's alternative five. That's our
25 preferred and then we have other alternatives that
26 consider varying degrees of trail improvement and then
27 some that don't do any improvements but permit
28 different levels of use. So like alternative three
29 wouldn't do any trail improvement but would not permit
30 recreational off-road vehicle use while still allowing
31 for subsistence use to occur.

32

33 So that's a real brief rundown and it's
34 a very detailed document, so certainly if you have any
35 questions, I'd be happy to try and answer them.

36

37 MADAME CHAIR ENTSMINGER: Thanks,
38 Bruce. Council members, do you have any questions. I
39 can guarantee you could spend a lot of time on this.
40 Go ahead, Donald.

41

42 MR. WOODRUFF: Thank you, Madame Chair.
43 This improvement of the trails, what's the forecast for
44 that? Is that in the next five years or -- can you
45 answer that question, please.

46

47 MR. ROGERS: Yeah. We're projecting
48 for all nine of these trails to be fixed to the
49 standard that we've prescribed, we're projecting 10 to
50 15 years. I think realistically there are some that

1 are technically less challenging that could very well
2 be fixed within the next three to five years, but the
3 more technically challenging and expensive ones, I
4 think are going to take longer than that and I've been
5 telling folks 10 to 15.

6

7 MADAME CHAIR ENTSMINGER: That was a
8 big while. So can you answer this question for the
9 group. The funding available to fix them and does it
10 -- if there is something isn't fixed, is it permanently
11 closed until it's fixed and who does it -- does it
12 affect subsistence.

13

14 MR. ROGERS: Sue, you're kind of fading
15 in and out there. Could you repeat.

16

17 MADAME CHAIR ENTSMINGER: Oh, yeah.
18 That was Sue. Can you hear me better?

19

20 MR. ROGERS: Yes.

21

22 MADAME CHAIR ENTSMINGER: I thought I
23 did such a good job. I don't know if I can repeat it.
24 The funding to fix those trails, if it did not come
25 about, would those trails be closed? Answer that one
26 first. And who would they be closed to? Subsistence
27 and rec?

28

29 MR. ROGERS: Yeah. If we never were
30 able to fix the trail, that trail would -- it depends
31 on the trail, but if it's a trail that's in poor
32 condition with a lot of resource problems like let's
33 say the Tanana Trail, if we were not able to fix that,
34 it would be closed from the get-go to recreational off-
35 road vehicle use. We would allow subsistence off-road
36 vehicle use on that trail even without being fixed, but
37 that would be subject to the monitoring and if over
38 time monitoring showed that conditions were getting
39 worse, then we would start in with some of the
40 management actions such as spot maintenance or some of
41 these class restrictions or seasonal restrictions.

42

43 But if those didn't work, then it could
44 eventually lead to closure.

45

46 MADAME CHAIR ENTSMINGER: Any other
47 questions.

48

49 (No comments)

50

1 MADAME CHAIR ENTSMINGER: One more
2 question. Can you hear me?

3
4 MR. ROGERS: Yes.

5
6 MADAME CHAIR ENTSMINGER: The funding,
7 is it possible that there would not be funding from
8 year to year? That they would not get fixed?

9
10 MR. ROGERS: For fixing the trails,
11 Sue?

12
13 MADAME CHAIR ENTSMINGER: That's right.

14
15
16 MR. ROGERS: That's possible. I mean
17 the way the system works is that once the record of
18 decision is signed, we put these projects into the
19 system and then the money is doled out basically as
20 it's available. So I could certainly see that it could
21 be used when we're flush with the budget and we get
22 funding to do a project or two projects or even three
23 and then we could have some dry spells where we'd go
24 two or three years without getting any funding for the
25 trail improvement.

26
27 MADAME CHAIR ENTSMINGER: Thanks,
28 Bruce. Is there any other questions, Council members.
29 Donald.

30
31 MR. WOODRUFF: Thank you, Madame Chair.
32 If there isn't funding for these trail improvements, is
33 there an avenue for subsistence volunteers to
34 participate to cut the budget and move forward on this
35 trail maintenance? Thank you.

36
37 MADAME CHAIR ENTSMINGER: Did you hear
38 that question?

39
40 MR. ROGERS: I did. Yeah. That's part
41 of the SRC's comments too. They wanted to make sure
42 the Park emphasizes -- be able to use volunteer
43 assistance on these things. The short answer is
44 because of the nature of how they would fix these
45 trails, I mean not being hand crew activity. We're
46 talking mechanized kind of work and there's a component
47 of that that could be done through volunteer work, but
48 I don't think it can all be done through volunteer
49 certainly. So we'd have to kind of weigh our options
50 there, but we're certainly willing to accept volunteer

1 participation once these things are designed and out
2 there and we know exactly how we're going to do it.

3

4 MADAME CHAIR ENTSMINGER: Yes. Bill
5 has a question.

6

7 MR. GLANZ: So we all get the heebie
8 jeebies when we hear about the lack of funding and we
9 just think sometimes that's a way to keep us out of
10 areas. You just don't fund it and, oh, my gosh, sorry,
11 we can't let you on that trail. We don't have funding
12 to maintain it. Is that a possibility also?

13

14 MADAME CHAIR ENTSMINGER: Did you hear
15 that, Bruce?

16

17 MR. ROGERS: Yeah, I did. And, you
18 know, basically it's -- if funding doesn't come down to
19 immediately fix these things or fix them within the
20 next 5 to 10, 15 years, if you think about it we're
21 basically operating under what we're operating now.
22 The difference is that, you know, the lawsuit that was
23 filed in 2006 while the focus was on recreational off-
24 road vehicle use, it fairly well demonstrated that the
25 current condition and the current level of degradation
26 associated with some of these trails really isn't
27 acceptable.

28

29 So, you know, we're proposing the
30 monitoring because what I've heard from subsistence
31 users is, you know, give us the opportunity. We don't
32 have to get there when the conditions are bad. We take
33 care of our own back yard. We do it responsibly and so
34 we're giving the subsistence users the benefit of the
35 doubt and saying we trust you on these improved trails
36 that you can use them without making things that much
37 worse, but we're going to apply the monitoring, just
38 make sure that that's true.

39

40 So I guess I come back to our intent is
41 to fix the trails. We honestly believe that that's the
42 best solution to this thing and it's the least divisive
43 way to go about it and that's where we're headed.

44

45 MADAME CHAIR ENTSMINGER: Okay. I just
46 wanted to let you guys know that the SRC spent a great
47 deal of time on this and -- let's see. And then we had
48 some additional comments and one of them was to specify
49 that volunteer work could be done on those trails
50 because that had come up at the meeting in Tok. Let me

1 see now. There's two handouts that you had. One has
2 -- the front is a cover letter to Meg Jenson and then
3 signed by Suzanne McCarthy and when you turn it over,
4 you'll see that we have -- the SRC has got three pages
5 of comments there and then we had an additional -- it's
6 a draft form because the Committee has to endorse it
7 yet. But that was the additional -- now there's three
8 additional points there. One was the volunteers be
9 able to fix trails and then there was a component of
10 allowing subsistence users to take family members that
11 don't live in the area any, allow them to use a
12 motorized vehicle in the Park. And then we address
13 this funding thing, that it not be closed to
14 subsistence if there's no funding to fix a trail.

15
16 So what I'm proposing to you guys is
17 that we just endorse the SRC's comments and wondered if
18 you feel like you have enough time to think about that
19 and do that. What's your thoughts?

20
21 MR. UMPHENOUR: I move that we endorse
22 the Wrangell-St. Elias National Park Subsistence
23 Resource Commission's comments.

24
25 MADAME CHAIR ENTSMINGER: Okay. Do I
26 hear a second.

27
28 MR. GLANZ: I'll second that with
29 Virgil.

30
31 MADAME CHAIR ENTSMINGER: Okay. Any
32 discussion.

33
34 MR. FIRMIN: Was alternative five the
35 one they recommended?

36
37 MADAME CHAIR ENTSMINGER: Actually what
38 they did is they just went through a lot of the
39 monitoring stuff and kind of made some changes. They
40 thought it was too restrictive and then didn't -- they
41 just picked out things and didn't really pick out a
42 position, you know, an alternative. They just picked
43 out things that they wanted addressed and did not pick
44 one in particular. So they weren't -- but they were in
45 favor of fixing trails. Does that help?

46
47 MR. FIRMIN: Uh-huh.

48
49 MADAME CHAIR ENTSMINGER: Okay. Yeah.
50 Because went -- after those four meetings that we

1 attended, there was all kinds of things that came up,
2 but they were concerned about when it would be closed
3 to subsistence so they really said, well, there's -- it
4 was five out of eight conditions. They said no, three
5 out of eight instead, what they would consider closing
6 a trail. So we made it a little less restrictive in
7 our recommendations.

8
9 I'm trying to be really brief here.
10 There was so much that had happened at these meetings.
11 But does anyone else have any questions. Yes, Donald.

12
13 MR. WOODRUFF: Under the first under
14 modern standards and associated manner of your actions,
15 for all monitoring standards both on and off trail, a
16 statement is needed to clarify the intent of the
17 management actions to keep the trail open for
18 subsistence use and other traditional activities. Was
19 that addressed and was there an answer to that because
20 it seems like over here in Yukon-Charley the intent is
21 to keep us from using the Park a good bit of the time.
22 Thank you.

23
24 MADAME CHAIR ENTSMINGER: This is our
25 suggestion to the EIS, so they have to take our
26 suggestions along with everybody else's, but this was
27 the SRC's suggestion. Does that answer it, Donald?
28 Yeah. Okay. Any other questions or discussion.

29
30 (No comments)

31
32 MADAME CHAIR ENTSMINGER: And keep in
33 mind, you personally can send something in on this one.
34 So -- and the closing date is?

35
36 MS. CELLARIUS: November 10th.

37
38 MADAME CHAIR ENTSMINGER: Yeah.

39
40 MS. CELLARIUS: And that comment sheet
41 in addition to writing your comment on that piece of
42 paper, it tells you how to send an email or go onto
43 this electronic Park planning Website. So there are
44 several ways you can send your comments in, but if you
45 pick up that piece of paper, it will tell you what
46 those are.

47
48 MADAME CHAIR ENTSMINGER: And I think
49 this is important to us because this is probably a
50 precedent-setting case, wouldn't you agree, Barbara.

1 Or.....

2

3 MS. CELLARIUS: Well, I think it's
4 certainly something that will be looked at when there
5 are similar -- when similar things come up, it
6 obviously will be looked at.

7

8 MADAME CHAIR ENTSMINGER: Yeah. Do you
9 guys feel -- we have this motion on the floor. Is
10 there any other discussion.

11

12 (No comments)

13

14 MR. GLANZ: Question.

15

16 MADAME CHAIR ENTSMINGER: Question's
17 been called for. All in favor say aye.

18

19 IN UNISON: Ayes.

20

21 MADAME CHAIR ENTSMINGER: Anyone
22 opposed.

23

24 (No opposing votes)

25

26 MADAME CHAIR ENTSMINGER: Okay. That
27 one is taken care of. Was there anything else,
28 Barbara?

29

30 MS. CELLARIUS: Did you want to talk
31 any more about Chisana Caribou?

32

33 MADAME CHAIR ENTSMINGER: Oh, there was
34 another recommendation I had for this Council. She
35 talked about that management plan. Did we endorse that
36 at our last meeting? The management plan.

37

38 MR. BIEDERMAN: That was in discussion.

39

40

41 MADAME CHAIR ENTSMINGER: Uh-huh. I
42 can't remember. Did we endorse it? Just the
43 management plan or did we just pass the proposal?

44

45 MS. CELLARIUS: What I can't remember
46 is the timing of your meeting versus when the draft
47 management plan came out. Because I think we had the
48 draft management at the Southcentral meeting, but we
49 may not have had it for the Eastern Interior meeting.

50

1 MADAME CHAIR ENTSMINGER: I would just
2 like to push this Council to move forward and not see
3 roadblocks on when there's things that have to come up
4 that we -- we just say, hey, get the management plan
5 complete so we're endorsing that management plan and it
6 was -- we looked -- the SRC looked at that also. One
7 of the things that had come up at the SRC meeting was
8 the signers on it. Can you address that for me.

9
10 MS. CELLARIUS: Well, what the letter
11 from the SRC -- the SRC passed a motion in support of
12 the management plan. Actually what the comment was,
13 was contingent upon the incorporation of traditional
14 ecological knowledge in the plan and there was some
15 discussion about who the parties were who were signing
16 the plan, but the actual letter from the SRC addresses
17 the issue of including traditional ecological
18 knowledge, but otherwise they were supportive of the
19 plan.

20
21 MADAME CHAIR ENTSMINGER: Yes, Virgil.

22
23 MR. UMPHENOUR: I can't remember
24 exactly what we did because I'm getting mixed up with
25 the State Board of Game meeting, but the State Board of
26 Game addressed this issue as well, quite extensively,
27 right after our meeting and I know the local Fish and
28 Game Advisory Committee from that region had submitted
29 a proposal. I can't -- it seems to me like that, you
30 know, the planning with the Canadians because it's a
31 transboundary herd and our side is ongoing and we need
32 to support that.

33
34 MADAME CHAIR ENTSMINGER: Right.

35
36 MR. UMPHENOUR: And so I move that we
37 support the planning effort to continue planning and to
38 formulate a management plan. It'll be, you know,
39 coordinated between us and Canada. Madame Chair.

40
41 MADAME CHAIR ENTSMINGER: Do I hear a
42 second.

43
44 MR. GLANZ: I'll second that.

45
46 MADAME CHAIR ENTSMINGER: Okay. Thank
47 you. All right. Do you guys have any more discussion
48 on it.

49
50 (No comments)

1 MR. GLANZ: Question.

2

3 MADAME CHAIR ENTSMINGER: Okay. The
4 question's been called for. All in favor.

5

6 IN UNISON: Aye.

7

8 MADAME CHAIR ENTSMINGER: Okay. That
9 unanimously passes. And what was my other -- oh, I
10 have one other suggestion for us. Since there was --
11 when I went to the Federal Board meeting, there were
12 some -- normally Southcentral said they will defer to
13 home region and this -- Chisana they did not. There
14 was a lot of discussion. And it's come to my attention
15 that it'd probably be really important to again create
16 a subcommittee between the two Councils to discuss it.
17 And I'm proposing that that happen to work up because
18 it looks like the proposal as written was not
19 identified exactly how it would go about and that would
20 be a good thing to work out because the two Councils
21 were not in agreement. And in order to -- there was a
22 lot of things that came up that this would be very,
23 very helpful for the future. So that is my
24 recommendation to the Council, that we create a
25 subcommittee and then that -- the Southcentral meets on
26 the 19th this month.

27

28 So that would be good to send that
29 information to them that we would like to work together
30 on working on that -- a proposal. How it would go
31 about because that's what the problem was. Okay.
32 Donald.

33

34 MR. WOODRUFF: I'm confused. Can you
35 tell us again what the proposal's supposed to be for.
36 This Chisana Herd?

37

38 MADAME CHAIR ENTSMINGER: Remember the
39 Chisana Caribou Herd?

40

41 MR. WOODRUFF: Yeah. Yep, yep, yep.

42

43 MADAME CHAIR ENTSMINGER: We adopted it
44 and they were against it.

45

46 MR. WOODRUFF: Oh.

47

48 MADAME CHAIR ENTSMINGER: So we were at
49 odds with each other and the proposal as written is --
50 was not specific. When the Advisory Committee put it

1 in, they put it in as a placeholder proposal, so it has
2 some work to be done and I think when you pull groups
3 together and they understand each other better, it
4 bring things in a more working relationship. So I
5 think that's one way to deal with it. Because the
6 proposal is deferred by the Federal Board, so it's
7 still on the books and they said they could take it up
8 at the next Federal meeting. So I would have to
9 entertain a motion that we ask that the Southcentral
10 and us have a subcommittee to work on this.

11
12 MR. UMPHENOUR: I move we send a letter
13 to the Southcentral RAC, that they form a subcommittee
14 and we'll form a subcommittee to address the issues of
15 the Chisana Caribou plan.

16
17 MADAME CHAIR ENTSMINGER: Do I hear a
18 second.

19
20 MR. WOODRUFF: Second.

21
22 MR. BIEDERMAN: Second.

23
24 MADAME CHAIR ENTSMINGER: Thank you,
25 Grafton. Do you think we need more discussion.
26 Barbara.

27
28 MS. CELLARIUS: What I heard Virgil say
29 was to discuss the plan and are you wanting them to
30 work on the plan or on the harvest proposal?

31
32 MADAME CHAIR ENTSMINGER: It would be
33 the -- a deferred proposal.

34
35 MR. UMPHENOUR: Well, it would be to
36 work on the deferred proposal.

37
38 MADAME CHAIR ENTSMINGER: Okay.
39 Grafton, do you understand that?

40
41 MR. BIEDERMAN: Yes, I do.

42
43 MADAME CHAIR ENTSMINGER: Okay.

44
45 MR. BIEDERMAN: That's the
46 recommendation.

47
48 MADAME CHAIR ENTSMINGER: On the
49 deferred proposal. Okay. Any other discussion.

50

1 MR. UMPHENOUR: Question.
2
3 MADAME CHAIR ENTSMINGER: Question's
4 been called for. All in favor.
5
6 IN UNISON: Aye.
7
8 MADAME CHAIR ENTSMINGER: Opposed?
9
10 (No opposing votes)
11
12 MADAME CHAIR ENTSMINGER: Okay. It
13 passes unanimously. Thank you, Barbara.
14
15 MS. CELLARIUS: Thank you.
16
17 MADAME CHAIR ENTSMINGER: Uh-huh. Have
18 a safe drive home. Bruce. Are you still with us,
19 Bruce?
20
21 MR. ROGERS: Not much longer.
22
23 MADAME CHAIR ENTSMINGER: Okay. All
24 right. Thanks for being on.
25
26 MR. ROGERS: Yes.
27
28 MADAME CHAIR ENTSMINGER: Okay. So now
29 I'm going to ask you something. Now, based on what we
30 did in 11-08, do you still want to take up 11-09?
31
32 MR. BASSICH: Madame Chair.
33
34 MADAME CHAIR ENTSMINGER: Uh-huh.
35
36 MR. BASSICH: I think I'd like to take
37 it up more because I'd like to make some comments on
38 it. I'm not sure that I really want to support it as
39 it's written, but I would like to enter onto the record
40 support for certain aspects of it. I don't know if
41 there's a way to go through it abbreviate -- you know,
42 a little bit abbreviated, but I guess that's my issue.
43 I'd like to make comments on it, but I don't
44 necessarily need a full analysis of it or whatever, but
45 it's up to you as to the proper protocols.
46
47 MADAME CHAIR ENTSMINGER: It's up to
48 the Council. Do you want to take up 11-09?
49
50 MR. LARSON: Can we just make comment

1 on it without taking it up.

2

3 MADAME CHAIR ENTSMINGER: Virgil. The
4 question was can we make comment on it without taking
5 it up officially.

6

7 MR. UMPHENOUR: Madame Chair. I move
8 that we not take up Proposal FP11-09 for the following
9 reasons and I'm going to give Andy the first shot at
10 the following reasons.

11

12 MADAME CHAIR ENTSMINGER: So I need a
13 second.

14

15 MR. GLANZ: Okay. I'll second that
16 then.

17

18 MADAME CHAIR ENTSMINGER: Okay.

19

20 MR. BASSICH: Thank you, Virgil. That
21 was very well done. I think, you know, given our
22 previous discussions on customary trade and desire to
23 work as a subcommittee with the other RACs to work on
24 customary trade, I think it would be kind of prudent on
25 our part to not pick this up and really take a position
26 on it at this point in time and put a little bit more
27 thought, work, and hopefully a little bit more
28 consensus riverwide into it prior to adopting it or not
29 adopting it.

30

31 I think it carries a great deal of
32 merit. It goes to -- there are aspects of this
33 proposal that I feel very passionate about being needed
34 for conservation times on the Yukon River and I'd like
35 to support those aspects of it, but I think as far as
36 trying to determine poundages, amounts allowed and all
37 that, that needs to be worked on a little bit more and
38 there's one other aspect of it that I -- I'm sorry.
39 I'm having a little bit of a brain fart here right now.

40

41 But I think it's -- well, I'm going to
42 leave it at that and then maybe I can gather my
43 thoughts. Thank you.

44

45 MADAME CHAIR ENTSMINGER: Anything
46 else. Council members. Virgil.

47

48 MR. UMPHENOUR: Yes, Madame Chair. In
49 the recordkeeping part of it, that needs I think a fair
50 amount of work as well and I believe that this working

1 group should have enforcement, participation in this
2 because if we're going to have -- implement a
3 recordkeeping system and do something like this, then
4 enforcement should be involved in it in the
5 promulgation of a regulation such as this.

6

7 Madame Chair.

8

9 MADAME CHAIR ENTSMINGER: Any other
10 discussion from Council members. Bill.

11

12 MR. GLANZ: I'm just against paperwork.

13

14 MADAME CHAIR ENTSMINGER: Yeah. It's a
15 necessary even unfortunately. Anything else.

16

17 MR. BASSICH: Thank you, Madame Chair.
18 Yeah, thank you, Virgil. Enforcement was the other
19 aspect.

20

21 MADAME CHAIR ENTSMINGER: Okay.

22

23 MR. BASSICH: I think it's really
24 critical that any proposals that come before the
25 Federal Subsistence Board regarding customary trade be
26 made enforceable. That seems to be the main issue with
27 this particular topic. So I want to make sure that we
28 are in line and we get it right the next time we do
29 this.

30

31 Thank you.

32

33 MADAME CHAIR ENTSMINGER: Okay. Virgil
34 jarred your memory.

35

36 MR. BASSICH: Yes.

37

38 MADAME CHAIR ENTSMINGER: Yeah. Okay.
39 Anything else.

40

41 (No comments)

42

43 MADAME CHAIR ENTSMINGER: Okay. I
44 think you called for the question and a little question
45 mark there. Oh, yeah, there it is. Okay.

46

47 MR. GLANZ: I'm sorry, Madame
48 Chair.....

49

50 (Laughter)

1 MR. GLANZ:question on that.
2 Okay.
3
4 MADAME CHAIR ENTSMINGER: Okay. I
5 think it's going long here. All in favor of the
6 motion.
7
8 IN UNISON: Aye.
9
10 MADAME CHAIR ENTSMINGER: Anyone
11 opposed.
12
13 (No opposing votes)
14
15 MADAME CHAIR ENTSMINGER: All right.
16 Now we are moving along. Now we are to the Office of
17 Subsistence Management. Brown Bear Claw Handicraft
18 Working Group. And after that is the Salmon Bycatch.
19 Oh, boy.
20
21 Go ahead, Larry.
22
23 MR. BUKLIS: Thank you, Madame Chair.
24 The briefing for the Brown Bear Claw Handicraft Working
25 Group is on Page 190 in your Council meeting book. It
26 goes through Page 193. In the interest of time and
27 your agenda, I'll highlight a few points.
28
29 First I think I'll go to some of the
30 questions and answers at the end of the briefing, Pages
31 191, 192. A few key questions and responses: Why was
32 this working group formed.
33
34 At the May 2008 Federal Subsistence
35 Board meeting, the idea of a working group was
36 suggested by the State as a way to address some of
37 their concerns with Federal regulations that allow the
38 sale of handicrafts that include brown bear claws. So
39 the working group, the Board concurred with this idea
40 and a working group was formed as a way to address
41 issues that arose around a proposal dealing with brown
42 bear claw handicrafts.
43
44 Secondly, the next question on the next
45 page raises who is in the working group and how often
46 has it met. The working group includes representatives
47 from Fish and Game, Fish and Wildlife Troopers, OSM,
48 the Fish and Wildlife Service, Forest Service, and nine
49 of the ten Regional Councils. Western Interior
50 declined to participate.

