

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8
9 Pike's Landing
10 Fairbanks, Alaska
11 October 16, 2012
12 8:30 a.m.

13
14
15
16 COUNCIL MEMBERS PRESENT:

17
18 Sue Entsminger, Chair
19 Andrew Bassich
20 Lester Erhart
21 Andrew Firmin
22 William Glanz
23 Joseph Matesi
24 Virgil Umphenour
25 Larry Williams
26 Donald Woodruff
27
28 Regional Council Coordinator, Eva Patton

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P R O C E E D I N G S

(Fairbanks, Alaska - 10/16/2012)

(On record)

MADAME CHAIR ENTSMINGER: We'll call the meeting to order. Something I did not prearrange, but I know that Larry is very willing to spur of the moment give us an invocation.

MR. WILLIAMS: Yes, ma'am.

(Invocation)

MADAME CHAIR ENTSMINGER: Thank you, Larry. Andrew, are you ready to do roll call.

MR. FIRMIN: Yes, ma'am. I guess I'll start with Lester Erhart. He's en route, delayed possibly.

William Glanz.

MR. GLANZ: Here.

MR. FIRMIN: Andrew Bassich.

MR. BASSICH: Here.

MR. FIRMIN: James Roberts is excused, I believe. Is that correct?

MADAME CHAIR ENTSMINGER: James is excused, Eva? James Roberts is excused?

MS. PATTON: Yes, James Roberts is excused.

MADAME CHAIR ENTSMINGER: Okay. Thank you.

MR. FIRMIN: Joseph Matesi.

MR. MATESI: Here.

MR. FIRMIN: Donald Woodruff, he's delayed also?

UNIDENTIFIED VOICE: Planes haven't been

1 flying, so hopefully he'll make it in today.
2
3 MR. FIRMIN: And Virgil Umphenour.
4
5 MR. UMPHENOUR: Here.
6
7 MR. FIRMIN: And Susan Entsminger.
8
9 MADAME CHAIR ENTSMINGER: Here.
10
11 MR. FIRMIN: Andrew Firmin is here and
12 Larry Williams, Sr.
13
14 MR. WILLIAMS: Here.
15
16 MR. FIRMIN: Madame Chair, we have a
17 quorum.
18
19 MADAME CHAIR ENTSMINGER: Okay, thank
20 you. Welcome everyone to the fall meeting of the Eastern
21 Interior Regional Advisory Council. You already know who
22 we are. We'll go around the table and have
23 introductions. Let's start with Eva. Eva is our new
24 coordinator. Welcome aboard. If you haven't met her,
25 this is Eva Patton.
26
27 Phones are giving us a fit, huh. You
28 might as well start over here. Oh, Salena, she might
29 want to talk.
30
31 REPORTER: No, she doesn't.
32
33 (Laughter)
34
35 MADAME CHAIR ENTSMINGER: Our recorder.
36
37 MS. SWANTON: I'm sorry. I'm Nancy
38 Swanton. I'm with the National Park Service on the
39 InterAgency Staff Committee.
40
41 MS. YUHAS: I'm Jennifer Yuhas. I work
42 for the State of Alaska. I'm the Federal Subsistence
43 Liaison Team Leader.
44
45 MR. MEARS: Jeremy Mears, U.S. Fish and
46 Wildlife Service, Subsistence branch.
47
48 MR. LIEBSCHER: Tom Liebscher, Park
49 Service in Fairbanks.
50

1 MR. BUE: Fred Bue, Fish and Wildlife
2 Service, fisheries manager.
3
4 MS. GRONQUIST: Ruth Gronquist with BLM
5 here in Fairbanks.
6
7 MR. POST: Good morning. Jason Post,
8 fish biologist for the Eastern Interior Field Office, BLM
9 here in Fairbanks.
10
11 MR. CRIBLEY: Good morning. I'm Bud
12 Cribley. I'm the BLM Alaska State Director and I'm also
13 on the Federal Subsistence Board.
14
15 MADAME CHAIR ENTSMINGER: Welcome.
16
17 MR. RIVARD: Don Rivard, fish biologist
18 with Office of Subsistence Management.
19
20 MS. FROTHINGHAM: Alyssa Frothingham with
21 Tanana Chiefs Conference.
22
23 MR. BERENDZEN: Steve Berendzen, Fish and
24 Wildlife Service, Refuge Manager of Yukon Flats.
25
26 MR. VIRDEN: Good morning. Gene Virden,
27 BIA Regional Director and a Federal Subsistence Board
28 member, Anchorage.
29
30 MADAME CHAIR ENTSMINGER: Welcome.
31
32 MR. MASCHMANN: Gerald Maschmann, fish
33 biologist with the U.S. Fish and Wildlife Service here in
34 Fairbanks.
35
36 MR. BERG: Good morning. Jerry Berg with
37 Fish and Wildlife Service out of Anchorage.
38
39 MR. BERTRAM: Good morning. Mark
40 Bertram, wildlife biologist with Yukon Flats Refuge here
41 in Fairbanks.
42
43 MS. ST. LOUIS: I'm Rita St. Louis,
44 Department of Fish and Game, wildlife planner. Just here
45 to listen. Thank you.
46
47 DR. JENKINS: Good morning. David
48 Jenkins. I'm the subsistence policy coordinator for OSM.
49
50 MS. PETRIVELLI: Pat Petrivelli, the BIA

1 subsistence anthropologist.

2

3 MS. OKADA: Marcy Okada, National Park
4 Service here in Fairbanks.

5

6 MADAME CHAIR ENTSMINGER: That must be
7 everyone. Okay. Thank you and welcome. Next -- this is
8 a hard one. I was just speaking to Larry before we
9 started missing Isaac Juneby. I've known him for years
10 and you went to school with him. Larry said he went to
11 school with.....

12

13 MR. WILLIAMS: I went to high school with
14 him, yes.

15

16 MADAME CHAIR ENTSMINGER: He went to high
17 school with him. We were so looking forward to working
18 with Isaac on this Council. If we could all stand and
19 just have a moment of silence. If anyone wants to share
20 anything about Isaac, that would be nice too.

21

22 (Moment of silence)

23

24 MR. WILLIAMS: I'd like to say a few
25 words about Isaac since I've known him for a long time.
26 Like I said, I've known Isaac and his brother also. His
27 brother unfortunately passed away fairly early, Charles
28 Juneby. I went to school at Mount Edgecumbe with both of
29 them during the early '60s. I believe he was one year
30 ahead of me, Isaac. After high school we met on and off
31 in different meetings and this happenstance that we ran
32 into each other once in a while. I was looking forward
33 to working with Isaac and hear his ideas and his concerns
34 and so forth. Unfortunately that didn't happen. I was
35 thinking about him recently, of all the things that he
36 accomplished for his Native people and the way he spoke
37 up in an intelligent way and made himself heard and made
38 his presence felt. I thank him for that. Thank you.

39

40 MR. BASSICH: I wanted to say a few
41 things about Isaac too. I first met Isaac when I was
42 fairly new to Eagle working with the local school board
43 there. One of the things that you could always count on
44 with Isaac is that he was always very humorous. He
45 always brought a level of humor to every meeting. He was
46 very passionate about topics that he was concerned about,
47 but he was very open to listening to people and he kept
48 the meetings very light and fun and enjoyable. I think
49 that's something that I know I need to learn more from.

50

1 He was a very unselfish man and what
2 really impressed me about him is that he was able to view
3 the future. He could see the future coming and the
4 impacts of what is happening, whether it be with animals
5 or the social issues that are taking place. Even though
6 he didn't have any children in the school he dedicated a
7 lot of hours to helping to improve the school there and
8 to begin teaching the Han language to the children and
9 further his cultural heritage. He was just a very
10 unselfish man. Everybody in Eagle misses him a lot.

11
12 MR. LIEBSCHER: Sue, I had one comment.
13 Isaac was a long-time friend to us and we joked off and
14 we joked to each other as if we were brothers, not
15 brothers of the blood but brothers of the heart. He
16 would always -- we'd always tease each other about who
17 had the most silver hair and who was the older brother.
18 Just a few weeks before his passing had that wonderful
19 moment again.

20
21 At the funeral and potlatch in Eagle, I
22 was happy to be able to tell Christy and Skye and Sandy
23 that it's probably not as frequent as at least once a
24 month I would seek Isaac's advice and counsel on matters
25 that interest all of us and would ask him for his wisdom
26 and he shared that very willingly. Isaac is a good
27 friend.

28
29 MADAME CHAIR ENTSMINGER: Would anyone
30 else like to speak?

31
32 (No comments)

33
34 MADAME CHAIR ENTSMINGER: He's a very
35 special guy. I have to say that. He always had that
36 smile, so that smile is going to be missed. I don't know
37 what God's plan is to have him leave us and not work with
38 us, but I'm sure there is one.

39
40 In memory of Isaac. Thank you.

41
42 Okay, we will review and adopt the
43 agenda. Is there any agenda changes or additions.
44 Virgil.

45
46 MR. UMPHENOUR: We should go over the
47 fisheries proposals. We have a proposal or two in there.
48 Then there's some proposals that were there three years
49 ago that are there this year that we were co-sponsors of,
50 so we should go over those somewhere.

1 MADAME CHAIR ENTSMINGER: Okay. That's
2 under C.
3
4 MR. UMPHENOUR: That's for the Board of
5 Fisheries.
6
7 MADAME CHAIR ENTSMINGER: That's under
8 10c. It's already in there, regulatory proposals. It's
9 just that we don't have them numbered, so everybody needs
10 to look at the book and bring the numbers forth that you
11 want to take up. Does anyone have any numbers on them.
12 Joseph.
13
14 MR. MATESI: Madame Chair. State
15 Proposal 154.
16
17 MADAME CHAIR ENTSMINGER: You want to
18 take up 154?
19
20 MR. MATESI: Yes.
21
22 MADAME CHAIR ENTSMINGER: Did you have
23 any specific numbers, Virgil.
24
25 MR. UMPHENOUR: I would have to go
26 through the book. I can do that and get the numbers
27 after the next break.
28
29 MADAME CHAIR ENTSMINGER: Okay. Council
30 members, is that okay, we'll get those numbers? Donald
31 has some wisdom for us.
32
33 MR. RIVARD: Thank you, Madame Chair.
34 Don Rivard with Office of Subsistence Management. Our
35 office has gone through these State fisheries proposals,
36 so I have some sense of which ones your Council may want
37 to look at. I won't give you all the numbers right now,
38 but there's about maybe 10 to 12.
39
40 MADAME CHAIR ENTSMINGER: Ten to 12?
41 That's better than 50.
42
43 MS. PATTON: For the Council, just to let
44 you know, the Yukon relevant proposals are in your extra
45 meeting materials packet. So just the Yukon Board of
46 Fish proposals are in the folder that says extra meeting
47 agenda items.
48
49 MADAME CHAIR ENTSMINGER: Those are the
50 ones that are just in our region, correct?

1 MS. PATTON: Yeah, just in the region.
2
3 MADAME CHAIR ENTSMINGER: If anybody has
4 any heartburn of crossover proposals, you'd have to let
5 us know. So hopefully it's only 10 to 12.
6
7 That's on the agenda. Is there any other
8 agenda changes or additions, Council members.
9
10 MS. PATTON: Madame Chair. If I may, as
11 we spoke about last night, there's two folks that are on
12 the agenda to present tomorrow. One ADF&G Sara Hazel
13 the subsistence survey, there's a two-page summary in
14 your extra meeting materials on that. There will be a
15 joint presentation from Arctic Refuge and the State on
16 the moose issue. They'll be presenting under the Fish
17 and Wildlife agency reports there together.
18
19 MADAME CHAIR ENTSMINGER: So that's an
20 addition to the agenda.
21
22 MS. PATTON: It's on the agenda. It's
23 just an additional presenter with Arctic Refuge. The
24 State will be joining them for that.
25
26 MR. MATESI: Madame Chair.
27
28 MADAME CHAIR ENTSMINGER: Go ahead, Joe.
29
30 MR. MATESI: Thank you. May I request
31 that we have all of Proposal 154 available for the
32 Council members. It's not in here with the rest of the
33 proposals.
34
35 MADAME CHAIR ENTSMINGER: Yes. We have
36 a Board book here if Staff wants to copy. We'll add 154
37 to that number. Any other additions to the agenda or
38 corrections.
39
40 I've been pretty busy, but I do notice
41 that Wrangell-St. Elias has a separate appointment. I
42 was thinking -- Barbara is not here -- all of that could
43 come under NPS at the Wrangell Park update and maybe
44 handle it all at one time. I did get a call from Denali
45 National Park, Amy, and she said there's an appointment
46 up for that and that will come up under that region too
47 or that part in the agenda, National Park Service, Denali
48 National Park.
49
50 Any others. Do I hear a motion to

1 approve. Go ahead, Bill.
2
3 MR. GLANZ: I make a motion that we
4 approve that agenda.
5
6 MR. BASSICH: Seconded.
7
8 MADAME CHAIR ENTSMINGER: Okay. Any
9 discussion.
10
11 (No comments)
12
13 MADAME CHAIR ENTSMINGER: Question. All
14 in favor.
15
16 IN UNISON: Aye.
17
18 MADAME CHAIR ENTSMINGER: Okay.
19
20 (No opposing votes)
21
22 MADAME CHAIR ENTSMINGER: Now it's the
23 minutes. Has anyone read the minutes. Virgil.
24
25 MR. UMPHENOUR: I've reviewed the
26 minutes. I can't see any additions and I couldn't see
27 any corrections. Of course, that meeting was quite a
28 while ago, so I could have overlooked something, but I
29 see no corrections or additions to the minutes.
30
31 MADAME CHAIR ENTSMINGER: Is that a
32 motion.
33
34 MR. UMPHENOUR: I move we adopt the
35 minutes.
36
37 MR. BASSICH: Second.
38
39 MADAME CHAIR ENTSMINGER: All in favor.
40
41 IN UNISON: Aye.
42
43 (No opposing votes)
44
45 MADAME CHAIR ENTSMINGER: Okay. Minutes
46 are approved as written. Council members, your concerns
47 and reports. Do you want to start with Andy.
48
49 MR. BASSICH: Thank you, Madame Chair.
50 I guess the first thing I want to say is I'm kind of glad

1 we're in a small room like this because I know it helps
2 me to hear everybody speak a little bit better and the
3 other thing that it just seems to me is like coming home
4 to a family reunion around here. I've been coming to
5 these meetings for 10 years and I'm seeing the same faces
6 over and over, so I guess I can always count on a family
7 reunion twice a year through this process and I enjoy
8 that.

9
10 As far as concerns, probably the single
11 biggest concern for me right now in our region is the
12 status of the chinook salmon run and I think the managers
13 did a very good job this year of trying to manage the
14 run. I know we didn't meet escapement, but I think we're
15 beginning to make some pretty good progress on what needs
16 to be done and I'm hoping that we're going to be able to
17 continue making progress through outreach to people. I
18 feel this problem really needs to be solved from the
19 inside out. Not strictly through regulation, but over
20 time we need to get the people to realize the seriousness
21 of this.

22
23 One thing I'd like to share with
24 everybody is that this year when the king salmon arrived
25 in Eagle there was basically no fish in the river until
26 the fish that were protected by the pulse protections and
27 the closures arrived. So, in other words, what I'm
28 saying is that the entire fisheries was fished out by the
29 time it got to Eagle other than what was protected in the
30 pulses. This is the first time I've ever seen that. So
31 that's one of the issues that we're going to need to work
32 out through management.

33
34 We also had a very strong support in our
35 community to not fish chinook salmon this year
36 voluntarily. We have really good cooperation with people
37 locally. They understand the seriousness of the run and
38 a lot of people basically did not fish chinook salmon and
39 we tried to focus on the chum salmon. That's an
40 absolutely critical resource for us in Eagle.

41
42 The caribou season wasn't like last year
43 for us. Not that many people got caribou in our area.
44 We're hoping that the caribou are going to show up in the
45 wintertime. We're just going to have to play the wait
46 and see. I think some of the things that we worked out
47 in the Forty Mile Plan is going to address some of those.
48 I think that's about it. Thank you.

49
50 MADAME CHAIR ENTSMINGER: Larry.

1 MR. WILLIAMS: Thank you, Madame Chair.
2 The only thing I have to say about my concerns is the
3 poor chinook run that we had this year, there's a lot of
4 people in our area that didn't get anything at all. Most
5 of them didn't even attempt to go fishing. Also the
6 price of gas and the low numbers of chinook.

7
8 Back home we had a very successful moose
9 season. There was quite a few moose. Enough for
10 everybody to go out and get their moose. After years and
11 years of low moose numbers the people of Venetie put a
12 strict enforcement on no cow moose. The elders go out
13 and speak to the young hunters that cow moose are
14 critical for reproduction and they frown upon taking a
15 cow moose, so that's very strictly enforced and now we're
16 seeing the results of that.

17
18 Also we have no outside interference.
19 Meaning no disrespect to any organization, any agency,
20 but we have no outside interference and we strictly
21 manage our own lands and our own resources. I think
22 there's nothing written down, but after thousands and
23 thousands of years we know what's right and we know what
24 to do. Now we're seeing the results of everybody getting
25 at least one moose. Some of them got two. There's a lot
26 of moose up that way in our area.

27
28 Also Virgil was fortunate in the fact
29 that they had an early fall caribou run. That was about
30 the last of August into September and everybody got their
31 caribou. A lot of caribou. Venetie also shares in the
32 bounty. So we got quite a few people traveling up there
33 and people sending meat down. So, all in all, it was a
34 pretty good fall harvest. That's all I have. Thank you.

35
36 MADAME CHAIR ENTSMINGER: Virgil.

37
38 MR. UMPHENOUR: Thank you, Madame Chair.
39 I attended the North Pacific Fisheries Management Council
40 meeting in April along with Craig Fleener, former Chair
41 of our Council, and now Deputy Commissioner for the State
42 Department of Fish and Game. Him and I attended the
43 Council meeting. We both went to the table together and
44 testified together. The Council was addressing bycatch
45 issues of both chinook salmon and chum salmon. There had
46 been quite a bit of testimony relating to both of those
47 issues by people from throughout Northwest and Western
48 Alaska.

49
50 One of the things one of the Council

1 members asked me was there's certain hot spots in the
2 Bering Sea trawl fishery where they catch chinook salmon
3 and in other places where they catch chum salmon. Many
4 of the chum salmon that they're catching are hatchery
5 produced chum salmon, so they asked me the question what
6 should we do. Should we fish where we're going to have
7 a chum salmon bycatch or where we're going to have a
8 chinook salmon bycatch. It asked the previous speaker
9 that same question. When they asked me that question, I
10 told them they should catch as many of those damn
11 hatchery chum salmon as they can because the people that
12 are releasing them are totally irresponsible and it's
13 counterproductive to all wild salmon stocks to be dumping
14 all those hatchery fish out in the ocean. I made them
15 crack a smile when I told them that.

16

17 Anyway, we have to look at history. I
18 don't know how many people here have read the book by
19 Montgomery, King of Fish, or by Lichatowich, Salmon
20 Without Rivers, but everyone in this room should read
21 both those books because it speaks to the history of
22 salmon starting back in Europe and around the year 800
23 where the commercial fishery with the most political
24 influence always gets their way.

25

26 The very first hatchery west of the
27 Mississippi was built on the Sacramento River in
28 California. They completed the TransContinental
29 Railroad in I believe the 1860s. I'm not sure when they
30 did it. Maybe it was 1870s. But they had already
31 practically extirpated the Atlantic salmon on the East
32 Coast of the United States. So what they did was they
33 got the bright idea we'll take chinook salmon, hide eggs
34 from the hatchery in Sacramento, put them on a train and
35 ship them to the East Coast and then we can have king
36 salmon on the East Coast. Well, they tried this for 10
37 or 15 years and, of course, it didn't work before they
38 gave up.

39

40 Anyway, we need to look at history. We
41 have a king salmon symposium coming up next week that the
42 State is supporting and I got an email and none of our
43 membership gets to attend that meeting. To me that's
44 criminal. I mean we can go on our own nickel if we want,
45 but they're not going to send any of us there. Two of us
46 at this table have really been involved in this king
47 salmon issue for years and years and years. Both on the
48 Salmon Treaty Panel, Andy and I, and one of us should go
49 to that thing representing the Council's interests.

50

1 I have here a letter from Pete Probasco
2 and this speaks to history as well. This letter is to
3 the Chairman of the Board Fisheries talking about the
4 proposed SEG, sustainable escapement goal, for chinook
5 salmon in the Kuskokwim River. This is just more of
6 history.

7
8 When I was on the Board of Fisheries and
9 I got on in '94 through 2002, the answer to not meeting
10 your conservation goals, i.e. escapement objectives, the
11 first time I saw this done where they just -- if you
12 can't make the goal for a number of years, you just lower
13 the goal. I saw it done to the Quinhagak River in
14 northern Norton Sound where they lowered the escapement
15 goal from 20,000 to I believe 12,000. I could be wrong,
16 but Fred sitting over there knows what they did. They
17 did that in '94, '95, somewhere in there, because we were
18 raising hell with the Department about the intercept of
19 chum salmon in the intercept fishery in Area M and the
20 decline of chum salmon on the fishing branch river in
21 Canada, in northern Norton Sound and also on the river at
22 St. Mary's.

23
24 MR. BASSICH: Andraefsky River.

25
26 MR. UMPHENOUR: Andraefsky River. There
27 was a study done and the researcher said he can't figure
28 out what happened around 1980, however these stocks
29 started to decline in those various areas. One plumb over
30 in the Yukon Territory, one at the mouth of the Yukon and
31 then Norton Sound. Can't figure out what happened. It's
32 simple what happened. Hatcheries happened. The trawl
33 fleet happened. Those two things happened and then
34 limited entry happened all at basically the same time.

35
36 The number of fishing permits in Area M
37 more than doubled and they went from a 24-foot skiff with
38 a 40-horse on it to a 58-foot limit seiner that will hold
39 200,000 pounds and has a net with the leads 2,600 feet
40 long and 118 feet deep. That's what happened.

41
42 We have to study the history. This is
43 just another example where history is not being
44 considered. Lower the escapement goal because you can't
45 get king salmon escapement. I think that's all I have to
46 say. Thank you, Madame Chair.