1 The Federal and State Agency Staff met
2 five times during the first half of 2009, but Council
3 representatives were only able to attend one of those
4 meetings by teleconference in June of '09. And the
5 working group met again in July of 2010, this last
6 summer, in person and Council representatives were able
7 to attend.

8
9 MADAME CHAIR ENTSMINGER: Except me.

10
11 MR. BUKLIS: Except you.

12
13 MADAME CHAIR ENTSMINGER: I was on
14 teleconference.

15
16 MR. BUKLIS: Thank you. And then a
17 couple of final points going back to the main body of
18 the briefing. The working group was in consensus that
19 the proposal that started this process, WP-08-05 should
20 be rejected by the Board -- it was deferred back at the
21 time -- should be rejected by the Federal Board and the
22 State representatives of the working group concurred
23 with that approach and that a new proposal should be
24 submitted.

25
26 And the new proposal would require
27 sealing of brown bear if the subsistence user intends
28 to sell a handicraft incorporating the claws. And then
29 at the end of the briefing before you get to the Q and
30 A, a key point to make is that we're not at that point
31 yet. You don't have to take action on this. This is
32 informational. The analysis of the proposal that I
33 just mentioned would be presented to all the Councils
34 for their recommendations in the fall of 2011, so it
35 would be the next regular cycle. There'll be a
36 proposal developed for this coming call for proposals,
37 then analysis, and it'd go through the normal process
38 next year in the wildlife cycle.

39
40 So it's not something you need to be
41 concerned about now. We're letting you know that the
42 process is leading to this. Thank you.

43
44 MADAME CHAIR ENTSMINGER: Any
45 questions.

46
47 (No comments)

48
49 MADAME CHAIR ENTSMINGER: Nope. I
50 couldn't tell if you had a question or not, Donald.

1 MR. WOODRUFF: Thank you, Madame Chair.
2 Perhaps you could sum up your take on what the next
3 proposal's like bullet points would be and so we can be
4 thinking about that this winter.

5
6 Thank you.
7

8 MADAME CHAIR ENTSMINGER: Just -- now
9 in that last teleconference -- or the last meeting, I
10 was on teleconference and then I had issues to deal
11 with and I had to go off line and then they called me
12 back and said that this was the avenue they were going
13 to take and it's -- do I understand it's a proposal
14 then? Yeah. That there is some way to understand that
15 bear was taken under Federal regulations and that means
16 you have to seal it and you could use the sealing
17 number if someone came to you with your bear claw for
18 sale that was made into something. Yeah. And that
19 number would be shown. Yeah.

20
21 MR. BUKLIS: Madame Chair, thank you.
22 And in the middle of Page 191, there is some regulatory
23 detail there. I didn't want to get into the details
24 now because it's ahead of the process, but there's some
25 language in italics and bolded italics that gets into
26 some of the details that you would be seeing in a
27 proposal and then seeing in an analysis of a proposal
28 later.

29
30 MADAME CHAIR ENTSMINGER: Oh, yeah.
31 The CITES.....

32
33 MR. BUKLIS: The CITES. It gets into
34 the Convention on International Trade and Endangered
35 Species, CITES, process.

36
37 MADAME CHAIR ENTSMINGER: Yeah. Once
38 it's sealed, that seal is the CITES number. Yes, uh-
39 huh.

40
41 UNIDENTIFIED SPEAKER: (Indiscernible-
42 away from microphone.)

43
44 MADAME CHAIR ENTSMINGER: No. You know
45 when you go and have your bear sealed, you get your
46 seal on it. There's a number on that seal and it's
47 also used -- it says CITES on it I believe. I think
48 that's what I remember when I looked at these bear tags
49 yeah. And -- go ahead, Virgil.
50

1 MR. UMPHENOUR: Has the custom service
2 been notified of this so that if someone like Sue with
3 that claw hanging around her neck goes through customs
4 and they see it and they get ready to confiscating, she
5 can say no, you can't do that. The tag and the sealed
6 tag number was 789.....
7
8 MADAME CHAIR ENTSMINGER: Well, I
9 didn't buy it.
10
11 MR. UMPHENOUR:or is he going to
12 take her claw away form her.
13
14 MADAME CHAIR ENTSMINGER: I made it.
15 Yeah. I see what you're saying. Prove it.
16
17 MR. UMPHENOUR: Because most customs
18 guys are jerks.
19
20 MADAME CHAIR ENTSMINGER: Or heavy
21 handed.
22
23 MR. GLANZ: I have a question for
24 Larry. In 25 we don't have to have the bear sealed --
25 brown bear sealed.
26
27 MADAME CHAIR ENTSMINGER: But if you're
28 going to make handicrafts.....
29
30 MR. GLANZ: Well, then you have to take
31 it.....
32
33 MADAME CHAIR ENTSMINGER: They're
34 asking you to have it sealed.
35
36 MR. GLANZ: Oh, okay.
37
38 MADAME CHAIR ENTSMINGER: So you have
39 the number. Yeah. But you raise something interesting.
40 So here I am. I made this so now I'm going through
41 Canada. Are they believe me that I didn't buy it and
42 don't need a number? That's what you're saying, right?
43
44 MR. UMPHENOUR: Right. I'm asking the
45 Staff. Is someone coordinated with customs -- United
46 States Customs and are they going to coordinate with
47 customs in other countries.
48
49 MADAME CHAIR ENTSMINGER: All right.
50 There sounds like a coordination of -- nope.

1 MR. BUKLIS: Madame Chair, we're just
2 conferring here, but these are the kinds of discussions
3 that would come up when the proposal is in its normal
4 cycle next year. We're just letting you know the
5 process is leading to a proposal that will be analyzed
6 and brought to you for dialogue like this and this is
7 just sort of where the process is leading, but we're
8 not there yet. The proposal hasn't been developed and
9 submitted nor analyzed. So those kinds of questions
10 will be helpful in challenging the proposal.

11
12 MADAME CHAIR ENTSMINGER: Thank you.
13 Okay. Anything -- a quick question here and then
14 Virgil.

15
16 MR. FIRMIN: Just follow up with what
17 he just said was we don't have to get our hides sealed,
18 then what do we do then? Do we have to go by a tag or
19 are they still free or.....

20
21 MADAME CHAIR ENTSMINGER: No. They're
22 saying you have to -- if you want to make a handicraft
23 out of your bear -- right?

24
25 MR. FIRMIN: Yeah, but it says on this
26 side, it says that the CITES permit is up to the buyer
27 not the seller. So that means that if somebody wants
28 to come buy claws from you, they got to go buy a tag
29 first and then come up and all? That'd be the same as
30 their.....

31
32 MADAME CHAIR ENTSMINGER: Okay. Where
33 are you at?

34
35 MR. FIRMIN: Page 190 about the middle
36 of the page. CITES permit \$25.

37
38 MADAME CHAIR ENTSMINGER: CITES permit.
39 A CITES permit is to take handicraft includes a brown
40 bear part.

41
42 MR. FIRMIN: This is the responsibility
43 of the buyer not the seller unless the seller is
44 exporting the item out of the country. So then you'd
45 have to get a tag if you want to wear that to Canada I
46 guess, Sue.

47
48 MADAME CHAIR ENTSMINGER: I don't think
49 I understand it that way.

50

1 MR. FIRMIN: Well, that's why I was
2 asking. I'm curious. I guess I could -- if I wanted
3 to sell somebody a bear claw necklace, I'd have to tell
4 them to go buy a bear tag. Is that correct?

5
6 MADAME CHAIR ENTSMINGER: No.

7
8 MR. BUKLIS: Maybe I could clarify that
9 a little bit for you, Sue.

10
11 MADAME CHAIR ENTSMINGER: I probably
12 was off line when all of this come down and this is the
13 language that came. But -- my understanding was
14 different than this.

15
16 MR. BUKLIS: Madame Chair, I'm not
17 really prepared to respond to the specifics, and again
18 the point today is to let you know that that deferred
19 proposal from a year ago.....

20
21 MADAME CHAIR ENTSMINGER: Yeah.

22
23 MR. BUKLIS:the recommendation of
24 the consensus in the group was to put aside that
25 deferred proposal, have the Board reject it or dismiss
26 it, and to take up a new proposal. And this is a
27 sketch of what the new proposal would look like and a
28 year from now, you'd be addressing that new proposal
29 and getting into these features. We're not really
30 prepared to go through that at this time.

31
32 So this is just a heads-up that to
33 address this deferred issue, a new proposal would be
34 making the rounds and we would be trying to get this
35 kind of dialogue and recommendations from you on that.
36 That's all this is.

37
38 MADAME CHAIR ENTSMINGER: Yeah.

39
40 MR. BUKLIS: I think we're getting into
41 the content here.

42
43 MADAME CHAIR ENTSMINGER: Yeah. I see.
44 You're right. Uh-huh. You see what he's saying?
45 Yeah. You're not going to go into that, are you.
46 Okay. Virgil.

47
48 MR. UMPHENOUR: Yesterday there was a
49 question asked and then -- about what pike and burbot,
50 et cetera and so you had made a request of the State to

1 have the person here at that meeting that could answer
2 those questions and I see he's standing in the back of
3 the room.

4

5 MADAME CHAIR ENTSMINGER: On burbot?

6

7 MR. UMPHENOUR: Right. On the burbot
8 and other resident species.

9

10 MADAME CHAIR ENTSMINGER: Burbot, huh.

11

12 MR. UMPHENOUR: And so I just wanted to
13 remind you of that, that that person is standing back
14 there.

15

16 MADAME CHAIR ENTSMINGER: Okay. And
17 that's for the State, right?

18

19 MR. UMPHENOUR: Correct. He's the
20 State area sports.....

21

22 MADAME CHAIR ENTSMINGER: Well, when
23 we're done, if you remember correctly, I had given you
24 a list and ADF&G is after the OSM because the Wrangell
25 Park was next and she's already done, so we have
26 another -- so that's it for brown bear handicraft.
27 That's a heads-up. All right.

28

29 And then the next one on the agenda is
30 the update on the salmon bycatch and, Virgil, ADF&G
31 will be after these two things. Hopefully they won't
32 take forever. Unless somebody has a time certain they
33 got to leave, they need to raise their hand and tell me
34 so. Okay. All right. Thank you. Larry. And we're
35 getting an update on salmon bycatch in the Bering Sea.

36

37 MR. BUKLIS: Yes, Madame Chair. That's
38 next for OSM. It's Page 194. It's a single-page
39 briefing. I'll highlight a couple of points on this
40 one. There are two aspects to the Bering Sea/Aleutian
41 Island Pollock Fishery. Salmon bycatch, chinook, and
42 chum salmon after the main issues that we've been
43 tracking.

44

45 And as you know, this is just a
46 reminder on chinook that the North Pacific Council,
47 Department of Commerce, they went through their rule-
48 making process and bycatch limits were set on chinook
49 salmon and the first two points there remind you of
50 that process and the outcome. It's 60,000 fish bycatch

1 limit or 47,591 if there are no incentive plan
2 agreements. So there's a couple different levels.

3
4 The main point of the briefing is to
5 let you know what's coming on the chum salmon process.
6 They're engaged in that process now after concluding
7 the chinook and there's a timeline there on your
8 briefing. We're in that second point now. We're in
9 the June to December period where North Pacific Council
10 staff are working on analysis of preliminary material.
11 So we're in that preliminary stage on the timeline and
12 a key point I want to bring out is the North Pacific
13 Council members and Staff or some combination of
14 members and Staff intend to come out to five of these
15 ANILCA Council meetings to inform you of the chum
16 salmon process. And this Council is one of those five.
17 It's YK, Western and Eastern Interior, and then Seward
18 Peninsula and Bristol Bay. So they plan to come to
19 those five Councils in the February/March time frame to
20 give you more information on the chum salmon
21 rule-making process, the analysis and the process.

22
23 Now in giving this briefing to other
24 Councils, we continue to hear about the concerns about
25 chinook salmon and I don't think that Council is going
26 to go back to rule making again. But questions
27 continue to come forward about what are the recent
28 harvest levels, what is the newest composition
29 information, tell us more about under-reporting or
30 catch observers and so ongoing issues and
31 implementation.

32
33 And so as we schedule them to make
34 these presentations on chum salmon, we're going to pass
35 along continuing concerns on chinook salmon and ask
36 them to be ready to give us more information on the
37 implementation stage on chinook.

38
39 MADAME CHAIR ENTSMINGER: Questions.
40 Anyone.

41
42 (No comments)

43
44 MADAME CHAIR ENTSMINGER: Okay. Thank
45 you again, Larry. The next topic there is on the
46 briefing on the new Federal Subsistence permit system.

47
48
49 MR. BUKLIS: Yes, Madame Chair. That's
50 on Page 195. That's also a one-page briefing and on

1 this, I would simply say this is not an action item.
2 This doesn't change anything in regulations. This is
3 simply to let you know that administratively we've made
4 improvements with the system we use to produce and
5 issue permits and to track results from permits. It's
6 a database process and we've made good progress on the
7 wildlife side and we're beginning to move into the
8 fisheries side and make improvements there. So there's
9 some database improvements back at OSM to do a better
10 job with permit management. But it has nothing to do
11 with the regulations about permits. And that's the
12 main point of that briefing.

13
14 MADAME CHAIR ENTSMINGER: Any
15 questions. You know what, did we talk about a briefing
16 on the new Federal review?

17
18 MR. BUKLIS: Madame Chair, we didn't
19 talk about it, but I was informed that you might want
20 some mention made.

21
22 MADAME CHAIR ENTSMINGER: It's probably
23 the time to do it since you're there.

24
25 MR. BUKLIS: The Secretary's office did
26 have a news release earlier in the summer about the
27 subsistence program review that was commissioned last
28 fall and then just a week ago or so, a more complete
29 report was issued that gives much more information than
30 the news release of this summer. And so it enhances
31 and builds upon the news release but is consistent with
32 it in terms of outcomes of the review.

33
34 And I think Council members were
35 provided copies. I don't have any more information
36 than is in this report and clearly the Federal Board
37 and the Councils and the Subsistence Management Office
38 will have work to do to take up some of these
39 directives on reviewing procedures and approaches and
40 there are some longer term tasks involving appointments
41 to the Board and longer term issues, but there are some
42 immediate tasks as well. And that's all I had to say
43 about that.

44
45 MADAME CHAIR ENTSMINGER: Well, the
46 question that came to my mind was the two -- there's a
47 recommendation for two new Board members and they don't
48 even have a timeline on how they're going to go about
49 it -- even how they're going to go about it or when
50 they expect it done.

1 MR. BUKLIS: You're correct. This
2 calls for two new Board members -- two additional Board
3 members and bringing us to a Board of eight and they
4 would rural Alaskans, not agency heads, and that would
5 require rule making I believe.

6
7 MADAME CHAIR ENTSMINGER: Which has to
8 be done before it even gets started?

9
10 MR. BUKLIS: Correct.

11
12 MADAME CHAIR ENTSMINGER: Okay.

13
14 MR. BUKLIS: So it would be a rule-
15 making process. That doesn't mean it need take years
16 and years, but it's a many-month process to go through
17 rule making.

18
19 MADAME CHAIR ENTSMINGER: Uh-huh. And
20 didn't I see in a letter -- was it this one -- well,
21 the one that said about the Board -- Federal Board's
22 meeting on the 9th and 10th, is it, of November? That
23 they're going to give a review to the Councils there.
24 Or a synopsis of this or talk about it.

25
26 MR. BUKLIS: Madame Chair, there was a
27 news release about a Federal Board meeting on the 9th
28 and 10th of November and they're going to be taking up
29 several action -- several issues. There's a request
30 for reconsideration on a fishery issue in Southcentral
31 on the Kenai Peninsula and there's a briefing to the
32 Board on the rural review process for the census 2010,
33 but no, I don't believe.....

34
35 MADAME CHAIR ENTSMINGER: Oh.

36
37 MR. BUKLIS: I don't believe it
38 involves the Councils in this report, no.

39
40 MADAME CHAIR ENTSMINGER: Okay. It was
41 the rural review that I misunderstood. Yes. Okay.
42 All right. Any other questions -- or any questions of
43 Larry.

44
45 (No comments)

46
47 MADAME CHAIR ENTSMINGER: I think you
48 might have one more thing to report to us though. The
49 appointments for -- oh, okay. Let's do that right now
50 since it's OSM.

1 MS. MUSHOVIC: Okay. The Office of
2 Subsistence Management is supposed to be sending out
3 the packets for nominations today for the next cycle
4 and there will be a news release going out hopefully if
5 not today, sometime this week. The cycle will require
6 that the nominations be in by February 16th I believe
7 and there will be interviews in March and April.

8
9 The Federal Subsistence Board will take
10 it up and then of course these appointment will not be
11 effective until December of next year. So if you're on
12 the Board already and you're expiring, I -- it's my
13 understanding that you should receive renewal materials
14 in the mail and that there is still a vacant seat on
15 this Board. You might want to consider other
16 candidates.

17
18 MADAME CHAIR ENTSMINGER: So that
19 vacant seat is up with these 2011 ones? Yeah. So
20 everybody that's up for 2011 -- that looks like Andrew,
21 Bill, and Frank is the ones that are affected by this
22 plus this vacant seat. So you have to get your
23 application in by when again? Okay. That was Andrew
24 Bassich. I'm sorry. I said Andrew because it says
25 Andrew. Remind me to change your name to Andy on here.
26 Yes.

27
28 MR. LARSON: Madame Chair, it's my
29 understanding that because the vacancy was identified
30 prior to the Council -- or the Board meeting that --
31 made recommendations that that vacant position will be
32 filled in this December. Is that.....

33
34 MADAME CHAIR ENTSMINGER: Okay. And
35 then it would go through to 12. Yes.

36
37 MR. LARSON: We will see of course.

38
39 MADAME CHAIR ENTSMINGER: Okay. So
40 that would be announced with the people that are up
41 2010. Okay. Great.

42
43 MS. MUSHOVIC: And I found my note. It
44 is the 18th of February is the deadline.

45
46 MADAME CHAIR ENTSMINGER: Okay. All
47 right. I think we covered everything there. Miss
48 anything? Okay. Next is ADF&G reports. So they
49 might as well all come up. I see subsistence and
50 wildlife and fisheries. We get overwhelmed with

1 reports, huh.

2

3

They look so happy.

4

5

MR. SIMON: I'll just get started and
6 introduce myself. I'm Jim Simon, the Regional Program
7 Manager for the Department of Fish and Game, Division
8 of Subsistence for the Northern Region which is
9 equivalent to the northern six Regional Advisory
10 Councils. And I'm going to step off to the side. I'll
11 introduce Jamie Van Lanen who is a Subsistence Resource
12 Specialist with our division for the past year and half
13 and he'll be providing the actual report. And as I
14 said, I'll stand off to the side in case there are some
15 questions that I'll respond to.

16

17

Thanks.

18

19

MADAME CHAIR ENTSMINGER: Go ahead,

20

21

22

MR. VAN LANEN: Thank you, Madame
23 Chair. I'm going to provide an overview of current
24 Division of Subsistence research taking place in the
25 Eastern Interior Region and I am personally involved
26 with some of the research but not all of it. So if you
27 have questions, I may defer you to Dr. Simon or
28 Caroline Brown for an answer.

29

30

The first research project I'm going to
31 provide an overview for is the Yukon Salmon Disaster
32 Project. This research explores the socio-economic
33 impacts of declining salmon runs on fishing communities
34 along the Yukon River and how this has influenced
35 fishing patterns and priorities. Fishermen in
36 communities along the Yukon are really struggling with
37 declines in salmon runs and other issues as we saw in
38 the draft analysis of Federal regulatory proposals.

39

40

Because of the Salmon Disaster
41 Declaration in 2009, the Legislature asked for research
42 on Yukon salmon issues. In response, we're working
43 with fishermen in Emmonak, Marshall, Tanana, Fort
44 Yukon, and Eagle. And the Emmonak research for this
45 project was conducted over last September and the
46 Marshall research is being conducted now.

47

48

Tanana, Fort Yukon, Eagle, the research
49 is pending approval by the local Councils. So the
50 methods for the Yukon Salmon Disaster Research are,

1 one, ethnographic interviews with local fishermen from
2 those communities regarding fishing histories and the
3 effects of declining salmon runs and secondly, a short
4 survey on customary trade.

5
6 The survey on customary trade is an
7 exploratory approach for collecting sensitive data.
8 It's based on a similar survey used in the northwest
9 area and it represents the first attempt to quantify
10 customary trade levels on the Yukon.

11
12 The data is being collected currently
13 through November of this year and it'll be going
14 through analysis from November through March of next
15 year. There'll be a community review of the research
16 during April of 2011 and we expect a draft final report
17 to be available in June 2011.

18
19 The second project I'll overview for
20 you is the Strategic Planning for Whitefish Research
21 being conducted on the Yukon and Kuskokwim Drainages.
22 Randy Brown from the Fish and Wildlife and Caroline
23 Brown from Fish and Game, Division of Subsistence are
24 overseeing this research project. It's an Office of
25 Subsistence Management funded project to develop a
26 strategic plan for research on whitefish species in the
27 Yukon and Kuskokwim Drainages.

28
29 The plan covers six species that are
30 found in these two drainages, sheefish, broad
31 whitefish, humpback whitefish, Least cisco, Bering
32 cisco, and round whitefish. Our approach to developing
33 this strategic plan has included scoping means in the
34 Central Kuskokwim and Lower Yukon, two areas where we
35 had real gaps in information about whitefish biology
36 and harvest use.

37
38 Additionally, we did two expert working
39 group meetings of local experts, biologists,
40 anthropologists, managers, archival research, and
41 literature review. This group of approximately 30
42 people that either live or work in one or the other
43 drainages met first in November 2008 and again in April
44 2009 to discuss and prioritize research needs.

45
46 Since then, Randy and Caroline have
47 been compiling all these information into a
48 comprehensive report on whitefish research that will
49 act as a resource for researchers and others interested
50 in white fish studies and also provide a detailed list

1 of prioritized research needs for whitefish species in
2 both drainages.

3

4 And we expect a planning document
5 component of this project to be available for public
6 review in November 2010 and the whitefish reference
7 monograph component to be available for public review
8 in March 2011.

9

10 And the third project I'll describe to
11 you is the Climate Change and Impacts on Subsistence
12 Fisheries in the Yukon River Drainage Research. And
13 that's being conducted by Dave Anderson of Research
14 North and Caroline Brown of the Division of
15 Subsistence. This project systematically documents
16 local observations about potential climate change and
17 their effects for fishermen and communities at the
18 local and regional level. It is funded by the Office
19 of Subsistence Management.

20

21 The research is being conducted in
22 Grayling, Nulato, Koyukuk, Allakaket, Fort Yukon, and
23 Northway. Field work is currently underway and the
24 initial work has been completed in Grayling, Koyukuk,
25 Fort Yukon, and Allakaket. Nulato and Northway field
26 work is tentatively scheduled for October and early
27 November. We will be revisiting the communities this
28 winter with a short survey on local observation of
29 climate change issues. We hope to have a draft report
30 available by January 2012 for review.

31

32 The next research that I'll overview
33 for you is a cooperative research project with the
34 Council of Athabaskan Tribal Governments, Division of
35 Subsistence, and the Beaver Village Council to conduct
36 big game and trapping household surveys in the Yukon
37 Flats. And this research also includes an ethnographic
38 component.

39

40 The data collection for the 2008 and
41 2009 harvest season has been completed and we've also
42 analyzed that data. We've also analyzed that data and
43 we conducted an ethnographic component where I
44 interviewed 21 different people from the Yukon Flats
45 about big game and trapping issues. And we expect a
46 draft report to be available in December 2010.

47

48 The 2009-2010 harvest data is completed
49 and it's going through a data analysis process right
50 now and we expect a draft final report for that data

1 during spring 2011. And I want to point out that a
2 Division of Subsistence is training -- has been
3 training CATG Staff to administer this household
4 harvest survey and then CATG Staff are training local
5 surveyors from each of the villages.

6

7 And this project's funded through the
8 annual funding agreement with the Yukon Flats National
9 Wildlife Refuge. And so we expect that for 2010-2011
10 harvest season that CATG will continue administering
11 this household survey.

12

13 We're also conducting chum salmon
14 bycatch environmental impact statement. The National
15 Pacific Fisheries Management Council is considering new
16 measures to limit non-chinook bycatch in the Bering Sea
17 Pollock Fishery because of the potential negative
18 impacts on salmon stocks in general and on the Western
19 Alaska salmon stocks in particular. Four species of
20 salmon, sockeye, coho, pink, and chum, are aggregated
21 into a non-chinook salmon species category for catch
22 accounting and prohibited species catch limits.

23

24 Chum salmon comprises over 99.6 percent
25 of the total catch in this category. NEPA mandates
26 environmental impact statement because the proposed
27 chum salmon bycatch measures will be a significant
28 action because there are likely to be controversial and
29 likely to have substantial environmental, social, and
30 economic impacts.

31

32 The Alaska Department of Fish and Game
33 is helping to draft a regulatory impact report, an RIR,
34 written by the Department's extended jurisdiction staff
35 with support from the Division of Subsistence. The
36 Division of Subsistence is providing subsistence data
37 and review by summarizing chum salmon subsistence
38 harvest data, delivering an annotated bibliography of
39 subsistence literature, and reviewing a draft report.

40

41 Areas of interest include Bristol Bay,
42 Kuskokwim, Yukon, Norton Sound, Kotzebue, and the
43 Alaska Peninsula. Nine division staff are involved in
44 this effort.

45

46 And finally I want to mention that we
47 are at the tail end of the reporting on one other
48 project, a traditional knowledge study of non-salmon
49 fish species in the Middle Yukon Villages of Ruby,
50 Tanana, Galena, Nulato, and Kaltag. This project was

1 funded by the Office of Subsistence Management in
2 cooperation with the Louden Tribal Council and also the
3 local village councils. Office of Subsistence
4 Management is reviewing the final report for this
5 project, so it should be available soon.

6

7 And that's all I have.

8

9 MADAME CHAIR ENTSMINGER: Andy.

10

11 MR. BASSICH: Thank you, Madame Chair.
12 On your first project, the Yukon Salmon Disaster
13 Project, is that something that you only contacted the
14 Native Village of Eagle or will you also be contacting
15 non-Native fishers in the Eagle Region? The reason I
16 bring this up is that about 95 percent of our chinook
17 salmon fisheries is conducted by non-Native people in
18 our region.

19

20 So to get an accurate picture of what's
21 going on, you really would need to work through the --
22 either the City of Eagle or the Eagle AC and conduct
23 interviews with those fishers.

24

25 MR. SIMON: Thank you, Mr. Chair. Jim
26 Simon. I'll respond to that question. We'll be
27 working with both components of that community just as
28 we did in 2004. We worked with both the city and the
29 Native village.

30

31 MR. BASSICH: May I make a suggestion
32 that you work through the AC. The city doesn't get
33 involved very often in any of these types of issues and
34 the communications between the community and the city
35 on these types of issues is lacking. So if you really
36 want to get some good reporting and an accurate picture
37 of what's taking place, I think it would be more
38 prudent for you to work through the AC which could then
39 organize you and get you in contact with the local
40 fishers in the area. And I'd be happy to be a go-
41 through on that if you need some contacts for that.

42

43 MR. SIMON: Through the Chair. We'd be
44 happy to take that under advisement. As the State, we
45 are required also to consult with community
46 governments, both tribal and municipal. Thank you.

47

48 MADAME CHAIR ENTSMINGER: Donald.

49

50 MR. WOODRUFF: You can use me for a

1 contact point. I was just elected to the city council.
2 Thank you.

3

4 MR. SIMON: Thank you.

5

6 (Laughter)

7

8 MADAME CHAIR ENTSMINGER: Any other
9 questions. Okay. So that's Subsistence Division,
10 correct? All right. So now we can get to hear about
11 wildlife or fish. Roy looks like he's ready. You want
12 to talk about wildlife, Bill says. Fish are still
13 swimming in my head.

14

15 MR. NOWLIN: For the record, I'm Roy
16 Nolan. I'm the Management Coordinator for Division of
17 Wildlife Conservation in Fairbanks and supervise the
18 wildlife management programs in the Interior. I'm
19 happy to be here in spite of.....

20

21 (Laughter)

22

23 MR. NOWLIN:looks a little grumpy
24 at times. I'll try to do better. Just came out of a
25 long board meeting in Anchorage and I didn't even have
26 to be there the entire time. So I kind of -- that was
27 my fifth for this year too by the way, so -- anyway.

28

29 There's a bunch of things going on with
30 wildlife, but I'll try to pin down the things that
31 might be of most interest and there's a couple things
32 that I could suggest here. We've got -- one of the big
33 things that we -- that has just come up and Rita
34 St. Louis is here with me on my right and she's helping
35 with the -- assisting with planning work in the
36 Interior. And you have in your packets Fortymile
37 harvest planning materials, if you've had a chance to
38 look at those.

39

40 We found out because of some changes
41 the Board of Game has made that we are going to have to
42 get going on this sooner than what we thought and I
43 know that some of you -- Andy in particular -- had
44 participated in some Fortymile work that we did on
45 harvest plan and Sue as well last fall and -- but we're
46 going to have to go back in and look at the entire plan
47 because the proposal deadline for the Board of Game is
48 going to be in May this year.

49

50 And this is the proposal deadline for

1 proposals that would come up in the next Board of Game
2 Interior Regional meeting which will be March -- well,
3 maybe even February of 2012. So the proposals have to
4 be in almost an entire year ahead and this is get more
5 time to work on them and this is similar to what we had
6 in the fish side too I believe. So wildlife has done
7 that and it'll give us some additional time. But what
8 it does is it compresses what we have to do with
9 Fortymile into a shorter period of time.

10

11 So we may not have any -- as a result
12 of this update of the Fortymile plan, we may not have
13 any proposals, but nonetheless, we've got to get to
14 work on it so that if we do have some that need to go
15 in then they'll have to be in there ahead of the
16 deadline or at least get a placeholder in. Even if we
17 can't get to a firm proposal, we can at least put in a
18 placeholder and do that.

19

20 So what I would ask is if the Council
21 could appoint someone to represent them on that
22 planning group and to say too that we have -- really
23 appreciate the Council's efforts on this because the
24 Fortymile work has been -- from our perspective has
25 been successful and I hope that people who participated
26 in that feel the same way because we've had close
27 cooperation with the Federal system and we've amazingly
28 have stayed out of the court and we don't have board
29 meeting after board meeting like the Nelchina suffers
30 from.

31

32 And so to my way of thinking, that's a
33 worthy effort to try to keep that going and the key is
34 having this joint State/Federal permit that we have for
35 Fortymile and it's -- I hope everybody's -- this year
36 we had a good year. People are probably pretty much
37 aware of that, but we had for the first time our season
38 with the exception of short closure on the Steese our
39 season went 30 days for residents and that -- and I
40 think Eagle got some animals up on American Summit
41 which is -- I mean really that was really good and we
42 had a long steady harvest during the season. We didn't
43 exceed the quota. Wherever we have in the quota will
44 be bumped into the winter.

45

46 So -- and the key here was -- I think
47 there was a couple things that went on. The -- we had
48 a delayed opening in the fall for the State season,
49 which I think helped us a lot and so we also had the
50 bulls only -- that we agreed, the bulls only bag limit

1 for the hunt, and I think that helped us too. From my
2 perspective is as the Management Coordinator in the
3 Interior, one of the major things was that Fish and
4 Game -- for the first time that I know of Fish and Game
5 -- I should say Division of Wildlife Conservation. The
6 fish divisions do this all the time.

7

8 But we closed the season temporarily
9 when the caribou were close to the road, close to the
10 Steese, and then after they had dispersed away, we
11 opened it back up again. And that was a real key I
12 think to helping us out. We didn't get a lot of
13 animals close to Taylor Highway and so the harvest was
14 relatively steady there. And had the caribou shown up
15 in large numbers there, we would have closed it for a
16 few days to let them move away.

17

18 And it seems to have worked out pretty
19 good and so even there was -- at the Board meeting this
20 past weekend down in Anchorage, there was discussion
21 about trying to put then Nelchina on a similar kind of
22 Fortymile model and rather than the -- all the
23 different hunts that are going on down there, but there
24 are some fundamental differences between the two herds
25 and the Board decided not to do that.

26

27 But nonetheless, there was a lot of
28 praise for how we've handled the Fortymile and by that
29 -- by the we, I mean the Advisory Committees, the RAC,
30 everybody that's participated in that and sometimes
31 it's not easy to come to agreement, but we've been able
32 to do that and I hope that we can continue.

33

34 So that meeting -- the first meeting
35 for this planning for updating that harvest plan is
36 going to be the 17th and 18th in Fairbanks. Right?

37

38 MADAME CHAIR ENTSMINGER: Uh-huh.

39

40 MR. NOWLIN: Yeah. So anyway that's
41 where we are on that one. Yeah. Sure. Rita.

42

43 MS. ST. LOUIS: Thank you. For the
44 record, this is Rita St. Louis. The other thing that I
45 wanted to point out is that the Federal deadline for
46 proposals is next April as well. So the deadlines for
47 various proposals that might have to go in both State
48 and Federal side and that's been the success of this is
49 Federal and State cooperation. So that's another
50 reason for doing this early. Thank you.

1 MADAME CHAIR ENTSMINGER: Before you go
2 on, now the group that meets, there's three people on
3 this Council that are part of the ACs that are on it,
4 so when you're asking for a person from this RAC, does
5 that include those three and you want another
6 representative or what's going on here?

7
8 MR. NOWLIN: I can try that. The -- we
9 need to make sure that the RAC has a formal
10 representative and I don't think there's anything wrong
11 with someone also representing a State AC on that group
12 I mean if they were -- if they felt they wanted to do
13 both. But as long as we got someone that's formally
14 recognized by the RAC.

15
16 MADAME CHAIR ENTSMINGER: Oh, I see.
17 But the ACs, there's three of them on this Council that
18 will be at that meeting most likely is what you're --
19 just two? Oh, okay. But basically there are some
20 people from this RAC that are part of the State system
21 and you just want somebody identified as a RAC
22 representative.

23
24 MR. NOWLIN: Right. I think that's
25 important that that be the case.

26
27 MADAME CHAIR ENTSMINGER: Are you
28 saying.....

29
30 MR. NOWLIN: And if they're also
31 identified.....

32
33 MADAME CHAIR ENTSMINGER:it needs
34 to be someone different than the two ACs?

35
36 MR. NOWLIN: I don't think that
37 necessarily has to be the case.

38
39 MADAME CHAIR ENTSMINGER: Okay.

40
41 MR. NOWLIN: Just as long as they are
42 -- that the Federal Subsistence Board and the State
43 Board of Game knows that there was a person formally
44 representing the RAC on that group. I think it's
45 really important that that be the case.

46
47 MADAME CHAIR ENTSMINGER: Now, it's
48 hard for me right now. I would like to participate,
49 but for me personally now, I feel like I don't live at
50 my home anymore from the amount of meetings I've been

1 going to lately. So it's just -- and then I see that
2 the 9th and 10th of November, I might have -- someone
3 might have to go to that one in Anchorage. So I just
4 can't pop on an airplane and get there, you know, the
5 same day I have to jump in the car. It just comes out
6 a lot easier for me, so I....

7

8 MR. GLANZ: Madame Chair, I'll just go
9 ahead and represent both of us, okay, with our Board
10 here.

11

12 MADAME CHAIR ENTSMINGER: That's what I
13 would recommend is that one of these guys represent our
14 RAC for us. So -- we'll just take that issue up and is
15 anyone -- is all agree that Bill would be the rep for
16 the RAC at that meeting.

17

18 MR. BASSICH: Madame Chair, I nominate
19 Bill.

20

21 MADAME CHAIR ENTSMINGER: Probably
22 don't need to. Yeah. Bill will be our representative.
23 I don't hear any opposition. So -- great.

24

25 MR. NOWLIN: The other thing the RAC
26 might be interested in is the Board actions on your
27 proposal and I can.....

28

29 MADAME CHAIR ENTSMINGER: Yes. Let's
30 hear that.

31

32 MR. NOWLIN:summarize that.

33

34 MADAME CHAIR ENTSMINGER: Yeah. Uh-
35 huh.

36

37 MR. NOWLIN: What happened with all
38 that is Department of Fish and Game put in a proposal
39 to -- well, let me back up a little bit here. Last
40 January, the Board of Game reclassified black bears
41 statewide and furbearers. So that was part of your
42 proposal. That's been done.

43

44 Now, the other part was to establish
45 trapping seasons and you had Units 12, 20, and 25 and
46 allow sale of hides. Well, sale of hides are allowed
47 now either -- black bear hides statewide, whether
48 they're tanned or untanned. That can be done. So that
49 was taken care of.

50

1 And so what remains there of course is
2 establishing seasons. Now, I guess I'm -- I should
3 look at your proposal specifically.....

4
5 MADAME CHAIR ENTSMINGER: Just to help
6 you out, it was brought to the Tok RAC meeting to --
7 for furbearer, and it was just the intent was to sell
8 the hides. Our intent did not include a trapping
9 season as I understood it at that time which you guys
10 who are on the Council then, remember that? Yeah. So
11 this is all new stuff thrown at us, that, oh, it's us
12 that were creating seasons because that wasn't the
13 intent. It was to sell the hide. Yeah. Okay.

14
15 MR. NOWLIN: Well, thank you for that
16 clarification because we really didn't understand that,
17 but okay. So basically the Council then has gotten
18 what you requested; is that correct?

19
20 MADAME CHAIR ENTSMINGER: Uh-huh.

21
22 MR. NOWLIN: Okay. Well, that's good
23 to know because I didn't really understand that.
24 So.....

25
26 MADAME CHAIR ENTSMINGER: One second.
27 Virgil, did you.....

28
29 MR. UMPHENOUR: One of our members
30 Andrew had a proposal before the Board of Game to be
31 able to snare black bears and I think that is what Roy
32 was just ready to address.

33
34 MADAME CHAIR ENTSMINGER: Okay.

35
36 MR. NOWLIN: Yeah. That was.....

37
38 MADAME CHAIR ENTSMINGER: It wasn't
39 taken up by the RAC.

40
41 MR. NOWLIN: Right. I appreciate the
42 clarification of the RAC's position on this anyway, but
43 the Board of Game did take up the proposal that
44 Department of Fish and Game put in and it was
45 complicated. I've spent weeks over the last four
46 months working on that proposal and trying to get it
47 together because not only -- it's not just a matter of
48 putting in seasons, but there's a whole bunch of
49 statewide regulations under the state system that have
50 to be changed and that's what we spent most of the time

1 on is trying to understand what needed to be changed
2 and if we did something, what was going to happen
3 elsewhere.

4
5 And so that's what we did and then we
6 came up with this proposal and then in addition, there
7 was seasons in that proposal for specific areas and
8 those areas were 12 -- Northwestern 12, 20, 19. There's
9 a couple places out in 19. There was a whole list of
10 -- 19D, 19A, and then 25D as well. So those were all
11 in there and when the Board took action earlier in the
12 week on this proposal -- well, they didn't take action.

13
14 What they did was they -- boy, this is
15 complicated. They did a few things. They dropped out
16 the areas that already had bear control in them from
17 the proposal for establishing a trapping season. They
18 dropped those out and they left these other units in
19 there. So they dropped out 19D. They dropped out 16B
20 down in Southcentral and the rest of them remain
21 including 25D. But they didn't take action on the
22 proposal because there was a pretty big uproar and you
23 may have seen that in the press about public process in
24 relation to this and there was a lot of people who were
25 very concerned that the Board wasn't accepting public
26 proposals and that there wasn't enough time for the
27 Advisory Committees and others to comment on it.

28
29 So they decided to defer it until 2012
30 and so right now it's deferred to the Region 3 meeting
31 -- all of this to the Region 3 meeting which is
32 probably February of 2012. Now, if the RAC has -- that
33 means if the RAC has any more desires on this, then you
34 have the opportunity to put in a proposal because now
35 and May about this subject and then of course also to
36 comment to the Board when it comes up.

37
38 And what may happen -- and this is just
39 internal discussions at this point. I don't think it's
40 even been brought up with the Board, but Department of
41 Fish and Game may recommend to the Board that instead
42 of these -- them considering these statewide proposals
43 at that March meeting in Fairbanks that they put it in
44 a -- there's a statewide Board meeting coming up in
45 January of 2012 to address statewide proposals and we
46 may recommend to the Board that they take it up at that
47 time.

48
49 The advantage of that is that if they
50 got this statewide legal umbrella -- regulatory

1 umbrella for these -- this bear trapping -- black bear
2 trapping business that when we come to the February
3 meeting in Region 3 where Region 3 proposals to
4 implement black bear trapping would be considered, then
5 the statewide framework would be in effect and it would
6 be easy -- oh, we'd know what the statewide framework's
7 going to be.

8
9 So it's easier to start thinking about
10 okay, well, if we want something in 25D in the Yukon
11 Flats, are we going to allow nonresidents to
12 participate. Are we going to allow like we do with
13 other furbearers -- and nonresidents can participate in
14 other furbearer seasons too by the way -- and are we
15 going to allow same day airborne at those black bear
16 trapping sites.

17
18 So there's a huge number of questions
19 -- just a couple of them and if those were clarified
20 ahead of time, it'd be a lot easier for the Board to
21 look at proposals for seasons and then decide, well,
22 okay, this is all right or it's not and easier for us
23 and the Department to talk to the Board about it and
24 give them some idea of what's going to result if they
25 pass something like that.

26
27 So that's -- you know, that's where we
28 are -- the Board is right now on all of this and
29 there's a bunch of issues in there on this and that's
30 in -- you might want -- if you're interested in this,
31 you might want to take a look at that proposal that was
32 up before the Board. It was 36 -- was it 36? Yeah, it
33 was 36 and it was published and there's a lot of stuff
34 in there. I can answer questions about that if you
35 have any or summarize it, whatever your desire. It's
36 getting late in the day. But you just need to tell me
37 what you want here.

38
39 MADAME CHAIR ENTSMINGER: Well, I need
40 another day of meetings. No. Council members. Bill.

41
42
43 MR. GLANZ: Well, I just got one -- one
44 of the members of the Fairbanks AC came to me and said
45 when you guys made that up, did you make it up just for
46 trapping or are you going to be still shooting them. I
47 said, well, it's -- if we -- just to get rid of the
48 fur. I mean that's what I assume that proposal was.
49 We did not take it off the big game list, you might
50 say, as far as the Feds, so that's the only thing I

1 have concern. That they was all worried about that now
2 we can't shoot them, we have trap them. I said and they
3 won't let us trap them. I said no, no.

4
5 MADAME CHAIR ENTSMINGER: That's called
6 a hand wringer. They're really worried. Well, and so
7 what I'm hearing, Roy, is that the timeline is now
8 because if that got -- did you say the Board is taking
9 proposals for.....

10
11 MR. NOWLIN: They will be taking
12 proposals for that February 2012 meeting -- Interior
13 meeting and those proposals will be due by May -- early
14 May.....

15
16 MADAME CHAIR ENTSMINGER: So we can
17 deal with that.....

18
19 MR. NOWLIN: Early or mid May.

20
21 MADAME CHAIR ENTSMINGER: But you
22 talked about statewide.

23
24 MR. NOWLIN: Same thing with the
25 statewide. It's going to be the same deadline for
26 statewide.....

27
28 MADAME CHAIR ENTSMINGER: Oh, it is.
29 Okay.

30
31 MR. NOWLIN: Yeah. It'll be January
32 2012. So if you have any comments about any part of
33 that State proposal or you want to put in a regulation
34 proposal.....

35
36 MADAME CHAIR ENTSMINGER: Okay.

37
38 MR. NOWLIN:then it's that May
39 deadline.....

40
41 MADAME CHAIR ENTSMINGER: Both deadline
42 -- both Board meetings are the same deadline.

43
44 MR. NOWLIN: Yes.

45
46 MADAME CHAIR ENTSMINGER: Okay.

47
48 MR. NOWLIN: That's my understanding.

49
50 MADAME CHAIR ENTSMINGER: Uh-huh. So

1 we can take this up at our next meeting. Yes. Okay.
2 That's a heads-up. Thank you. Do you guys have any
3 more questions of Roy or want to hear any more reports.

4
5 MR. GLANZ: I have one of Roy. What
6 was the harvest of the Fortymile herd this fall, Roy?
7 Do you have that? If you don't have it, that's okay.
8 I didn't know.

9
10 MR. NOWLIN: I was afraid you were
11 going to ask me. We didn't -- I think we had about 450
12 quota on that. We didn't go over -- I think it was in
13 the 300s -- the high 300s. So there's going to be some
14 animals that are going to be bumped into the winter
15 season.

16
17 MR. GLANZ: All right. Thanks.

18
19 MADAME CHAIR ENTSMINGER: Okay. Any
20 other questions.

21
22 (No comments)

23
24 MADAME CHAIR ENTSMINGER: Are we going
25 back to fish?

26
27 MR. GURTLER: I guess.

28
29 MADAME CHAIR ENTSMINGER: Thank you.

30
31 MR. BURR: Good afternoon. I'm John
32 Burr. I'm with the Sport Fish Division. I'm the Area
33 Biologist for the Yukon and rather than arrest the
34 interest on Burbot, I'll entertain some questions and
35 do my best to answer them. How about that.

36
37 MADAME CHAIR ENTSMINGER: All right.
38 Frank, did you want to ask that question about burbot
39 to this gentleman? He's the sportfish division for
40 ADF&G.

41
42 MR. GURTLER: Yes. I was wondering
43 about if you had a study on what the burbot are eating
44 and what kind of fish do they prefer. Like is king
45 salmon or pike or other burbot or whitefish and what
46 kind of fingerlings. Are they about that big? And
47 then -- because I see them on there with a belly full
48 of those little fingerlings about that big and I was
49 wondering -- I didn't look whether they were coho or
50 chum or whitefish or.....