47
48 MADAME CHAIR ENTSMINGER: Andrew.

49
50 MR. FIRMIN: I guess I could start with

1 a few things. Like caribou is one thing that we haven't
2 had. Our Porcupine Caribou Herd hasn't been migrating.
3 Still in the same patterns as we've previously seen.
4 They still don't cross any place on the Porcupine where
5 we can actually harvest them. We find it's easier to go
6 to Arctic Village and cheaper to go to Arctic Village
7 than it is to go 300 miles up the river to go look for
8 them.

9
10 I guess our moose population on the
11 Flats, I don't know if it's -- to kind of reflect what
12 Larry mentioned earlier, that I think over time we've
13 drilled it in enough people's heads that it's commonly
14 accepted to only harvest bull moose and I think a lot of
15 it comes from people that don't have to be scared to hide
16 it and give it away and end up with nothing and can't
17 even tell a story about your hunting trip afterwards. I
18 think a lot of that is becoming ingrained in the people's
19 heads and their future generations as well, that it's
20 becoming not an accepted practice to harvest cows.

21
22 I don't know if it's actually helping our
23 population, but I see people that if they want to get a
24 moose and try hard enough, they'll go get their moose.
25 I don't know if that's reflecting on the hunters
26 themselves or the practices they use or if our population
27 is actually reflecting that in there.

28
29 I think also that our king salmon run was
30 quite the show this year, but I think the managers did
31 their best. I know that we personally had 30 days of
32 closures in the Flats with I think a 36-hour opener in
33 the middle. I know people did get a lot of fish before
34 that though. They seemed to come through in one big
35 pulse right before the closure were a lot of them. I
36 think maybe Fort Yukon might have got a few of Andy's
37 fish on that one. It seemed like they did close us right
38 at the opportune time when the fish started coming
39 through. I think management did a good job with that
40 this year.

41
42 Gene Sandone and I tried a little pilot
43 project this summer that we've been cooking up over the
44 past few years where they actually flew us a bunch of
45 chinook salmon. I think he shipped us up some 3,000
46 pounds of salmon that I just basically gave to the elders
47 and I think some other 15 or so fishermen said, well,
48 heck, I won't fish then. Just give me a box of fish and
49 that was kind of -- a lot of them are already like --
50 they've almost given up on fishing anyway because it's

1 not worth their time and effort to go fish for a few days
2 at a time and then stop. They'd rather go back to work
3 instead of take the time off to try to fish and not be
4 able to get anything. I think that kind of worked out
5 well in some ways.

6
7 We did have some negative comments about
8 it. I think it was kind of interesting. Some people
9 called it a welfare program and some people were arguing
10 down river saying I see my salmon flying upriver and all
11 kind of good things I heard this summer about it. I kind
12 of seen the writing on the wall and known that we were
13 going to get closed for that 30 days, so I kind of took
14 it this year to say, okay, let's try this out, Gene, and
15 I think it worked out well for some people.

16
17 The elders kitchen in Fort Yukon feeds
18 some 50 people five days a week, one meal a day, and
19 that's a partially funded program through I think TCC and
20 it's only meant to be operated like six or seven months
21 out of the year and we operate it year round in the red
22 probably just about every year. So that and some
23 non-local moose hunters donated a few moose to that
24 program. So the salmon that Gene sent us and the moose
25 meat that other hunters got and donated to the kitchen
26 there from other fly-in hunters and boat-in hunters
27 actually will probably keep that program running into the
28 future without having those costs anyway.

29
30 Another good thing that I had fun this
31 summer on was actually -- I kind of got goat-roped into
32 a float trip where we took three elders and three adults
33 and like nine youths and we took inflatable canoes and
34 paddled from Arctic Village to Beaver and that was about
35 a 10-day trip and that was kind of a -- I got to go on it
36 because it was a last minute overnight thing here.
37 You're going tomorrow or you're fired, so okay. But it
38 turned out to be pretty fun. I think programs like that
39 was funded by a few different people through the EPA.

40
41 I think a lot of that -- I know the Fish
42 and Game gave us a culture permit we applied for and got
43 so we could harvest a moose, but we didn't -- we weren't
44 moose hunting anyway. We were having too much fun. We
45 thought if we saw one, we'd harvest one just to teach the
46 youth how to take care of it and whatnot. But we had a
47 lot of fun and I think that would be another program to
48 see other agencies -- if we could get support from other
49 agencies just to take youth out and show them how to live
50 off the land for 10 days and teach them the safety and

1 why you don't horse around in the middle of nowhere
2 because there ain't no hospital or doctor within hundreds
3 of miles.

4

5 So I think it was a good learning
6 experience for everybody on that trip though. I think
7 the elders had the most fun though. So I'd like to see
8 more of that happening not only in Ft. Yukon and Yukon
9 Flats, but in other villages also. It was a great
10 experience.

11

12 MADAME CHAIR ENTSMINGER: Go ahead, Bill.

13

14 MR. GLANZ: I know every year I'm here
15 I'm always whining about the Park Service doing this and
16 that, so I put my money where my mouth was and with Tom
17 and a few of the other people with the Yukon-Charley
18 folks, we had two meetings in Central with them,
19 barbecues. We went to Circle. I went with them to
20 Circle. We had meetings in Circle with the population
21 there and it all worked out well. We got almost two-
22 thirds of each village out to the barbecue and meet and
23 greet with the rangers.

24

25 They had two new rangers, so I rode with
26 them for four days up through the Yukon and introducing
27 the people on the river and stopping to visit with folks.
28 We went all the way to Eagle. I flew back with a man,
29 Chuck Young out of Circle, he went with us also, one of
30 the locals out of there.

31

32 We had caribou season this year. There
33 was 2,000 permits issued in our area. They killed 300
34 caribou in one day and shut it down. So there's going to
35 have to be something done. They give us an adequate
36 subsistence caribou season. There's no problem with us,
37 but there has to be something done to control that. This
38 is a madhouse, guys. It reminded me of when I was in the
39 Service. Camps of people with rifles running all around.

40

41

42 Anyway, me and Andy and some of the guys
43 who are on the coalition, the Harvest Coalition, and
44 every time we propose a thing that will regulate the
45 resident hunters legal says, oh, no, no, you can't do
46 that, you can't do that, so I don't know what's going to
47 happen.

48

49 So, anyway, if anybody has any children
50 they want to show them some caribou coming in yesterday,

1 I probably seen 2,000 caribou on the Steese Highway just
2 standing, milling around. Just beautiful, wonderful to
3 see. In Circle this year, most of the wheels were not
4 even put in the river. They were just stuck on the
5 banks. I went up and down. A few people had some nets
6 out when they had a two-day opening and they all did
7 well. Not much, maybe 12, 15 fish per family. There's
8 a lot of stuff that has to be worked on.

9
10 I applaud Andy's group for feeding the
11 elders. That's the way it's supposed to be. I've got
12 some illegally killed caribou from the State troopers,
13 some cows, so I distributed them to the old people in our
14 community, so that worked out well too for the older
15 people.

16
17 That's about all. I'm glad to be back
18 here with you guys. I enjoy working with this crew.
19 Thank you.

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

23
24 MR. MATESI: Thank you, Madame Chair. I
25 want to say that I share Virgil's concerns and I concur
26 wholeheartedly with them. I really appreciate the
27 direction that he's thinking on that and I hope that we
28 can focus in that direction some more.

29
30 Some of the actual concerns I have, one
31 is this bison business. I mean it does seem like we --
32 it does seem like we're seeing a better success rate with
33 hunting moose in the fall time in the Yukon Flats
34 although it doesn't look to me like there's more moose
35 around. So I don't know if it's all anecdotal. Maybe it
36 would be worthwhile to see if the Departments can do some
37 sort of survey that will figure out what's going on
38 there. Needless to say I'm really glad that people are
39 getting moose.

40
41 I have to tell you I still have it stuck
42 in my craw that we're not getting those bison. There was
43 just an article in today's paper about there's so many of
44 them now in the Wildlife Center down there they're going
45 to have to start culling them in order to keep the herd
46 from overgrowing. I know that Department of Fish and
47 Game is working its keister off trying to resolve this
48 with the nay-sayers. I do hope in the future that things
49 will work out well. I still would like to see those
50 bison in the Yukon Flats. I have to tell you there's this

1 huge meadow right across the river from me and I
2 volunteer putting them all right there.

3

4 A concern I do have is, Sue, you and I
5 last spring we were at the Board of Game meeting and I
6 thought we made it entirely clear to the Board of Game
7 that we wanted that meat on the bone issue to include
8 caribou in all four of the subunits of Unit 25. We sat
9 there and we explained it to them. I know they heard
10 what we were saying. I was in the meeting later when
11 they voted on that. If my memory serves me right, they
12 voted to amend all the proposals. There was a separate
13 proposal for each subunit, so it would include caribou.

14

15 Well, something happened because when the
16 regs came out this year. If you look in the regs for
17 caribou, meat on the bone only applies to subunit 24A.
18 So something slipped up somewhere and I hope that we
19 don't have to go through another 25,000 year cycle of
20 trying to get a new proposal in to clean it up again.
21 Maybe we can just encourage the Departments to
22 investigate the issue and see if there was a bureaucratic
23 slip up or if my memory serves me wrong and they really
24 did not include that amendment for the other subdistricts
25 or what, but I reviewed the minutes from our meetings and
26 our vote records and it was the clear intent of this
27 Council to include caribou in all four of those subunits.
28 So that's one concern I have. Thank you.

29

30 MADAME CHAIR ENTSMINGER: Thank you. I
31 will tell you though that being a Board member on the
32 Board of Game for three years that public testimony
33 often gets forgotten and it's because of the overwhelming
34 amount of stuff that comes before you. The RAC is just
35 the public and we're just one member that brought
36 something forward, so they take this stuff up and they
37 make their decisions from what comes before them. Not
38 necessarily going to adopt what we say. At any rate,
39 that's something to think about in the future.

40

41 I will go on to my report and concerns.
42 I'd like to speak
43 highly of the wolf control program that has gone on in
44 Unit 12 and 13 in our area. The local people around me
45 are telling me that's there's more moose around, so
46 that's a very viable program. They're very happy.
47 People are getting their moose.

48

49 Also I wish there is a way -- my family
50 share meat with Mentasta Village often. It's actually an

1 agreement my son has as a guide with the village, but
2 even before that that was my standard practice, is to
3 share meat with people in the village. I was very close
4 friends with people down there and they really appreciate
5 that extra meat they get. Maybe we could come up with
6 some type of a program to give incentives for hunters,
7 urban hunters to take meat to -- if they're out in the
8 areas that they bring, they'd have to care for it
9 properly because a lot of people are kind of picky. I
10 mean people eat stomach, people eat head meat and a lot
11 of that stuff gets left in the field. It would be just
12 awesome if there could be some incentive program to share
13 that with people in the village and how to care for it to
14 get it to them and stuff like that.

15
16 There's a culture camp that's been going
17 on for many years in Batzulnetas, south of the Nabesna
18 Road, that I've always been invited to. They get to
19 shoot a moose and do the culture thing and that's a
20 pretty awesome thing. I had a young kid from Mentasta go
21 with me and I guided a client for my son and we were out
22 there doing the things that we learn at culture camp,
23 taking the moose bone, throwing it on the fire and
24 sucking out all the marrow. It was pretty cool until he
25 let one bone burn too much. That was a pretty neat
26 experience for both of us to practice what you learn.

27
28 The Chisana caribou hunt happened this
29 year and two were harvested to my knowledge. We'll be
30 talking about that further when Barbara comes with her
31 reports. One of the people from Chistochina came up to
32 me and talked to me and he said he thinks it should be
33 done differently than the way it was done because there's
34 two caribou permits given to each village and they were
35 to give it to whoever to go hunt, so there probably
36 wasn't a lot of participation because of how far away it
37 is.

38
39 I got a letter here in the last week from
40 a person on the SRC for Wrangell-St.Elias, that's a
41 Subsistence Resource Commission, and she said she felt
42 like one of the local rangers treated her pretty poorly,
43 talking about -- she was picking up rocks and he left a
44 letter on her car saying this is illegal to pick up these
45 rocks and she looked at the regs and said that it wasn't
46 and he left a very harsh message on her phone for her or
47 her husband. She was pretty put out. Then he called her
48 a liar, she said, because she said she picked it up on
49 private property and he said, no, you didn't. So she was
50 pretty upset about that type of treatment for people and

1 hoped that it wasn't the standard treatment for people
2 visiting a Park.

3
4 I attended the SRC meeting. We had one
5 February 27th and 28th in Slana for the Wrangell Park.
6 Very often there isn't much public there, but the Slana
7 people showed up. They outnumbered the government
8 people, which is sometimes not usual. But there wasn't
9 really a lot of things other than a lot of reports that
10 came forth since there was just putting in proposals to
11 the Federal Subsistence Board, but I have all the reports
12 here if anyone would like to see what's going on in the
13 Wrangell-St. Elias. I write scribbily little notes
14 everywhere, so sometimes I might miss something.
15 Actually a lot of it is very bureaucratic.

16
17 At any rate, it was a good meeting, one
18 day meeting actually it turned into instead of a two-day
19 meeting. Okay. I think that's it. Any questions
20 anyone.

21
22 (No comments)

23
24 MADAME CHAIR ENTSMINGER: All right.
25 We'll go into the next part in the agenda, public and
26 tribal comment on non-agenda items. Do we have any
27 public here? One from Nenana, right? Hurray. Is there
28 anyone on the phone that would have any comments for
29 public and tribal comment on non-agenda items?

30
31 MS. FATE: This is Jennifer Fate.

32
33 MADAME CHAIR ENTSMINGER: Hang on a
34 second so we can hear you. Go ahead.

35
36 MS. FATE: Hi, this is Jennifer Fate
37 calling in.

38
39 MADAME CHAIR ENTSMINGER: Jennifer, where
40 are you from?

41
42 MS. FATE: I was actually attending the
43 ANCSA Fisheries Board, the Subsistence Fisheries Board
44 meeting on September 19th. I had been invited as a
45 director of Doyon to attend that. They asked if I could
46 call in to you and give the report from that meeting.

47
48 MADAME CHAIR ENTSMINGER: Yes. Hang on
49 one second. Yes, go ahead.

50

1 MS. FATE: Is this a good time to go over
2 that report?

3
4 (Pause)

5
6 MADAME CHAIR ENTSMINGER: Council
7 members, okay?

8
9 (Council nods affirmatively)

10
11 MADAME CHAIR ENTSMINGER: Yes, go ahead.

12
13 MS. FATE: Thank you very much. That meeting was
14 primarily looking at the subsistence fishing regulations
15 and those regulations were available on alaska.fws.gov.
16 As far as I understand, I was the only one who has been
17 fishing in the Interior in the Eastern Region who
18 attended the meeting. There were about 11 fishermen who
19 called in for that meeting and about 11 government
20 officials.

21
22 The general comments I had made -- I made
23 three comments at that meeting. One was whether the --
24 if there were any kind of inputs into the North Pacific
25 Ocean fisheries organization from the Federal Subsistence
26 Board, if they had any role or input into the other board
27 and what was the interface between the different boards,
28 the ocean commercial boards and the Subsistence Board.
29 They had responded that there was no relationship
30 officially and it's something they wanted to look into.
31 They mentioned the North Pacific Fisheries Management
32 Council as one of the ones to look into.

33
34 Then I also asked -- there were a lot of
35 comments from the Lower Yukon about their need for
36 subsistence and that need was greater than other areas of
37 the state. I just spoke to my personal experience
38 fishing. I think Virgil is there, right?

39
40 MADAME CHAIR ENTSMINGER: Yes, he's here.

41
42 MS. FATE: Hi, Virgil. Yeah, so we have
43 a fish camp. My family has a fish camp on the Yukon and
44 I grew up commercial fishing and subsistence fishing. I
45 just commented that we'd noticed a lot fewer fishermen in
46 the Yukon because the regulations were so expensive and
47 cumbersome and it was getting to be very difficult for
48 people to afford to be able to go out and subsistence
49 fish. The windows, especially in the Area 5B and C, were
50 so short that it was punitive and that these windows were

1 shorter than the windows they opened for the whole Yukon.

2

3 Nick Tucker from Emmonak was very active
4 in the meeting as well talking about the Lower Yukon's
5 cultural need for fishing and that was their only income
6 as well. He was saying that they had to really protect
7 their rights there because that was their only income.

8

9 Essentially that was pretty much
10 everything. I was commenting on how at the Doyon Board
11 we really see subsistence fishing as a critical cultural
12 right for our shareholders and how important that is for
13 our cultural and that it's critical that we are able to
14 input into the fishing regulations to make sure that
15 people can get out and fish because it has been tighter
16 and tighter, especially in certain districts in our
17 region.

18

19 Then they went over all of the different
20 regulations and we saw that the Eastern Region had
21 withdrawn a few of their fishing proposals that had to do
22 with the opening the length of the openings to make them
23 equal to the Lower Yukon, so they were saying that it was
24 our region who had withdrawn some of those proposals.

25

26 That was about it. That was the extent
27 of my input into that meeting.

28

29 MADAME CHAIR ENTSMINGER: Could you
30 restate your name. Virgil couldn't hear.

31

32 MS. FATE: My name is Jennifer Fate, F-A-
33 T-E.

34

35 MADAME CHAIR ENTSMINGER: Jennifer Fate?

36

37 MS. FATE: Yeah, and I sit on the Doyon,
38 Limited Board of Directors.

39

40 MADAME CHAIR ENTSMINGER: Okay. Thank
41 you, Jennifer. Any questions.

42

43 MS. FATE: And I called in on that
44 capacity to that September 19th meeting.

45

46 MADAME CHAIR ENTSMINGER: All right,
47 Jennifer. Anyone else want to speak on these non-agenda
48 items.

49

50 MR. BASSICH: I just want to ask her a

1 question.

2

3 MADAME CHAIR ENTSMINGER: Oh, I'm sorry.
4 Is that okay, guys? We have a question for you,
5 Jennifer, if you're still there.

6

7 MS. FATE: Yeah, I'm here.

8

9 MADAME CHAIR ENTSMINGER: Go ahead and
10 ask it.

11

12 MR. BASSICH: Thank you, Jennifer. This
13 is Andy Bassich from Eagle. We share a lot of the
14 concerns that you were voicing through this Council and
15 it's a really challenging issue to try and have equitable
16 fishing times on the Yukon River and still preserve all
17 the genetic diversification. It's a really big challenge
18 to try and do that. I'm wondering if your board there at
19 Doyon has discussed any options that they see that they
20 could bring to the table for us to try and further as far
21 as trying to get more equitable distribution of fishing
22 time up and down the river.

23

24 In particular, I'm wondering or maybe you
25 could take this back to your board to consider discussion
26 on community quotas along the Yukon River for fishing and
27 that way it would maybe make it a little easier for
28 managers to manage the runs. So something to take back
29 to your board and something for food for thought that
30 maybe you could bring back to this Council in the future
31 because I know there's going to be a lot of energy put
32 into this in the next few years. Thank you for speaking
33 to us.

34

35 MS. FATE: Thank you. And your name
36 again?

37

38 MR. BASSICH: Andy Bassich from Eagle.

39

40 MS. FATE: Yeah, Andy. We at the Doyon
41 board have -- we do discuss the critical importance of
42 subsistence lifestyle to our culture and to the
43 population and to our shareholders. In fact, we have
44 begun looking at trying to set up a committee within the
45 board on these issues and not specifically on the issue
46 of equitable opening time for our region, but that would
47 be included
48 in that.

49

50 As a lifelong fisherman and I grew up on

1 fishing every summer in the Yukon and I still spend every
2 summer at fish camp, I've seen firsthand how those fish
3 numbers have dropped and also how there are fewer and
4 fewer people on the river. I mean this summer I think we
5 were one of the few camps open for 60 miles. It's really
6 strangling the relationship between elders and
7 grandchildren. I mean it's just strangling the ability
8 to teach the culture through the actual rituals and
9 discipline of subsistence lifestyle and that's how the
10 culture was taught traditionally.

11
12 So it's a critical issue to Doyon and we
13 are looking at that, which is why Orie Williams, our
14 chair, had sent out this invitation to board members,
15 especially board members who have been actively involved
16 in subsistence and different types of fishing throughout
17 their lives and that's why I attended that meeting.
18 We're passionate about it, so I will bring that back.
19 Please email me with any specific proposals. I would be
20 happy to bring that back to the Doyon board.

21
22 We haven't officially gotten involved in
23 this in the past, but it is being raised especially the
24 last two years when we saw our region completely hammered
25 with the drop in the fishing escapement and also the
26 tightening of those opening times, especially in certain
27 districts like 5B, C and those areas. So we are
28 definitely aware of it.

29
30 So, please, I welcome anybody at this
31 meeting or in the future to send me a private email with
32 any proposals that you would consider as a good solution
33 or alternative to approach this problem because it's a
34 real problem. There's nobody on the river fishing in
35 certain areas. I mean the numbers are going down and
36 that's a real cultural issue to us.

37
38 My email is jennifervelaise@gmail.com.
39 I really do welcome anyone to send me more specific
40 language for proposals that I could bring to the board.
41 Right now it's not an official thing that Doyon works on,
42 but it's certainly an issue that keeps coming up. I
43 can't say how we would approach it in the future, but
44 it's definitely relevant to us. Did anyone write my
45 email down correctly?

46
47 MADAME CHAIR ENTSMINGER: Our coordinator
48 has it, I believe.

49
50 MS. FATE: My email last name is my

1 married name. You can also reach me on jenfate@aol.com.
2
3 MADAME CHAIR ENTSMINGER: Okay. We'll
4 contact you if we didn't get that.
5
6 MS. FATE: Thank you, very much.
7
8 MADAME CHAIR ENTSMINGER: Uh-huh. Any
9 other questions.
10
11 (No comments)
12
13 MADAME CHAIR ENTSMINGER: Okay. Victor,
14 did you have a question.
15
16 MR. LORD: You're bringing in comments
17 from the public, you said?
18
19 MADAME CHAIR ENTSMINGER: Yes. You can
20 come up and speak. Yeah, come on. We'd love to have you
21 come up. Come on.
22
23 MR. LORD: Sure. Thank you. Is Jennifer
24 still there?
25
26 MS. FATE: Yeah, I'm here.
27
28 MR. LORD: Jennifer, thank you, very
29 much. My name is Victor Lord from the fishing village of
30 Nenana. I know Orié very well. He's like my half-
31 brother. I really applaud you guys. I feel like
32 thanking God for hearing you talk about the cultural
33 thing coming from our profit regional corporation. We
34 could all use the help from anywhere, be it on the State
35 or the Federal Board. I really applaud you and I thank
36 you very much for that.
37
38 What I came here for is to address this
39 Board because I've been with, along with Virgil and Andy
40 and Andy over here, with the State Board and the State --
41 it seems like our hands are tied. I'm just coming to you
42 guys to ask what the Federal Board through your board,
43 through the RAC here, if there's any kind of angle the
44 Federal will have with the -- past the boundary, the
45 three-mile boundary or whatever it is, past the ocean out
46 there, because it's the North Pacific Fisheries
47 Management Council that manages all those guys out there.
48
49
50 I think we're getting progress. They're

1 coming to our meetings, but it doesn't seem to be working
2 fast enough as you can all see. We're suffering
3 culturally with the fish. That's the biggest thing for
4 me. We make a buck on it or we used to. The culture
5 thing, the subsistence thing, what she was talking about,
6 about people in the fish camps is disappearing. You know
7 when people aren't busy other things happen and they're
8 not always good.

9

10 So, yeah, just a plea to you guys to help
11 us look into this matter. I know Virgil is frustrated.
12 He's probably been trying everything. I just think maybe
13 through the Federal Board, the bigger Board, through you
14 guys that we might be able to turn over a Board that has
15 an answer or part of an answer or something.

16

17 So, with that, I thank you guys. You
18 guys got a lot of work in front of you. Thank you.

19

20 MADAME CHAIR ENTSMINGER: Thanks, Victor.
21 Victor, hang on. Joe has a question or Bill.

22

23 MR. MATESI: Thank you, Madame Chair.
24 Hi, Victor. Good to see you.

25

26 MR. LORD: Hi, Joe.

27

28 MR. MATESI: I was in Nenana yesterday
29 morning and I was thinking about coming to see you, but
30 I was scared of that storm coming in, so I hightailed it
31 back to Fairbanks. Did you drive to Fairbanks from
32 Nenana this morning?

33

34 MR. LORD: I got a ride yesterday. A
35 friend of mine got waylaid behind a truck. I just made
36 it past the truck and the truck slid off the road.

37

38 MR. MATESI: Well, I wanted to commend
39 you for your courage to travel to Fairbanks in this
40 weather in order to talk to this Council.

41

42 MR. LORD: Thank you.

43

44 MADAME CHAIR ENTSMINGER: Anyone else?
45 Thanks, Victor. You say it.

46

47 MS. PATTON: Jack Lorrigan, are you
48 online?

49

50 MR. LORRIGAN: Yes, Madame Chair, I am.

1 MS. PATTON: Yes, Council, OSM has a new
2 Native liaison who was recently hired this summer. I
3 know many of you have been waiting for this position to
4 be filled. Jack Lorrigan is online. He can introduce
5 himself to the Council.

6
7 MADAME CHAIR ENTSMINGER: Thank you, Eva.
8 Jack.

9
10 MR. LORRIGAN: Thank you, Madame Chair
11 and Council. My name is Jack Lorrigan. I come from
12 Southeast Alaska, Sitka to be specific. My Coho name is
13 Kaa Wootk' from the Coho Clan. My grandmother was
14 Tshimian from the Nass River area and I was raised by a
15 Haida grandmother, so I've got Southeast Alaska fairly
16 well covered. Anything north of Yakutat I still have to
17 work on. I'm hoping to learn from you. I got my degree
18 from Sheldon Jackson College and I worked for the Sitka
19 Tribe of Alaska for about 10 years as their biologist.
20 I'm a former Marine and the position I now have is the
21 Native liaison for the Office of Subsistence Management.

22
23
24 In particular, I'm on the InterAgency
25 Staff Committee, which
26 is composed of the professionals from the various
27 agencies that sit on the Board; National Park Service,
28 BIA, Fish and Wildlife Service, Forest Service, the BLM.
29 They represent their Board members on these proposals and
30 my job is to bring the cultural viewpoint to the
31 regulatory process so that proposals hopefully will
32 reflect some of the cultural and traditional lifestyles
33 that are being managed.

34
35 Also I'm the advisor to the Chairman of
36 the Board, Mr. Towarak. I'm looking forward to meeting
37 you guys in the near future and I'm thrilled to be here
38 and I'm looking forward to the opportunity this job is
39 providing.

40
41 MADAME CHAIR ENTSMINGER: Thank you,
42 Jack. Anyone have any questions.

43
44 (No comments)

45
46 MADAME CHAIR ENTSMINGER: Okay. Thank
47 you.

48
49 MR. LORRIGAN: Thank you, Madame Chair.
50

1 MADAME CHAIR ENTSMINGER: You bet. Are
2 we missing anyone else that wants to speak online.
3
4 (No comments)
5
6 MADAME CHAIR ENTSMINGER: So we just have
7 two on line right now?
8
9 MS. PATTON: Yes.
10
11 MADAME CHAIR ENTSMINGER: Do you guys
12 want a break or do you want to start into these
13 regulatory proposals.
14
15 MR. UMPHENOUR: Let's take a break.
16
17 MADAME CHAIR ENTSMINGER: Short break,
18 five, ten minutes.
19
20 (Off record)
21
22 (On record)
23
24 MADAME CHAIR ENTSMINGER: The family
25 reunion must break back into work. Family reunion lasted
26 longer than I thought, Andy.
27
28 MR. BASSICH: What's that?
29
30 MADAME CHAIR ENTSMINGER: The family
31 reunion lasted longer than I thought. I guess we get
32 more work done there anyway, huh. I was told at break by
33 Don Rivard that Donald is online in Eagle. He's not going
34 to make it, but he's going to be at the meeting. Donald,
35 are you there? Is somebody online? Donald?
36
37 MR. WOODRUFF: Sue, this is Don Woodruff
38 online.
39
40 MADAME CHAIR ENTSMINGER: Okay. You were
41 too far from the phone, right? Can you hear me, Don?
42
43 MR. WOODRUFF: I can hear you.
44
45 MADAME CHAIR ENTSMINGER: Okay. All
46 right. I'm going to try to remember, but if you have a
47 question, you just speak up, all right?
48
49 MR. WOODRUFF: Yes, ma'am. I'm going to
50 comment on the fisheries report.

1 MADAME CHAIR ENTSMINGER: Okay. Sounds
2 good. I'll try to remember that you're there. In my
3 area, they say moving rapidly along, but reports are
4 coming at me fast. The first thing on the agenda is the
5 Yukon River Fisheries season review from Fish and
6 Wildlife Service and ADF&G. There's one hat here.
7 Where's the other hat? That's what I was going to say
8 earlier when Andy says it's like old home week except
9 that you guys change hats a lot. Some of you. Not all
10 of you.

11 MR. MEARS: Some of us haven't had the
12 chance yet. Good morning, Madame Chair, members of the
13 Council. My name is Jeremy Mears. I'm here to present
14 the 2012 Yukon River salmon season overview. This
15 material is in your notebook on Page 14. There are also
16 additional copies on the back table. I've also brought
17 a project fact sheet for our Chandalar River sonar, which
18 is on the back table if anybody is interested.

19
20 Since 1998 the Yukon River salmon stocks
21 have experienced variable and difficult to predict
22 production levels. Some low parent year escapements have
23 produced high returns and some high escapement years have
24 produced unexpected poor returns. The 2012 run of chinook
25 experienced the fifth consecutive season of below average
26 to poor salmon production with low returns despite
27 typically adequate escapement levels. Conversely, both
28 summer and fall chum runs performed as expected with
29 above average returns. The coho salmon run was below
30 average.

31
32 Preseason, the 2012 chinook run was
33 projected to range from poor to below average. The
34 outlook would barely be sufficient to meet escapement
35 objectives at the low end of the outlook range.
36 Furthermore, it would not support a normal subsistence
37 harvest level and would preclude a directed chinook
38 commercial fishery. Both the summer and fall chum
39 outlooks projected above average run strengths adequate
40 to meet escapement objectives and subsistence harvest
41 needs as well as potential surpluses for commercial
42 harvest.

43
44 U.S. Fish and Wildlife Service and ADF&G
45 Staff participated in numerous meetings this past winter
46 to share information and receive input on conservative
47 management approaches in preparation for a poor season.

48
49 Some of the key conservation approaches
50 settled on included early start dates for beginning

1 regulatory subsistence fishing windows and included
2 protection of the first pulse of chinook by closing one
3 subsistence fishing period during passage of that pulse
4 as it migrated upriver with options for more closures as
5 necessary. There was also no anticipated directed
6 commercial fishing on chinook salmon.

7
8 At the beginning of the season, the
9 regulatory windowed subsistence salmon fishing schedule
10 was initiated on May 31st in District 1 and it was
11 implemented chronologically in upriver districts as the
12 run progressed. The chinook run was late and the summer
13 chum run was developing.

14
15 Due to the slow run development prior to
16 the first pulse, subsistence salmon fishing was
17 restricted to gillnets with six inches or smaller mesh
18 size in Districts 1 through 3 and Subdistrict 4A in order
19 to conserve chinook, while providing opportunity to
20 harvest the abundant summer chum.

21
22 When the first pulse of chinook arrived,
23 pulse protection was initiated in District 1 and the
24 northern portion of the coastal district consistent with
25 preseason management strategies and carried all the way
26 upriver.

27
28 The southern portion of the coastal
29 district, which is well outside the mouth of the Yukon
30 River, including Hooper Bay and Scammon Bay, did not have
31 subsistence fishing time reduced, but did have their
32 subsistence gillnet fishing gear restricted to six-inch
33 or smaller mesh size.

34
35 As it became apparent that the chinook
36 run was, in fact, poor and not just late, further
37 conservative actions were considered necessary to achieve
38 escapement objectives. So the southern portion of the
39 coastal district had subsistence gillnet gear restricted
40 to six inches or smaller for the remainder of the summer
41 season.

42
43 The northern portion of the coastal
44 district as well as Districts 1 through 5 all had their
45 first pulse closure extended to a continuous closure to
46 protect both the first and second pulses. This closure
47 was followed by a reduced subsistence fishing period in
48 all areas. Nets in Districts 1 through 4A were
49 restricted to six inches to provide opportunity to
50 harvest summer chum while continuing to conserve chinook

1 salmon through the remainder of the run.

2

3 Additionally gillnets were restricted to
4 six inches or smaller mesh sizes in both the Innoko and
5 Koyukuk Rivers to conserve chinook. Unfortunately, few
6 summer chum are bound for District 5 and are not
7 available for subsistence harvest.

8

9 After allowing a short open period in
10 District 5, subsistence salmon fishing was again closed
11 for the remainder of the summer season because the run
12 strength to the upriver area was assessed as below
13 Canadian stock escapement goal levels.

14

15 Even with all these management actions,
16 the estimated U.S./Canada border passage of 34,200
17 chinook was below the intermanagement escapement goal
18 range of 42,500 to 55,000 with no surplus available for
19 the Canadian harvest share as stipulated in the Yukon
20 River Salmon Agreement.

21

22 Due to significant overlap of chinook and
23 summer chum salmon runs, State managers delayed actions
24 of commercially-targeted summer chum until after the
25 average three-quarter point of the chinook run.

26

27 At the time, an above-average summer chum
28 run of 2 million fish was passing and significant actions
29 had already been taken to conserve chinook. Therefore,
30 strategic commercial fishing periods were opened in the
31 Lower River districts beginning June 29th to target the
32 abundant summer chum.

33

34 These periods were similar to last year
35 to target summer chum while avoiding concentrations of
36 chinook migrating through specific areas. The sale of
37 chinook salmon was prohibited during the summer
38 commercial season. Commercial fishing was open in
39 Subdistrict 4A and District 6 with fishing gear
40 restricted to allow only fishwheels during openings to
41 target summer chum salmon.

42

43 In all, the preliminary total commercial
44 harvest was 319,000 summer chum with 2,548 incidental
45 chinook taken in the summer chum directed fishery. The
46 incidental harvest was noted on commercial fish tickets
47 and chinook were utilized in the subsistence community.
48 No chinook were sold.

49

50 Chinook salmon escapement objectives were

1 attained in the East Fork Andreafsky, the Nulato and
2 Salcha Rivers, but they were not achieved in the Anvik,
3 Chena River, as well as ending below the Canadian border
4 objective. Most summer chum producing tributaries
5 experienced above average escapements. The East Fork
6 Andreafsky and Anvik River escapement goals were
7 achieved. The Gisasa, Henshaw and Salcha Rivers were
8 above average while the Chena River was difficult to
9 assess due to high water.

10

11 At the beginning of the fall season
12 managers were confident the fall chum run size would be
13 greater than 800,000, so they began reverting subsistence
14 salmon fishing back to the standard schedules and
15 followed further relaxations throughout the drainage.

16

17 Fall season commercial fishing was
18 initiated immediately in the lower river to take
19 advantage of the overlap in the summer chum still in the
20 area and the anticipated strong fall chum run just
21 beginning their in-river migration.

22

23 From the start, fall chum pulses were
24 consistent and on track for a total run size of over
25 900,000, which is considered adequate for escapement
26 needs and subsistence use with a surplus available for
27 commercial harvest.

28

29 Commercial fishing continued in the lower
30 river throughout the fall with attempts being made to
31 align commercial openings with pulses as salmon entered
32 the river. Meanwhile, the overlapping coho salmon run
33 appeared to be developing below average with the
34 commercial harvest of coho remaining within an acceptable
35 level to provide necessary escapement needs and normal
36 subsistence harvest levels.

37

38 Subsistence fishing in District 4 was
39 relaxed to seven days per week after the fourth fall chum
40 pulse had passed to provide additional subsistence
41 opportunity. Subdistricts 5A, 5B and 5C had subsistence
42 fishing time increased to five days per week as specified
43 in regulation after commercial fishing was curtailed in
44 those areas and was further relaxed to seven days per
45 week after passage of the fourth pulse.

46

47 The combined fall season commercial
48 harvest through October 1st was 286,000 fall chum and
49 74,000 coho salmon. The fall chum harvest is the highest
50 since 1995 and the coho salmon harvest is the second

1 highest since 1991.

2

3 Escapement assessment will continue
4 through November, but indications at this time is that
5 fall chum and coho escapements are expected to end within
6 or above most escapement objectives.

7

8 Management for the 2012 salmon season was
9 particularly challenging due to the wide disparity in run
10 strength between the overlapping chinook and summer chum
11 salmon mixed stock fisheries.

12 Efforts to conserve chinook were initiated at the
13 beginning of the run and intensified as the season
14 progressed in order to protect the run all the way to the
15 spawning areas.

16

17 Subsistence fishing was closed for
18 extended periods with fishing gear restrictions during
19 much of the summer season. Sport fishing and personal
20 use fishing were closed and some commercial fishing
21 opportunity for summer chum was foregone to further
22 conserve chinook salmon. Unfortunately, these management
23 actions also significantly blocked subsistence
24 fishermen's access to the abundant summer chum, which
25 otherwise could have provided some relief as a food
26 alternative.

27

28 Many fishermen voluntarily lowered their
29 chinook subsistence harvest to protect the weak stock.
30 Some fished harder than usual during the few brief
31 opportunities and others shifted their harvest to
32 alternative fish species to provide for household
33 subsistence needs. In the end, most chinook salmon
34 escapements were met or below established goals while the
35 summer chum escapement objectives were achieved or
36 exceeded. Fall chum and coho stocks provided good
37 harvest and attained escapement objectives.

38

39 This January both the Federal Subsistence
40 Board and the Alaska Board of Fisheries will be
41 considering regulatory proposals this Council will be
42 discussing later on the agenda today. Thank you.

43

44 MADAME CHAIR ENTSMINGER: Thank you. I
45 did have a request that the printed material may be
46 summarized a little better and for the rest of you, if we
47 could do that, it helps us in the meeting. A lot of the
48 people have seen it and looked at it and they'd have
49 questions. Sorry I didn't notice that earlier, but thank
50 you.

1 Any questions. Andy.

2

3 MR. BASSICH: Thank you. Steve, good to
4 see you here. I think you came in a little bit late. I
5 wanted to just say I thought managers did a pretty good
6 job of managing the fisheries this year. Even though we
7 didn't make escapement I know it was pretty tough to put
8 all these restrictions in and I think you did the best
9 job you could given the situation we're in right now. I
10 still think we have a lot of work to do on that and I
11 know you're working on that and I know you're very much
12 aware of that. I'm hoping that we can give you some seed
13 for thought to take back to your office here.

14

15 That being said, one of the things that
16 I'm a little concerned about when I read something like
17 this is painting a rosy picture of the run with some of
18 the sentences in here. If you look at the first
19 paragraph, it says consecutive season of below average to
20 poor salmon production with low returns despite typically
21 adequate escapement levels. We haven't reached the
22 escapement goals for Canada for four out of six years.

23

24 Later on it talks about under summer
25 season, the lower river test fishery project finished
26 with a cumulative CPUE approximately 69 percent below the
27 historical average. The preliminary end of season Pilot
28 Station sonar estimate was approximately 107,000 chinook
29 salmon, 28 percent below the average passage of 148,000
30 fish. That's a 10-year average. That's not a 20-year
31 average.

32

33 That goes right back to what Virgil was
34 saying when we start taking these averages, looking at a
35 5-year or a 10-year average, but not looking at what
36 happened 20 years ago and 25 years ago and slowly
37 reducing what your expectations are for productivity.
38 That's a slippery slope and I really am glad that Virgil
39 brought that up at the beginning of the meeting because
40 that's what we're doing. That's why we're not getting
41 production.

42

43 The message that you managers need to
44 give to us, and it's a tough message, but you need to let
45 us know in public and all up and down the river how
46 severe this is. This run is in real serious trouble of
47 collapsing right now and to put in something like that
48 that's very misleading, saying that it's typically
49 adequate escapement levels.

50

1 When we've had these long trends like
2 this, it's not doing the right thing to people because if
3 people don't understand or haven't armed themselves with
4 the information that some others have in regards to the
5 long history of decline here, they're going to read that
6 and think, oh, we're okay. We can manage. That's not
7 the message the public needs to hear from our managers
8 and I think you would serve us a lot better if you would
9 be very straightforward. You know, there are a lot of
10 people that need to understand how severe this run is in
11 trouble.

12
13 I think that's all I really want to say,
14 not so much a question, but I need to point that out.
15 I'm going to continue to point that out throughout the
16 entire meeting because until we fix that problem, we're
17 not going to be able to fix the big problem. Thank you,
18 Madame Chair.

19
20 MADAME CHAIR ENTSMINGER: Is there a
21 response?

22
23 MR. HAYES: Madame Chair. Steve Hayes,
24 Fish and Game, Yukon area summer season manager. Thanks,
25 Andy, for that comment. I think we can do a better job
26 when we present the information to you guys. When we
27 typically speak about these escapements, I think we're
28 more referring to the Alaska escapements we've meant. So
29 we need to do a better job of separating out how we spell
30 that out for Canadian escapement numbers.

31
32 I'd also like to thank the fishermen this
33 year for their efforts with help trying to meet the
34 escapement goals. They gave up a lot and it doesn't work
35 without their help. We do have these tools and we did
36 use a lot of them this summer. Quite frankly, I don't
37 see that this run is getting better. We don't have a
38 projection yet for 2013, but there's nothing out there
39 that I see that would be any better than what we've seen.

40
41
42 So we are looking at -- this winter we're
43 going to be looking in the spring at what we can do more
44 on top of what we've already done to meet these goals.
45 Things could be worse. This summer I started the
46 teleconferences and when I spoke with fishermen, I hear
47 a lot of people needing to meet their needs and I fully
48 understand that, but the chinook run will not sustain
49 people meeting their needs. That's why when we talk to
50 people we ask them if they can supplement their harvest

1 on other species. At the same time I understand there's
2 areas that don't have those other species like summer
3 chum to supplement with.

4

5 I understand what you're saying, Andy,
6 and, like I said, we can do a better job of explaining
7 that to people. Again, thanks for you guys's help this
8 summer with managing the fishery and what we did get
9 back.

10

11 MADAME CHAIR ENTSMINGER: Go ahead, Andy.

12

13 MR. BASSICH: A quick follow up.
14 Something -- and Subsistence Division maybe could take
15 note of this too. I know there's going to be a lot of
16 discussion, a lot of money put in towards meetings and I
17 would really like to see both the Comm Fish and
18 Subsistence Division to begin to pull together some
19 numbers and maybe a little bit of data and put their
20 heads together and be able to present to us maybe as
21 early as later on in the spring just some kind of
22 preliminary numbers of if we were to move forward in the
23 future to try to work towards community-based harvest
24 shares, what that might look like.

25

26 I really think when I look up and down at
27 all these different issues of genetics and fish in the
28 river and run timing, that, to me, seems like about the
29 only way if we're going to continue to harvest chinook
30 salmon at any level that you're going to get any kind of
31 equitable sharing of the resource.

32

33 The people in the upper river, the woman
34 that spoke earlier, Jennifer, are really hurting now. I
35 think she brought up a point that I've been talking about
36 for a long time that's actually my main concern and why
37 I'm on this Council. That is the subsistence way of
38 living is going away. It's disappearing slowly. It's
39 because the resources are no longer consistent for people
40 and it's not being passed down through parents, through
41 grandparents and through the villages.

42

43 That's what Alaska is all about. I don't
44 know too many people who came up here as a young man, a
45 young woman or whatever and thought about Alaska as I'm
46 going up to Alaska to be a miner or be a commercial
47 fisherman or be whatever it is. They came up here
48 because they wanted to live a certain lifestyle. Man, if
49 we lose that in Alaska, we've lost everything in Alaska.
50 That is the identity of Alaska in my view. That's all

1 I'm going to say about that.

2

3 MADAME CHAIR ENTSMINGER: Any other
4 questions.

5

6 MR. WOODRUFF: I have a question for
7 Steve.

8

9 MADAME CHAIR ENTSMINGER: Yeah, Donald.

10

11 MR. WOODRUFF: In his report -- I'm
12 addressing this to Steve Hayes. He said that there's 2
13 million summer chum, but in the paragraph before he said
14 the chinook salmon -- the run timing on the chinook
15 salmon was much later than expected and I'm curious why
16 they opened the summer chum season when there was a fair
17 portion of the chinook going by of this 2 million summer
18 chum.