1 MR. BURR: Okay. Yeah, well -- burbot
2 are definitely predators. They're not scavengers and
3 although they look catfish, they act a lot more like a
4 predator and they're probably as bad or worse than pike
5 when it comes to that. Matter of fact, they'll eat
6 pike just as well as they'll eat anything else.

7
8 They're pretty much opportunistic, eat
9 what's around and they certainly do eat salmon. We
10 don't any actual food habit studies in that time of
11 year. Most of the stuff we've done with burbot has
12 been in late summer and in the wintertime, and so when
13 most of the salmon smelt are around, we don't have any
14 actual data. That would be real interesting to do that
15 work, but it's not been done.

16
17 But there's no doubt in my mind that if
18 they're around and there are salmon smelt, they'll eat
19 them. So most of -- what we have found though in
20 burbot is we've found -- every kind of whitefish we
21 found grayling, we found pike, we found other burbot.
22 We found lamprey, we found sculpins, and we found bulls
23 and birds. I mean whatever's there and they're
24 carnivores and they'll eat what's available and they --
25 and there are a bunch of them around, so -- I can't
26 answer your question, but yeah, I'll bet if it was an
27 early summer, I'm sure they were salmon.

28
29 MR. GURTLER: I have a study about how
30 many burbot in a mile of river or anything like that?

31
32 MR. BURR: We did do some -- we
33 attempted to do some density estimates with burbot on
34 the Tanana between Fairbanks and Northway and
35 unfortunately I don't have that information with me,
36 but I can certainly get it for you. It's in Fish and
37 Game reports. As you can imagine with that kind of a
38 study, there's a lot of error around our estimates, so
39 it'll be a range. You won't get a real precise number,
40 but, you know, there's a bunch of them.

41
42 MADAME CHAIR ENTSMINGER: Frank, go
43 ahead.

44
45 MR. GURTLER: And another thing, does
46 anybody know if there's a lot of burbot on the Yukon is
47 what my big concern I think mostly is on the Yukon
48 River itself.

49
50 MR. BURR: You bet there are a lot

1 burbot on the Yukon. We used to go up there in the
2 fall time and sample burbot. You go around any fish
3 camp after folks have gone home and put out some set
4 lines or hoop nets or something and you catch a lot of
5 burbot and really nice big burbot. So, yeah, there's
6 plenty of them around.

7

8 MADAME CHAIR ENTSMINGER: Bill.

9

10 MR. GLANZ: Also I wanted to ask him
11 one question which when I was working out of Fort --
12 Fire Hill base up there for all them years before I
13 retired, July 15th to August 10th, you could go on
14 Porcupine River and catch sheefish every cast and then
15 you couldn't buy one three weeks -- where do they
16 migrate to? Is there any idea? Are they still
17 studying -- they didn't know at the time. They was
18 taking all of our heads and they was examining all that
19 stuff -- anyway.

20

21 MR. BURR: Yeah. Yeah. We have a lot
22 better idea now about what's going on with sheefish
23 than we did. I've been working with a friend of mine,
24 Randy Brown, for several years now on radiotelemetry
25 projects on sheefish. Matter of fact, OSM has funded
26 most of that work and there's a large spawning area
27 between Circle and Fort Yukon where a large portion of
28 the fish. In the Yukon Drainage spawn, there's
29 actually three other -- maybe a fourth one now in the
30 Yukon Drainage where they spawn and they pretty much
31 spread out all over the entire drainage during the
32 summertime to feed. A large portion of the ones that
33 make the long runs are overwintering down in saltwater
34 down by Emmonak. We get a lot of fish that were tagged
35 that get captured in that winter fishery.

36

37 There's also up by Eagle there are some
38 residents that don't appear to be part of that really
39 migratory population and we're not sure where they
40 spawn. I don't think they probably concentrate in the
41 same degree that this big migratory group does, but
42 it's really interesting species and there's still a lot
43 of work to be done.

44

45 MR. GLANZ: Thanks.

46

47 MADAME CHAIR ENTSMINGER: Andy.

48

49 MR. BASSICH: Thank you. Bill, one of
50 the things that I found out this summer, the University

1 of Fairbanks had a study on salmon fry out migration in
2 Eagle to look at the possible impacts from that hydro
3 project, the wheel that was turning to generate power.
4 And what they were finding is that the burbot that they
5 were catching in their fyke nets, they would lay nets
6 into the river, funnel the fry into them, and then
7 identify the fry. Well, occasionally predatory fish
8 would end up in there and primarily they were finding
9 that at least in the latter half of the summer, the
10 burbot and the sheefish and whitefish that ended up in
11 there were gorging on grayling. And -- grayling -- and
12 I talked with some of the local people in Eagle who had
13 been after burbot for a long time and they said that
14 grayling is actually one of the best bait on the Yukon
15 for catching burbot.

16
17 So the researchers were determining
18 that that seemed to be one of their preferred fish.
19 However, they were eating everything. There was
20 sculpin, grayling, chum fry, salmon fry. There was
21 quite a large variety, so -- and I think they might be
22 continuing that next year. So we might be able to get a
23 little bit more information.

24
25 And I had one question. I kind of -- I
26 think it was Bill or Frank asked it. Is there any
27 proposed studies in the future to try and determine
28 some of these non-salmon species in the Yukon as far as
29 abundance? You know, I think there is some concern. I
30 know that would be an incredibly difficult thing to do,
31 but I wonder if there's any historical data through the
32 Office of Subsistence that would relate to how people
33 utilized non-salmon species along the Yukon in the past
34 as compared to what it is now. I think that would be
35 really interesting to look at, given how predatory they
36 are.

37
38 MR. BURR: Yeah. It'd be great to get
39 to do some of that work. There have been some small
40 scale projects with pike in particular and sheefish
41 also. In the Dall River, Stevens Village area, we did
42 a series of mark/recapture experiments with pike in
43 Lost Creek, Alfred Creek, Hess Creek, Dall River, and
44 unfortunately our sampling design kind of got fouled up
45 because the darn fish move around so much. They don't
46 stay in a particular stream. They go from Hess Creek
47 to Lost Creek or down to Dall River and so we had a
48 little trouble with that. And so we got some read
49 broad brush estimates of abundance, but in a big open
50 system like that, it's really challenging and really

1 expensive.

2

3 So what you really are -- you come back
4 to some sort of catch per unit effort -- estimate based
5 on, you know, traditional harvest patterns and that's
6 something that subsistence division or -- more of a
7 social science kind of a project would be better at
8 getting at than -- but, yeah, I've worked with some
9 folks from subsistence division a couple of times on
10 these projects and it's turned out to be really great.
11 Met Caroline Brown and some others, so -- like there's
12 really some great opportunities, but, you know, it's
13 enormously expensive sometimes.

14

15 MR. SIMON: Through the Chair. For the
16 record, Jim Simon. In responding to your question
17 about some of the historical subsistence use,
18 unfortunately most of our historical studies lumped
19 whitefish species together as just whitefish. So about
20 eight or nine years ago, we began having a much more
21 species specific approach in part through our work with
22 John and others at the Department and with Randy Brown
23 at Fish and Wildlife Service because we recognize that
24 there are particular management concerns associated
25 with different whitefish species.

26

27 So unfortunately we can't do a lot of
28 historical comparison, but we are setting ourselves up
29 to be able to do that in the future. Thank you.

30

31 MADAME CHAIR ENTSMINGER: Frank.

32

33 MR. GURTLER: Well, the reason I was
34 asking about the lingcod, the burbot, I think we're
35 getting the blame for cleaning out the king salmon and
36 I kind of have a sneaking hunch that the burbot has a
37 lot to do with this myself and that's why I asked that
38 and I think if we had a good study done on them and
39 right away so it -- we'd have a lot more cohos coming
40 back down and coming back up the river.

41

42 MR. GLANZ: I'll get back with what
43 Andy said, there'd be -- we set set lines in the mouth
44 of the Charley and for burbot and you could put a hot
45 dog on, you could put a chunk of moose meat on it,
46 nothing. Put a grayling head on it, you got a burbot
47 in the morning. So that's their real preferred food.
48 I'm going to tell you that what we found.

49

50 MR. BURR: Yeah. It would be certainly

1 a relatively easy thing to get at food habits of burbot
2 because we know how to catch them. Hoop nets and set
3 lines work great and so we could just look and find out
4 what they are eating and it would just be a matter of
5 making their priorities and finding some funding to do
6 it, so -- that's what I got to say.

7

8 MADAME CHAIR ENTSMINGER: Frank is
9 identifying that it's real important. So I don't know
10 how that works with your Department. Anything else.

11

12 (No comments)

13

14 MADAME CHAIR ENTSMINGER: Break. We're
15 calling for a short break, but it looks like -- did you
16 have something -- what's your name. No. Donald.
17 Yeah. I'm sorry.

18

19 MR. WOODRUFF: I just want to mention
20 that we have a public person that would like to speak,
21 so after the break, maybe we could introduce him. He's
22 from Nenana.

23

24 MADAME CHAIR ENTSMINGER: Okay.

25

26 MR. WOODRUFF: And that way he can go
27 about his business later on today.

28

29 MADAME CHAIR ENTSMINGER: Thanks,
30 Donald.

31

32 MR. WOODRUFF: Thank you.

33

34 MADAME CHAIR ENTSMINGER: I'm sorry I
35 didn't recognize you. Could you introduce yourself
36 before we take our break. I always like to get people
37 to introduce themselves.

38

39 UNIDENTIFIED SPEAKER: (Indiscernible-
40 away from microphone.)

41

42 MADAME CHAIR ENTSMINGER: From Nenana?

43

44 UNIDENTIFIED SPEAKER: Yeah.....

45

46 MADAME CHAIR ENTSMINGER: Okay.
47 Thanks. All right. Thanks, Donald.

48

49 Break for a few minutes.

50

1 (Off record)

2

3 (On record)

4

5 MADAME CHAIR ENTSMINGER: We're going
6 to get started because I just learned that Jason with
7 YRDFA has a 5:05 flight that he has -- departs after
8 Mr. Lord, he's going to come up so -- Victor, are you
9 ready? Come on up. Sorry I didn't get you introduced
10 earlier.

11

12 MR. LORD: Hi. Hey, my name is Victor
13 Lord and I basically wanted to come check your system
14 out yesterday. I just couldn't make it yesterday. I
15 put my wheel away the day before and it was late in the
16 day and I -- so it was time for a day of rest. I was
17 pretty tired.

18

19 Anyway, I just wanted to come up here
20 and get a feel for what was going on and I'll be
21 leaving today and my auntie's in the hospital. They're
22 going to unplug her today, so all kinds of things going
23 on down there in Nenana. We got to get ready for
24 potlucks and whatnot. But I just wanted to talk about
25 the fishing a little bit.

26

27 I still can't figure out how you guys
28 run the fishing through the districts, through the
29 parks, where Federal lands. It's Federal waters and
30 all those fish, wherever they go through the waters,
31 come to -- you know, they pass through. So I'm
32 concerned about how you guys manage that and pretty
33 happy with the way you guys are doing things. You
34 know, some -- lots of those people State laws and they
35 -- the king salmon is a big issue. Not with me
36 particularly, but up the Tanana River, we've been doing
37 pretty good, but I understand the Canadians, I don't
38 know how they did, what the final tally was this year,
39 but they've been having trouble and whatever we can do
40 up and down along the river and downriver and upriver
41 to understand each other, everybody has to sacrifice a
42 little bit in order to get those fish through the
43 Canadian fish camps.

44

45 I met a lot of people from up there
46 just lately and I didn't realize there was so many
47 people up there dependent on the king salmon. So
48 they're all part of the river system and what we got to
49 do to make sure that -- sacrifice a little bit or
50 whatnot for that king salmon to get up there will have

1 to be done, but I think the -- I'm not sure. Nobody
2 every said, but I think the bycatch is a big thing to
3 our fishing problems with the king salmon.

4
5 The Pollock bycatch, I have a friend
6 that delivers the fuel out there and he said they move
7 -- the codfish remove into an area and they pretty much
8 wipe it out. That's how they do things for years and
9 years. I think they start over on the Atlantic Ocean
10 and just work their way around and they run out of
11 fishing spots and somewhere they got to learn the rules
12 that you don't do things that way.

13
14 I'm pretty sure that's where our
15 troubles are, but so far I haven't heard anything for
16 remedies other than them trying to fix their nets up to
17 let salmon get out and that's probably not good enough.

18
19
20 And let's see. Fishwheels. I hear
21 there's a proposal in one of your proposals about
22 fishwheels. I don't think that's proposal is warranted
23 because there's -- I don't know what's going on
24 downriver and upriver, but, you know, we figured but
25 we've getting along and making progress through rules
26 and what we agree on to support and whatnot, but
27 there's just no merit for any kind of restrictions on
28 fishwheels. Maybe -- either way, if you put three
29 baskets on or four baskets, you going to have to hustle
30 to keep them things going. Me, I just -- I prefer the
31 two basket wheel and it's kind of escapement, but we
32 have days in Nenana also. That's another thing about
33 the Tanana River. We have two 42 hour openings a week
34 and it works -- and we didn't go on good that first,
35 but now that I see that our fish returns are coming
36 back pretty fair every year almost, that that must be
37 working.

38
39 I don't know if that can apply to other
40 people that have to go live in fish camps and just come
41 back on their days off or not. That'd be kind of
42 expensive for them people that got to travel like that.
43 But it worked for Tanana River as king salmon and stuff
44 returning, so that idea is out there.

45
46 Anyway, thank you guys for listening to
47 me and I'm kind of late, but appreciate it.

48
49 MADAME CHAIR ENTSMINGER: Well, thank
50 you for coming by. Questions. Andy.

1 MR. BASSICH: Victor, I just wanted to
2 thank you for some of your comments, taking the time to
3 come here and make some comments and to hear you talk a
4 little bit about conservation and also to represent the
5 area there on fishwheels and just to let you know that
6 this -- we took up those proposals a little bit earlier
7 and this Council here was not in support of the ban on
8 fishwheels in the Upper River. So rest assured we're
9 not supporting that.

10
11 MR. LORD: All right. Great. Thank
12 you.

13 MADAME CHAIR ENTSMINGER: And then
14 there was a new face that -- would you introduce
15 yourself in the back there. You just came in.

16
17 MR. MIRACLE: My name's Bryan Miracle.
18 I am Lead Scientist for the Yukon River Intertribal
19 Council.

20
21 MADAME CHAIR ENTSMINGER: Okay. Did
22 you have a time you had to leave also?

23
24 MR. MIRACLE: Sort of, yeah.

25
26 MADAME CHAIR ENTSMINGER: Okay. Well,
27 I'd like to take Jason because of his flight and then
28 we'll take you next.

29
30 MR. HALE: Howdy, everybody. Madame
31 Chair. For the record, Jason Hale, Yukon River
32 Drainage Fisheries Association. I know the hour is
33 late and you guys have been meeting for days, so I'll
34 try to be pretty brief and if you think I'm not being
35 brief, start throwing things at me and I'll speed up.

36
37 MADAME CHAIR ENTSMINGER: That's all we
38 need to do?

39
40 MR. HALE: Yeah. That's it and I'll
41 promise to do the best I can. So anyway, I've got just
42 a handful of things, updates I wanted to throw out at
43 you while we were here. I see Andy's getting ready
44 with a spit ball and that's good. First, Becca Robbins
45 really wanted to come in here to supplement the bycatch
46 update. She couldn't make it so she sent me a real
47 brief -- just a real brief notice to read to you guys
48 and Larry covered quite a bit of it, so I'm just going
49 to hit the high points that were left that she asked me
50 to cover.

1 Since it hadn't been thrown out yet, as
2 of October 2nd, the chinook bycatch in the Pollock
3 Fishery was 8,848 and the chum salmon bycatch as of
4 October 7th was 13,200. So there's the number just for
5 that update.

6
7 In terms of the chinook salmon bycatch
8 update, the regulations go into effect January 1st,
9 2011. This includes the caps that were discussed
10 earlier and the requirement that the Pollock Fishery
11 carry 100 percent observer coverage or more. And also
12 the economic data collection program is currently being
13 implement and Council will receive annual reports on
14 the incentive plans submitted by the sectors of the
15 Pollock Fishery and on how bycatch reduction is going
16 through those plans. So that's something hopefully we
17 can get updates on as they become available.

18
19 In terms of the chum, of course, the
20 Council is in the process of adopting the chum salmon
21 management measures. They refined the options which
22 they call alternatives that they're considering for
23 chum salmon bycatch, management measures for the Bering
24 Sea Pollock Fishery. They did this at their June
25 meeting in Sitka. Right now what they're looking
26 current alternatives under consideration include a
27 range of hard caps which would close the fishery when
28 reached. Also trigger caps which would close a set
29 area to fishing when reached. The alternatives also
30 include an option for the fleet to participate in a
31 rolling hotspot system and be exempt from area closures
32 and regulation as the fleet currently is.

33
34 The ranges being considered for those
35 caps 50,000 to 353,000 for the hard caps and 25,000 to
36 200,000 for the trigger caps. The alternatives include
37 options for allocating these caps amongst all the
38 different sectors in the Pollock fleet.

39
40 And lastly just so you know what's
41 coming, the tentative timeline for action on chum
42 salmon bycatch management is for selection of a primary
43 -- or a preliminary preferred alternative at the June
44 2011 meeting in Nome and final action in October or
45 December of 2011 in Anchorage.

46
47 So that's kind of just some additions
48 to the bycatch update. Now just a few things on some
49 other YRDFA projects. The teleconference, a lot of you
50 guys participate in it already. We only have the

1 numbers in through June so far to analyze. It was the
2 second busiest teleconference season on record, second
3 only to last year. The busiest week was about the
4 midpoint of the run in the Lower River which is usual
5 and there were 133 lines in use which was the second
6 busiest call we've ever had. Last year we had a call
7 156 lines in use. But when you consider there's a
8 bunch of people on each line, there were a lot of folks
9 listening in and calling in. So good interaction
10 between management and fishers and good example that
11 was given yesterday was folks from Tanana said we're
12 not -- you know, we have really poor fishing
13 conditions. We're not getting the fall chum we want
14 and we're -- you know, our fishing schedule's a little
15 too tight and Jeff Estensen listened and he opened
16 things up for them and I think they did a little bit
17 better because of it. So that was just one of the many
18 successes this year we were pretty happy about.

19

20 Moving on, just to make you aware that
21 we had another really good educational exchange this
22 year funded by the Panel. We bought down five
23 Canadians, all First Nations folks, visited Emmonak,
24 Pilot Station, Sonar, Galena, Koyukuk, Fairbanks, and
25 Eagle, spent about ten days bouncing around the river,
26 and there was some good sharing and I've heard that
27 from all of the folks on the exchange and they seem to
28 be already sharing, using their knowledge up in Canada.

29

30

31 So now we're hoping to do it again next
32 year, bringing Alaskans up to Canada and trying to
33 learn what's going on up there. I of course heard some
34 comments and questions about, well, what's going on in
35 Canada, what are they doing, you know, at this meeting,
36 and, you know, this is a good way to really find out
37 and really dig in on a personal level to see what's
38 going on up there and share what's going on down here.

39

40 So like Victor said, you know, we can
41 get some good river-wide understanding. So that was a
42 good program. Another neat one on natural indicators.
43 You guys may or may not have heard on the -- heard of
44 this one. But there's a project going on linking up
45 scientists with elders. Right now it's from kind Lower
46 and Middle River from Koyukuk on down. Looking at
47 natural indicators that elders look at to predict the
48 runs, to know when the salmon are going to be around
49 and how abundant they'll be. There's an effort going
50 on to try and link to scientific data to actually use

1 it to predict the runs. When will the fish come in and
2 well, how many will there be.

3
4 We talked yesterday in this meeting
5 about how Fish and Game's predictions are kind of
6 missing the mark lately and we're hoping that some of
7 this elder knowledge can help start hitting the mark
8 again.

9
10 And as an offshoot from the project,
11 YRDFA's creating a children's book called When Will the
12 Salmon Come that should be out in March, the idea being
13 it'll just be another medium to help pass on the
14 elders' knowledge about these natural indicators and
15 the importance of looking at the natural world and
16 thinking about fish returns and animal returns and
17 harvests.

18
19 So that's kind of neat. Steve Hayes
20 referenced this earlier, but, you know, we had meetings
21 last winter to try and plan for the summer season. We
22 call them summer prep meetings. We're looking to doing
23 something similar again, something maybe around early
24 April, a riverwide meeting inviting representatives
25 from every tribal council in Alaska or in the Alaska
26 portion of the Yukon River Drainage, also a
27 representative from every RAC, all the intertribal
28 groups, as well as the Yukon River Panel, YRDFA, and
29 all the agencies to come together again and talk about,
30 you know, the 2011 run and how things should be managed
31 and also do some outreach and education sessions so we
32 can help make sure that all the villages and fishers
33 are up on the most current issues of concern.

34
35 So that's coming down the pike and
36 lastly -- and I think that was pretty quick. Lastly
37 YRDFA started an electronic newsletter -- I don't know
38 -- about eight, nine months ago. We figured our three
39 times a year paper newsletter was great, but sometimes
40 there was news that's a little more time sensitive and
41 the Internet makes it pretty easy to shoot that out.

42
43 I know some of you guys receive it and
44 some of you don't. If anybody's interested in
45 receiving it, it's free. It's monthly and you can stop
46 it at any time, so if you want it, just let me know and
47 I'd be happy to take your email address down and start
48 sending it to you. But just kind of more timely
49 information on all sorts of things. Right now we send
50 it out to -- I don't know -- around 600 folks. But

1 it'd be nice to send it out to a heck of a lot more. I
2 know a lot of people have email addresses.

3
4 And in association with that, we report
5 on just about anything that's going on and anything we
6 do and pictures make it real nice. So, you know, might
7 have to report on what's going on at a RAC meeting
8 sometime if we go. And since people can't travel to
9 those things.....

10
11 (Laughter)

12
13 MR. HALE: All right. So that's it for
14 my report and thanks a lot for your patience so late in
15 the day.

16
17 MADAME CHAIR ENTSMINGER: Any
18 questions.

19
20 (No comments)

21
22 MADAME CHAIR ENTSMINGER: Okay. Good
23 job. All right. The gentleman in the back, I forgot
24 your name. I'm going through CRS -- things or stuff.

25
26 MR. MIRACLE: (In Native). I said
27 hello, how are you and it's good to be with you today.
28 And my name is (In Native). It's my real name in
29 Mohawk. I'm the Lead Scientist for the Yukon River
30 Intertribal Watershed Council and Andrew asked me to --
31 gave me a call this morning and asked me to come by and
32 kind of give a report on the things that we have going
33 on and been doing and kind of the direction we've been
34 taking with some of the science we've been doing.

35
36 So over the last five years now, we've
37 been collecting basin-wide water quality information
38 and that's in conjunction with a partnership with the
39 USGS. We're currently maintaining 46 sites across the
40 entire basin, monitoring both biogeochemistry and kind
41 of field parameters for temperature, water, pH, and the
42 like. I can give you a full -- if you want them.

43
44 And basically what we've been doing in
45 the progression of the science, we've been starting
46 take an approach of what are the -- how would all of
47 this information start to come together and be in
48 usable formats for groups like yourself or community
49 members for -- and what we've over the last basically
50 eight months, the track that we've been moving towards

1 is the cumulative effects assessment.