19

20 The other question I have is from
21 interviewing Fish and Wildlife biologist and Fish and
22 Game biologist I understand that Fort Yukon, because of
23 some windows mistakes or something had a chance to fish
24 the first pulse. That's the two questions I have.

25

26 MR. HAYES: Madame Chair. As Jeremy said
27 earlier in his report, we did delay summer chum
28 commercial fishing trying to get the majority of the
29 chinook salmon by. The areas that we were fishing were
30 a portion of District 1. We were not fishing the entire
31 district as we did in 2011. In 2011, we were seeing that
32 the chinook salmon were coming up the middle and north
33 mouths and a very few were coming up the south mouth.
34 Well, we saw that same trend this year. So we were able
35 to have these surgical openings again in 2012 in the
36 south mouth only of District 1 to take advantage of some
37 of those surplus summer chum.

38

39 The incidental harvest of the king salmon
40 for Districts 1 and 2 combined was approximately 2,400
41 this year. Which, when you look at the genetics based on
42 that, about 30 percent of that would have been Canadian-
43 bound fish. If you do the math, we were looking maybe
44 about 400 of those fish would have been going to Canada.

45

46 I know that's still -- 400 is still 400
47 fish, but at the same time we're trying to do our best to
48 meet these escapements while still trying to supply some
49 opportunity to fishermen not only in the Lower River but
50 the Middle River too in District 6 for some commercial

1 fishing on these summer chum.

2

3 Your other question, it is difficult on
4 the timing of these pulse closures. Until we see the
5 fish hit District 1, it's hard to be exact on when we
6 place the dates for the closures. It does sound like,
7 from what I'm hearing, that people of Fort Yukon were
8 able to get some fish off of the front end of that first
9 pulse. I don't think it sounded like they hit the entire
10 pulse. So when we do have these pulse closures there is
11 a chance that fishermen may hit a portion of that pulse.

12

13 So, it's not perfect. We do our best to
14 try to get the timing of these closures on them, but, as
15 I said, nothing is perfect. We'll continue to try to
16 refine our tools as we move along.

17

18 MADAME CHAIR ENTSMINGER: Joe.

19

20 MR. MATESE: Thank you, Madame Chair.
21 No, I think you guys do a really good job on that. Every
22 year that you've done it I've been really impressed. I
23 can see just in the results in my
24 own net. I'll be catching one or two fish a day and then
25 the day that I'm supposed to pull I go out and pull the
26 net and it's full of fish and I've got to pull the net.
27 But, no, that's good. I think it's working. I like
28 that.

29

30 All this we're all hearing about how it's
31 a terrible hardship and you guys are saying, yeah, well,
32 you know, that's because the fish aren't there. It
33 almost sounds like we're implying that it's your fault
34 and it's not your fault and it's not the fishermen's
35 fault. This spring there was a story in the Daily News
36 Miner about some individuals talking about they felt --
37 these were biologists who were saying that their opinion
38 is that the fault is probably something happening out in
39 the marine environment. It's cyclic and there is an
40 interesting opposition in oscillation between these
41 northern stocks and the stocks in northern California,
42 Oregon, something like that. I never found any follow up
43 and there was never any reference to any study published
44 or anything like that. Is there any further information
45 that you can provide?

46

47 MR. HAYES: I'm not aware of the article
48 that you're referring to. I think that -- and this is
49 something that we try to stress to people. You need to
50 look just not on the Yukon. This is a statewide issue

1 for chinook salmon. They've closed the Kenai River,
2 other areas, the Kuskokwim River. They're having a hard
3 time. So it's not just the Yukon that's the issue. I
4 think it's difficult. We all tend to just kind of look
5 in our own neighborhood and that's all we see, but it is
6 statewide for chinook salmon.

7
8 So there will be work being done on this.
9 I know there's potential funding that will be heading to
10 the Department's way, the other agencies, on further
11 looking into this and why. Not just for the Yukon, but
12 why the chinook statewide are having problems.

13
14 MADAME CHAIR ENTSMINGER: Any other
15 questions Andy -- or Andrew, I'm sorry.

16
17 MR. FIRMIN: I just had a comment or two.
18 One was basically like when I think Fort Yukon did --
19 like Joe was saying, we got -- like the pulse was so
20 bunched up, it was like by the first day they got there
21 people started catching them and they were closed within
22 the next day or so and that basically was it.

23
24 Expanding on that, also I see like here
25 in your report how it says you have the hours of opening
26 for commercial openers and I'd like to see something
27 similar, but like kind of going along with what Andy
28 said, instead of painting a rosie picture why don't you
29 show how many days of closures each district had. I know
30 Fort Yukon had 30 days of closure almost consecutively
31 with one 36-hour window in the middle. I think some
32 people didn't even bother to fish any of it. What's the
33 point. That's barely time to get your nets zeroed in or
34 your wheel turned in and then it's time to -- you know,
35 your wheel finally digs itself a hole and then it's time
36 to turn it off again.

37
38 That's another thing like what Andy was
39 saying. You've got so many hours of openings. I mean
40 that's almost two or three weeks of openings for some of
41 these places, whereas we've got 30 days of closures.
42 It's interesting. That would be something that might be
43 in the future to add to it so it's not painting such a
44 rosie picture saying, hey, look, this is all the closures
45 we've had in all these districts and we've still barely
46 made escapement. That should be another thing to point
47 out possibly in the future.

48
49 MADAME CHAIR ENTSMINGER: It sounds like
50 a good suggestion. It would be nice to see that in a

1 graft or somehow. Did you have another question, Andy?
2 We have these proposals to go through and another report.

3

4 MR. BASSICH: Yeah, I'll make it really
5 brief. I just wanted to -- what Joseph brought up about
6 the conditions out in the ocean, this is a statewide
7 problem. The one thing that is also a connector between
8 all these runs that are difficult or having difficulties
9 is that the State basically manages under MSY, maximum
10 sustained yield, on all of its runs to my knowledge.

11

12 Essentially what that is, it's another
13 kind of a misunderstood thing. MSY basically means
14 minimum escapements on every stock. Maximum yield means
15 minimum escapement given over time. There's been a lot
16 of papers written about it. I've been researching that
17 a lot. There's a lot of scientists, a lot of biologists
18 that believe that you cannot sustain maximum sustained
19 yield indefinitely, especially if you focus on one
20 species within a multi-species run.

21

22 So that is something that is in common
23 with all these and it should be something that's
24 discussed very much in depth in this upcoming symposium
25 because I think that's fundamentally where we're making
26 a mistake in the fisheries in Alaska right now. Thank
27 you.

28

29 MADAME CHAIR ENTSMINGER: Are there any
30 other questions. Andrew.

31

32 MR. FIRMIN: Just a quick thing to add on
33 going like with what Don said and I believe this is one
34 thing that people in Fort Yukon and some tribal entities
35 have been asking for. A lot of our closures get based on
36 math from the mouth and Rampart Rapids test wheels and
37 then they don't really -- that's why people in Fort Yukon
38 have been asking for their own test wheel or their own
39 test fishery so you could coordinate those efforts and
40 see where maybe that whole pulse was going up the
41 Porcupine or the Chandalar.

42

43 I think that was where they've been
44 asking for more research in those areas. That would be
45 another place to look. I know we've asked before and
46 they both got shot down right away, our little test
47 fishery proposals. Maybe they weren't written correctly
48 enough. Maybe after this symposium that would be another
49 place to direct some studies.

50

1 I know like even Larry, on the Chandalar,
2 they were catching some nice large king salmon up there
3 and then you go ask the guys at the sonar station and
4 they're, oh, we're not even running it. We don't have
5 our sonar up yet. Okay. Well, there's a net full of
6 king salmon right there. So, I mean, it's like -- and,
7 of course, like I said, it's just -- there's definite
8 gaps in information and research. Those are a couple of
9 them that I notice.

10

11 MADAME CHAIR ENTSMINGER: Good input.
12 Any other questions. Larry.

13

14 MR. WILLIAMS: It's not a question or
15 anything, but based on what Andrew was saying. We had
16 quite a few chinook salmon going up the Chandalar. Like
17 all other things, the moose I mentioned earlier, we
18 depend on the elders to regulate that and say, you know,
19 if somebody's going overboard and catching chinook
20 salmon, they put a stop to it. Talk to him and tell him
21 to pull his net. We let some of them escape to respond
22 and come back whenever they come back. So, you know,
23 it's just something that the whole village participates
24 in and everybody understands that we can't overdo this
25 good thing that we have. Just a quick comment. Thank
26 you.

27

28 MADAME CHAIR ENTSMINGER: Thanks, Larry.
29 Was there another report?

30

31 MR. HAYES: (Shakes head negatively)

32

33 MADAME CHAIR ENTSMINGER: Oh, one give
34 the report and one answer the questions. Ah, okay. Good
35 job.

36

37 (Laughter)

38

39 MADAME CHAIR ENTSMINGER: Any other
40 questions.

41

42 (No comments)

43

44 MADAME CHAIR ENTSMINGER: All right.
45 Moving along. Now I guess I ought to follow my
46 instructions. Agency comments. ADF&G first. Federal
47 agencies. Oh, that must have been -- where are we here?
48 Help me out. I'm out of practice.

49

50 MS. YUHAS: 10B.

1 MS. PATTON: Sue, we'll actually review
2 the proposals.....
3
4 MADAME CHAIR ENTSMINGER: Yeah, we're in
5 the proposals and I'm looking at the presentation
6 procedure. The first thing is the introduction of the
7 proposal. That must be where I'm at. I'm trying to move
8 faster than I thought.
9
10 MR. BASSICH: You're on 10-1, Madame
11 Chair.
12
13 MADAME CHAIR ENTSMINGER: Yeah.
14
15 MS. PATTON: These are the Federal
16 proposals.
17
18 MADAME CHAIR ENTSMINGER: Yes. Go ahead,
19 Donald.
20
21 MR. RIVARD: Thank you, Madame Chair.
22 Council members. My name is Don Rivard. I'm with the
23 Office of Subsistence Management. I'll be presenting the
24 first three fishery proposal analyses. The first one is
25 FP13-01. It starts on Page 23 in your Council book.
26
27 Proposal FP13-01, submitted by the
28 Koyukuk National Wildlife Refuge, requests the removal of
29 the Federal subsistence permit requirement for the
30 chinook salmon drift gillnet fishery for Yukon River
31 Subdistricts 4B and 4C.
32
33 If adopted, this proposal would eliminate
34 the requirement for a Federal fishing permit for the
35 subsistence drift gillnet fishery in Subdistricts 4B and
36 4C. Removing this permit requirement most likely will
37 not increase the amount of interest in drift gillnet
38 fishing. Removal of the permit requirement will simplify
39 fishing for Federally qualified subsistence users and
40 would align with other remote (non-road accessible) State
41 and Federal managed subsistence fisheries along the Yukon
42 that do not require a subsistence permit. If the permit
43 requirement is removed, harvest monitoring information
44 will still be captured in the annual household harvest
45 surveys and/or catch calendars that the State of Alaska
46 utilizes to monitor harvest.
47
48 This is being brought before you even
49 though it's out of your region because you have -- most
50 people along the Yukon River have positive customary and

1 traditional use determination throughout the river.

2

3 The OSM preliminary conclusion is to
4 support this proposal. The justification is there is no
5 need to impose a permit requirement on Federally
6 qualified subsistence users to fish for chinook salmon in
7 the mainstem Yukon River in Subdistricts 4B and 4C when
8 utilizing a drift gillnet.

9

10 Thank you, Madame Chair.

11

12 MADAME CHAIR ENTSMINGER: Questions.

13 Joe.

14

15 MR. MATESI: Let me see if I can word
16 this correctly. When I read this in the meeting book, I
17 guess originally the fishery was established because
18 people like up in Galena and somewhere else, they didn't
19 want to have to travel all the way down river to where it
20 was legal to do this type of fishery, so it was opened to
21 this type of fishery, correct? And it turns out there's
22 maybe like one person doing it. So where are all those
23 people from Galena and Koyukuk who wanted the river open
24 there? Are they still going all the way down river or
25 are they just not interested or what's going on?

26

27 MR. RIVARD: Madame Chair. This has been
28 -- it's not been used as much as it was anticipated,
29 that's for sure. You're correct in that the people from
30 Galena and Ruby mostly did not want to have to travel all
31 the way down to Koyukuk. There was no drift gillnet
32 fishing permitted in 4B and 4C. It was only in 4A. So
33 there was the thought -- the State was concerned mostly
34 that too many fish might be taken once they started drift
35 gillnet fishing in 4B and 4C.

36

37 So what the Federal Board did was they
38 put this permit requirement on Federally qualified users
39 to keep track of how much harvest was being taken from 4B
40 and 4C. It turns out it's minimal through drift gillnet
41 fishing. So that's why now -- the Koyukuk National
42 Wildlife Refuge has been the Federal unit that's been
43 issuing the permits and they feel like there's really no
44 need for it because there's so few people that are
45 actually fishing.

46

47 MADAME CHAIR ENTSMINGER: Virgil. I'm
48 sorry, did you have a follow up?

49

50 MR. MATESI: Well, I don't think my

1 question was really answered. Good. Fred.

2

3 MADAME CHAIR ENTSMINGER: Fred looks like
4 he can answer it. Fred.

5

6 MR. BUE: Thank you, Madame Chair. Fred
7 Bue, Fish and Wildlife Service. I think what the deal
8 with 4B and C, a lot of that area is, again, it's a
9 patchwork of State and Federal waters. This permit only
10 allows them to fish in waters adjacent to Federal
11 management units. When they got this available gear type
12 in that area, they really didn't know how well it would
13 perform and they feel that the waters that are open or
14 accessible to them isn't very good drift areas and that's
15 what people are telling us and I think there's also other
16 proposals that come up frequently to open these
17 additional waters. I think in the State proposals you'll
18 see that to that effect. They still want to drift fish,
19 but the waters that's available to them under this
20 regulation isn't adequate or doesn't meet their needs.

21

22 MADAME CHAIR ENTSMINGER: Go ahead, Joe.

23

24 MR. MATESI: So other than maybe one
25 individual or so, those individuals who originally were
26 saying they wanted those waters opened, they're simply
27 not fishing with this gear or are they continuing to go
28 down river?

29

30 MR. BUE: Yes, it's not an efficient
31 place for them to fish now that they've actually gone out
32 there and tried it. Snags are a problem and the fish
33 aren't holding or for whatever reason that those specific
34 waters aren't as productive as they were hoping. They
35 think that -- from all the meetings I've gone to they
36 sensed and say that the State waters in that section of
37 river are likely more productive than the Federal waters.

38

39 MADAME CHAIR ENTSMINGER: Did that answer
40 your question?

41

42 MR. MATESI: Umm.....

43

44 MR. BASSICH: I can.

45

46 MADAME CHAIR ENTSMINGER: Well, let's get
47 it.

48

49 MR. BASSICH: I think what happened was
50 there was a lot of competition in the area. They had

1 very limited sites also for setnet and for fishwheels in
2 the area, so it was becoming very competitive in the
3 area, so they were also looking for an area to alleviate
4 some of that competition. The reason why the permit was
5 put on it is this was a huge battle back in 2003 or 2004
6 Board meeting and people that were very much opposed to
7 it felt like if we put a permit on it we could see just
8 how many people were utilizing the fisheries, this new
9 fisheries. It's obviously showing up like on Page 28
10 that it's been declined and it's no longer really needed
11 because the concern for a lot of people using this
12 fishery isn't as much as we originally thought. So hope
13 that helps you.

14

MR. MATESI: Thank you.

15

MADAME CHAIR ENTSMINGER: Okay. Virgil.

16

17

MR. UMPHENOUR: Thank you, Madame Chair.

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I move that we.....

MADAME CHAIR ENTSMINGER: We're not ready. Oh, go ahead.

MR. UMPHENOUR: Okay. I move that we defer this proposal to the home region. They're the ones that caused this issue. Let them deal with it. Furthermore, speaking to my motion.....

MADAME CHAIR ENTSMINGER: Wait a minute. We need a second.

MR. GLANZ: I'll second that for Virgil.

MADAME CHAIR ENTSMINGER: Okay. Now you can speak.

MR. UMPHENOUR: Okay. Speaking to the motion. I attended the king salmon think group, whatever they want to call it, this last spring and one of the only two things that people agreed on, one was reporting and there is a proposal before the Board of Fish addressing that, so that addresses this issue as well, so that's part of my justification for deferring to the home region. Madame Chair.

MADAME CHAIR ENTSMINGER: Any other discussion or opposition. Joe, do you have a question?

MR. MATESI: Yeah. What does that mean deferring to.....

1 MADAME CHAIR ENTSMINGER: We don't take
2 it up. We just defer to the home region.
3
4 MR. MATESI: And that would be Western
5 Interior?
6
7 MADAME CHAIR ENTSMINGER: Right.
8
9 MR. MATESI: Thank you.
10
11 MADAME CHAIR ENTSMINGER: Donald.
12
13 MR. RIVARD: Well, basically -- and I'll
14 -- because it is kind of a -- in my term, my words, kind
15 of a strange way of handling a proposal, but really what
16 it is is you're taking no action and you're deferring it
17 to the home region to allow them. So really what the
18 action is you're taking no action on this proposal.
19
20 MADAME CHAIR ENTSMINGER: Do you want him
21 to fix that clearly? We can do that. Virgil. And then
22 the concurrence with the second.
23
24 MR. UMPHENOUR: Okay. With the
25 concurrence of my second I will withdraw my previous
26 motion.
27
28 MADAME CHAIR ENTSMINGER: Or just change
29 it.
30
31 MR. GLANZ: I'll second, but we had a lot
32 of deferrals to our region that has a lot to do with us
33 and it wouldn't bother Western to put it out that way.
34 I'll second it, but.....
35
36 MADAME CHAIR ENTSMINGER: We're taking no
37 action. He's just going to change.....
38
39 MR. GLANZ: I understand that. Right.
40 That's what I mean, yeah.
41
42 MADAME CHAIR ENTSMINGER: Are you telling
43 me you want to take it up?
44
45 MR. GLANZ: What's that?
46
47 MADAME CHAIR ENTSMINGER: Are you telling
48 me you want to take the proposal up?
49
50 MR. GLANZ: No, no.

1 MADAME CHAIR ENTSMINGER: Okay. Let's
2 go.
3
4 MR. UMPHENOUR: Madame Chair. I move we
5 take no action on Proposal FP13-01.
6
7 MR. BASSICH: Second that.
8
9 MR. GLANZ: I'll second that.
10
11 MR. UMPHENOUR: I reference my previous
12 comments on that. Madame Chair.
13
14 MADAME CHAIR ENTSMINGER: Any other
15 discussion.
16
17 MR. BASSICH: Just a point of
18 clarification. As we move through this today, do you
19 want to just go ahead and get our motion on the table
20 before we even take it up, before we even have the
21 report?
22
23 MADAME CHAIR ENTSMINGER: You know what,
24 we've tried that and it seems not to work. I'm going to
25 leave it up to you.
26
27 MR. BASSICH: I'm just trying to be clear
28 on what direction you want to move in or what.....
29
30 MADAME CHAIR ENTSMINGER: I think the
31 only time this is going to happen mostly is on crossover
32 proposals. This is a crossover proposal. If you guys
33 see clearly ahead on a crossover proposal that you don't
34 want to take up, make the motion. Otherwise we'll go
35 through the process.
36
37 MR. MATESI: Call question.
38
39 MADAME CHAIR ENTSMINGER: The question
40 has been called. All in favor of the motion to take no
41 action and defer to home region.
42
43 IN UNISON: Aye.
44
45 MADAME CHAIR ENTSMINGER: Anyone opposed.
46
47 (No opposed votes)
48
49 MADAME CHAIR ENTSMINGER: None opposed.
50 It passes unanimous. Moving on to the next one.

1 MR. RIVARD: Thank you, Madame Chair.
2 The next proposal is FP13-02. That's on Page 36 in your
3 book. It starts there. This one does pertain to
4 Districts 1, 2 and 3 on the Yukon River. I'll go ahead
5 and read it into the record.
6

7 Proposal FP13-02 was submitted by the
8 U.S. Fish and Wildlife Service, Fairbanks Fish and
9 Wildlife Field Office. This proposal requests a change
10 in the marking of chinook salmon taken for subsistence
11 purposes in Districts 1, 2, and 3 on the Yukon River.
12 Because State and Federal regulations currently are
13 inconsistent in regards to chinook salmon marking
14 requirements in these districts on the Yukon River.
15 Changing the Federal marking requirement for chinook
16 salmon will align the Federal regulations with the
17 existing State regulation.
18

19 The OSM preliminary conclusion is to
20 support this proposal. Justification for this conclusion
21 to support is based on the belief that aligning Federal
22 salmon marking requirements with existing State
23 requirements will modestly reduce regulatory complexity
24 and should not affect subsistence harvest of salmon.
25 Adoption of this regulation is not anticipated to impose
26 any additional burden on Federally qualified subsistence
27 users since
28 they are already required to mark the salmon they take.
29 In fact, removal of both tips of the tail fin should be
30 easier to accomplish than removal of the dorsal fin,
31 would not result in any damage to the flesh of the salmon
32 and would likely result in an easily seen mark that would
33 help discourage sales of subsistence caught salmon to
34 commercial buyers. Therefore, the new marking
35 requirement may make marking easier and more sanitary.
36

37 Thank you, Madame Chair.

38
39 MADAME CHAIR ENTSMINGER: Okay. Any
40 questions.

41
42 (No comments)

43
44 MADAME CHAIR ENTSMINGER: All right.
45 Moving along.

46
47 MR. RIVARD: Don Woodruff has a question.

48
49 MADAME CHAIR ENTSMINGER: Oh, Donald.
50 Sorry. Go ahead, Donald.

1 MR. WOODRUFF: To me, this seems like an
2 administrative thing. It doesn't seem like it needs a
3 whole lot of discussion and I would vote to pass this
4 proposal.

5
6 MADAME CHAIR ENTSMINGER: Okay. We have
7 this process we're supposed to go through. Are you guys
8 wanting to go through this? Andy.