2

3 And in doing that, in trying to move
4 towards that type of assessment on a basin scale, we
5 need an information source that compiles all of these
6 different types of information together from
7 biogeochemistry's information to salmon catch estimates
8 to harvest estimates and basically compiling all that
9 into a resource both for community members,
10 researchers, fishermen, and people that are on the land
11 all the time. So is there one resource that people can
12 go to to find historical lit reviews, bibliographies,
13 raw data and the like. And we started that process
14 through an online database and currently that online
15 database houses just the water quality information that
16 we've been collecting in addition to the previous five
17 years of data from the USGS from 2000 to 2004.

18

19 And in compiling that database, we
20 worked really hard at building a structure that we can
21 start to incorporate all of these other data types from
22 interviews, traditional knowledge, as well as
23 quantitative data sets, and bring them in together.
24 Been expanding the partnership with the Aloca (ph)
25 group which is an NSF-sponsored project that basically
26 supports the -- how to do this type of databasing where
27 you're bringing all of these different data types
28 together. How do you make them accessible in a usable
29 way.

30

31 So that's kind of the direction we've
32 been moving towards. We have -- in the next couple of
33 months here, we're going to have a series of reports
34 coming out on the different studies that we've been
35 doing. The one in particular that might be of most use
36 is the cumulative water report and that basically takes
37 all of our water data, brings it all together, creates
38 some summary statistics, and identifies some key
39 findings that we found related -- specifically related
40 to nitrates and nutrients coming out the Tanana River
41 and effects that -- in 2007 that we recorded the
42 largest algae bloom across the Yukon spanning from just
43 above Ruby all the way down to St. Marys and that was
44 through kind of community reports and actually seeing
45 it. And we've compiled some data that show that that
46 algae event actually created a -- rather than the basin
47 being a source of carbon dioxide to the atmosphere,
48 it's actually became a -- within a small -- a ten-day
49 window became a sink.

50

1 So the spans of that algae bloom event
2 had a basin-wide effect on oxygen and carbon dioxide
3 levels. And so our -- the need there is to kind of
4 expand the monitoring effort to understand if these
5 continue to happen in the future, then these algae
6 bloom events could be a serious effect on fish and
7 wildlife across the basin. As we've seen on the west
8 coast and east coast of the United States of these kind
9 of toxic algae blooms that choke out fish and wildlife.

10

11 So I guess that's I mean a brief report
12 on where we are and where we're going. And if there's
13 anything -- I mean if there's questions or whatever.

14

15 MADAME CHAIR ENTSMINGER: Any questions
16 from the Council.

17

18 (No comments)

19

20 MR. FIRMIN: I think I might have asked
21 you this before, but you don't have any speculation on
22 what causes that algae bloom or just naturally
23 occurring or mining or.....

24

25 MR. HALE: The -- it's tough to say.
26 We came up in round teaming with a number of different
27 scientists both USGS and through UAF and down in
28 Portland. One of the things that we've -- we came up
29 with basically three different scenarios, one being we
30 have an export from the Fairbanks area because of the
31 lack of monitoring that goes on with stormwater
32 discharge.

33

34 We have a possibility of Fort Knox Mine
35 with the amphibole (ph) that they've been using and their
36 increase use of cyanide for extraction -- gold
37 extraction and the third -- and what seems to be most
38 plausible -- is -- well, I should say four. So the
39 third being the discharge of sewage lagoons on the
40 river which naturally create a high nitrate loads.

41

42 And then the fourth one which seems to
43 be the most plausible for the scale and the numbers
44 that we're looking at is the thawing of permafrost
45 because the Tanana River basin is discontinuous
46 permafrost and there's a symbiotic relationship between
47 alders and the roots of alders that naturally --
48 bacteria that naturally fix nitrogen that we think what
49 we're seeing is these -- what were continuously or what
50 were previously locked up in kind of pools of

1 discontinuous permafrost, as that permafrost, one side
2 would thaw out, then you're seeing that discharge come
3 out.

4
5 And so that's the -- at the scale that
6 we're seeing it, that's the -- seems to be the most
7 likely, but we've -- we're kind of pursuing a funding
8 source to be able to backtrack that and look at
9 particular tributaries, really all the tributaries on
10 the Tanana and see what their biogeochemistry influence
11 is so we can kind of work backwards to see where that
12 is coming from.

13
14 MADAME CHAIR ENTSMINGER: Anything
15 else. Frank.

16
17 MR. GURTLER: Did you said you just
18 studied it from above Ruby on down. When did they
19 first notice this algae in the water? Was it in
20 Fairbanks or on down farther?

21
22 MR. HALE: The first report actually
23 came from our -- who was our technician in Ruby at the
24 time which was Dorothy Captain and then it was re-
25 reported by Jake down in Marshall and Glen in Galena.
26 And so we attempted to actually get a sample and that
27 sample was actually sent to Fish and Wildlife from
28 Marshall, but we never got any analysis back and we
29 didn't have microscopes on site to be able to identify
30 the species. But it was in that late June/early August
31 time and it -- the thought is that water temperatures
32 were just at a peak right when you see an increase in
33 nitrates coming out of the Tanana so it's like kind of
34 the perfect storm type of scenario. But it was enough
35 to span about 700 miles of river. So almost bank to
36 bank. So it was pretty -- it was a significant event.

37
38
39 MADAME CHAIR ENTSMINGER: Sounds like
40 the more we know, the more we don't know, huh.

41
42 MR. HALE: That's very, very true.
43 That's very true.

44
45 MADAME CHAIR ENTSMINGER: Yeah.
46 Anything else, guys.

47
48 (No comments)

49
50 MADAME CHAIR ENTSMINGER: Okay. Thank

1 you for coming.

2

3 MR. HALE: Yeah. Thank you.

4

5 MADAME CHAIR ENTSMINGER: All right.
6 Next is BLM reports. BLM. And I know Ruth had talked
7 to me briefly. Everyone is trying to get an idea of
8 when they could give their reports, but I can't do it.
9 Doesn't work. Go ahead.

10

11 MS. GRONQUIST: Chair. Council. My
12 name is Ruth Gronquist. I'm a Wildlife Biologist with
13 the Eastern Interior Field Office of BLM. And in the
14 interest of the late hour, I would defer to you if you
15 have any specific questions you want to ask of me.

16

17 MADAME CHAIR ENTSMINGER: That's pretty
18 easy. I will ask just that one question that you
19 mentioned to me about some weed -- invasive weed thing
20 that we might be interested in, you said.

21

22 MS. GRONQUIST: I'll divert one moment
23 and just remind you that we've been working on the
24 Eastern Interior Resource Management Plans for a couple
25 of years now and they've gotten derailed a few times.
26 We thought we'd have it out for public review -- the
27 draft -- in February or so of this year. We hope to
28 have it out by February or so of next year for public
29 comment. So we would -- we'll be going to the villages
30 again to do public meetings, but I would encourage
31 anyone on this Council that has any interest in what
32 BLM is planning to do in terms of management on their
33 land -- the lands they manage to take a look at this
34 and we can make it available to you.

35

36 In the Dalton area, we have been
37 monitoring and doing some control -- some treatment
38 projects on invasive plants and this past year, we have
39 begun developing an environmental assessment of what we
40 term a more integrated plant management plan in terms
41 of dealing with these invasive species and some of the
42 concerns about the moving away from roadside areas,
43 becoming established along rivers, and so we're still
44 working on that draft environmental assessment.

45

46 Between late April and early July, we
47 traveled to I think ten villages and had scoping
48 meetings. And so that probably is something that I can
49 talk with you more about.

50

1 MADAME CHAIR ENTSMINGER: So the
2 deadline isn't here yet.
3
4 MS. GRONQUIST: There's not a specific
5 deadline right now on this.
6
7 MADAME CHAIR ENTSMINGER: Okay.
8
9 MS. GRONQUIST: We're, like I said,
10 working on the draft.
11
12 MADAME CHAIR ENTSMINGER: There's so
13 much of this coming at us now. It's unbelievable.
14 Yeah. Does anyone else have any questions of Ruth.
15
16 (No comments)
17
18 MADAME CHAIR ENTSMINGER: Thanks, Ruth.
19 Hanging in there.
20
21 MS. GRONQUIST: And we will be on the
22 -- we will be part of the meetings of the Advisory
23 Councils and the Advisory Committees doing the
24 Fortymile harvest management plan, although we'll be on
25 the sidelines.
26
27 MADAME CHAIR ENTSMINGER: Uh-huh. We
28 know you've been there all along. Glad to see you
29 there.
30
31 MS. GRONQUIST: Well, we'll be there.
32
33 MADAME CHAIR ENTSMINGER: Okay. Great.
34
35
36 MS. GRONQUIST: Thank you.
37
38 MADAME CHAIR ENTSMINGER: Thanks, Ruth.
39 It's great working with you. All right. Now it's Fish
40 and Wildlife Service. And Vince informed there's two
41 reports. So -- more paper.
42
43 MR. MATHEWS: Yes. For the record,
44 this is Vince Matthews, Subsistence Council Coordinator
45 and to be honest with you, I got a two and a half hour
46 presentation with a couple of PowerPoints, but I pared
47 it down to smaller.....
48
49 MADAME CHAIR ENTSMINGER: Are you
50 serious.

1 MR. MATHEWS: No, I'm not serious.

2

3 (Laughter)

4

5 MR. MATHEWS: And in that light, I do
6 need to apologize. We don't have a summary report.
7 Earlier on -- I'll be passing them out. I won't pass
8 out -- passing them out for Yukon Flats. Arctic, I
9 didn't have time to put one together. So if someone
10 could pass that around. And that'll be explained in a
11 second.

12

13 Basically to give you an idea of what's
14 going on, just so those that live on the Yukon Flats
15 National Wildlife Refuge, I swore in 3- to 500 yearly
16 Refuge Scout Managers for the Yukon Flats and Kanuti
17 Refuge. When I was a fisherman, I served as
18 representative at the National Jamboree for Boy Scouts
19 and there was 40,000 scouts there. I must have talked
20 to at least 8- or 10,000 scouts and other interested
21 were sworn in as Junior Refuge Managers with the
22 promise if they showed up at my office that we would
23 get them out on the Refuge.

24

25 I bring that up because this Council's
26 been interested in getting youth involved, so I hope
27 you continue to do that as we need to get them directly
28 involved as soon as possible.

29

30 Behind my apology, I served 22 days in
31 the Gulf of Mexico so that's partially why I'm behind
32 on that. One of your Council members, Andrew Firmin,
33 charged me to look out for water fowl in the Yukon
34 Flats. I look for them every day on the beach, but all
35 I found was alligator tracks. So I didn't see any
36 water fowl, so -- but again it was during summer and
37 they shouldn't have been there.

38

39 Now we'll turn over to the handout
40 that's going around to you and this was put together by
41 the Yukon Flats Refuge. There was nine fires burning
42 over 125,000 acres in the Refuge boundary, the Pat
43 Creek near Stevens Village was the largest one and I
44 talked quite a bit at this Beaver meeting, so I won't
45 cover that for those over in the area.

46

47 We going to continue to work with
48 subsistence fisheries to ensure the message of the 2011
49 harvest rules and potential closures is communicated.
50 So we're going to be helping get the message out.

1 The moose management plan, I think you
2 talked about that earlier, but that was quite exciting.
3 They have majority of the villages on the flats meet to
4 talk about the moose management plan and they're
5 planning on meeting this spring. And let's see. The
6 other ones, you can kind of read for yourself. The
7 ones that I'm going to point out that are more in my
8 arena and you can look at the other ones would be --
9 we're going to be hiring an outreach coordinator, so
10 that will be working closer with the villages which is
11 necessary to get the message out to our youth again and
12 in particular the importance of their role with moose
13 management.

14
15 We have funding to hire two Refuge
16 information technicians. I'll be supervising them. So
17 we're hoping to get that on board pretty soon. And
18 let's see. We -- for Council members that have been
19 from the Flats have already met Thomas, who's a law
20 enforcement officer for the Refuge, so we do have
21 another law enforcement officer. And then you can read
22 the rest and I would encourage you that we will target
23 the next meeting which is your wildlife -- I shouldn't
24 call it the wildlife meeting, but it's your prep
25 meeting for preparing proposals for the wildlife cycle.

26
27 So we'll have Mark here at that time
28 talk more about these different studies that many
29 relate to potential proposals. On that, I will working
30 on -- I have one here that was reviewed by OSM, but I
31 need to work on it. But I will be working on charts,
32 so I as well as others will know when these due dates
33 for these different proposals are. You probably saw
34 Rita going back and forth to me during that discussion.
35 We need definitely get those nailed down so you know,
36 but in light of all of your discussions, April for the
37 Federal Subsistence Board, April or May for the Board
38 of Game. Roy said May, but I heard April/May. So that
39 means you have to look at that date and then back up
40 from there and particularly the moose management group
41 is going to have to be aware of that and that if they
42 want to meet your schedule, then they got to back up
43 further.

44
45 And continuing with Yukon Flats, two
46 things. Larry covered the streamlining of the permit
47 program. There's another facet in that program that's
48 now decentralized. I am the permit coordinator for
49 community and Yukon Flats and Arctic. So I'm the one
50 that enters the data. Once we get over the hurdle on

1 the permits, where they're mailed to, they'll be mailed
2 to the units and out to Anchorage so that should speed
3 up data entry, just do you know that that's another
4 thing that's out there that has been well appreciated
5 by the Refuge managers and possibly the Park Service.
6 I don't know.

7
8 Continuing on that, KJ and Donald Mike,
9 who is now assigned to Western Interior will be in
10 Fairbanks for kind of a meet and greet with Fish and
11 Wildlife Service, National Park Service, and Alaska
12 Department of Fish and Game for a day. So they get a
13 meeting with a face and can start establishing
14 different dialogues.

15
16 Okay. Let's see. That gives you Yukon
17 Flats. For the -- for Arctic National Wildlife Refuge,
18 they're in the throes of their CCP. Again we're
19 throwing in a lot of acronyms. That's the
20 Comprehensive Conservation Plan and there's a handout
21 on that and I think in deference to time I'll leave
22 that up to you to read.

23
24 But the key thing on there is -- I
25 better take one in case I can't find one. They
26 anticipate the draft CCP EIS to be released to the
27 public around March 15, 2011. This is an update to the
28 one that might be in your book. I didn't have time to
29 review your book. So this is the most current status
30 of the CCP for Arctic.

31
32 There's also a newsletter. When you
33 travel a lot, a lot of things just show up on your
34 desk, but here's a newsletter from Arctic National
35 Wildlife Refuge. I didn't get a chance to review it.
36 If you guys are not on this mailing list or you would
37 like to be on the mailing list for the newsletters for
38 the different Refuges, please let me know directly or
39 through your coordinator. So I'll pass that around.

40
41 Let me go down some other items.....

42
43 MADAME CHAIR ENTSMINGER: A lot of us
44 are getting that in the mail already. I am.

45
46 MR. MATHEWS: Are you getting it in the
47 mail?

48
49 MADAME CHAIR ENTSMINGER: Uh-huh.
50

1 MR. MATHEWS: I mean we don't want to
2 load up your mailbox, but if you've never put a
3 newsletter together, you pretty much have to crystalize
4 the issue and in my opinion newsletters are quite
5 helpful. Okay.

6
7 So on that, the next I just wanted to
8 point out is I want to thank you for your letter of
9 appreciation. I really did appreciate that and Virgil
10 personally presented it to me, so that was nice in my
11 messy office at the time. Okay. The only other thing
12 I have and I know it's very difficult, but I have to
13 acknowledge it.

14
15 In my current position, I have to
16 monitor and try to attend the North Slope, Western
17 Interior, and Eastern Interior. So if there is a
18 possibility not to overlap, that would be great. Now,
19 why do I say that. Okay. Well, Sue knows this and
20 Andrew knows this. Possibly there'll be various
21 proposal generations coming out of that moose
22 management group. At the same time, I'll be working
23 with individuals to kind of make the regulations work a
24 little bit better in Unit 24 for moose.

25
26 So I know you can't change your date,
27 but I can't be two places at once, so I'm going to try
28 -- I'll get another staff person to attend, but if
29 possible, that would be great.

30
31 And I think that's I have, Madame
32 Chair, if you have any questions.

33
34 MADAME CHAIR ENTSMINGER: Any
35 questions.

36
37 (No comments)

38
39 MADAME CHAIR ENTSMINGER: Okay.

40
41 MR. MATHEWS: And I didn't know there
42 was a buzzer underneath these seats. I didn't know --
43 I'm just kidding. But if you have any questions -- oh,
44 there it is. Thank you.

45
46 (Laughter)

47
48 MR. MATHEWS: But anyways, appreciate
49 your time.

50

1 MADAME CHAIR ENTSMINGER: Okay. A
2 thought came to me before -- Council it's really
3 important that if there's an action item -- I better
4 turn this thing on. For the Council, it's important if
5 there's action items that there's deadlines on, it's
6 important that we comment on, I just want us to be
7 given a heads-up on that. Because sometimes it gets
8 lost in reports so -- but I'm trying to keep it
9 straight in my mind.

10
11 There's other Fish and Wildlife Service
12 reports? Yep. Tetlin. Close to home for me.

13
14 MR. KELLER: I'm Peter Keller, Wildlife
15 Biologist for Tetlin National Wildlife Refuge. I've
16 just got a couple of things. I won't take up much of
17 the time. This fall, we cleared a trail for a 17-foot
18 easement on the north edge of the Refuge. Last year we
19 had some land conveyances over to Northway Village
20 which moved some land that used to be right along the
21 highway to Native land and now there's no access.
22 There was no access really for hunters or anyone else
23 getting out there. So now there's a cleared trail from
24 milepost 1285 out to the closest point on the Refuge.

25
26 We had a lot of -- we're having a lot
27 of employee changes. Connie Friend, our Refuge
28 liaison, retired this year and before she left, she
29 edited an Athabaskan book, The Adventures of Yabatashi.
30 First Man Stories from Healy Lake as told by Ellen
31 Demmit and David Joe. That's -- you can find that
32 online at the Alaska Native Knowledge Network.

33
34 Also personnel changes, our Fire
35 Management Officer, Peter Buteri is being transferred
36 to Fairbanks and gaining responsibility for the fire
37 program involving interior Refuges. Our Refuge
38 Manager, Tony Booth, is leaving for Wichita Mountains
39 in Oklahoma, so we're going to be without a manager for
40 a little while. And we've also hired a new Biologist,
41 Nate Berg, who's coming from a position with the Forest
42 Service in Utah with his wife and three children. So
43 huge amount of goings on there.

44
45 And just an update on the Mentasta
46 Caribou have been reidentified I guess as a resource of
47 concern on the Refuge because mixing with the Nelchinas
48 during our hunt there and we're going to be doing
49 monitoring flights to make sure that -- well, just to
50 check on where they are and so there's not too much

1 concern with potential for harvest of the Mentastas
2 there. So we did one in late September just to check
3 and see there was none on the Refuge that we found.
4 And that's all I've got.

5
6 MADAME CHAIR ENTSMINGER: Okay. Any
7 questions of Peter.

8
9 (No comments)

10
11 MADAME CHAIR ENTSMINGER: Thanks,
12 Peter. You know, Rob Jesse has left, right? This
13 might be handled at the Yukon Moose Management -- or
14 Yukon Flats Moose Management, but do you remember we
15 got a letter and you guys probably all got a copy of it
16 regarding our letter to Fish and Wildlife on this
17 intensive management on Refuges. I guess -- do you
18 remember getting this and then at the end it says well,
19 if -- because we had asked for copies of the Service's
20 legal requirements and policy guidelines that would be
21 used considering requests for predator control. And
22 then at the end of the letter, just go to these
23 Websites. One, two, three, four.

24
25 So I had our coordinator put us
26 together that information. You probably all got it,
27 huh?

28
29 UNIDENTIFIED SPEAKER: Yes.

30
31 MADAME CHAIR ENTSMINGER: Yeah. I'm
32 sure we had time to read all this. But any way, it's
33 just -- it's mind boggling what we have to go through
34 here, but just for your information, Andrew, this would
35 be good if you remember getting this packet of stuff in
36 there in the next meetings that the moose management
37 comes up with, just try to look at this a little bit.
38 Maybe we can sneak in a way to do something up there.
39 Yeah, but -- we didn't have time to look at it, but I
40 just wanted to bring up that we did get that letter and
41 it is -- just great the way to baffle on us with lots
42 of paper, it seems. But -- I know the situation is
43 interesting because it's all from the -- everyone in
44 the U.S. has got a say, but it's a tough one whenever
45 -- it's ex-subsistence and there's things that you'd
46 like to do and you have to figure how you can do it.

47
48 But so we've got all the reports from
49 Fish and Wildlife Service and if there are no more,
50 we're moving on to Park Service. So I don't know how

1 many -- Wrangell's was here. It's just Yukon-Charley
2 left. There's probably no Denali here. So you guys
3 can come on up. Oh, but you are from Denali. I'm
4 sorry. Not. Ah, see how I keep you straight.

5

6 (Laughter)

7

8 MADAME CHAIR ENTSMINGER: Yeah. Sorry.
9 It's good that you all come up and introduce yourselves
10 and give us your reports and then I'm sure there'll be
11 some questions regarding some access.

12

13 MR. DUDGEON: Madame Chair, thank you.
14 Greg Dudgeon, Superintendent of Yukon-Charley and I
15 have with me Gary Youngblood who's a Chief Ranger,
16 Yukon-Charley, and David Krupa who's a Subsistence
17 Coordinator. And I believe David has already turned in
18 a report, so again for looking at the clock, if --
19 Dave, if you have maybe just a couple of brief
20 highlights, we could that and then move on.

21

22 MR. KRUPA: Sure. For the record, Dave
23 Krupa, Yukon-Charley and Gates of the Arctic. And I
24 did turn in a written report and in the interest of
25 brevity, I'll leave most of it just to be read. But I
26 did want to let you know two things.

27

28 One is as Barbara mentioned there's an
29 outreach effort nationwide, formal consultation,
30 government to government on traditional collecting with
31 Federally-recognized tribes and so that outreach will
32 be going on over the next couple of months to seek
33 input for future regulatory changes.

34

35 The other thing I wanted to mention is
36 that the fisheries TEK report that many of you in the
37 Eagle area participated in, that has finally been
38 accepted by U.S. Fish and Wildlife Service. It'll
39 eventually be posted on the Website. There's a limited
40 number of physical copies available and then DVDs. So
41 if anybody's interested in receiving a copy of that,
42 please do talk to me or visit the OSM Website when they
43 post it. And I think with that, I'll leave the other
44 issues to Greg and Gary. Thanks.