9
10 MR. BASSICH: Actually, I'd like to make
11 a motion that we take no action on this and I would just
12 reference the discussion materials and the fact that
13 we're just trying to align State and Federal regulations,
14 which is a goal we always do. So I'd like to just take
15 a motion -- make a motion that we take no action on this.
16 It doesn't really affect us here.

17
18 MR. UMPHENOUR: Second.

19
20 MADAME CHAIR ENTSMINGER: I've got a
21 second, so speak to the motion.

22
23 MR. BASSICH: I'll just reference the
24 discussion and the justification in our handout. This is
25 taking place mainly in the lower districts. It's a
26 measure to try and make life easier for people that are
27 Federally qualified subsistence fishermen in the area.
28 I think it's a good thing, but I don't think we need to
29 spend a lot of time on this. It's more of a housekeeping
30 issue the way I see it. Madame Chair.

31
32 MADAME CHAIR ENTSMINGER: Okay. I see
33 some confusion. Is it still there? I'm probably with
34 you on confusion. Go ahead, Virgil. Then let's get this
35 cleared up here now that we have a motion on the floor.

36
37 MR. UMPHENOUR: I agree with Andy. I'm
38 speaking to the motion. I was the second. I agree with
39 Andy on this, but I would just like to ask a process
40 question. Our process here, you know, that's really long
41 to address a proposal. If it appears that it's a
42 housekeeping proposal -- my question is if it's something
43 like this, it's basically a housekeeping proposal to
44 align regulations to make it so there's less confusion
45 for the public and more sanitary for the food, is there
46 some way that we can skip all this analysis and basically
47 put on the record that this is basically a housekeeping
48 proposal and we support it? That's my question.

49
50 MADAME CHAIR ENTSMINGER: The motion on

1 the floor was to take no action.

2

3 MR. UMPHENOUR: Correct. I know that and
4 I support that, but what I'm trying to say is it
5 appropriate for us to -- the reason why we want to take
6 no action is because it's basically housekeeping. We
7 basically support it because it's basically housekeeping
8 and it makes common sense. That's my question.

9

10 MADAME CHAIR ENTSMINGER: I guess my
11 confusion is the same as Joe's. Would you like to tell
12 us that confusion.

13

14 MR. BASSICH: I think that the motion on
15 the floor I will vote against because our job is to help
16 clean up these housekeeping issues. So that motion to
17 take no action I would vote no and then I would like to
18 see a motion where we address the issue itself and either
19 support it or oppose it.

20

21 MADAME CHAIR ENTSMINGER: That's kind of
22 where I'm at.

23

24 MR. BASSICH: Madame Chair.

25

26 MADAME CHAIR ENTSMINGER: Yes. This is
27 the procedure part. We're getting wrapped around the
28 axle here.

29

30 MR. BASSICH: The reason why I'm making
31 this proposal is because I don't want to spend the next
32 35 or 40 minutes going through our process for something
33 that's pretty much a slam dunk. I agree with Virgil. If
34 there's a way that we can do this procedurally where we
35 can show our support but not have to go through all this,
36 I'd love to hear it because I would much prefer to do
37 that. But really, the only way we can avoid this
38 long.....

39

40 MADAME CHAIR ENTSMINGER: I don't see
41 that as the only way. I feel like it's our -- we're the
42 Council, we're volunteers and if we don't do it the way
43 the government thinks we should do it, too sad for them.
44 I mean how simple is it. Why do we have to go through
45 that process. If you guys want to make and support, I
46 think we should support. I don't think we should have to
47 take no action just because we don't want to go through
48 all this. Come on, guys, let's be realistic and simple.

49

50 MR. UMPHENOUR: Can I say something?

1 MADAME CHAIR ENTSMINGER: Yes. Go.
2
3 MR. UMPHENOUR: I'd like to ask the
4 proposer -- I'm the second of the motion, so I'd like to
5 ask the proposer to withdraw his motion and we'll make a
6 new motion.
7
8 MADAME CHAIR ENTSMINGER: Did you want to
9 speak first?
10
11 MR. BASSICH: Well, actually I'd love to
12 hear from OSM. Maybe they can give us some guidance here
13 so maybe we can work through this. Is there a different
14 avenue we can take, Don?
15
16 MR. RIVARD: Madame Chair, Andy. I think
17 -- I'm not an expert on Robert's Rules of Order, but I
18 think on proposals like the first one you did, it's
19 basically out of your region and you decided to kind of
20 defer to the other regions, I think it's perfectly
21 acceptable to just do what you did on the first one where
22 you don't have to run through all of it.
23
24 If you had people lined up to testify,
25 and I don't know if you do on any of these, then it might
26 be -- because they may have come here just to testify on
27 these proposals and you want to make sure that they're
28 heard, I would -- I have Jennifer here next to me now
29 from the State that maybe wants to speak on one or two of
30 these proposals. This second one I just introduced to
31 you is also out of your region. It's District 1, 2 and
32 3 that they're talking about and that goes from the mouth
33 of the river to just below Holy Cross so that people know
34 where that's at. So I hope that helps.
35
36 MADAME CHAIR ENTSMINGER: Answer our
37 question. Do we have to go through the whole process?
38 Can we have a motion -- I mean it's our meeting. Can we
39 just make a motion to support something and give our
40 justification without going through this process, yes or
41 no?
42
43 MR. RIVARD: If the original motion was
44 to.....
45
46 MADAME CHAIR ENTSMINGER: Support. If it
47 was to support.
48
49 MR. RIVARD: Then I think you need to go
50 through everything. If it's.....

1 MADAME CHAIR ENTSMINGER: I think we
2 don't. I don't think we do. If we're doing it wrong,
3 they can fire me.
4
5 MR. RIVARD: Just as long as you have on
6 record your reasons for why you're doing what you're
7 doing, that will help.
8
9 MADAME CHAIR ENTSMINGER: Okay. How do
10 you want to proceed, guys? Did you withdraw your
11 motion.....
12
13 MR. BASSICH: Yes.
14
15 MADAME CHAIR ENTSMINGER:or second?
16 I'm sorry. Okay. So there's no motion on the floor. Are
17 we hearing something from Donald?
18
19 MR. RIVARD: Does somebody online have a
20 comment?
21
22 MR. WOODRUFF: If we have to vote on the
23 motion, then we should either vote up and down on the
24 motion and then vote on the proposal.
25
26 MADAME CHAIR ENTSMINGER: The motion is
27 no longer on the floor. Do I hear another motion.
28
29 MR. UMPHENOUR: Madame Chair. I make the
30 motion that we support Proposal FP13-02 and that we also
31 skip all of the presentation procedure for the following
32 reason. It's basically a housekeeping proposal. I
33 believe that this proposal was brought forward by the
34 actual users to the State Board of Fisheries probably 20
35 years ago. In fact I know it was.
36
37 MADAME CHAIR ENTSMINGER: Okay. Just the
38 motion.
39
40 MR. UMPHENOUR: About 20 years ago and
41 then it was basically adopted by the Federal Subsistence
42 Board. I don't know when, but later on. However,
43 there's two different methods of doing this. I made
44 my.....
45
46 MADAME CHAIR ENTSMINGER: We need a
47 second.
48
49 MR. MATESI: I second.
50

1 MR. UMPHENOUR: Okay. Now I'll finish
2 the reason for the motion.

3
4 MADAME CHAIR ENTSMINGER: Whew. Okay.

5
6 MR. UMPHENOUR: So most of us have read
7 this. I've read it. So it's basically housekeeping so
8 that both regulatory systems in an area where it's a
9 patchwork of jurisdiction have the same regulation and
10 it's a more sanitary regulation. Madame Chair.

11
12 MADAME CHAIR ENTSMINGER: Andrew.

13
14 MR. FIRMIN: Discussion now and let's
15 skip all the comments and all that. Defer everything to
16 discussion and justification of OSM's Staff analysis.
17 All those in favor of supporting it as a motion.

18
19 MADAME CHAIR ENTSMINGER: You're calling
20 for the question.

21
22 MR. FIRMIN: Pretty much, but I would
23 just like to defer everything to the discussion and
24 justification of OSM Staff analysis as it is a
25 housekeeping proposal and we'd like to support it as a
26 housekeeping proposal and let's move on. Call for the
27 question.

28
29 MADAME CHAIR ENTSMINGER: I hope we're
30 not getting wrapped around the axle. I love what you
31 just said, but we have somebody to give us some
32 expertise.

33
34 DR. JENKINS: Madame Chair. David
35 Jenkins with OSM. I'm the policy coordinator. Let me
36 point out that the process is also to allow the public
37 the opportunity to talk about this and if you're going to
38 put it on the table and support it, then at least ask the
39 public.

40
41 MADAME CHAIR ENTSMINGER: Oh, we can do
42 that. No problem.

43
44 DR. JENKINS: Let me point out also that
45 -- and it's a little churlish on my part, but you would
46 be done with this had you just gone through the process
47 by now rather than discussing about how to do the
48 process.

49
50 Madame Chair.

1 (Laughter)

2

3 MADAME CHAIR ENTSMINGER: It doesn't
4 always work that way though. Supporting it -- you know,
5 we're not the ones that go through this daily. We go
6 through this twice a year, so give us a chance here. Now
7 I would like to hear from any public. If there's any
8 public testimony regarding this Proposal 13-02 that would
9 like to speak they have their chance now, in support or
10 not support.

11

12 (No comments)

13

14 MADAME CHAIR ENTSMINGER: Anyone. This
15 is the public, but this is the State of Alaska. Would
16 you like to speak to something on 13-02.

17

18 MS. YUHAS: Thank you, Madame Chair. I
19 had originally meant to inquire what our procedure for
20 the day would be given that the State generally
21 participates in part of the order of each proposal. I
22 love how Bert Adams sometimes goes to a Federal
23 Subsistence Board meeting and says on parliamentary
24 procedure is there a Tlingit in the house.

25

26 I don't work for OSM and I don't work for
27 you, but I can offer some parliamentary procedure that
28 may answer some of the questions that the RAC members
29 have already raised. The question to is there another
30 mechanism, there certainly is under Robert's Rules and it
31 may be advantageous for the RAC to move back up to
32 approval of the agenda to mark the items that you don't
33 believe fit in your region and that you don't wish to
34 discuss and remove them from your agenda. That would
35 have the same effect as taking up each proposal.

36

37 Where generally once a proposal is taken
38 up, the order -- you're correct, you don't have to follow
39 it. I'm also not a solicitor, but I am familiar that any
40 board who does not follow their own procedure generally
41 leaves themselves open to question on the action that they
42 take. So it may be cleaner procedurally for you to take
43 a few minutes to look at your agenda and remove the items
44 you wish not to discuss.

45

46 MADAME CHAIR ENTSMINGER: Thank you,
47 Jennifer. What you are all seeing out there is a product
48 of volunteers that have to refamiliarize themselves with
49 the process. Guys, I'm sorry, because I know exactly
50 what she's talking about. They come up with a consent

1 agenda at the Federal Subsistence Board on certain
2 things. We tried that once and it didn't work. I
3 remember Craig saying let's try this and it didn't work
4 for us. That's because we've got to just hear a few
5 things before we make our decisions.

6

7 If you guys want to take a break and look
8 at these crossover proposals, we can do that. Otherwise
9 let's move on.

10

11 MR. FIRMIN: Question.

12

13 MR. MATESI: Madame Chair. I'd like to
14 point out that there's this and then there's only one
15 other that's outside our region.

16

17 MADAME CHAIR ENTSMINGER: Yeah. Okay.
18 So we're moving rapidly along.

19

20 MR. MATESI: So we could just whip
21 through that and we'd be done by now.

22

23 MR. FIRMIN: Question.

24

25 MADAME CHAIR ENTSMINGER: The question
26 has been called for. All in favor.

27

28 IN UNISON: Aye.

29

30 MADAME CHAIR ENTSMINGER: Anyone opposed.

31

32 (No opposing votes)

33

34 MADAME CHAIR ENTSMINGER: Okay. Moving
35 on to the next one, harvest of pike, 13-03.

36

37 MR. RIVARD: Madame Chair. This is
38 Proposal FP13-03 that begins on Page 43. I think I'll
39 point out that this again is outside your region. If you
40 want to look on Page 44 on the map before I introduce
41 this. The affected area if you're looking at Page 44 is
42 basically the lower right-hand corner of the map that's
43 on the Yukon Delta National Wildlife Refuge. That's the
44 only Federal land that pertains to this and waters that
45 pertain to this proposal.

46

47 MADAME CHAIR ENTSMINGER: Lower right-
48 hand corner?

49

50 MR. RIVARD: Excuse me. Lower left-hand

1 corner. I'm sorry.

2

3 MADAME CHAIR ENTSMINGER: I was going to
4 say there's nothing over there.

5

6 MR. RIVARD: This is true. Lower left-
7 hand corner. The other right side. So would you like me
8 to proceed with this one.

9

10 IN UNISON: Yes.

11

12 MADAME CHAIR ENTSMINGER: I hear yeses,
13 so go ahead.

14

15 MR. RIVARD: Okay. Proposal 13-03
16 requests that a daily harvest and possession limit be
17 established at three northern
18 pike taken in all waters of the Yukon River, from Holy
19 Cross downstream to and including Paimiut Slough, and
20 that only one pike may be over 30 inches. This was
21 submitted by the Grayling, Anvik, Shageluk and Holy Cross
22 Fish and Game Advisory Committee. This area is commonly
23 known as the GASH area for the different villages there,
24 the four that we just mentioned.

25

26 The proposed Federal regulation, which
27 you can see on Page 45, the difference here is in bold,
28 in all waters of the Yukon River, from Holy Cross
29 downstream to and including Paimiut Slough, the harvest
30 and daily possession limit for northern pike is three
31 pike, only one of which may be over 30 inches.

32

33 If this proposal is adopted, Federally
34 qualified subsistence users would be limited to
35 harvesting and possessing only three pike per day.
36 Additionally, only one pike could be over 30 inches long.
37 This would hold subsistence users to the same harvest
38 limits and restrictions as sport fishers under State of
39 Alaska regulations. This would likely adversely affect
40 traditional winter harvest patterns and possibly make
41 travel to traditional winter harvest sites economically
42 unfeasible for subsistence users. Larger northern pike
43 are targeted in the subsistence fishery. Reducing the
44 daily harvest and possession to three pike per day, with
45 only one pike being over 30 inches would decrease fishing
46 pressure on the pike population allowing the larger fish
47 a better chance to survive throughout the winter to spawn
48 in the spring.

49

50 Madame Chair, the OSM preliminary

1 conclusion is to oppose this proposal. The justification
2 is that although the proposed regulation would decrease
3 fishing pressure on northern pike within this area, there
4 is no documented conservation concern to warrant the
5 proposed harvest limits on Federally qualified
6 subsistence users. The northern pike population of the
7 lower Innoko River drainage is considered healthy, with
8 access to abundant spawning, rearing, and overwintering
9 habitat. The proposed daily harvest and possession limit
10 would likely adversely affect traditional winter harvest
11 patterns and possibly make travel to traditional winter
12 harvest sites economically infeasible for subsistence
13 users.

14

15 Just for your information both the
16 Western Interior and the Yukon-Kuskokwim Delta Regional
17 Advisory Councils have already taken this up and I can
18 provide their recommendations if you so choose. Thank
19 you.

20

21 MR. BASSICH: Madame Chair, I'd like to
22 hear -- in your reports I'd like to hear what the other
23 Regional Councils have voted on.

24

25 MADAME CHAIR ENTSMINGER: Okay. Eva has
26 it.

27

28 MS. PATTON: For the Western Interior RAC
29 for Federal Proposal 13-03 they support this proposal.
30 For Eastern Interior -- oops, that's you guys. The
31 Seward Peninsula RAC also took up this proposal FP13-03,
32 opposed. The Y-K Delta RAC for the Yukon proposals --
33 oops, that's the Board of Fish proposals. For Proposal
34 FP13-03 for the Y-K Delta RAC, they oppose 13-03.

35

36 MADAME CHAIR ENTSMINGER: But the Western
37 Interior supported. Okay. Any other questions.

38

39 MR. GLANZ: Yes, I have one, Madame
40 Chair. Why is the pike treated as an invasive fish in
41 the southern parts of our state, but up here -- I mean I
42 don't understand the following of it. To me, I feel that
43 the more pike you get out the better it is for the salmon
44 and every other fish. We actually catch them up by me
45 and slit their throat and throw them back in the water to
46 feed the other fish.

47

48 MADAME CHAIR ENTSMINGER: Oh, don't tell
49 anybody that.

50

1 (Laughter)

2

3 MADAME CHAIR ENTSMINGER: Donald.

4

5 MR. WOODRUFF: Madame Chair, thank you.
6 I did some research on this proposal. I talked to Fish
7 and Wildlife biologists and Fish and Game biologists and
8 it seems to me that it's an allocation need and I would
9 not support this proposal because obviously there's a
10 subsistence need for these people to go and harvest these
11 pike and I wouldn't want to put any restrictions on them.
12 Thank you.

13

14 MADAME CHAIR ENTSMINGER: Thanks, Don.

15 Virgil.

16

17 MR. UMPHENOUR: Thank you, Madame Chair.
18 I know a little bit about this proposal and I know quite
19 a bit about it because I know a lot of people down in
20 that area. This proposal is addressing wasteful
21 greedheads, is what it's addressing, and a lot of people
22 don't realize it, but those big pike that weigh -- once
23 they get over 40 inches they're over 20 years old. The
24 large pike are all females. The males fight each other
25 over the women when they're young and kill each other, so
26 they don't ever get big.

27

28 So it's a conservation proposal. I'm
29 glad to see that the Western and the Seward Peninsula RAC
30 supported it because I would support it 100 percent. It
31 aggravates the heck out of me to see people kill these
32 30-year old pike. Then, once that happens, then it takes
33 years and years for them to recover. Myself, I prefer
34 eating pike over halibut any day. A lot of people in the
35 Middle Yukon and down in that area like to eat pike, so
36 they hate to see these irresponsible people come over
37 from Bethel and haul sled loads of fish.....

38

39 MADAME CHAIR ENTSMINGER: Bethel?

40

41 MR. UMPHENOUR: Yes, from Bethel. And
42 haul sled loads of fish back there and let them rot in
43 their yard.

44

45 MADAME CHAIR ENTSMINGER: Oh, he feeds
46 them to other fish. I'm just trying to -- Virgil,
47 correction. Western Interior supported but Y-K was
48 opposed.

49

50 MR. UMPHENOUR: Correct. And I think she

1 said Seward Peninsula supported as well.

2

3 MADAME CHAIR ENTSMINGER: Seward
4 Peninsula opposed.

5

6 MR. UMPHENOUR: Okay. Well, anyway
7 Western Interior, it's their region, and I'm going to
8 support what the local region wants on something like a
9 conservation issue.

10

11 MADAME CHAIR ENTSMINGER: We have a
12 process to go through. Any other questions.

13

14 MS. FATE: Madame Chair.

15

16 MADAME CHAIR ENTSMINGER: Who's online?

17

18 MS. FATE: This is Jennifer Fate,
19 Director at Doyon, Limited.

20

21 MADAME CHAIR ENTSMINGER: We'll get you
22 under public.

23

24 MS. FATE: Oh, thank you.

25

26 MADAME CHAIR ENTSMINGER: Okay. Thank
27 you. I'm sorry. Next is ADF&G.

28

29 MS. YUHAS: Thank you, Madame Chair.
30 Jennifer Yuhas, Fish and Game, Federal Subsistence
31 Liaison from the Department. The Department is
32 recommending deferring this proposal until after the
33 Board of Fish meeting. That's our procedure. If
34 regulations don't match up, we have to wait until the
35 State regulatory body has already made a decision. We do
36 know that there's a proposal that's parallel to this at
37 the Board of Fish. We've not officially formulated our
38 comments on these, but we do recognize that it's coming
39 from the local area.

40

41 I wanted to address Member Glanz's
42 question. I asked the same thing when I saw this
43 proposal and started drafting it.

44

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

48

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

1 Fisheries Proposal FP13-03:

2

3

4 Revise the subsistence fishing harvest
5 limits for northern pike in all waters of Yukon River
6 from Holy Cross downstream to and including Paimuit
7 Slough from no bag limit for northern pike to a bag and
8 possession limit of three northern pike, only one of
9 which can be over 30 inches.

9

10

Introduction:

11

12

13 This proposal, submitted by the Grayling
14 Anvik Shageluk Holy Cross Fish and Game Advisory
15 Committee (AC), would establish a bag and possession
16 limit for northern pike in all waters of the Yukon River
17 from Holy Cross downstream to and including Paimuit
18 Slough. The proponent believes too many pike and too
19 many large female pike are being taken during the winter
20 subsistence fishery. In the past several years they have
21 observed multiple (20 40) groups of people (three to six
22 people per group) coming up and camping for several days
23 at a time. These groups ice fish for pike night and day
24 with tip-up poles and when done, leave with sled loads of
25 fish. Currently there is no bag limit for this
26 subsistence pike fishery. The proponent is concerned
27 that this targeted fishing pressure will deplete northern
28 pike stocks in the Yukon and Innoko River drainages, and
29 would like to limit this fishery to ensure that there are
30 pike available for future generations and for multiple
31 user groups.

31

32

Impact on Subsistence Users:

33

34

35 This proposal, if adopted, will limit the
36 northern pike harvest and provide protection to pike
37 larger than 30 inches in length in all waters of the
38 Yukon River from Holy Cross downstream to and including
39 Paimuit Slough, which proponents suggest are currently
40 subjected to excess fishing pressure by winter
41 subsistence users. Local users report this to be an area
42 where pike congregate and feed during the winter months.
43 The area is relatively easy to access, and provides ample
44 and expedient catch opportunity for pike.

44

45

46 The proponents acknowledge that changing
47 the pike harvest from unlimited to this proposed daily
48 bag and possession limit will negatively impact some
49 subsistence users. Nonlocal subsistence users intending
50 to harvest pike will be limited from harvesting as many
51 fish per day or taking as many large fish on one trip.

1 This limitation will increase the number of trips, and
2 therefore, time, fuel, and effort per trip to harvest the
3 same number of pike which they have previously harvested
4 This proposal was brought forth by local users who would
5 be affected by a reduced daily harvest.