45

46 MADAME CHAIR ENTSMINGER: Any
47 questions.

48

49 (No comments)

50

1 MADAME CHAIR ENTSMINGER: Okay.
2
3 MR. BASSICH: Sue.
4
5 MADAME CHAIR ENTSMINGER: Oh, there's a
6 question.
7
8 MR. BASSICH: This is the report that
9 he's talking about. I'd just like to point that Don is
10 now officially a cover boy. That's Donald Woodruff.
11
12 MR. WOODRUFF: I didn't give them
13 permission to use that.
14
15 MADAME CHAIR ENTSMINGER: Okay. Thank
16 you. Go ahead.
17
18 MR. DUDGEON: Okay. Well, we are
19 actually really here for you. I will say that I know
20 that there's been a lot of conversations and
21 discussions about the recent case on the river within
22 the Preserve and I will say that we have been -- I was
23 going to say requested, but I'll use the word
24 instructed by the U.S. Attorney that we don't do cases
25 in the media or in the public. The court's the proper
26 place to have the facts of the incident told and so we
27 are limited with what we can say about the specifics of
28 the case. However, Gary and I wanted to be here. We
29 thought there might be questions or other concerns
30 about overall process or procedure or, you know, what
31 it is we're doing out there. And so we wanted to be
32 available to you and that's why we're here.
33
34 MADAME CHAIR ENTSMINGER: All right.
35 Bill.
36
37 MR. GLANZ: Yeah. I'd like to ask -- I
38 talked to quite a few legal authorities and they said
39 actually when they're pulling us over without showing a
40 cause or a due process, it's totally illegal. You
41 can't drive down the road and have the cops pull you
42 over and say what did you stop me for, sir. I just
43 wanted to make sure you had a driver's license. Oh, I
44 don't see a fire extinguisher in that car. Where's
45 your fuses, and it's actually caused a lot of distress
46 in Circle and Central and those areas guys and I was
47 stopped by your officers and they were cordial and I
48 had no problem whatsoever. I mean but -- so they
49 pulled me over. I says why'd you pull me over. I said
50 I'm doing nothing wrong. We're going to do a Coast

1 Guard check. Well, that's cool. So where'd you get
2 your Coast Guard training. Oh, we're Federal officers.
3 Oh, okay. You got fire extinguisher. I showed them. I
4 hand it to him. He's shaking it. I says that's a real
5 nice job shaking it. Why you doing that? He said,
6 well, you know, it's to keep the powder -- I said you
7 better read it. It says Halon, there is no dry powder
8 in Halon. It's a gas. And it's just ridiculous stuff
9 like that. I mean what are you doing up here. I said
10 I don't know. I'm riding -- drive my wife around. My
11 buddy. Well, are you going to fish. I might. You got
12 a fishing license? I says I'm not fishing. I've got a
13 hunting license, but I ain't hunting. I've got a gun.

14
15 And just -- and not to mention, when
16 they pulled up to me, they wham hit my boat and put a
17 dent in the sucker and the kid says, oh, we'll take
18 care of it. Just send us a bill. I said oh, yeah,
19 I'll just take my boat to town, have them fix it. No,
20 I'm not sending you a bill. Just -- you know, just be
21 a little more careful when you're coming into these
22 boats. So -- and I'm not going to try Demmit's case
23 either because I know what's going on there, you know,
24 so -- so what is your policy on the river, Greg, for
25 stopping people without due cause? Is it -- I talk
26 with Rod, he said you got a case there. They can write
27 all the tickets they want, but if they stop you without
28 due cause, it's not going to go to the courts. It'll
29 have to be throwed out.

30
31 So I was just wondering what your
32 policy is on that.

33
34 MR. DUDGEON: Let me tackle the broader
35 issue first or the jurisdiction which I think you're
36 also getting at and then I'll have Gary talk about the
37 specifics of the authorization there.

38
39 As most of you probably well know,
40 since 1996, we've had -- I'm not quite sure if you say
41 a gentlemen's agreement, but an agreement to disagree
42 with the State. In '96, a regulation took effect that
43 essentially clarified or articulated that no matter who
44 owns the water -- and we're certainly not arguing that
45 we do within the boundaries of the Park, but no matter
46 who owns the water body that if it's within the broad
47 line boundaries of a National Park Unit that the
48 National Park Service has the authority to enforce
49 regulations. And so that's how we're interpreting it
50 and what we've been clear is that at some point in

1 time, it would probably be a legal -- needed to be a
2 legal decision in the court and based on what we've
3 heard from the Governor and you've probably all heard
4 from the Governor in the last couple of weeks, we may
5 well be headed there.

6
7 And so -- but until that time, it's not
8 like we have the option or had the option of deciding
9 that we would or wouldn't. We just -- 36 CFR 1.2 says
10 that if it's in the broad line boundary -- my summation
11 here. If it's within the broad line boundaries of the
12 Park, the water body, we have the authority to enforce
13 Federal regulations. So that's -- I guess that's kind
14 of the overarching point. And then I think I'll have
15 Gary talk about the specifics of what you're
16 describing.

17
18 MR. YOUNGBLOOD: For the record, Gary
19 Youngblood. I'm the Chief Ranger. What we do is under
20 -- and it's kind of interesting. You can google all of
21 this and read this, but 36 CFR, which stands for Code
22 of Federal Regulations, 3.....

23
24 MR. GLANZ: We got us a copy.

25
26 MR. YOUNGBLOOD: Okay. 3.4, if you
27 read the verbiage for contacts, we don't need probable
28 cause to do what is basically called a safety
29 inspection. And so that's in the verbiage of 3.4.

30
31 What we do -- and then, you know, I'd
32 like to be able to explain our program, what we're
33 trying to do out there. We've got two major things
34 that I'm concerned and one is public safety and the
35 second is protection of resources. And one of the
36 reasons that we protect resources is to accomplish our
37 mandate of managing our resources so we provide an
38 opportunity for the subsistence lifestyle. So that's
39 kind of how it ties into this.

40
41 It's been reported that we've been
42 doing vessel boardings. In the three years, we have
43 not boarded a single vessel. We've accomplished a
44 little over 300 of these checks in three years and
45 these checks usually include pulling up to a vessel,
46 announcing that we'd like to do a vessel inspection,
47 and the most -- the things that we're most concerned
48 about are the life preservers and a throw.

49
50 And we will look at a fire extinguisher

1 and a horn. We've given warnings and have never
2 written a citation off anything for a vessel inspection
3 other than, hey, you know, your life vests aren't in
4 real good shape, you might need to get another one, or
5 gee, next time we see you, we'd like you to have the
6 throw for protection. So we've done about 300 of
7 those.

8
9 Our law enforcement program in the last
10 three years prior to this incident with (Indiscernible)
11 which we can't really discuss has resulted in two
12 citations. That two out of 300 contacts. One of those
13 citations was for an illegally harvested Dall sheep.
14 The other was for a -- failure to register and which we
15 told the individual that once they registered their
16 vessel with the State of Alaska we would tear that
17 ticket up.

18
19 So that's the tone and tenor that we
20 are trying to accomplish on the river. Lots of
21 contacts. Looking at things. We are interested in --
22 when we contact you for a safety inspection, if you
23 look over and there's a moose rack or moose meat or a
24 big -- we will ask to see your hunting license and any
25 tags that are required. I think your contact was
26 perfectly fine. We realize there's some people that
27 don't like to necessarily show us stuff.

28
29 If you say, hey -- do you have a
30 hunting license, you say yes, but I'm not hunting, you
31 say I don't want to show you -- that's fine. We're --
32 this is a kind of a conversation to get to know people
33 on the river. And this is -- these are visitors from
34 all over the place. I would say the vast majority of
35 the people that we contact are from Fairbanks and
36 Anchorage and then we've had a fair number of German
37 contacts also.

38
39 So like I said, the thing I want to
40 impress upon you guys is 300 contacts, three years --
41 over 300, two violations, illegal Dall sheep,
42 registration that will be torn up. We've had two
43 contacts that have not gone the way that any of us
44 would have preferred and some of those were factors we
45 believe were beyond our control. And I think it's
46 important what our program is for and I appreciate your
47 contact. We always appreciate when people cooperate
48 with us even when they don't understand.

49
50 The river is not the place to have a

1 disagreement. We need to -- there has been -- I'm
2 concerned about getting an Alaskan hurt and when I say
3 I'm concerned about getting an Alaskan hurt, my two
4 rangers that were involved in this contact, one of them
5 was born in Fairbanks, graduated high school in
6 Kotzebue. I call them an Alaskan.

7
8 My other ranger on this is a person who
9 served for years in a military service here in Alaska,
10 got out of the service, needed a job, and we gave him a
11 job and an opportunity. I call that an Alaskan. These
12 are good people that are trying to do a good job and
13 are running into some things that would probably, were
14 I able to go into the details, would -- you'd probably
15 react similarly.

16
17 I've had a couple of interesting things
18 if I can continue just a second or two here. I've read
19 the articles in the newspaper and I just want to
20 mention one or two things. I can't comment on all of
21 the things in the newspaper. I have commented on a
22 couple of things to some of the people at Alaska
23 Dispatch and here's the thing. If you read Alaska
24 Dispatch, there was a flight involved. Somebody was
25 flown from Circle to Fairbanks. That's a pretty easy
26 fact to check and get correct.

27
28 Well, the night that that person was
29 supposed to be flown, I had a conversation with him on
30 the road about the Northern Lights between Circle and
31 Fairbanks. I don't think anybody was flying around in
32 an airplane and I told the individual that wrote that
33 that he had so many facts wrong in his reporting, but
34 the real story was if he could interview the pilot that
35 flew the alleged person from Point A to the Point B.
36 So I just want to say that's the type of reporting that
37 has gone into this.

38
39 We've amped up people. I've been
40 accosted in a restaurant the other day over this issue.
41 We don't need this. This is not the kind of people
42 we're supposed to be. I would ask that you -- ask
43 people to remain calm, let this be resolved in the
44 court system and everybody has their say. I don't want
45 anyone hurt. And so that's my request is for kind of a
46 cry for calm. And it's all going to come out and I'll
47 be glad when I can comment further on this.

48
49 So if you have any questions I can
50 answer, I'll be glad to.

1 MADAME CHAIR ENTSMINGER: Bill.
2
3 MR. GLANZ: I have just -- I ask Greg
4 about this and I was really upset about it until Greg
5 kind of explained because I couldn't understand why
6 somebody was in custody for four days where he
7 explained to me why the -- well, he -- well, what
8 really upset me when I was told that the ranger stopped
9 me, I said why were you stopping and they said, oh,
10 we're going to wait till it gets date and navigate in
11 Circle on a GPS as they had their lunch on the bank.
12 He says the guys didn't know crap about navigating.
13 They were starting to go down the channel Fort Yukon,
14 he says whoa, whoa, you got to turn around. If you're
15 going to go that way, please take the cuffs off because
16 I got to be able to swim. You know, so I mean they
17 actually -- do they know anything about the river or
18 was this their first day on the river or what?
19
20 MR. YOUNGBLOOD: How much experience
21 they have on the river is probably limited. My more
22 experienced river rangers has three seasons on the
23 river, wasn't with this group. I can't answer anything
24 about how the navigation went down to the river. I
25 know we did go back up to -- we moved them around the
26 river. My part of it was I came to Circle, picked him
27 up, and saw them. They were camped waiting on an area
28 for us to hit so they could bring him over. It went
29 rather well.
30
31 MR. GLANZ: That's the only thing I was
32 upset about was the time frame there for.....
33
34 MR. YOUNGBLOOD: I will address the
35 four days if you don't mind. We made a huge effort to
36 get to the facility in time and we got to the facility
37 around 3:00 in the morning. My ranger was in an office
38 the next morning between 8:00 and 8:10 trying to get
39 the paperwork pushed because our desire would have been
40 to have had him released on that Friday.
41
42 I mean my ranger was there between 8:00
43 and 8:10 to talk with the people to get the process
44 started. We have no control over what the courts do
45 and the courts ended up I believe it was Monday at
46 11:00 and we were there for that. And we did
47 everything we felt we could because there's no benefit
48 to anybody for that.
49
50 MR. GLANZ: Well, that's exactly what

1 Greg explained to me. I just wanted to bring it out
2 because I was -- I told these people here I wanted to
3 get the official word to these people here.

4

5 MR. YOUNGBLOOD: I appreciate that.

6

7 MADAME CHAIR ENTSMINGER: Did I see a
8 hand over here? Yeah, Donald.

9

10 MR. WOODRUFF: Thank you, Madame
11 Chairman. I was stopped a few years ago by the rangers
12 and -- well, they attempted to stop me and I refused to
13 stop. I just kept paddling my canoe and they
14 identified themselves and that was the end of the
15 discussion. But they crossed the river and pursued my
16 neighbor who was going to check his fishnet. So they
17 intercepted him and he refused to talk to them just
18 like I did. And Ranger Sample said he's taking this
19 personal and got red in the face and got pissed off and
20 started screaming and since we didn't know Ranger
21 Sample, it was nearly impossible for him to take that
22 personal because there's been no interaction.

23

24 And since then, I've interacted with
25 him in a positive manner. But it sort of bled out that
26 he's going to play catch-up on this Mr. Henry and so
27 when Ranger Ben was visiting with me, I informed him
28 that the Park Service has a letter from Tim's
29 attorney -- Tim Henry's attorney and not to go up there
30 and harass him and two days later, he turned around and
31 went up there and harassed him, threw him cuffs, and
32 made him sit in the dirt for four hours. And that's
33 unconscionable.

34

35 And I think it's all catch-up by Ranger
36 Sample. He's pissed off and he's going to do something
37 about it and I heard it slip out of his mouth that if
38 we continue to ignore his behavior towards us, he's
39 going to play catch-up and arrest us. And the whole
40 time that they were talking to Mr. Henry, their logic
41 was he was not identifying himself and the whole time
42 they're calling him Mr. Henry and he's in cuffs. And
43 the whole time he's saying I'm not going to talk to you
44 guys unless my attorney's present. His second Miranda
45 right.

46

47 They said, oh, you're not under arrest.
48 You're just being detained. So he's sitting in the
49 mud. It's just like Mr. Wild was in cuffs and they're
50 trying to figure out what to do and they called

1 Fairbanks, blah, blah, blah, and this all goes around
2 and they eventually -- you know, four hours later
3 release him. But in that time, they harassed him to
4 the point that they wanted to piss him off enough so
5 they could arrest him and he'd say something and he
6 said no, I ain't talking to you guys.

7

8 And I talked to Mr. Henry about this.
9 I interviewed him, and he's not happy about it at all.
10 And this letter has been on file on two occasions for
11 20 years with the Park Service and I don't really want
12 to hear you guys say, oh, this is a seasonal ranger,
13 he's a new guy. We're going to throw him under the
14 bus. Because that's what Mr. Sample said. He said
15 he's a good ranger and, you know, he's a rookie and may
16 he made a mistake and that's crap because every year
17 there's going to be a new ranger and the whole thing is
18 going roll around again.

19

20 I talked to Ranger Ben and I says I
21 don't have to talk you. He said okay, I'm going to
22 arrest you and I said oh, so if I've got a dog and a
23 sled and bales of straw just like on the picture of
24 this report and my canoe, you're going to arrest me and
25 impound me and he said yes and I said okay, Greg's
26 going to love you for this. And then we pursued the
27 conversation and I said so that's all out the door
28 because now you know who I am. I don't have to
29 identify myself.

30

31 And he wasn't happy with that either.
32 And I see that this -- some of rangers are just totally
33 out of control and it's an embarrassment to the Park
34 Service. Trust me. Everybody in Eagle had some trust
35 for the Park Service and it's in the toilet right now
36 and it's going to take another 20 years for you guys to
37 build it back up because it's not going to happen quick
38 and it happened in one month.

39

40 These two rangers blew it in one month
41 and it's not going to get fixed just because you guys
42 say, oh, it'll go away because we go to court. It
43 ain't going to happen. Trust me.

44

45 MR. YOUNGBLOOD: There was a question
46 or two in there in the beginning of that. Mr. Henry's
47 contact on the river was one that I would not have
48 chosen that time or that location to have made a
49 contact with Mr. Henry. You alluded to the fact that
50 there's some kind of order that's well known about Mr.

1 Henry. I've never seen it and I've honestly never --
2 I'm not aware of it. I was told that we -- he had some
3 kind of restraining order about us going on his
4 property which is fine because we have no intention of
5 going on Mr. Henry's property or really anyone else's
6 property unless invited.

7

8 So that becomes a moot issue. Like I
9 said, this was a poor choice of a location and a time
10 to contact Mr. Henry. I'm not going to deny that. And
11 it's not one that I'm really too excited about. It was
12 a legal contact. They contacted him about his
13 registration. We've got a report on this. Mr. Henry
14 was, according to the report, very kind and easy to
15 deal with.

16

17 When the rangers came up and said I
18 need to talk to you about your registration, he said is
19 this emergency and my rangers responded no, this is not
20 an emergency, but we do need to take care of this
21 issue. And at that point, Mr. Henry elected to walk
22 away. One of the things that we expect of our law
23 enforcement office is to act according to policy and
24 act according to training. And policy and training in
25 the law enforcement thing is we don't allow people that
26 we have a law enforcement contact to choose if they
27 walk away from us and you could understand how that
28 would be difficult. You're -- you know, you're doing
29 an illegal act, we say stop, I mean.....

30

31 MADAME CHAIR ENTSMINGER: Can I stop
32 you right there?

33

34 MR. YOUNGBLOOD: Sure.

35

36 MADAME CHAIR ENTSMINGER: Did you just
37 tell me that if someone is told it's not an emergency
38 and they turn around and walk away that's against the
39 law?

40

41 MR. YOUNGBLOOD: What I'm telling you
42 is that if I contact you and I say I need to talk to
43 you about this act and it's a legal issue, no, you're
44 not free to leave at that point. If you are robbing a
45 bank and I stopped up and said stop and you say no, I
46 think I'm going to go away, you're not.....

47

48 MADAME CHAIR ENTSMINGER: Well, it's a
49 different example.

50

1 MR. YOUNGBLOOD: But it's the same
2 instance.

3
4 MADAME CHAIR ENTSMINGER: It's not a
5 good example.

6
7 MR. YOUNGBLOOD: It's not a good
8 example, but so do you get to walk away from a speeding
9 ticket. Do you get to -- which ones do you get to walk
10 away. So in essence, if I walk.....

11
12 MADAME CHAIR ENTSMINGER: Commonsense
13 needs to come into play here and sometimes I don't hear
14 commonsense in what's going on.

15
16 MR. DUDGEON: I think your question is
17 a good one though and if it had just simply been a
18 hello and he decided he didn't want to talk, it was
19 well within his rights.

20
21 MR. YOUNGBLOOD: And that's one of the
22 things that I've always wanted to -- I've always felt
23 would have been a good thing to do on the river is tell
24 you -- is work with the people to find out -- if I pull
25 up and say, Don, that's a great looking boat, can you
26 tell me about it, and you say no, I'm not interested,
27 you can go and do as you please. If I say, Don, I've
28 got to talk to you about that garbage you left on the
29 beach, you're not free to go at that point and so it's
30 one of those things that I think it's interesting to
31 have an understanding among all of us kind of what the
32 rules of the road are. I was told that we're going to
33 probably be out on dog sled this winter and one of the
34 things is somebody said, oh, we've got to get you guys
35 spun up on the rules of the road about when you meet
36 dog teams and how you behave and you don't stop and get
37 the things tangled up and I understand that.

38
39 And there are rules of the road from
40 our point of view also. And I think once we kind of
41 understand the rules of the road and everybody says
42 okay, I see where they're coming from, I need to stay
43 around and talk to them about this, so that's where one
44 of the issues came up with Mr. Henry is that they said
45 we've got to talk to you about this issue and he
46 elected to break off the contact and at that point, we
47 did what we call detain and when we detain someone,
48 whether it's just you're not free to go or we put the
49 handcuffs on, it's to say you can't go till we sort a
50 few things out.

1 The next issue is these guys.....
2
3 MADAME CHAIR ENTSMINGER: Can I butt in
4 again? So you're saying that if -- I mean what I heard
5 first was that the person walked away and then you
6 detain them. Wouldn't you use common logic and
7 commonsense and say explain that you should not do
8 this, you should not turn around right now.
9
10 MR. YOUNGBLOOD: It was -- yeah. The
11 officer said stop, you're not free to go, you can't
12 leave.
13
14 MADAME CHAIR ENTSMINGER: It's probably
15 the content the way it's said that upsets people.
16
17 MR. YOUNGBLOOD: It may be and I wasn't
18 there for how it was said. I've just read the report
19 and he said -- and they asked him are you going to
20 leave anyway and he said yes basically and so they
21 detained him at that point.
22
23 Here's my point on this interesting
24 contact is this would have been a ten-minute, hi, I
25 need to talk to you a minute, we'd like you to get your
26 registration done. Next time we see you on the river,
27 we expect you to have that. Have a good day. That's
28 what this could have turned into and.....
29
30 MADAME CHAIR ENTSMINGER: That's what
31 it should have started at.
32
33 MR. YOUNGBLOOD: That's what it did
34 start at and then Mr. Henry elected not to remain at
35 the contact when he told he wasn't free to leave. And
36 at that point, we decided to -- go ahead.
37
38 MADAME CHAIR ENTSMINGER: Andrew had a
39 comment.
40
41 MR. FIRMIN: Oh, I just was going to
42 say well, then I'm not free to leave like if my dog's
43 not on a leash or I'm not picking his poop or something
44 and I decide to walk off and catch my loose dog,
45 instead you're going to detain me in a National Park
46 for something as simple as that too.
47
48 MR. YOUNGBLOOD: Till we finish our
49 conversation. That's kind of the way things work for
50 contacts. People who are involved in a law enforcement

1 contact aren't free to leave until that issue is
2 resolved, and the issue can be a conversation. And so,
3 you know, that's the training.

4
5 MADAME CHAIR ENTSMINGER: What I always
6 see with law enforcement officers as sometimes
7 commonsense is not used in the tone of voice and that
8 and all we're trying to recognize here -- Andy's trying
9 to tell me that we're trying to try this case. I don't
10 see it that way. I see it as a discussion point on how
11 people feel they need to be respected. I understand
12 you're trying to say the same thing, but sometimes law
13 enforcement officers are trained a certain way and some
14 are -- don't have the ability to use as much
15 commonsense and others and.....

16
17 MR. YOUNGBLOOD: That's true in all
18 walks of life.

19
20 MADAME CHAIR ENTSMINGER: Yeah. Bill.

21
22 MR. GLANZ: Yeah. We're not anti-law
23 enforcement. Half my family's retired officers in
24 Chicago and that. Anyway so the Governor told me, he
25 says actually the reason -- one of the reasons we're --
26 he says we never -- the State registration -- the
27 registration on boats is now State. He says it's not
28 Federal. So he says that he never give you guys
29 authority to issue citations for not having a
30 registration on a boat.

31
32 MR. YOUNGBLOOD: Yeah. And I got off
33 without my glasses today, so bear with me on this. I
34 may get this one -- what the National Park Service does
35 in the 36 CFR is instead of us in National Parks, for
36 example, that have roads, instead of us writing all of
37 our own regulations for passing on a double yellow
38 line, speed limits, and those things, we have a
39 regulation that allows us to adopt State regulations as
40 ours.

41
42 In other words, this regulation
43 basically says whatever the State says now becomes the
44 same thing in Federal law and that's 36 CFR 3.2(b) that
45 allows us to adopt the State regulation as our own. And
46 like I said, we have never -- we've written one ticket
47 for that and that was on the Tim Henry case which we
48 agreed to tear up once the registration is. We're not
49 really interested in that other than it ensures the
50 boats are inspected and we're interested in the safety

1 stuff for public safety.