6

7

Impact on Other Users:

8

9

10 This proposal may benefit
11 sport/recreational fishermen, as well as local area
12 subsistence fishermen. Adopting a daily bag and
13 possession limit with a one-fish limit for those over 30
14 inches in length for northern pike in this part of the
15 Yukon River drainage may provide more opportunity for
16 sport/recreational fisherman to catch northern pike both
17 quantity and size.

17

18

19 There is no commercial fishery for
20 northern pike in this part of the Yukon River.

20

21

Opportunity Provided by State:

22

23

24 Northern pike may be harvested under
25 state regulations throughout the majority of the Yukon
26 River watershed. There are no daily or annual bag limits
27 for pike, except in the Minto Flats area (see 5 AAC
28 01.244. Minto Flats Northern Pike Management Plan) where
29 the bag limit is 10 fish and the possession limit is 20
30 fish. Gear types allowed are gillnet, beach seine, fish
31 wheel, longline, fyke net, dip net, jigging gear, spear,
32 a hook and line attached to a rod or pole, handline, or
33 lead. Although all gear types are not used or allowed in
34 all portions of the Yukon River drainage, drift and set
35 gillnets and fish wheels harvest the majority of fish
36 taken for subsistence uses. Under state regulations,
37 subsistence is the priority consumptive use. Therefore,
38 state subsistence fishing opportunity is directly linked
39 to abundance and is not restricted unless run size is
40 inadequate to meet escapement needs.

40

41

Conservation Issues:

42

43

44 Currently there are no conservation
45 concerns for northern pike in waters of the Yukon River
46 from Holy Cross downstream to and including Paimuit
47 Slough. However, little is known about the distribution
48 of northern pike from this overwintering population and
49 overwintering concentrations of northern pike can be
50 vulnerable to high harvest rates. Local fishermen have
51 expressed concern with the current level of harvest and

1 the harvest of large northern pike in this fishing area.
2 The northern pike subsistence harvest in this area is
3 undocumented, particularly for fishermen from outside
4 Yukon River drainage villages.

5
6 The state has adopted a management plan
7 for northern pike in the lakes and flowing waters of the
8 Minto Flats area of the Yukon River drainage (see 5 AAC
9 01.244. Minto Flats Northern Pike Management Plan) to
10 provide the department with guidance to achieve the goals
11 of managing these stocks consistent with sustained yield
12 principles, providing a reasonable opportunity for the
13 priority subsistence fishery, and providing a sport
14 fishing opportunity.

15
16 Northern pike are top level predators in
17 aquatic food chains and are highly piscivorous (fish
18 eating) (ADF&G 2012)¹. Northern pike occur naturally in
19 the Yukon River drainage and they are highly valued as a
20 subsistence and sport fish. In a balanced ecosystem with
21 many other fish (e.g., whitefish, sheefish, suckers,
22 Alaska blackfish, stickleback, char, and juvenile
23 Chinook, chum, coho, pink, and sockeye salmon), northern
24 pike are simply another member of the fish community.
25 However, an abundance of hungry Northern pike in the
26 Yukon River drainage does not help reduce the yield
27 concern for the Yukon River Chinook salmon stock.

28
29 Enforcement Issues: None noted at this
30 time.

31
32 Jurisdiction Issues:

33
34 The Federal Subsistence Board does not
35 have the authority to regulate the nonfederally-qualified
36 users participating in fisheries on waters outside of
37 federal subsistence jurisdiction. While standing on
38 state and private lands (including state-owned submerged
39 lands), persons must comply with state law and cannot
40 harvest under conflicting federal regulations.

41
42 Enforcement difficulties and user
43 confusion -- concerning where and how federal regulations
44 that are different than state regulations apply -- will
45 result unless detailed maps and explanations specific to
46 the area are provided. Requests for changes to State of
47 Alaska fishery regulations must be submitted to the
48 Alaska Board of Fisheries (BOF) for consideration. The
49 Federal Subsistence Board does not have the authority to
50 regulate the nonfederally-qualified users participating

1 in fisheries on waters outside of federal subsistence
2 jurisdiction.

3

4 Other Issues:

5

6 (1) Maps are needed showing the specific
7 boundaries and areas where federal regulations are
8 claimed to apply, along with providing the justification
9 for claiming those boundaries;

10

11 (2) A large percentage of the lands along
12 the Yukon River are state or private lands where federal
13 subsistence fisheries are not authorized to occur;

14

15 (3) The federal board does not have
16 authority to supersede state commercial and subsistence
17 fisheries regulations unless a full closure is required
18 for conservation purpose within water of claimed federal
19 jurisdiction; and

20

21 (4) A similar fisheries regulation
22 proposal has been submitted to the BOF, which will be
23 considered in January 2013. Taking action following a
24 the Alaska Board of Fisheries meeting could easily be
25 coordinated given both boards are scheduled to meet in
26 mid to late January 2013. A greater degree of
27 information will be available to this board at the
28 conclusion of the state process.

29

30 Recommendation: Defer following BOF
31 decision on parallel proposal.

32

33 MR. GLANZ: Right.

34

35 MS. YUHAS: The reason apparently why
36 they are treated different is because in this region they
37 are not an invasive and they have been documented to be
38 depended on for subsistence uses.

39

40 MR. GLANZ: I understood that, but I just
41 wondered why half the state is poisoning lakes to get rid
42 of them and they're trying to preserve them, but that's
43 okay.

44

45 Thank you.

46

47 MS. YUHAS: And the answer is because in
48 the southern region they have been identified as an
49 invasive and in this region they are indigenous.

50

1 MR. GLANZ: Okay. Question answered.
2
3 MADAME CHAIR ENTSMINGER: They like lake
4 trout better. Any questions of Jennifer.
5
6 (No comments)
7
8 MADAME CHAIR ENTSMINGER: Federal
9 agencies.
10
11 (No comments)
12
13 MADAME CHAIR ENTSMINGER: None to speak.
14 Native, tribal, village or other.
15
16 (No comments)
17
18 MADAME CHAIR ENTSMINGER: InterAgency
19 Staff Committee.
20
21 MR. RIVARD: Is that what she would.....
22
23 MADAME CHAIR ENTSMINGER: She comes under
24 public.
25
26 MR. RIVARD: Okay.
27
28 MADAME CHAIR ENTSMINGER: And Jennifer,
29 out there in the.....
30
31 MR. BASSICH: Cyber world.
32
33 MADAME CHAIR ENTSMINGER: I was going to
34 say cyber, but it's not, it's telephone. The other
35 person who spoke was Donald and he's in Eagle and he's a
36 member of the RAC. That's why he was speaking just for
37 your information. Next is InterAgency Staff. Is anyone
38 speaking to this.
39
40 MR. BERG: Madame Chair. Jerry Berg with
41 Fish and Wildlife Service. I sit on the InterAgency
42 Staff Committee for Fish and Wildlife. We did review all
43 of your proposals that are in front of you today, but all
44 of our comments have been incorporated into the analysis,
45 so we don't have any comments on any of the proposals.
46
47 MADAME CHAIR ENTSMINGER: Okay. So if I
48 don't say that again, you'll understand.
49
50 MR. BERG: Yes. Thank you.

1 MADAME CHAIR ENTSMINGER: Thank you.
2 Advisory groups. We've heard from neighboring Regional
3 Councils and the other is the local fish and game
4 advisory. Do you have anything?
5
6 MS. PATTON: No, we don't have comments
7 from the advisory committee.
8
9 MADAME CHAIR ENTSMINGER: Okay. Other
10 than GASH that I can think of.
11
12 MR. UMPHENOUR: This proposal is by the
13 local AC.
14
15 MADAME CHAIR ENTSMINGER: Uh-huh. Park
16 Service SRCs. Probably aren't any in the region.
17
18 (No comments)
19
20 MADAME CHAIR ENTSMINGER: Summary of
21 written comments. Are there any? No written comments.
22 Now, Jennifer, it's your turn. Public testimony.
23
24 MR. RIVARD: There are written comments.
25
26 MADAME CHAIR ENTSMINGER: Oh, I'm sorry.
27 Sorry, Jennifer. I just found out there are written
28 comments.
29
30 MR. RIVARD: There are written comments
31 and they start on Page 110.
32
33 MADAME CHAIR ENTSMINGER: 110? That's a
34 long ways from 30 to 40-some. Don't tell me it's that
35 long. So on the pike there's just -- what am I missing
36 here? You already went through that. GASH RAC supports.
37 Why is it RAC?
38
39 MS. PATTON: So it's a TCC position.
40 This is the tribal position. So the last -- they just
41 did a table of some of the sponsors. Their position is
42 to support FP13-03.
43
44 MADAME CHAIR ENTSMINGER: Uh-huh. But
45 doesn't it go like this?
46
47 MR. UMPHENOUR: Yeah.
48
49 MADAME CHAIR ENTSMINGER: And GASH --
50 we've already talked about it.

1 MS. PATTON: And then the TCC position is
2 to support.
3
4 MADAME CHAIR ENTSMINGER: Oh, I see. Do
5 you want to report on that? We see it on 110, the TCC
6 position is to support. Go ahead. You're here, you
7 might as well come up. And then Holy Cross supports this
8 in order to protect the pike population.
9
10 MS. FROTHINGHAM: Thank you, Madame
11 Chair. Unfortunately, I can't add.....
12
13 MR. RIVARD: Identify yourself.
14
15 MS. FROTHINGHAM: I'm sorry. My name is
16 Alyssa Frothingham with the Tanana Chiefs Conference. I
17 wasn't involved in this conversation. I'm wondering if
18 Jennifer might be able to because our comments included
19 Doyon if you look on Page 113. So I'm wondering if
20 Jennifer has any additional input, but I wasn't involved
21 in it.
22
23 MADAME CHAIR ENTSMINGER: I'm sure she
24 does. She's waiting patiently. Do you have anything
25 else?
26
27 MS. FROTHINGHAM: I don't.
28
29 MADAME CHAIR ENTSMINGER: Okay. Thank
30 you. Now, Jennifer, it's your turn.
31
32 MS. FATE: Thank you, Madame Chair. My
33 question is more of a procedural question. I had brought
34 up during the ANCSA consultation to the Federal
35 Subsistence Board.
36
37 MADAME CHAIR ENTSMINGER: Excuse me.
38 Don, push it down closer to the.....
39
40 MR. RIVARD: We can't hear you very well.
41 Can you speak up.
42
43 MS. FATE: Yes. My question is a
44 procedural question about when the right time would be to
45 ask about FP13-04 and FP13-05.
46
47 MADAME CHAIR ENTSMINGER: It's when we
48 take it up. We're on 13-03 right now. I'll go down the
49 process and number 5 is public testimony. I know you
50 don't have anything in front of you. We have a procedure

1 for these proposals. We go through the agencies and
2 everything and then we have public testimony last.

3

4 MS. FATE: Is that me?

5

6 MADAME CHAIR ENTSMINGER: Are you
7 representing Doyon? Because you could come underneath
8 the tribal or are you not tribal.

9

10 MS. FATE: Yes, I was asked by Doyon to
11 -- I was invited by Doyon to attend this and I have
12 talked to many shareholders who fish, so I am
13 representing Doyon.

14

15 MADAME CHAIR ENTSMINGER: Okay.
16 Jennifer, when I say Native, tribal, village or other,
17 that would be your spot.

18

19 MS. FATE: All right. This is not on the
20 agenda. That's why I'm asking procedurally when I should
21 bring up 13-04 and 13-05.

22

23 MR. RIVARD: They are on the agenda.

24

25 MS. FATE: Okay. I'll try to find that.

26

27 MADAME CHAIR ENTSMINGER: It's actually
28 not in the book.

29

30 MR. RIVARD: I'm sorry. 13-04 and 13-05
31 were never legitimate proposals. You may remember that
32 there was a misunderstanding of one of your votes. I
33 pointed this out when we began the procedure of starting
34 to analyze these proposals.

35

36 The other one -- I forget which one was
37 which, but the other one was only supposed to go to the
38 State and not to the Federal government. It was Virgil's
39 -- it was the intent it was only going to go to the
40 State, not to the Federal Board. So that's why 04 and 05
41 were withdrawn early on in the process.

42

43 MS. FATE: Will there be an opportunity
44 to comment or discuss the withdrawal?

45

46 MR. RIVARD: It's not an agenda topic, so
47 it can't be discussed.

48

49 MS. FATE: In the future, can it be made
50 as a topic?

1 MADAME CHAIR ENTSMINGER: Is there such
2 a thing under non-agenda items?
3
4 MS. SWANTON: Yes.
5
6 MADAME CHAIR ENTSMINGER: She could go
7 under non-agenda items.
8
9 MS. SWANTON: Number 9 on your agenda.
10
11 MADAME CHAIR ENTSMINGER: Number 9, which
12 we just passed.
13
14 MS. SWANTON: You can make a motion to
15 revert back to that.
16
17 MR. RIVARD: Madame Chair. If I may just
18 add something. If they're withdrawn proposals, there's
19 really no need to talk about them because there's no
20 action your Council will take on them. If it's
21 Jennifer's intention to maybe have these type of
22 proposals in the future, then her and Doyon could
23 possibly submit proposals again.
24
25 MADAME CHAIR ENTSMINGER: Yeah, because
26 it's actually too late for this cycle, right?
27
28 MR. RIVARD: Correct.
29
30 MS. FATE: All right. Thank you. I'd
31 like to be kept in the loop in that procedurally.
32
33 MADAME CHAIR ENTSMINGER: I think I'm
34 confused what you mean procedurally. You mean you just
35 want notified when it comes up again?
36
37 MS. FATE: Yeah, of when the right time
38 is for proposals like this.
39
40 MADAME CHAIR ENTSMINGER: You need to
41 sign up with OSM on their list so you're notified. Okay.
42 It's every two years anyway.
43
44 MS. FATE: Thank you very much.
45
46 MADAME CHAIR ENTSMINGER: So you had
47 nothing on this proposal, is that it? Because we're up
48 to public testimony and you're here and there's a few
49 other people here that may want to speak.
50

1 MR. RIVARD: Jennifer, she's asking if
2 you have anything to add on Proposal 13-03.

3
4 MS. FATE: No, I did not. It was a
5 procedural question.

6
7 MADAME CHAIR ENTSMINGER: Okay. I want
8 to give the public that's here ample chance to speak.
9 Anyone here that would like to speak on 13-03 of the
10 public.

11
12 (No comments)

13
14 MADAME CHAIR ENTSMINGER: Okay. Moving
15 on.

16
17 MR. UMPHENOUR: Move to adopt Proposal
18 FP13-03.

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

22
23 MR. BASSICH: Second.

24
25 MADAME CHAIR ENTSMINGER: Okay.
26 Discussion.

27
28 MR. UMPHENOUR: I'll speak to the
29 proposal. There is a conservation concern. The people
30 that live in Holy Cross are really concerned because
31 these people that live over in the larger villages on the
32 Kuskokwim come over on snowmachines in the winter, spend
33 several days there and haul back sled loads of pike and
34 then they're over there visiting at other times and the
35 majority of those pike rot in people's yards.

36
37 I want to reference my earlier comments
38 about pike and kind of address -- pike occurs naturally
39 in the Yukon drainage. In some areas they're considered
40 an invasive species. Pike, grayling, sheefish and
41 various species of salmon have co-existed together for
42 thousands and thousands of years in the Yukon River
43 drainage. Pike are a very important food to people in
44 some regions of the Yukon River drainage. They're not
45 wormy like halibut and they taste a lot better. They're
46 very long-lived. The large ones are all females.

47
48 The other thing about pike, Department of
49 Fish and Game Sport Fish Division has done quite a bit of
50 research on pike down in this area and then upriver up

1 near Kaltag and Nulato and they've discovered that pike
2 overwinter -- they gather up and overwinter in certain
3 places and that makes them extremely susceptible to
4 overharvest. So I feel this is a severe conservation
5 concern of mine and I know it is of the local advisory
6 committee down there from the GASH Advisory Committee and
7 that's why they put the proposal forward.

8

9 So the scientific evidence says that we
10 should not let this go. We need to take action. Madame
11 Chair.

12

13 MADAME CHAIR ENTSMINGER: Joe.

14

15 MR. MATESI: Thank you, Madame Chair. I
16 believe that I'm going to oppose this and vote no. It's
17 unclear to me exactly what the locals want because this
18 was proposed by the Fish and Game Advisory Committee down
19 there, but it appears that there's extensive use of this
20 resource. In fact, I know that pike are highly priced as
21 a subsistence resource in that area, much more so than
22 the Upper Yukon, so it takes a little bit of a mental
23 leap to understand how important it is to them.

24

25 I know that when it became evident that
26 these large pike have pretty high levels of mercury there
27 was a big campaign to educate the people down there about
28 restricting the intake by pregnant and lactating women
29 because it's such a popular food. Their own RAC opposed
30 this proposal. If it passes, there will be considerable
31 negative impact on subsistence users.

32

33 I don't agree with Virgil. It looks to
34 me like there is no conservation concern. So I'm going
35 to oppose this. If I may add, I kind of have a
36 suggestion that maybe people involved could put together
37 a group modeled on the Minto Flats Northern Pike
38 Management Plan and that would involve the stakeholders,
39 the RAC, the AC, Fish and Game, OSM, people like that and
40 comprehensively work together to come up with something
41 if there really is a concern somewhere. It would take
42 into consideration all these issues; conservation,
43 traditional subsistence use, any abuses that are
44 happening.

45

46 I think this proposal here is a little
47 bit premature and just shooting off the hip, so I'm going
48 to vote against it.

49

50 MADAME CHAIR ENTSMINGER: Donald.

1 MR. RIVARD: Madame Chair. I just need
2 to correct something. The home region is the Western
3 Interior. They supported this proposal. The Yukon-
4 Kuskokwim Delta Council.....
5
6 MADAME CHAIR ENTSMINGER: Yeah, let's get
7 this straight.
8
9 MR. RIVARD:the region they
10 represent is very close by and there are users from that
11 area that go into this area to harvest northern pike.
12 They oppose this proposal. But the home region Western
13 Interior supported it. Thank you.
14
15 MR. MATESI: I thank you for clearing up
16 that misunderstanding on my part. Thank you.
17
18 MADAME CHAIR ENTSMINGER: Yeah. That's
19 important to remember. Okay. Andy.
20
21 MR. BASSICH: Thank you, Madame Chair.
22 I'm going to support this proposal. I'm going to
23 reference the comments that Virgil made. I do think that
24 when you have issues that are more concentrated in a
25 local area, I think those areas probably debate the topic
26 very heavily and weigh the pros and cons and then come up
27 with their recommendation and I think that carries a lot
28 of weight. Therefore, I think -- I'm sure they've gone
29 through this process.
30
31 The other thing that I think is really
32 important to point out is with declines of some of the
33 salmon fisheries that people are relying on and the
34 uncertain future it's going to be really important to
35 protect these other species that we are beginning to ask
36 people to shift their harvest of, whether it be summer
37 chum or non-salmon species, so I will support this.
38
39 MADAME CHAIR ENTSMINGER: Anyone else.
40
41 (No comments)
42
43 MR. GLANZ: I call for the question.
44
45 MADAME CHAIR ENTSMINGER: The question
46 has been called for. All in favor of the proposal.
47
48 IN UNISON: Aye.
49
50 MADAME CHAIR ENTSMINGER: Anyone opposed.

1 MR. MATESI: Aye.
2
3 MR. WOODRUFF: Aye.
4
5 MADAME CHAIR ENTSMINGER: Two opposed.
6 Moving on.
7
8 MR. BASSICH: Madame Chair. Maybe we
9 could take a break before lunch before we get in -- take
10 an early lunch before getting into the meat of it or.....
11
12 MADAME CHAIR ENTSMINGER: The tough ones?
13 That sounds good to me. I have a suggestion. Anyone
14 opposed to have an early lunch and then come -- I don't
15 even know what time.
16
17 UNIDENTIFIED VOICE: 11:30.
18
19 MADAME CHAIR ENTSMINGER: 11:30. When do
20 you want to get back?
21
22 MR. UMPHENOUR: 1:00.
23
24 MADAME CHAIR ENTSMINGER: No.
25
26 MR. MATESI: 12:30.
27
28 MADAME CHAIR ENTSMINGER: 12:30. Give us
29 an hour.
30
31 MR. MATESI: Because we've got a lot to
32 do.
33
34 MADAME CHAIR ENTSMINGER: We have an hour
35 lunch. Good luck. We'll be back at 12:30.
36
37 (Off record)
38
39 (On record)
40
41 MADAME CHAIR ENTSMINGER: Let's call the
42 meeting back to order. It sounds like there's some
43 people visiting on the teleconference maybe. We're
44 trying to get organized here. While we're getting
45 organized -- welcome, Lester. Good to have you.
46
47 MR. ERHART: Good. Thank you.
48
49 MADAME CHAIR ENTSMINGER: As they get
50 that finished up. Lester, do you have any concerns that

1 you would like to bring up that we did earlier before
2 you?
3
4 MR. ERHART: Not really.
5
6 MADAME CHAIR ENTSMINGER: You don't want
7 to bring any concerns up?
8
9 MR. ERHART: What do you mean?
10
11 MADAME CHAIR ENTSMINGER: It's okay
12 because you didn't get a chance to give a report. Would
13 you like to do that now?
14
15 MR. ERHART: No, it's okay. I have to
16 get it down right.
17
18 MADAME CHAIR ENTSMINGER: Get it in your
19 head?
20
21 MR. ERHART: Yeah, get it down.
22
23 MADAME CHAIR ENTSMINGER: When you're
24 ready, you better holler at me so you can do that. Okay.
25 Now that the phone is all situated, the Staff has to
26 figure out how to put that one on mute or vibrate. Okay.
27 Andy reported to me just before lunch that he has a
28 doctor's appointment at 2:00. So his request is let's
29 take up the next proposals and maybe go to the State
30 proposals so he can be back and help us finish up.
31
32 We'll go right into -- I'd like to find
33 out who's online right now. Is there any public online?
34 Jennifer, are you online?
35
36 (No comments)
37
38 MADAME CHAIR ENTSMINGER: Is there anyone
39 online?
40
41 MR. SHARP: Dan Sharp with BLM.
42
43 MADAME CHAIR ENTSMINGER: Hi, Dan. Is
44 Jennifer -- is it Tate?
45
46 MS. YUHAS: Fate.
47
48 MADAME CHAIR ENTSMINGER: Fate.
49 Jennifer, are you still online?
50

1 (No comments)
2
3 MADAME CHAIR ENTSMINGER: Okay. If
4 anybody knows a contact number for her could they give it
5 to Eva. Does that mean somebody came in? I heard the
6 bell ring. Somebody came in besides.....
7
8 MR. WOODRUFF: Don Woodruff.
9
10 MADAME CHAIR ENTSMINGER: Hi, Donald.
11 Good to have you back. All right, we're going to get
12 started. 13-06/07/08.
13
14 DR. JENKINS: Madame Chair. Council
15 members. David Jenkins with the Office of Subsistence
16 Management. You have in front of you seven proposals on
17 customary trade. We'll group three of them together,
18 then two will be grouped together and one will stand
19 along and then finally there's a deferred proposal from
20 2011. There's a lot of redundant information and I will
21 try not to say the same thing more than three or four
22 times.
23
24 (Laughter)
25
26 DR. JENKINS: We do have some feedback
27 here.
28
29 REPORTER: It's from the phone. Sorry.
30
31 DR. JENKINS: Can we move the phone a
32 little bit.
33
34 REPORTER: You can do whatever you want
35 with the phone.
36
37 DR. JENKINS: Proposals FP13-06 and 07
38 and 08 are grouped together. 13-06 was submitted by the
39 Western Interior Regional Advisory Council. 13-07 was
40 submitted by this Council and 13-08 was submitted by the
41 Yukon-Kuskokwim Delta Regional Advisory Council. They
42 all address customary trade regulations for Yukon River
43 Drainage chinook salmon.
44
45 06 seeks to limit customary trade of
46 Yukon River chinook salmon to those with a current
47 customary and traditional use determination for Yukon
48 River chinook salmon.
49
50 FP13-07 seeks the same limitation, but

1 only in times of shortage when there is no Yukon River
2 chinook salmon commercial fishery and restrictions on
3 subsistence fishing are in place.