2

3 MR. BASSICH: Yeah. Thank you. I just
4 wanted to say I think that on all the years that I've
5 been on the RAC here, this is -- I think it's since
6 2001 or 2002, it seems like almost every single year
7 after we have our hunting season and our fall meeting,
8 we have some comments regarding this issue in one way
9 or another and I think if you went back in the record,
10 you'd see it's -- especially in the last two or three
11 years.

12

13 And one of the things I want to just
14 talk about is not this case or anything like that, but
15 the fact that this comes before the RAC and I think
16 what's been recommended in the past really needs to be
17 looked at positively here and that is to do some
18 cultural training to officers as to some of the unique
19 situations that they're going to encounter in this
20 particular area.

21

22 Subsistence users, people who live
23 there year round, some of the past history of the area,
24 we went through this exact same thing probably 15 --
25 almost 18 years ago with the Yukon-Charley Preserve.
26 They ended up changing superintendents. They ended up
27 changing law enforcement lead. They brought in rangers
28 that were -- that reacted a little bit differently and
29 that built a lot of trust between the community of
30 Eagle and the Park Service there.

31

32 And we've had some really good
33 relationships developing and I'm sad to say that a lot
34 of that has disappeared now because of this incident
35 and I would certainly hope that we would work hard to
36 reestablish that trust and that level of cooperation.
37 And I think really that's what's needed here and I
38 don't think that we need to get into debating the case
39 or anything like that, but, you know, as a RAC member
40 hearing this year after year and wanting to do
41 something in a positive note, I think that would be my
42 recommendation is to make sure that all rangers
43 involved in that area are briefed very carefully on
44 people who live within the Preserve who they will
45 probably most likely come in contact with and to go
46 through some kind of cultural sensitivity and give them
47 a little bit of history about what's taken place in the
48 area so that we can minimize the chances of something
49 like this happening because I think if people are armed
50 with some of that information, they might react a

1 little bit differently. That's my comment. Thank you.

2

3

4 MADAME CHAIR ENTSMINGER: Virgil.

5

6 MR. UMPHENOUR: Right. I'm going to
7 totally change the subject just a little bit because I
8 have something that I think's absurd.

9

10 MADAME CHAIR ENTSMINGER: Can I do
11 something first, Virgil.

12

13 MR. UMPHENOUR: Okay.

14

15 MADAME CHAIR ENTSMINGER: I think what
16 I heard here is -- I'm sorry. This is the only Park
17 that just a Preserve and not Park Preserve I believe.
18 Well, I mean -- I'm sorry. You're Preserve only,
19 right?

20

21 MR. YOUNGBLOOD: Right.

22

23 MADAME CHAIR ENTSMINGER: Yeah. And
24 you don't have an SRC.

25

26 MR. YOUNGBLOOD: No.

27

28 MADAME CHAIR ENTSMINGER: And what I'm
29 hearing is a lack of an SRC because it really -- the
30 Wrangell-St. Elias, I mean everybody was just like
31 Eagle at the time that these parks first were
32 established to serve people and we've got -- you got to
33 learn to live with them and it's really been helpful to
34 have an SRC. I'm wondering if we should -- I don't
35 know how that works, but it -- that's -- there should
36 be some way that you guys can -- the community can meet
37 with the Park Service and more interaction because then
38 it helps to make things work better.

39

40 But I just wanted to put that out there
41 and then now you can change the subject unless somebody
42 else had something else.

43

44 MR. GLANZ: Well, I.....

45

46 MADAME CHAIR ENTSMINGER: Bill.

47

48 MR. GLANZ: Well, I know before I
49 retired from the fire service, we'd go into the
50 villages and towns and we'd talk to people. Come on,

1 we have a big meeting and explain our policies and this
2 is what we're going to do and we had -- I mean I
3 understand that these guys are doing their job just
4 like we were. So I mean but then -- like they would
5 work alongside -- what you just said, the SRC.

6
7 MADAME CHAIR ENTSMINGER: It's the
8 missing link.

9
10 MR. GLANZ: Yeah. There's something
11 that's not quite in there with it, but.....

12
13 MR. YOUNGBLOOD: If I could say, I
14 think there's a lot of wisdom in, you know, the
15 comments that we've just heard and I think -- again
16 what these two guys on the river were doing was
17 essentially fulfilling what, you know, we had directed
18 them to do, not to say that we were saying specifically
19 operationally what they do, but we should have had
20 those -- what Bill was just saying and what you. Sue,
21 were just -- Andy as well alluded to, we should have
22 had -- and I recognize that and since I'm the guy where
23 the buck stops, I'll be the one that will take that
24 responsibility. We should have had those conversations
25 back a few years ago.

26
27 MADAME CHAIR ENTSMINGER: Yeah.

28
29 MR. YOUNGBLOOD: We plan to remedy
30 that.

31
32 MR. GLANZ: And I think what's going to
33 Wild case, I've been running with him down -- we used
34 to go all the way to Anna Creek. We never see a camp.
35 I mean you know I'm talking about in the '80s, never
36 see a camp, and now my goodness. You know, of course
37 this year is really had to be stressful on your rangers
38 because everybody was going in in Circle because they
39 couldn't get to Eagle. So I mean I've never seen so
40 much traffic on that river. Anyway.....

41
42 MADAME CHAIR ENTSMINGER: Okay. Now
43 Virgil

44
45 MR. UMPHENOUR: Okay. The noisemaker
46 requirement. You draft that one as whistles or the air
47 horn, correct?

48
49 MR. YOUNGBLOOD: Correct.

50

1 MR. UMPHENOUR: Now what if you stop me
2 and I says well, I don't have a whistle and an air horn
3 but I have trench (ph) Magnum 12 gauge and I've got 44
4 and they're a lot louder and easier to get to. What
5 would be the response?

6
7 MR. YOUNGBLOOD: I would probably say
8 that was an accurate statement and I would probably
9 tell you that the regulations require that you have
10 some kind of noise maker. I'm not really -- we're not
11 really interested in your noise makers, honestly. We
12 are.....

13
14 MADAME CHAIR ENTSMINGER: Unless it's
15 pointed at you.

16
17 (Laughter)

18
19 MR. YOUNGBLOOD: Well, let's not do
20 that. Let's not do that. But what we're really --
21 kind of -- Greg was showing me something here earlier.
22 The State of Alaska has this public safety campaign
23 out, several of them out, and it lists the number of
24 Alaskans that drown in cold water and freshwater and
25 motor boats and all that and it's hugely high. It's
26 also high for males by the way. And one of the things
27 that concerns me is a lot of the parks I've worked in,
28 you see people out with their children who aren't old
29 enough to make informed decisions without a vest on.
30 That bothers me.

31
32 Also it bothers me sometimes when I see
33 a parent with the kids with life vests on and the
34 parents don't. No kid wants to watch their parent
35 drown. So we're pretty serious about trying to do the
36 best we can to remind people life vests, something to
37 throw to someone if they go over. The fire
38 extinguisher is important. Not that worked up about
39 that. The noise thing, you can't make enough noise
40 with one of those whistles to be heard anywhere on the
41 river. You know, your .44 Magnum probably works just
42 great pointed in the air.

43
44 And we're not -- like I said, we've not
45 written any tickets for it. We're educating. We're --
46 and that's our conversation point that we look for is
47 we love to pull up to you on the river. We've got ten
48 minutes of your time. We'd like to educate you, if we
49 can form a relationship over that. We're looking into
50 right now trying to find some money that when we

1 contact somebody on the river -- we haven't gotten the
2 money yet, but you say, oh, I don't have a vest. Fine.
3 I've got one for you. You've got one that's 30 years
4 old. Fine. I've got one that works better, take it.
5 We're interested in your safety.

6
7 Because we're the ones that have to go
8 and look on the river and pull bodies out. We've
9 pulled one body out of the river in the Preserve in the
10 last three years I believe it is. You know we've had
11 some others in there. It's something I would prefer
12 not to continue to do and if I have to work a little
13 harder to give you a vest, if I can find the money for
14 it, I'm going to do that too.

15
16 MADAME CHAIR ENTSMINGER: Well, you're
17 not going to save everybody from -- yeah. I had some
18 neighbors that the dad and the mother and three or five
19 children -- no. I think it was three watched dad and
20 two drown right in front of them and if they had gone
21 just a few little feet further, they'd have been in
22 inches of water. There just been in there just
23 fishing. So it was -- you're not going to save
24 everybody because those people didn't have a life
25 jacket. They were just by the river. Yeah.

26
27 MR. GLANZ: Used to be a bunch of life
28 jackets in a circle, Gary. I don't know if you
29 remember them. They was in a rack. I don't know who
30 put them there. It was a great idea I thought. It was
31 a real good idea.

32
33 MR. DUDGEON: Yeah. It was part of a
34 State program at one point, but I don't know if it's
35 still funded or not to be able to do that. Kids don't
36 float I think was the project.

37
38 MADAME CHAIR ENTSMINGER: Right.

39
40 MR. DUDGEON: Yeah.

41
42 MADAME CHAIR ENTSMINGER: Yeah. There
43 are lots of those actually. Don.

44
45 MR. WOODRUFF: Thank you, Madame Chair.
46 I think that one of the basic issues involved here is
47 that in Eagle for several years we have not had a
48 station manager. Now, when Kevin Fox was station
49 manager, none of this stuff happened and there was
50 direct control of the rangers and I see the rangers are

1 just -- they're just out of control and disrespectful.

2

3 Thank you, Madame Chair.

4

5 MADAME CHAIR ENTSMINGER: Yeah. I
6 remember Fox. He had a good reputation. Yeah.

7

8 MR. DUDGEON: We did -- Madame Chair,
9 we did a couple years ago as Don and other folks, Andy,
10 know, we removed -- or we chose not to replace the
11 designated leader if you will. Part of that was
12 frankly economic decision. Part of that was knowing we
13 had some staff who had lived in Eagle for quite a while
14 and were thinking -- planning that, you know, within
15 the group they'd be able to continue to move things
16 forward.

17

18 Don brings up a good point. It's
19 actually one that we're revisiting now. I guess I'll
20 just leave it at that.

21

22 MADAME CHAIR ENTSMINGER: Yeah. People
23 are getting ready to move along, so -- anything else,
24 gentlemen.

25

26 MR. WOODRUFF: I have a quick one
27 just.....

28

29 MADAME CHAIR ENTSMINGER: Quick one
30 right here.

31

32 MR. WOODRUFF: Where would you find
33 information on rules and regulations to visit the Park.
34 I mean I live 60 miles from the Park and have never
35 been in the thing because I don't know rules and regs
36 and I hear all the horror stories and I don't know.
37 That's part of my cultural heritage that I've never
38 been able to really visit very often. I guess times I
39 did, it's probably illegal. But where I would find the
40 information on the rules?

41

42 MR. YOUNGBLOOD: The main way if you're
43 just interested in looking up the rules and regulations
44 of what you can't do or can do is 36 CFR. It's online.
45 It's 36 Code of Federal Regulations. That's one way.
46 There's a copy right there. The first little bit of it
47 is really what you need to be concerned with.

48

49 The second thing is what I would
50 encourage you to do is call us up, stop by Eagle, talk

1 to a ranger, and say, hey, I want to visit your area
2 that you have jurisdiction in and I don't want to
3 accidentally do something. Can you kind of tell me how
4 do I avoid a ranger.

5
6 MR. WOODRUFF: But I'm traveling from
7 Fort Yukon, so -- and like I mean what about my
8 neighbor/cousin that can hardly read or write.

9
10 MR. YOUNGBLOOD: Talk to us. Set up a
11 -- you know, maybe that's.....

12
13 MR. WOODRUFF:I get pulled over.

14
15 MR. YOUNGBLOOD: No, no. Call us up.
16 We've got phone numbers. We've got offices. We'll be
17 glad to do that. And you know, the other kind of thing
18 is -- this may sound really, really strange, but you
19 guys are important to us and the management of the
20 resource thing. I'm more than happy to have you go out
21 and spend a day -- spend two or three days, camp with
22 my rangers, travel with them, see what they do and talk
23 to them and develop that relationship. You're going to
24 find that the reason we're out here and what we're
25 trying to do is to protect resources. Who uses the
26 resources. We're checking.....

27
28 MADAME CHAIR ENTSMINGER: It sounds
29 like an invitation to these guys.

30
31 MR. YOUNGBLOOD: It's an invitation to
32 come, go with us and see what we do. We're going to
33 be out this winter, so you all.....

34
35 MADAME CHAIR ENTSMINGER: So how are
36 you going to do that invitation? It's open? They got
37 to call you?

38
39 MR. YOUNGBLOOD: Give me a call. Let
40 me know. What you can do, get you with a ranger. We
41 can show you our -- the public use cabins.

42
43 MADAME CHAIR ENTSMINGER: You're in
44 Fairbanks?

45
46 MR. YOUNGBLOOD: You can call me
47 Fairbanks, yes.

48
49 MADAME CHAIR ENTSMINGER: Is that where
50 you are?

1 MR. YOUNGBLOOD: Yes. 455-0616. Next
2 year when we're doing our patrols, a lot of our work is
3 we go out and cut firewood. We're more than happy to
4 have help cutting firewood that we leave in the cabins
5 for visitors and public users of those cabins.

6
7 MR. WOODRUFF: Could you build me like
8 a 20 cord raft?

9
10 (Laughter)

11
12 MR. GLANZ: I do appreciate that with
13 the smith cabin there. That's -- I really like the way
14 -- because -- you know, some of your people come and
15 they say where are we needed, Bill,, and I said well,
16 we need firewood, we need to split, I mean and I went
17 back up there first thing in the spring and everything
18 was lined up just like I asked for it, so.....

19
20 MR. DUDGEON: If I could just have one
21 more invitation. We've got a new cabin -- a newly
22 built cabin on the Kandyk (ph) that one of your members
23 is largely responsible for and we'd like to show that
24 off too. So you can stay at Don's place.

25
26 MADAME CHAIR ENTSMINGER: He's helping
27 the Park Service now.

28
29 MR. WOODRUFF: I got good support from
30 the Park Service for.....

31
32 MADAME CHAIR ENTSMINGER: Well, say
33 that on the record now. Don't keep your mic off.

34
35 MR. WOODRUFF: I got good support from
36 the Park Service and there were several employees from
37 the maintenance department that helped me rebuild one
38 of the flooded cabins that I originally built with some
39 help back in the -- 30 years ago. And it's good to go
40 and there's a pile of wood there. And so.....

41
42 MADAME CHAIR ENTSMINGER: Cut with a
43 change hole that was legal because it didn't have the
44 disturbances of -- let's see now -- audio disturbances.
45 No. I don't want to go there. But -- Frank.

46
47 MR. GURTLER: Well, I remember the days
48 when we used to go anywhere we want to.

49
50 MADAME CHAIR ENTSMINGER: I wish they

1 were back too.

2

3 MR. WOODRUFF: Just one more thing. So
4 you're really going to use dog sleds? You're not going
5 to use your snowmachines.

6

7 MR. YOUNGBLOOD: We had a -- history my
8 first year back in Alaska. I was here in the '80s --
9 was up -- seven years ago and the first thing I did was
10 took a dog sled trip into Gates of the Arctic which is
11 where I was originally stationed. I was stationed in
12 Bettles for five years, so I do understand some bush
13 living.

14

15 We managed to get a dog sled patrol out
16 this year. When I.....

17

18 MADAME CHAIR ENTSMINGER: So the short
19 answer is yes? I'm sorry to do that, but I.....

20

21 MR. YOUNGBLOOD: We plan on having a
22 dog sled patrol out this winter through Yukon-Charley,
23 yes.

24

25 MR. GLANZ: So I don't have to worry
26 about the Quest Trail this year.

27

28 (Laughter)

29

30 MR. YOUNGBLOOD: We're going to be out
31 on snowmobiles too.

32

33 MADAME CHAIR ENTSMINGER: All right.
34 Well, I'm sorry to.....

35

36 MR. GLANZ: No. I mean to put it in.

37

38 MADAME CHAIR ENTSMINGER: I have to
39 move along. Is there anything else then. Yeah. Okay.
40 Yeah, you can talk to him afterwards. He's going to
41 stay and wait for you, Bill. Alrighty. Thanks so much
42 and hopefully you'll take some of our suggestions. All
43 right.

44

45 We have some cleanup things here.
46 There is just -- is Larry still here -- Larry Buklis.
47 Larry, I just wanted to make sure this was done. There
48 was a Fish Board meeting -- I mean a Federal
49 Subsistence Board meeting on Yukon fish in April and
50 did we get the 805 letter -- 805(c) letter?

1 MR. BUKLIS: Madame Chair, that is not
2 in your book. As you know, the wildlife cycle, 805(c)
3 letter is, so I will look into whether it was developed
4 and not included or not developed.
5
6 MADAME CHAIR ENTSMINGER: Okay.
7
8 MR. BUKLIS: And we will get it to you
9 as appropriate.
10
11 MADAME CHAIR ENTSMINGER: And have it
12 in the next book maybe.
13
14 MR. BUKLIS: Or we can mail it to
15 Council members in the meantime.
16
17 MADAME CHAIR ENTSMINGER: Okay.
18
19 MR. BUKLIS: Either way. We can mail
20 it or put it in the next book.
21
22 MADAME CHAIR ENTSMINGER: Okay.
23
24 MR. BUKLIS: I'll make a note of that.
25 Thank you.
26
27 MADAME CHAIR ENTSMINGER: Thank you.
28 All right. There's that one and then -- I write myself
29 all these notes and hope I don't miss anything. So now
30 we're up to dates and locations of the next two
31 meetings. So you have -- have this in there.
32
33 MR. GLANZ: Somebody had Tanana for the
34 next meeting, right? Or is that not going.
35
36 MS. MUSHOVIC: And we already got.....
37
38 MADAME CHAIR ENTSMINGER: Okay. Go
39 ahead. Turn your mic on and give us the information.
40 KJ.
41
42 MS. MUSHOVIC: Just for your planning
43 purposes. It may not affect the desire to have a co-
44 located meeting, but the Seward Peninsula has changed
45 their winter meeting to February 15th and 16th. Their
46 fall meeting is going to be September 21st and 22nd.
47
48 MR. GLANZ: That's right there in
49 hunting season.
50

1 MADAME CHAIR ENTSMINGER: Yeah. Seward
2 Peninsula. That's not us.
3
4 MS. MUSHOVIC: But when you're looking
5 and you're -- you know, it's just something to consider
6 when you're looking at that calendar, the change.....
7
8 MR. GLANZ: Madame Chair. I was
9 wondering if like Vince had asked us. He's going to
10 have to be at both our meetings. Well, I guess he
11 could send a deputy over.....
12
13 MADAME CHAIR ENTSMINGER: Well, he's
14 just going to have to deal with it.
15
16 MR. GLANZ: Yeah.
17
18 MADAME CHAIR ENTSMINGER: All right.
19 Right now, Seward Penn, which is 15, 16, and it's move
20 to what again? Am I right?
21
22 MS. MUSHOVIC: It's been moved to the
23 15th and 16th of February. Right when the window
24 opens.
25
26 MADAME CHAIR ENTSMINGER: All right.
27 Which doesn't affect us. Okay. And then there was
28 talk that -- you had a good suggestion, was to have the
29 three RACs meet someplace -- the same place somewhere
30 and then get this subcommittee together after they
31 meet. See, we're already the Eastern and Western
32 together and -- is the following week, I guess -- could
33 we just request that that happen?
34
35 MR. GLANZ: You mean like move them
36 over to our meeting?
37
38 MADAME CHAIR ENTSMINGER: Ask them to
39 -- so this could be coordinated.
40
41 MR. FIRMIN: See the three of us could
42 meet in Fairbanks or something, it'd probably be easier
43 than meeting in the village although.....
44
45 MR. BASSICH: Yes. It will be a lot
46 more efficient money wise.
47
48 MADAME CHAIR ENTSMINGER: Say that
49 again.
50

1 MR. BASSICH: Andrew brought up a good
2 point and I think that's if we're going to try and have
3 some kind of a tri-RAC meeting or something along that
4 line.....

5
6 MADAME CHAIR ENTSMINGER: No.
7 Subcommittee.

8
9 MR. BASSICH:and subcommittees
10 and get all these groups together, I don't think most
11 of these communities could handle that many people. It
12 would be more efficient to do it in either Fairbanks or
13 Anchorage.

14
15 MADAME CHAIR ENTSMINGER: Well -- oh,
16 yeah. See, Eastern Interior is scheduled to be in
17 Tanana and did you say there are no news on that? And
18 Western Interior in Galena. So the meetings could be
19 -- I don't know how to -- I don't even know if we can
20 deal with that here now, the fact that -- we'll we're
21 scheduled the same place. I mean we're scheduled to be
22 in Tanana. So now you're proposing that we're
23 scheduled to be in Fairbanks and then that would be
24 requesting Western to be in Fairbanks and Bethel to
25 change -- I mean YK to change theirs to Fairbanks.

26
27 MR. BASSICH: Yeah, the issue I see
28 though is the efficiency of trying to do this. If you
29 get that many people together in an area, I don't think
30 any one village is going to be able to do it and trying
31 to get staff to move around to all these different
32 places, it would make much more sense to have this
33 particular set of meetings at one of the major urban
34 areas to make it more efficient and cost effective.

35
36 MADAME CHAIR ENTSMINGER: I think we
37 could request that since Eastern and Western are
38 meeting the same time, we just request that this
39 subcommittee meet right awards. I mean Fairbanks
40 March 3rd. They'd have to bring them -- or just
41 before. Just before. Just before, yeah. So it would
42 have to be -- oh, geez. Anybody have any ideas here
43 for suggestions so we can.....

44
45 MR. BASSICH: Well, the suggestion I
46 would make is put a request out to the other Chairs and
47 see if they'd be willing to -- you know, bring up the
48 idea, this is a new idea to try and get the three
49 groups together for the subcommittee, explain the
50 dynamics of it, and then ask if they are willing to

1 move their meetings to make it more effective and more
2 -- I mean put the feeler out and let's see how they
3 respond. They might respond very well. Western I think
4 they sound like they're the ones that initiated this
5 idea and I think they'd probably be accommodating.

6
7 MADAME CHAIR ENTSMINGER: Uh-huh. So
8 we don't need a motion. Just a suggestion to do this?

9
10 MR. FIRMIN: The subcommittee could
11 probably meet say like the 25th, two days early, 27th.

12
13 MR. GLANZ: I'd like to make a motion
14 then that we change our meeting from Tanana to
15 Fairbanks on that March 1st and 2nd.

16
17 MADAME CHAIR ENTSMINGER: Do you guys
18 remember why we had Tanana to start with? Was that
19 your request there, Lester? No. Okay. Okay. There's
20 a motion on the floor to move our meeting to Fairbanks.

21
22 MR. BASSICH: I'll second that.

23
24 MADAME CHAIR ENTSMINGER: Okay.

25
26 MR. BASSICH: And can I add to that,
27 please. Just to also request that Western Interior and
28 YK Delta RACs also be available to participate in the
29 subcommittee prior to these meetings.

30
31 MADAME CHAIR ENTSMINGER: Okay. That's
32 a friendly amendment and you both agree?

33
34 MR. GLANZ: Yes, I agree. I was just
35 wondering if we -- well, never mind. Now, it's a
36 friendly agreement.

37
38 MADAME CHAIR ENTSMINGER: I got you.
39 Did you have something, Virgil?

40
41 MR. UMPHENOUR: Yes. I think all three
42 should meet together. All three RACs should meet
43 together. That's what I think.