4
5 FP13-08 also seeks to limit customary
6 trade of Yukon River chinook salmon to those with a
7 current customary and traditional use determination and
8 to ensure that any individual who purchases
9 chinook salmon under customary trade uses it only for
10 personal or family consumption.

11
12 These proposals all respond to
13 recommendations by the Tri-Regional Advisory Council
14 Subcommittee made up of members from this Council, the
15 Western Interior and the Y-K Regional Advisory Council.

16
17 The proponents recognize that runs of
18 Yukon River Chinook salmon have been in sharp decline as
19 you all discussed earlier today. The proponents suggest
20 that limiting customary trade of Yukon River chinook
21 salmon to Federally qualified rural residents with
22 current customary and traditional use determinations for
23 Yukon River salmon would curtail large customary trade
24 exchanges of chinook salmon that are reported to occur in
25 urban, that is nonrural, areas of Alaska.

26
27 If these proposals are adopted, then
28 nonrural residents, and rural residents who live outside
29 of the Yukon River drainage, would not be able to
30 participate in customary trade for Yukon River chinook.

31
32 The shared element of all three proposals
33 is to limit customary trade of Yukon River chinook salmon
34 to those with a current customary and traditional use
35 determination for Yukon River chinook salmon.

36
37 Recall that customary trade is the
38 subsistence use recognized under ANILCA, but Congress
39 didn't define the term customary trade and it was later
40 defined in implementing regulations. This is the
41 definition: As exchange for cash of fish and wildlife
42 resources to support personal or family needs, and does
43 not include trade which constitutes a significant
44 commercial enterprise. So undefined in ANILCA, later
45 defined in implementing regulations as I just read.

46
47 In the analysis that you have in your
48 books is a long history of the regulation. There's a
49 recent history of chinook salmon decline and customary
50 trade. I may just skip over that and go right to the

1 Tri-RAC portion of this report, which is more immediately
2 important, I think.

3

4 So in 2011 in January, the Federal
5 Subsistence Board deferred FP11-08 in order to allow a
6 subcommittee from the Y-K RAC, this RAC and the Western
7 Interior RAC time to develop a recommendation on the
8 customary trade of Yukon River chinook salmon. This
9 Regional Advisory Council, some members on that Tri-RAC
10 Committee are sitting here among you, met twice. It met
11 in May of 2011 and developed some suggestions about
12 regulatory changes and it met again in August of 2011.
13 Out of that meeting came two recommendations and this is
14 at the bottom of Page 67 of your books.

15

16 The Subcommittee recommended that
17 customary trade of Yukon River chinook salmon may only
18 occur between Federally qualified
19 rural residents with a current C&T use determination for
20 Yukon River chinook salmon. So that was the first
21 recommendation the Subcommittee made. It was the
22 recommendation they preferred.

23

24 It also included a recommendation
25 addressing the significant commercial enterprise
26 threshold that I mentioned earlier. The second
27 recommendation was to preclude customary trade of Yukon
28 River chinook salmon between rural residents and others.
29 Establish a \$750 limit per qualified household and
30 require a recordkeeping and receipt form.

31

32 The Y-K met in September of 2011 and
33 didn't vote on these recommendations. The Western
34 Interior Council met in October of that year and
35 supported the first recommendation but not the second.
36 Your Council met in October of 2011 and also voted in
37 favor of the first recommendation and not the second
38 recommendation.

39

40 The current proposals in front of you,
41 13-06/07/08, all respond to the Subcommittee's
42 recommendations. The OSM preliminary conclusion is to
43 support Proposal FP13-06 with modification and support
44 the other proposals but make them similar to 13-06 with
45 the modification. If you want to look at what that
46 modification looks like, it's on Page 70. Customary
47 trade of Yukon River chinook salmon may only occur
48 between Federally qualified rural residents with a
49 current customary and traditional use determination for
50 Yukon River chinook salmon. The phrase for Yukon River

1 chinook salmon is the OSM modification to the 13-06
2 proposed regulation. Just clarified and made certain
3 that it was speaking only to Yukon River chinook salmon.

4
5 The justification is this. The shared
6 element of all proposals is to limit customary trade to
7 those with a current customary and traditional use
8 determination. Much of the discussion of the Y-K RAC,
9 the Western Interior RAC and this RAC was set in the
10 context of declining chinook runs. The idea is that a
11 limitation to customary trade is perceived as an
12 additional tool to help improve those runs.

13
14 There is, however, very little
15 quantifiable information on the numbers of chinook salmon
16 that enter customary trade, but it seems prudent, given
17 the current Yukon River chinook salmon declines, to
18 follow the recommendations of the three Regional Advisory
19 Councils in this particular matter. Limiting customary
20 trade of Yukon River chinook salmon only to those with a
21 current C&T use determination will keep such trade within
22 the drainage. This would allow subsistence users to
23 continue to receive cash in exchange for
24 subsistence-caught Chinook, which, more likely than not,
25 would continue to be used to support other subsistence
26 activities. Finally, if runs ever improved to the point
27 where there is a lessened conservation concern, then a
28 proposal could be submitted to lift these customary trade
29 restrictions.

30
31 Thank you, Madame Chair.

32
33 MADAME CHAIR ENTSMINGER: Any questions.
34 The introduction of the proposal, you did a fantastic
35 job. No questions? Did I hear someone else come on line
36 besides Donald and BLM?

37
38 MS. PILCHER: This is Nisa Pilcher with
39 Fish and Game.

40
41 MADAME CHAIR ENTSMINGER: Hello, Nisa.

42
43 MS. PILCHER: Hello.

44
45 MADAME CHAIR ENTSMINGER: You've got an
46 echo. Moving on if there's no questions.

47
48 MR. WOODRUFF: This is Don. I've got a
49 question.

50

1 MADAME CHAIR ENTSMINGER: Okay, Don.
2
3 MR. WOODRUFF: In reviewing these three
4 proposals, I noticed that the language says current
5 customary and traditional use determination and I'm
6 pretty sure that Yukon-Charley and big areas of 25 have
7 never been determined to have a customary trade
8 determination. So current would exclude all the people
9 in that area. I wonder if maybe that could be clarified
10 by Yukon-Charley or some such agency.
11
12 DR. JENKINS: Don, this is David Jenkins.
13 My understanding is that the current customary and
14 traditional uses of chinook salmon for the Yukon River
15 Drainage have been recognized for all residents of the
16 drainage and also for the community of Stebbins. That's
17 my understanding of the current determinations.
18
19 MADAME CHAIR ENTSMINGER: I hope that's
20 -- Donald, does that answer your question?
21
22 MR. WOODRUFF: Well, not really because
23 I think that all the residents of Yukon-Charley are going
24 to be excluded because they have never been determined to
25 be a current customary and traditional use. I think that
26 Yukon-Charley has never bothered to do a customary trade
27 determination.
28
29 MADAME CHAIR ENTSMINGER: Well, Andy's
30 got some clarification. I think we just have to look in
31 the Federal regs and see who has C&T.
32
33 MR. BASSICH: Don, it's not that they
34 have to be determined now. The way the regulation reads
35 right now, any resident of the Yukon River falls under
36 that qualification. So anybody living along the Yukon
37 River would fall under having traditional use
38 qualifications. Everybody in Yukon-Charley living along
39 the river is currently qualified.
40
41 MR. WOODRUFF: Thank you.
42
43 MADAME CHAIR ENTSMINGER: I have a
44 question then, David. They just pull up this fisheries
45 book for the Federal fishing regulations for fishing and
46 it would be in there, right?
47
48 MR. BASSICH: Yeah.
49
50 DR. JENKINS: That's right.

1 MADAME CHAIR ENTSMINGER: Larry has a
2 question.

3
4 MR. WILLIAMS: Thank you, Madame Chair.
5 It's well and good to address this issue of customary
6 trade and I commend the Tri-RAC Committee for taking on
7 this difficult issue. Difficult and sensitive issue. I
8 have a question. How are these proposals and these
9 regulation -- how are they going to be enforced? I mean
10 I don't see any way of enforcing a person from -- take me
11 for example, I'll just use myself in an example, if I put
12 up 150 pounds of salmon strips and I want to sell it to
13 somebody over here in Fairbanks, what's prohibiting me
14 from doing that? Not that I would do it, but just to
15 site an example of something that -- I don't see how they
16 can enforce it. Can somebody give me an answer for that.

17
18 Thank you.

19
20 DR. JENKINS: I'm not law enforcement and
21 I can't address that specifically, but I can tell you
22 that the Tri-RAC Customary Trade Subcommittee talked at
23 length about this particular issue and part of -- if I
24 remember right and Andrew can speak to this -- part of
25 what they thought was that putting this sort of
26 regulation in place would begin to discourage folks from
27 making the kinds of sales that you just suggested and
28 that discouraging aspect would help conserve the chinook
29 runs at this particular point in time.

30
31 There would be some mechanisms that law
32 enforcement could pursue, I presume, but I'm not going to
33 speak to what they are in particular, though Andy and
34 Andrew might want to speak to that issue in the
35 discussion from the Tri-RAC.

36
37 MADAME CHAIR ENTSMINGER: Andrew.

38
39 MR. FIRMIN: I guess my quickest retort
40 would be there's nothing to stop me from shooting a cow
41 moose and selling it either, but I just don't do it. I
42 mean that would be kind of a similar sense. It's there
43 on the books and people would know they're not supposed
44 to do it, so it would discourage that type of practice.

45
46 I'd just like to remind everybody too
47 that this is whole fish in the round. It's not -- we're
48 not talking strips and jarred fish and everything like
49 that. This is selling fish in the round caught in
50 Federal waters to Federal rural residents.

1 MADAME CHAIR ENTSMINGER: That's what we
2 get wrapped around the axle here a lot because our minds
3 are often going to strips and this is fish in the round,
4 so we've got to keep that in our heads and remember that
5 as we talk about it.

6
7 Any other questions. Joe, then Bill.

8
9 MR. MATESI: I understand that's our
10 intent is to refer to fish in the round, but the way I
11 read this, it's not the case. Customary trade
12 subsistence-harvested fish, their parts, or their eggs.
13 So a strict interpretation of this would include strips.
14 Sure, there are other things that govern the production
15 of strips, DEC regulations, but this doesn't say anything
16 about this applies to whole fish only and not strips or
17 this applies to only whole fish and not parts of fish.

18
19 I still have a question. I see that you
20 have those regs out and you said living along the Yukon
21 River. I'm sorry, I'm not familiar with the strict
22 definition, but what about somebody who lives up on the
23 tributaries of the Yukon River like me? Or what about
24 somebody in Arctic Village? What if Larry wanted to sell
25 a few strips to somebody down in Arctic Village, do they
26 have that C&T determination and then later they might
27 maybe sell caribou back to him?

28
29 I don't know who. Dave? I guess I'm
30 asking you the question. I apologize. Yeah, I'm asking
31 you the questions if you have the answers to any of
32 those.

33
34 DR. JENKINS: You posed two questions.
35 The first was the fish in the round. Let me remind you
36 that the Federal regulations do not speak to that.
37 Federal regulations say rural residents may exchange in
38 customary trade subsistence-harvested fish, their parts,
39 or their eggs, legally taken under the regulations in
40 this part, for cash from other rural residents.

41
42 So the Federal regulations never speak to
43 whole, unprocessed fish. They simply don't. Where it
44 becomes complicated is that the State, in a 2002 memo
45 from DEC, has argued that if you process fish, State food
46 processing regulations may apply.

47
48 MADAME CHAIR ENTSMINGER: Just may.

49
50 DR. JENKINS: It was ambiguous in that

1 particular memo. Customary trade is usually considered to
2 be a non-commercial activity. DEC regulations apply to
3 commercial activities. So the question -- anyway, it
4 goes to that memo. It gets complicated. The Federal
5 Subsistence Board has said we do not have the power to
6 regulate the preparations of foods. So they've said the
7 State is making this claim, we don't have the authority
8 to weigh in on that particular claim. So it does get
9 very complicated and it's not clear exactly what the
10 answer is to that first point that Andrew made in your
11 question, Joe.

12
13 You had another question too, but I see
14 Virgil wants to.....

15
16 MR. GLANZ: Actually, Madame Chair.....

17
18 MADAME CHAIR ENTSMINGER: Let him finish
19 his question. Bill was next.

20
21 MR. GLANZ: Dave, I was on the Tri-RAC.
22 Dave answered two of the questions that I was going to
23 tell Larry.

24
25 MADAME CHAIR ENTSMINGER: As the Chair,
26 we might be starting to get into discussion of the
27 proposal.

28
29 MR. BASSICH: Uh-huh.

30
31 MADAME CHAIR ENTSMINGER: We should
32 probably just ask questions and then all of this stuff
33 that's coming up get it in when we discuss the proposal.
34 Virgil, hopefully you have a question.

35
36 MR. UMPHENOUR: No, I'm just going to
37 muddy the water.

38
39 MADAME CHAIR ENTSMINGER: Don't do that.

40
41 (Laughter)

42
43 MR. UMPHENOUR: No, just some food for
44 thought out there. Okay. The State Fish and Game has
45 nothing to do with DEC although they're both State
46 agencies. Fish and Wildlife Service and all the other
47 agencies that make up Office of Subsistence Management
48 have nothing to do with the Food and Drug Administration,
49 but they're all government agencies. So the relationship
50 on the State side and the Federal side is the same. I

1 just want everyone to bear that in mind. Thank you.
2
3 MADAME CHAIR ENTSMINGER: You didn't
4 muddy my water because I didn't hear what you said.
5
6 (Laughter)
7
8 MADAME CHAIR ENTSMINGER: Sorry.
9 Anything else. Any other questions.
10
11 MR. MATESI: The second question.
12
13 DR. JENKINS: The regulations apply to
14 the drainage of the Yukon River, so how that ends up
15 being interpreted, it's broader than just the mainstem of
16 the Yukon. It's the drainage of the Yukon. Residents of
17 the drainage have customary and traditional use for
18 chinook.
19
20 MR. MATESI: Unless excepted, which
21 covers urban area, i.e. Fairbanks, which is in the
22 drainage.
23
24 DR. JENKINS: That's correct.
25
26 MR. BASSICH: So you're covered.
27
28 MADAME CHAIR ENTSMINGER: Fairbanks has
29 got a non-rural area. I just have a quick question,
30 which probably I should know. When you look at these
31 regs, right, and you're a subsistence user out there,
32 where are you going to find this drainage part? Where is
33 it in here? You're agreeing with me.
34
35 DR. JENKINS: The drainage itself is not
36 defined in those maps and I see that as being ambiguous
37 for some users. That's why I'm agreeing with you.
38
39 MADAME CHAIR ENTSMINGER: You guys know,
40 but the people out there if they went to pick this up,
41 they would have a tough time finding it.
42
43 DR. JENKINS: Except -- well.
44
45 MADAME CHAIR ENTSMINGER: Except what?
46 It's okay, you can answer.
47
48 DR. JENKINS: No, I'm just self-editing.
49 It's okay.
50

1 MADAME CHAIR ENTSMINGER: Well, you have
2 to be a little bit -- that's what our job is, to make it
3 easy on the user. If it isn't in here and it's not easy,
4 then how do they know. That might be part of our problem
5 here. People don't even know what they can and can't do.
6 Go ahead, Andy.

7
8 MR. BASSICH: I think that's just a good
9 point to bring up and maybe it's something -- that's more
10 of a housekeeping thing when they put out these books and
11 everything, just to make it a little bit more clear, put
12 a definition in the booklet that would define what
13 constitutes that. I would hate to see us get wrapped
14 around that right now because that's such a small part of
15 what this issue really is all about.

16
17 MADAME CHAIR ENTSMINGER: That's probably
18 what my suggestion is. Okay. Let's move along. Any
19 other questions.

20
21 (No comments)

22
23 MADAME CHAIR ENTSMINGER: Next is ADF&G
24 Agency comments.

25
26 (No comments)

27
28 MADAME CHAIR ENTSMINGER: Federal
29 agencies and so on.

30
31 MS. YUHAS: Thank you, Madame Chair.
32 Jennifer Yuhas, Alaska Department of Fish and Game, State
33 Liaison. I also have Caroline Brown here to answer any
34 questions after I give the State's position. You may
35 notice in your books on Page 78 that the State's position
36 could seem vague on this because we have not spoken to a
37 portion of the issue. We have not spoken to who may
38 trade. We have only spoken to the idea that that trade
39 needs to be customary and traditional.

40
41 We do support refining the definition of
42 customary trade and significant commercial enterprise.
43 Speaking to Member Williams' question about how these
44 will be enforced, that has been the State's position all
45 along in dealing with State enforcement, is that without
46 a clear definition nothing can be enforced. So we would
47 not like to be on record for supporting limitations, but
48 refining the definitions.

49 //

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STATE OFFICIAL WRITTEN COMMENTS

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

Fisheries Proposals FP13-06, 07, 08:

This group of proposals seeks to refine definitions of Customary Trade of Yukon River Chinook Salmon.

Introduction:

FP13-06, submitted by the Western Interior Subsistence Regional Advisory Council (WI-RAC), seeks to limit customary trade of Yukon River Chinook salmon to that occurring between federally qualified rural residents with a current customary and traditional use determination(C&T). While the proposer does not qualify the customary and traditional use determination it may be it is assumed both the trader and recipient are to have C&T for Yukon River salmon.

FP13-07, submitted by the Eastern Interior Subsistence Regional Advisory Council (EI-RAC), seeks to limit customary trade of Yukon River Chinook salmon to that occurring between federally qualified rural residents with a current C&T and qualifies application to times of shortage when no Chinook salmon commercial fishery or restrictions on subsistence fishing are in place.

FP13-08, submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (YKD-RAC), seeks to limit customary trade of Yukon River Chinook salmon to that occurring between federally qualified rural residents with a current C&T for salmon only in the Yukon River drainage.

Impact on Subsistence Users: Defining customary trade would provide greater understanding of what is allowable under this practice. Limiting the scope of customary trade to the specific users mentioned in the proposals would provide for those users and exclude other users. Some rural residents without C&T for Yukon River Chinook salmon who may have purchased these salmon in trade would suffer a loss of purchased salmon obtained through cash transactions. Without the

1 addition of a definition of significant commercial
2 enterprise , there will be continued confusion and
3 enforcement issues will remain.

4
5 Impact on Other Users: None noted at
6 this time.

7
8 Opportunity Provided by State:

9
10 State subsistence users are allowed to
11 engage in the customary trade of subsistence-caught fish;
12 however, 5 AAC 01.010 prohibits the sale of
13 subsistence-caught fish, their parts, or their eggs
14 unless otherwise specified in state regulation.
15 Currently, there are only two exceptions listed in
16 Chapter 5 of state regulations; they are for the Norton
17 Sound-Port Clarence Area and for Southeast Alaska. 2
18 Currently, no sale of subsistence-caught fish is allowed
19 in the Yukon River drainage.

20
21 Conservation Issues:

22
23 The Yukon River Chinook salmon stock is
24 currently classified as a yield concern. Since 2001,
25 subsistence fishing time in the Yukon Area has been
26 limited by the windows schedule and then further
27 restricted in 2008, 2009, and 2011 because of
28 conservation concerns for Chinook salmon. Subsistence
29 harvest levels for Chinook salmon have not met the
30 amounts reasonably necessary for subsistence (ANS) range
31 the last four years (2008 2011). A majority of the Yukon
32 River drainage escapement goals have been met or exceeded
33 since 2000, including the Chena and Salcha rivers, which
34 are the largest producers of Chinook salmon in the U.S.
35 portion of the drainage. The escapement objective for
36 the Canadian mainstem was met every year from 2001
37 through 2006, with 2001, 2003, and 2005 being the three
38 highest spawning escapement estimates on record. The
39 escapement objective for the Canadian mainstem was not
40 met in 2007, 2008, and 2010. Exploitation rate on the
41 Canadian-origin stock by Alaskan fishermen has changed
42 from an average of about 55% (1989 1998) to an average of
43 about 44% from 2004 2008 (Howard et al. 2009). Although
44 the subsistence harvest was stable at nearly 50,000
45 Chinook salmon annually through 2006, the recent
46 five-year average (2007-2011) was 43,900. Commercial
47 harvests have decreased over 90% from an average of
48 100,000 annually (1989 1998) to the recent five-year
49 average (2005 2009) of nearly 9,700 fish.