44
45 MR. BASSICH: Let do it.

46
47 MR. UMPHENOUR: In Fairbanks. That's
48 the cheapest way -- the cheapest place to have all
49 three RACs meet would you Fairbanks not Anchorage. The
50 cheapest place.

1 MADAME CHAIR ENTSMINGER: Okay.
2
3 MR. UMPHENOUR: That's considering
4 wherever one has to come from. Transportation because
5 that's the biggest constraint.
6
7 MADAME CHAIR ENTSMINGER: So was
8 discussion and make it easier, let's go back to --
9 you're going to withdraw your second?
10
11 MR. BASSICH: I'll withdraw my second.
12 You're going to remake the motion.
13
14 MR. GLANZ: I'll withdraw that motion
15 and I'll remark it. I wish to make a motion that we
16 have all three RACs meeting in Fairbanks on March 1st
17 or 2nd. That's Galena, Tanana, and us here, Eastern.
18 I mean Eastern, Western -- you know what I'm saying,
19 guys.
20
21 MADAME CHAIR ENTSMINGER: Tri-Council.
22 Okay.
23
24 MR. GLANZ: Tri-Council, let's make it
25 that way, yes.
26
27 MADAME CHAIR ENTSMINGER: All right.
28 And did I hear a second.
29
30 MR. BASSICH: Second.
31
32 MADAME CHAIR ENTSMINGER: All right.
33 And Larry.
34
35 MR. BUKLIS: Madame Chair, just a point
36 of clarification. Are people -- are you asking for a
37 tri-Council assembly or are you asking that the three
38 Councils meet in the same town so that they can address
39 common business as that might arise because Western
40 Interior has a large issue it's going to be grappling
41 with beyond submission of new wildlife proposals.
42 They've got a deferred Unit 21E C&T for moose issue
43 that they're going to tackling that doesn't really
44 relate to YK and Eastern Interior business.
45
46 MADAME CHAIR ENTSMINGER: Now we'll
47 have a point of clarification here. Virgil.
48
49 MR. UMPHENOUR: Larry brought up a good
50 point. Just like with our meeting we had last fall

1 with Western Interior, we had one day together and then
2 each RAC went off to do -- for joint business and then
3 each RAC went off to do their individual RAC business
4 and that is how I would envision this is we would
5 have -- because we have one issue for all three RACs
6 together and then each RAC has their own issues.
7 So.....

8

9 MADAME CHAIR ENTSMINGER: Right.

10

11 MR. UMPHENOUR:one day all
12 together and then however long they need for the other
13 ones -- for each individual one.

14

15 MADAME CHAIR ENTSMINGER: That's the
16 clarification of the motion. Donald.

17

18 MR. WOODRUFF: Thank you, Madame Chair.
19 I believe that Lester was the Chair or President of
20 the.....

21

22 MADAME CHAIR ENTSMINGER: He's the
23 Chair.

24

25 MR. WOODRUFF: And I think that rather
26 than impose our wishes on these three Councils, you
27 know, or these other two Councils, if they could send a
28 representative and we could discuss these issues that
29 we have. I think just to bring up one would be
30 customary trade, but to impose ourselves on all the
31 Councils to meet in Fairbanks, I don't know if that's
32 going to sit very well. Thank you.

33

34 MADAME CHAIR ENTSMINGER: We're just
35 asking. Yeah. Uh-huh. Virgil and then Andy.

36

37 MR. UMPHENOUR: Their culture is such
38 downriver that they cannot make a decision, period.

39

40 MADAME CHAIR ENTSMINGER: Oh, come on
41 now.

42

43 MR. UMPHENOUR: No, I'm serious.

44

45 MADAME CHAIR ENTSMINGER: Just calm
46 down.

47

48 MR. UMPHENOUR: Four -- Andy and I went
49 to four salmon size meetings, finally on the fourth
50 meeting, we're trying to get compromise and I mean we

1 probably spent \$100,000 on this. I don't know how
2 much. Mega bucks. Finally I says why can't you make a
3 decision. Well, we can't make a decision. We have to
4 go back to the village and we have to talk to people.
5 We can't make a decision. So I said you mean you come
6 to all these meetings and it's impossible for you to
7 make a decision. That's right, it's impossible.
8 So.....

9
10 MADAME CHAIR ENTSMINGER: All right.

11
12 MR. UMPHENOUR:unless you have
13 the whole damn works here, it's a total waste of time.
14 May as well just light the money on fire and burn it
15 up. I'm serious. You have to have them all here and
16 take a vote.

17
18 MADAME CHAIR ENTSMINGER: Okay. So
19 that's the motion. The motion is to have a tri-Council
20 meeting and that's what we're voting on. So any other
21 discussion.

22
23 MR. BASSICH: Question.

24
25 MADAME CHAIR ENTSMINGER: The
26 question's been called for. All in favor.

27
28 IN UNISON: Aye.

29
30 MADAME CHAIR ENTSMINGER: Okay. Anyone
31 opposed.

32
33 (No opposing votes)

34
35 MADAME CHAIR ENTSMINGER: All right.
36 That's what we're requesting. Now, next two meetings.
37 So we got to pick something for the fall 2011 and it
38 always has to be towards the end of that window for us
39 because that's all of us. I can't believe that window.

40
41
42 MR. BASSICH: Madame Chair, I'd like to
43 make a motion that we meet on the October 11th and
44 12th.

45
46 MADAME CHAIR ENTSMINGER: Okay.

47
48 UNIDENTIFIED SPEAKER: Second.

49
50 MADAME CHAIR ENTSMINGER: All right.

1 Is everybody in favor of that? Okay. Done. Now
2 where.

3

4 MR. BASSICH: Well, Madame Chair, if we
5 were -- had elected to not do Tanana, I would make the
6 recommendation that we make the attempt to meet in
7 Tanana.

8

9 MADAME CHAIR ENTSMINGER: All right.
10 All agree?

11

12 MR. UMPHENOUR: Second that.

13

14 MADAME CHAIR ENTSMINGER: Everybody
15 agree. Okay. All right. I believe that covers it,
16 unless that says there's something missing here. I
17 know that I have an SRC meeting that's going to occur I
18 think the 22nd and 23rd of February, so if there's any
19 changes of dates in that winter of 2011, I cannot make
20 it that last week of February. Just so Staff knows.

21

22 MR. FIRMIN: I'll try to schedule our
23 Yukon Flats Moose Management Committee meetings
24 preferably before we meet so whatever proposals we come
25 up with at those meetings can be.....

26

27 MADAME CHAIR ENTSMINGER: That'd be
28 great.

29

30 MR. FIRMIN:reworked at our RAC
31 meetings.

32

33 MADAME CHAIR ENTSMINGER: Okay. Now,
34 Council members, we've always had this custom of
35 closing comments. It's not on here. Would you like to
36 do that? Oh, I'm sorry. I missed something.

37

38 MR. LARSON: Annual report items. We'd
39 like to have those reviewed.

40

41 MADAME CHAIR ENTSMINGER: Yep. I knew
42 I missed something. I have it written here, but I
43 don't know where I have it written in all this mess.
44 Annual report overview. And I had requested that you
45 write those down. Is that.....

46

47 MS. MUSHOVIC: I have three.

48

49 MADAME CHAIR ENTSMINGER: And how many
50 do you have? Three?

1 MR. LARSON: I think between the two of
2 us, we have a couple of items written down. I have
3 three and we would like to say that there's -- we'd
4 like to finish up with a review of action items by the
5 Council. That would just take a second.

6
7 MADAME CHAIR ENTSMINGER: All right.
8 One second.....

9
10 MR. LARSON: Maybe formal review --
11 formal approval of the four letters that were written.

12
13 MADAME CHAIR ENTSMINGER: Okay.

14
15 MR. LARSON: I think everybody's had a
16 chance to look at those. But regarding annual report
17 items, the three that I have captured is the education
18 of nonrural users regarding activities in rural areas,
19 the bycatch of salmon in marine waters. That current
20 situation is unsatisfactory to the Eastern Interior and
21 the customary trade. Put that in the annual report and
22 then that would be an additional item besides the
23 formation of the subcommittee.

24
25 MS. MUSHOVIC: And on that one, I just
26 had a note that -- my notes reflected that Council
27 wanted to emphasize the urgency of the timeline, that
28 it wanted to see on that subcommittee reporting out.

29
30 MADAME CHAIR ENTSMINGER: Okay.

31
32 MS. MUSHOVIC: And I thought you wanted
33 the dog lice.

34
35 MADAME CHAIR ENTSMINGER: Yeah.

36
37 MS. MUSHOVIC: Okay.

38
39 MADAME CHAIR ENTSMINGER: I think we
40 do.

41
42 MR. WOODRUFF: I didn't catch that.
43 What was that?

44
45 MS. MUSHOVIC: The dog lice in the
46 annual -- as an annual report item.

47
48 MADAME CHAIR ENTSMINGER: Yes.

49
50 MS. MUSHOVIC: Lice on our.....

1 MADAME CHAIR ENTSMINGER: I don't know
2 why it's -- dog lice is invasive. So we ended up
3 having five items?

4
5 MR. LARSON: I have four.

6
7 MADAME CHAIR ENTSMINGER: The timeline,
8 was that on your list?

9
10 MR. BURKE: It's hooked on to.....

11
12 UNIDENTIFIED SPEAKER: Customary trade.

13
14 MADAME CHAIR ENTSMINGER: Okay. And
15 then bycatch. So that's four items and -- do we have
16 anything else -- did we forget something, Donald?

17
18 MR. WOODRUFF: I wrote down one item
19 that over the years climate change is affecting my
20 moose harvest in a negative way and I would like to put
21 that in the annual report since climate change -- I
22 know how much some people think it's not a serious
23 issue, but it's becoming in my consciousness because I
24 don't have a freezer when I go downriver hunting and
25 then I'm already on my trap line and so my moose has to
26 be hung and a lot of other subsistence people that I
27 know, especially the ones that have been put in
28 handcuffs lately, hang their meat too and then late
29 September if it's 60 degrees, we're not going to shoot
30 a moose. We may be shooting moose illegally real soon
31 here. And then this is going to be -- turn into a
32 compounded effect.

33
34 MADAME CHAIR ENTSMINGER: So in the
35 annual report, would you identify -- I mean we can do
36 seasons and bag limits different in -- but how would
37 you like to identify it. The -- I mean we can make
38 regulation changes that would make your seasons longer
39 when wildlife comes up.

40
41 MR. WOODRUFF: Well, I want this issue
42 to be put on the annual report so that other people
43 become aware that it's a problem and then maybe end of
44 February or first of March or whenever we meet, we can
45 have a proposal to change the dates of the harvest.

46
47 MADAME CHAIR ENTSMINGER: So recognize
48 in the annual report that.....

49
50 MR. WOODRUFF: And I know that moose

1 are going into rut at times in, you know, the end of
2 September, but I'm still going to shoot them if I can't
3 hang -- if it's 60 degrees outside, I can't just say, I
4 got to go get a different moose in a few days because I
5 can't hang this one. That's not an option.

6

7 MADAME CHAIR ENTSMINGER: Frank.

8

9 MR. GURTLER: Yes. I've noticed that
10 the moose are not going into rut like they used to.
11 They're getting later and later all the time and since
12 the weather's getting warmer, I can't hang a moose
13 unless you get one right at the first of the season
14 now. So if we had a way to either extend the season or
15 move it farther along in the fall.....

16

17 MADAME CHAIR ENTSMINGER: Uh-huh.

18

19 MR. GURTLER:would help.

20

21 MADAME CHAIR ENTSMINGER: So that topic
22 would be just to address climate change and possibility
23 of longer -- seasons being pushed back. Is that all
24 agreeable with everyone as a topic? All right.
25 Andrew.

26

27 MR. FIRMIN: That's definitely
28 agreeable with me and if you look at Page 206 in your
29 book, we recently adopted a proposal and sent it to the
30 Board and it got -- the Board adopted it to where the
31 25D moose season and the Federal subsistence season was
32 extended to October 1st and that helped out some this
33 year because the 20th of September, the bull moose
34 still had their belly full of food and I was still
35 wearing a T-shirt, so that -- something similar along
36 those lines I think would be excellent for any low-
37 lying area.

38

39 MADAME CHAIR ENTSMINGER: Okay.

40

41 UNIDENTIFIED SPEAKER: Like you say, we
42 change a ring for 25B last year, we got it change, so
43 we change it maybe in 25D. 25C also.

44

45 MADAME CHAIR ENTSMINGER: C. Uh-huh.
46 D got changed.

47

48 UNIDENTIFIED SPEAKER: B was always the
49 same.

50

1 MADAME CHAIR ENTSMINGER: Okay. All
2 right. Any other additions to the annual report. Does
3 anyone have written in their notes. If I did, I lost
4 it. I'm going to take a quick look here. I don't
5 know. Looking at Frank talking about burbot and what
6 they eat, I don't know if you want to put that in
7 there. So they can.....

8
9 UNIDENTIFIED SPEAKER: I'd like to.

10
11 MADAME CHAIR ENTSMINGER:do some
12 studies. Yeah. Okay. Let's add that. Burbot and
13 what are they eating. Is it salmon fry and is it
14 making a difference to the Yukon fish. Okay. I write
15 these things down and put asterisks by it so I don't
16 forget anything. And then I don't find my stuff. But
17 I think we've covered it unless somebody else has
18 something.

19
20 You know what, I think we still want to
21 keep our intensive management request in there, don't
22 we? So that's the -- and that's been in there and we
23 -- we're just going to continually bombard with that I
24 think. Does everyone agree? All right. My tabs one
25 more time. Okay. We have taken care of that. Again
26 did I miss anything else, Staff.

27
28 MS. MUSHOVIC: Those letters I guess.

29
30 MADAME CHAIR ENTSMINGER: Oh, these
31 letters, we just need signed, is that it, Robert?

32
33 MR. LARSON: Madame Chair, I'd -- I
34 think that what we need for those letters is an
35 acknowledgment that they've been read and reviewed by
36 the Council and you have every indication to sign the
37 final version at this time. So you may want to just
38 remind the Council what those letters were.

39
40 MADAME CHAIR ENTSMINGER: I'll just
41 quickly go through to Council. There's one to the Park
42 Service regarding the ORV. Let's hope I've got this --
43 wait a minute. This one's the one to the -- yeah, this
44 is the one on the ORV endorsing the Wrangell-St. Elias
45 notes -- I mean comments from their two meetings, June
46 22nd and then the October 6th and 7th.

47
48 And this one is endorsing the -- make
49 sure I'm saying this right. Oh, creating the
50 subcommittee of the Eastern Anterior and the

1 Southcentral over the Chisana Caribou proposal, and
2 that's going to Southcentral. And this is going to Mr.
3 Probasco regarding sensitivity education and nonrural
4 users in our area. I remember that one. And then to
5 Pete also about the dog lice.

6
7 Okay. Those are the ones that are
8 being sent from us at this meeting. All right. Next.
9 Like I said, it's always been a thing that we address
10 our -- at the end, Council comments. Want to do that?
11 Go around the table? Start. Would you like to start,
12 Grafton.

13
14 MR. BIEDERMAN: I'd just like to say
15 that I sure appreciate all the people that showed up
16 for the last two days and for all the members to come
17 into town and have a safe journey back home and like I
18 said, that hopefully we see you -- the people back here
19 next -- this next coming year. And plus with our
20 executive coordinator, she did a real good job on the
21 paperwork and everything. Thank you, KJ, or Kathleen.

22
23 MADAME CHAIR ENTSMINGER: Lester. Do
24 you have any closing comments.

25
26 MR. ERHART: I think it was a very good
27 meeting and I'm looking forward to the next one. Thank
28 you.

29
30 MR. BASSICH: I want to just thank KJ
31 and welcome her on board and appreciate her contacts
32 and the efficiency in which she was able to operate and
33 coming into the system new like that, looks like she's
34 going to fit in very well.

35
36 I want to thank the people that came to
37 give reports to us. I know it's a lot of sitting and a
38 lot of waiting for five minutes, but it's essential
39 that we hear these reports and I really appreciate the
40 time that you guys have to put into that.

41
42 I want to thank all my Council members
43 and just let them know that I still like them even if
44 we disagree. I think it's fine to disagree and that's
45 how you come up with good decisions and good policies
46 and I think we all have a great deal of respect for
47 each other on the Board. I certainly respect all of
48 you for your views and I always look forward to coming
49 to these meetings and getting fresh perspectives. I
50 think that's one thing that happens when you live in a

1 remote area as many of us do. You tend to be a little
2 bit tunnel visioned at times and it's really good to
3 hear other people's on that. And I want to thank Sue
4 for running the meeting and look forward to seeing you
5 guys later this winter.

6

7 MADAME CHAIR ENTSMINGER: Andrew.

8

9 MR. FIRMIN: Ditto. Yeah. As always,
10 it's a daily learning experience hashing out these
11 issues and I'm glad we had pretty much a full turnout
12 for this meeting and I think we're only short one empty
13 seat and that would have made it a full turnout.

14

15 MADAME CHAIR ENTSMINGER: Yeah. Hasn't
16 happened in a while.

17

18 MR. FIRMIN: Yeah and I enjoy coming to
19 these meetings and learning more about other areas of
20 the State that -- I mean where Sue comes from, it's
21 probably a completely different world than where I come
22 from. But the same with everybody else in the room,
23 but I'd just like to come and learn and try to make
24 educated decisions on what's best for all of us. Hope
25 to see you all in Fairbanks or Tanana next months --
26 next March I should say.

27

28 MADAME CHAIR ENTSMINGER: Go ahead,
29 Virgil.

30

31 MR. UMPHENOUR: I don't really want to
32 repeat everything, but thanks Staff for their support
33 for the Staff and we didn't really -- we had lots of
34 discussing, some disagreement, and it's fine for people
35 to disagree. Just don't get too excited when you
36 disagree. I think we had a pretty good meeting.

37

38 MADAME CHAIR ENTSMINGER: You take your
39 own advice.

40

41 MR. UMPHENOUR: Thank you.

42

43 (Laughter)

44

45 MR. GLANZ: I just got to echo
46 everybody's thoughts just like Andy said and Andrew and
47 Virgil here and we can all yell at each other and argue
48 about stuff, yet we can all around the bar and have a
49 beer and nobody even thinks anything of it. It's just
50 part of the process. So thank you everybody out here

1 and all you guys for doing what we do.

2

3 MADAME CHAIR ENTSMINGER: Frank.

4

5 MR. GURTLER: Yes. I'd like to thank
6 everybody for putting up with me. I really enjoy the
7 meetings here and putting up with the staff and then my
8 comments listened to by everybody and I hope we could
9 have another meeting just like this. It went good.
10 And thank you.

11

12 MADAME CHAIR ENTSMINGER: Donald.

13

14 MR. WOODRUFF: Thank you, Madame Chair.
15 I didn't take my blood pressure pills on purpose today
16 so I could chew on the Park Service. Usually I'm a
17 little calmer than I was today, but I'm headed for my
18 room to get the pills now. I want to remind Andy and
19 William and Frank that we'd like to see them renew
20 their membership on the Council. They come forward
21 with good ideas. I want to encourage them to come
22 forward with more ideas in the future. And I had a
23 good meeting and I want to thank all the audience for
24 their participation and Park Service for getting in the
25 hot seat for a few minutes. And I guess that's it.

26

27 We'll see you in March.

28

29 Thank you.

30

31 MADAME CHAIR ENTSMINGER: All right.

32

33 MR. GLANZ: Madame Chair. I'm going to
34 put in my renewal. This will be the last one. I'll be
35 71. I'm done with this next one so that'll be enough
36 for me.

37

38 MADAME CHAIR ENTSMINGER: I know.
39 Someone asked me -- go ahead. Andy.

40

41 MR. BASSICH: Yeah. I'd just like to
42 make a comment and I don't mean this disrespectfully to
43 anybody because I may be very ignorant about cultures,
44 but I would like to see Virgil referred to as an elder
45 as well at these meetings, and it's no disrespect to
46 the Native culture, but Virgil has tremendous amount of
47 years of experience. He's dedicated an incredible
48 amount of his time to these fish and wildlife issues
49 over the years. I think he's been very educational as
50 well as entertaining to us all and I think he deserves

1 the respect of that term elder as well.

2

3 MADAME CHAIR ENTSMINGER: Yes, he does.
4 Uh-huh. And what's really interesting is some of us
5 fastly approaching that elder thing. So

6

7 UNIDENTIFIED SPEAKER: Yeah. I'm
8 getting there myself.

9

10 (Laughter)

11

12 MR. UMPHENOUR: I hope you look as good
13 as me when you're my age.

14

15 MADAME CHAIR ENTSMINGER: Well, I want
16 you all to know that you're a great group of people to
17 work with and I appreciate all of you and I thank you
18 for giving me the opportunity to be the Chair. It
19 teaches me how to also try to maintain and I'd like to
20 stop taking my blood pressure pills too, Donald, but
21 it's really a lot of things that you have to, you know,
22 deal with, the things with the river system. It's so
23 different, you're right, but in so many other cases,
24 Andrew, they're the same and that's what I found out
25 when I went to that meeting in Beaver. We shared so
26 much of the same things. We were -- they're just like
27 three years or five years behind us and some of the
28 stuff that our region -- yeah, maybe it's 10 or 20. I
29 don't know, but it's definitely all the issues you guys
30 are going through, the area where we are has gone
31 through just like that. So it was just so interesting
32 for me to go through that and I really appreciate that
33 invite up there.

34

35 And I want to again thank Robert for
36 coming to this meeting. This is two Eastern Interior
37 and he's a big help to -- after Vince had left for us
38 to be able to continue our momentum. What did you call
39 it? Some said -- not aggressive, but something like
40 that, but he really helped us to keep our momentum. I
41 really appreciate that and welcome you again, KJ. And
42 don't be afraid to call us. Sometimes it's better to
43 make that phone call than an email once in a while.

44

45 So if you don't hear from us, give us a
46 call because we are sometimes out and don't check that
47 email. Yeah. So. And staff me.

48

49 MR. GLANZ: That's one of my problems
50 too. Sometimes I can't download the stuff they send.

1 I don't know why. I mean I'm computer illiterate, but
2 I mean but I can answer email and all that, so anyway
3 thanks, KJ, for doing what you do.

4

5 MADAME CHAIR ENTSMINGER: Bells are
6 going off everywhere. All right. I'll entertain -- I
7 hope I haven't missed any thank yous. Everybody, thank
8 you so much. It's nice to see Pete again -- Pete
9 DeMatteo, so I would like to see him again next
10 meeting. All right. Since we take up wildlife then.
11 okay.

12

13 MR. BASSICH: Motion to adjourn.

14

15 MADAME CHAIR ENTSMINGER: Motion to
16 adjourn.

17

18 MR. WOODRUFF: Motion to adjourn.

19

20 MADAME CHAIR ENTSMINGER: Unanimous
21 consent.

22

23 MR. GURTNER: Second it.

24

25 MADAME CHAIR ENTSMINGER: All right.

26

27 (Off record)

28

29 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 02 through 180 contain a full, true and correct Transcript of the EASTERN INTERIOR FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically by Computer Matrix Court Reporters on the 13th day of October 2010, at Fairbanks, Alaska;

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

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

DATED at Anchorage, Alaska, this 25th day of October 2010.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14