50

1 Enforcement Issues:

2

3 A refined federal definition for
4 customary trade would reasonably be expected to reduce
5 enforcement complications provided the definition adopted
6 is specific and easily interpreted. Information outreach
7 will be necessary to adequately inform the public of any
8 adopted changes to the definition. Without the addition
9 of a definition of significant commercial enterprise ,
10 confusion and enforcement issues will remain.

11

12 Jurisdiction Issues:

13

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

28

29 Violation of existing customary trade
30 rules is largely an enforcement problem. What is needed
31 is more education and an enforceable definition on what
32 constitutes a significant commercial enterprise. We also
33 suggest implementing a monitoring program to produce
34 actual data, and clarifying the roles and
35 responsibilities of federal and state enforcement
36 agencies.

37

38 Other Issues:

39

40 Adoption of this proposal may provide
41 enforceable customary trade regulations, including limits
42 and reporting requirements. Currently, the extent of
43 customary trade in the Yukon River under federal
44 regulations is unknown; an enforceable monitoring program
45 would provide data useful for management purposes. A
46 permit system is more readily enforceable than one
47 without permits being required.

48

49 Recommendation:

50

1 Support refining the definition of
2 customary trade and significant commercial enterprise to
3 provide clarity for users and enforcement. We also
4 recommend the implementation of a permit system to help
5 quantify customary trade and significant commercial
6 enterprise activities.

7
8 MADAME CHAIR ENTSMINGER: Council
9 members, any questions.

10
11 (No comments)

12
13 MADAME CHAIR ENTSMINGER: No questions.
14 Thank you, Jennifer. Federal agencies, any comments.
15 That's the one I'm supposed to eliminate, right. We've
16 got that covered. Okay. Native, tribal, village, ANCSA
17 corporations. Any comments. Okay.

18
19 MR. EDWARDSON: Hello, my name is Una
20 Edwardson. I represent the Tanana Rampart Manley AC and
21 also the Tanana Tribal Council. I was waiting for an
22 email from another AC member, but I didn't get it, so
23 I'll go with what I got. I'm here today to voice my
24 concerns about the customary trade restrictions you are
25 trying to force upon us. The Tanana, Rampart and Manley
26 AC and the Tanana Tribal Council oppose Proposals 13-06
27 through 13-10.

28
29 Customary trade should be able to happen
30 between everyone no matter where you live. As everyone
31 knows, living in rural Alaska there is not enough jobs in
32 the village so people have to move to urban areas to find
33 employment and to provide for their families. Your
34 committee should not punish the people who have to move
35 to urban areas to provide for their families. A lot of
36 people in urban areas still rely on eating king salmon
37 from the Yukon River.

38
39 Customary trade and king salmon strips
40 has been going on for thousands of years between Native
41 people of Alaska and you shouldn't stop this now. USC
42 48, Section 232 says the Kuskokwim and Yukon River shall
43 be solely for the purpose of enabling Native Indians and
44 bonafide permanent white inhabitants along the said river
45 to take from said rivers for commercial purposes and for
46 export from the territory of Alaska king salmon in such
47 manner and such quantities and at such times as the
48 Secretary of Commerce says.

49
50 There have been pages and pages of

1 letters that you have received opposing the customary
2 trade restriction. I know Tanana Chiefs Conference and
3 Doyon, Limited and Tanana Tribal Council wrote extensive
4 letters opposing the customary trade. Have these letters
5 been written for nothing or does your committee read them
6 and use them in the decision-making process?
7

8 The customary trade restrictions are led
9 by the commercial fishermen and then Gene Sandone of
10 Kwik'Pak and his cronies. When the king salmon come
11 back, the commercial fishermen will get more openings and
12 fishermen who practice customary trade will be limited
13 just like we were this year. District 1 had 12
14 commercial fishing openings while District 5 we had one
15 18-hour subsistence opening this summer.
16

17 I urge you to vote against the customary
18 trade because it's customary and this is what we've been
19 doing forever. I don't want -- like I said, I don't want
20 -- when the king salmon come back, I don't want the
21 commercial fishermen to keep getting 12 openings to our
22 one opening. The State says it's supposed to be even,
23 the openings are supposed to be even, but we all know
24 it's not even anywhere. The commercial fishermen in
25 Lower River get way more fishing opportunities than the
26 subsistence fishermen in the Upper River.
27

28 MADAME CHAIR ENTSMINGER: Any questions.
29 Andy.
30

31 MR. BASSICH: Thank you. Are you blankly
32 opposed to the restriction of customary trade or have you
33 talked about in your ACs and in your communities about
34 the Eastern RAC's proposal that would only limit
35 customary trade during times of low abundance, which
36 would mean the only time there would be a restriction on
37 customary trade is when commercial fisheries is shut down
38 and when subsistence fisheries have restrictions on them
39 like what we've had for the last couple of years. During
40 those times it's recognized that there's not enough fish
41 to even meet the needs of the people along the river.
42

43 So what that proposal would do would be
44 further limit the abuse of selling fish outside the
45 region. What that proposal is trying to do is then
46 trying to keep all the fish in the Yukon River in the
47 Yukon River Drainage as food security for the people
48 along the Yukon River Drainage. Having said that, did
49 you guys have any discussion about that or you're just
50 blankly opposed to all of it?

1 MR. EDWARDSON: We didn't discuss that
2 too much, but we oppose customary trade because we don't
3 want -- when there's three -- there's three different
4 customary trade proposals and they all have different
5 language. Like I moved back to Tanana a year and a half
6 ago. I don't want my other friends who go to college and
7 they get an education and get a degree and have to go
8 work in town not to be able to eat the king salmon that
9 they grew up eating and living off of. I don't think the
10 people here or anyone -- it shouldn't be their decision
11 who gets to eat the king salmon or whatnot.

12

13 MR. BASSICH: Follow up.

14

15 MADAME CHAIR ENTSMINGER: Go ahead.

16

17 MR. BASSICH: Thank you. So I understand
18 what you're saying there and I guess what I'm trying to
19 find out is -- under the Eastern RAC's proposal to only
20 do this during times of low abundance, what that is
21 essentially doing is trying to protect the villages and
22 make sure that there's enough food to feed the people out
23 in the villages because there's less opportunity for them
24 to get food from other places. It's much more expensive.
25 It's not as good quality of food.

26

27 By working through the Eastern RAC's
28 proposal, it's basically trying to protect the places
29 that you would have come from from basically starting
30 out. We're hearing all the time right now that people
31 are leaving the villages because there's no job and
32 there's no food there anymore. So this is an attempt to
33 make sure that at least if a person doesn't have much in
34 the way of income from working they would then be able to
35 at least feed themselves in the region.

36

37 Do you understand what I'm saying?

38

39 MR. EDWARDSON: I understand what you're
40 saying, but we haven't said that people leave the village
41 because there's no food. I never heard that before. I
42 know there's no money. The problem personally I have
43 with the customary trade thing when it talks about
44 commercial fisheries, there shouldn't be a commercial
45 fishery if there's a shortage on king salmon, yet how
46 many openings in the Lower River when the king salmon are
47 running they say, oh, we know what side of the river the
48 kings run on. Come on, man. You know where the king
49 salmon are running? So I don't believe the number of
50 king bycatch.

1 I don't agree with that.

2

3 MADAME CHAIR ENTSMINGER: Lester has a
4 question.

5

6 MR. ERHART: It's not really a question.
7 The word on the river is this. Why do we keep on going
8 protecting for the Canadians, protecting for them in
9 False Pass so they can throw them away? In the meantime,
10 they're starving the Eskimos and the Indians. I mean
11 that's the word on the river now.

12

13 MR. EDWARDSON: I just got this email
14 from the other AC member. He added.....

15

16 MADAME CHAIR ENTSMINGER: Okay.

17

18 MR. EDWARDSON: I'll start over. He
19 added a couple things. There have been pages and pages of
20 letters that have been received opposing customary trade
21 restrictions and very few in favor. Those have been
22 almost all from the Lower River commercial processors
23 interest or their lobbyist. At the last Eastern RAC
24 meeting the tribal council attended, all the public input
25 and phone comments stated opposing these proposals. Some
26 of your own Council members stated they were not aware of
27 many of these issues people were presenting and felt
28 uncomfortable going forward with these proposals as
29 written. Have these comments and letters been written
30 for nothing or does your committee read them and use them
31 in the decision-making process?

32

33 The customary trade restrictions are led
34 by the commercial fishermen and lobbyist Gene Sandone and
35 his associates. They have been pushing for this for 20
36 years and are using the current crisis as a means to get
37 a hold of these fish. If and when the king salmon come
38 back and the commercial fishermen get all the customary
39 trade fish that traditionally have gone into this ethical
40 and vital fishery and the fishermen who practice
41 customary trade will be limited to a meaningless fraction
42 of what the fishery was, just like this year in District
43 1 like I just spoke about.

44

45 It's disgusting to hard-working, ethical
46 subsistence fishermen in my area to watch the Federal
47 government, who took over control of fishing in Federal
48 waters because they said the State was not protecting
49 subsistence properly, now pushing these proposals through
50 to go before the Federal Subsistence Board with seemingly

1 no consideration of all the input and consideration
2 brought before them.

3
4 We support efforts to conserve king
5 salmon in times of shortage, but do not support proposals
6 which will set the precedent that will effectively end
7 traditional customary trade and replace it with a new
8 phony, meaningless, Federally-defined customary trade.

9
10 MADAME CHAIR ENTSMINGER: What's his
11 name?

12
13 MR. EDWARDSON: Stan Zuray.

14
15 MADAME CHAIR ENTSMINGER: We know Stan.

16
17 MR. GLANZ: TV star.

18
19 MADAME CHAIR ENTSMINGER: Okay. Do we
20 have any other questions or comments.

21
22 Larry.

23
24 MR. WILLIAMS: Thank you, Madame Chair.
25 My name is Larry Williams and I grew up in the village of
26 Beaver in the Yukon River and I still maintain a fish
27 camp about 30 miles above Beaver. All my life I've been
28 a subsistence hunter and fisherman, so I know exactly
29 where you guys are coming from. Tanana and all those
30 regions. I feel the same way that you do. We shouldn't
31 try to regulate something that's been ongoing for
32 thousands and thousand of years between different groups
33 of people. When I say different groups of people, I mean
34 different subregions of Athabascan people and maybe our
35 neighbors to the north Inupiat.

36
37 It was a sign of respect back when. I
38 remember because my dad and my mom did that. It was
39 customary trade. They sold fish. It was fall chum
40 mostly, but they sold some king salmon, salmon strips, to
41 buy the stuff that we can't manufacture like sugar,
42 coffee and tea and whatnot. So I understand what they're
43 coming from. I understand where you're coming from. I'm
44 just telling you my life history because I want you to
45 understand where I'm coming from. I'm not a newcomer to
46 this subsistence game here.

47
48 I recommend and I commend the Tri-RAC
49 committee for trying to take on a tough and delicate
50 issue. We're going to be dancing around here all day if

1 we don't come to some sort of definite answer to these
2 tough questions that are before us. Like I said, I'm all
3 for -- I stand on your side and I'd like to make my
4 position clear.

5
6 Thank you.

7
8 MR. EDWARDSON: Thank you for supporting
9 this, Mr. Williams. To what Andy was saying before, me,
10 personally, like if they took the commercial fisheries --
11 in times of shortage of subsistence fishing and
12 commercial fish, I don't think commercial fisheries
13 should be in there. This isn't a -- you know, me,
14 personally, I'm not a commercial fisherman, so I could
15 care less if a commercial fisherman got a king salmon
16 opening. I don't think we should be restricted just
17 because the commercial fisherman is restricted.

18
19 MADAME CHAIR ENTSMINGER: Any other
20 questions.

21
22 (No comments)

23
24 MADAME CHAIR ENTSMINGER: I'm sure we'll
25 have lots more discussion like this here as this comes
26 around. The next thing is the Advisory Groups, our
27 neighboring Regional Councils.

28
29 Thank you, Una.

30
31 MR. EDWARDSON: Thank you.

32
33 MS. PATTON: Madame Chair. For the
34 Western Interior RAC for Proposal 13-06, support. Do you
35 want to deal with all three together and their responses?

36
37 (Council nods affirmatively)

38
39 MS. PATTON: Okay. So support from the
40 Western Interior RAC for FP13-06. The Seward Peninsula
41 RAC also took up FP13-06 and opposed it. For the Y-K
42 Delta RAC, they lumped together 06, 07 and 08 as modified
43 in the OSM analysis and support those as modified by OSM
44 analysis. That's it for the RACs.

45
46 Thank you.

47
48 MR. FIRMIN: You said Seward Pen took up
49 only 06 and opposed it?

50

1 MADAME CHAIR ENTSMINGER: Did they take
2 up 07 or 08?
3
4 MS. PATTON: Seward Pen did take up 07
5 and 08. Did you want all three?
6
7 MADAME CHAIR ENTSMINGER: Yes.
8
9 MS. PATTON: Oh, okay. I'm sorry. I
10 thought you just wanted 06. Let me start with Western
11 Interior RAC. FP13-07 was to defer and FP1308 was also
12 to defer. The Seward Peninsula RAC again FP13-06 was
13 opposed, opposed to 13-07 and opposed to 13-08.
14
15 MADAME CHAIR ENTSMINGER: Okay. Any
16 advisory committees other than GASH that commented on
17 this.
18
19 MS. PATTON: No advisory committees. We
20 do have the TCC comments. On Page 110 is TCC.
21
22 MADAME CHAIR ENTSMINGER: Before we hit
23 that, that would be a summary of the other written
24 comments?
25
26 MS. PATTON: Written comments, yes.
27
28 MADAME CHAIR ENTSMINGER: Yeah. And
29 there's no SRCs in that region, huh. All right. So 110
30 has got the rest of it in there. Do I have any other
31 public testimony on Proposal 06, 07 and 08 together.
32
33 (No comments)
34
35 MADAME CHAIR ENTSMINGER: Any other
36 public testimony.
37
38 (No comments)
39
40 MADAME CHAIR ENTSMINGER: Okay. We're
41 ready for a motion. Andy.
42
43 MR. BASSICH: Yes, Madame Chair. I'd
44 like to make a motion that we support the proposal as
45 presented to us as recommended by the OSM for the support
46 of limiting customary trade on the Yukon River for
47 chinook salmon.
48
49 MADAME CHAIR ENTSMINGER: So your motion
50 is to endorse OSM's modifications.

1 MR. BASSICH: Correct.
2
3 MR. FIRMIN: That was 06 only, correct?
4
5 MADAME CHAIR ENTSMINGER: Was that 06
6 only?
7
8 MR. BASSICH: I'll speak to that in the
9 motion or do I need that in the motion.
10
11 MADAME CHAIR ENTSMINGER: Let's make it
12 clear.
13
14 MR. BASSICH: The motion is for 06, but
15 I feel like a better solution is going to be 07, the
16 Eastern RAC's proposal.
17
18 MADAME CHAIR ENTSMINGER: What's your
19 motion? Just put that.....
20
21 MR. BASSICH: Okay. I'm just going to
22 say then it's for 07, the Eastern RAC's proposed wording.
23 So the motion will be for FP13-07, support of FP13-07.
24
25 MADAME CHAIR ENTSMINGER: Forget the
26 modification.
27
28 MR. BASSICH: Correct.
29
30 MADAME CHAIR ENTSMINGER: Okay. I need
31 a second.
32
33 MR. GLANZ: I'd be more than happy to
34 second that since we were on the Board with that.
35
36 MR. BASSICH: I'll speak to it now then.
37 During the Tri-RAC Committee meeting we spent a great
38 deal of time talking about all the things that we have
39 already talked about in many, many meetings. The issue
40 of what is it really defining, what is it limiting, who
41 is going to be impacted, who qualifies.
42
43 What it boiled down to in my mind, and we
44 have two other members that were on that committee here
45 so hopefully they'll add to what I'm sure I'm going to
46 miss. What it boiled down to is we all realized that the
47 chinook salmon run is in terrible shape right now. As we
48 heard earlier today from Steve Hayes, there's no outlook
49 good for chinook salmon in the future.
50

1 We haven't been able to meet even
2 escapement goals for five out of six years. The king
3 salmon right now are in such trouble that we can't even
4 feed the people on the river that need it. We're not
5 meeting the needs of the people on the river.
6

7 So essentially what this proposal in my
8 mind is doing is it's giving support to the fish by
9 trying to encourage people not to overharvest to feed
10 themselves. It's to make sure that there's food security
11 in the villages for the people. The sustainability of
12 the run cannot support this additional harvest.
13

14 If we can't feed the people in the river,
15 we've closed all commercial, we've restricted the river
16 severely, the most severe restrictions ever been put in
17 place this year, and yet we still couldn't meet border
18 passage, we have some real problems.
19

20 I'd also like to point out if you look at
21 some of the harvest reporting that went on on Page 28.
22 This refers to that drift fishery that took place. One
23 of the things that's really important about harvest
24 permits is that it provides really good information. I
25 think this kind of supports what we're going to have to
26 go to in the future to do this fisheries under good
27 management. We're going to have to get better numbers
28 and that's going to come down the line.
29

30 The only other thing that I wanted to
31 point out is there was -- on Page 32 on the bottom of the
32 paragraph here -- I'm sorry, I'm on the wrong page here.
33 Bear with me for a minute. We had some testimony or a
34 letter given to us here and it's on Page 126. This was
35 a letter, I believe, from TCC to us. They covered a wide
36 range of topics, but one of the things that they stated
37 in this was in the bottom paragraph. It says, for
38 example, one fisher reported he sent fish for resale to
39 his brother for resale in another location and sold small
40 amounts of fish, four or five fish, to an acquaintance in
41 Fairbanks.
42

43 Currently we have about 1,600 households
44 on the Yukon River fishing. We keep hearing that we
45 don't have numbers about how prevalent customary trade
46 is, but, come on, let's be frank, we all know that it
47 takes place. We all know that the people harvest more
48 than what they actually consume in their own home to
49 barter and trade and all that. That's fine to a certain
50 extent.

1 Let me just give you some representative
2 numbers of the impacts of how important every single fish
3 is. If you take 1,600 households and every household
4 catches an additional four fish, okay, that's a small
5 amount. Everybody doesn't think, oh, only four fish.
6 You tally that up. You've got 6,400 fish. Now our total
7 escapement across the border was 35,000 fish. We didn't
8 make our escapement into Canada, which the low end is
9 42,000. You add that 6,400 to the 35,000 and you get
10 right about where our lowest escapement goal is. The
11 bare minimum of what we want to see across the border.
12 The point I'm trying to make here is that every single
13 fish when you're in low abundance like this makes a huge
14 difference.

15
16 So if you're allowing people to harvest
17 fish, move them out of the Yukon River drainage and sell
18 them to other people, then you're hurting the future runs
19 of the Yukon River. I don't think people really
20 understand how critical it is right now to have every
21 single fish that we possibly can make it up there.

22
23 In speaking to the motion, I think
24 regarding the testimony we heard earlier, I think the
25 motion that we may support would address a lot of the
26 issues that he brought up and that is that when
27 commercial fishing is closed because of low abundance
28 down there, customary trade will be closed up here. If
29 the run picks up in the future by some miraculous event,
30 then customary trade will be able to begin to happen
31 again. So it addresses that. It also addresses the main
32 issue in my mind and that is making sure that there's
33 enough food for the people who live along the river.
34 That's critical. That's what subsistence is. If you
35 don't have a reasonable access to a resource, you don't
36 have subsistence.

37
38 I guess I'll just stop there so we can
39 have discussion.

40
41 MADAME CHAIR ENTSMINGER: Joe is next.

42
43 MR. MATESI: I'd just like to ask a
44 question of the Chair or the Council Coordinator. This
45 motion -- or Andy. This motion concerns 07, is that
46 correct?

47
48 MADAME CHAIR ENTSMINGER: Yes, that's the
49 motion he put on the floor.

50

1 MR. MATESI: Okay. I just wanted to make
2 sure. So are we going to go back then and entertain a
3 separate motion on 06?
4
5 MADAME CHAIR ENTSMINGER: We'll have to
6 find out. We've got to deal with this first and see what
7 happens. This is on the table. This is what we're
8 discussing right now is 07.
9
10 MR. MATESI: 07. Okay. Thank you.
11
12 MR. BASSICH: They're all lumped
13 together. We're addressing them all at one time.
14
15 MADAME CHAIR ENTSMINGER: You just made
16 a motion for 07, so what am I.....
17
18 MR. BASSICH: But I mean the analysis is
19 for all three is what I'm saying.
20
21 MADAME CHAIR ENTSMINGER: Yeah.
22
23 MR. MATESI: It still requires separate
24 motions, right?
25
26 MADAME CHAIR ENTSMINGER: Yeah, it would.
27 Yes. So we're looking at -- the motion on the floor is
28 07. You didn't make any modifications when you made the
29 motion, so it's as it's written in the book.
30
31 MR. MATESI: Thank you.
32
33 MADAME CHAIR ENTSMINGER: So that's what
34 we're discussing. More discussion on the motion on the
35 floor. We're awfully quiet. Andrew, I know your head is
36 spinning.
37
38 MR. FIRMIN: I guess I could put in my
39 two cents. I spent time on the Tri-RAC with Bill and
40 Andy and six other folks from the Western Interior RAC
41 and the Y-K RAC. I think we made a lot of good progress
42 along with David's help there. I think I'm pretty much
43 in favor of our proposal over the other two because we've
44 got that, I guess, a Catch-22 or whatever you want to
45 call it to where if the salmon do come back, then this
46 whole thing will be out the door. I liked that over the
47 Western Interior's Proposal 13-06 and 13-08 I still
48 haven't got the grasp of that one. Theirs is a little
49 differently worded.
50

1 I guess my whole point is the whole food
2 issue, like Andy says. I don't know. I've gone to fish
3 camp many times in my life. I wouldn't say I grew up in
4 a fish camp, but my family or somebody in my extended
5 family has always had one and it was always a family
6 affair. We've never sold fish. What's that? We've
7 never had a problem having a fish camp and I don't see
8 why other people make such a big deal out of it because
9 we all banded together as a family.

10
11 The other thing that I see is like what
12 Una mentioned earlier, it's not fair to some people, like
13 when they leave town to go eat, but is it not fair -- if
14 you're in Fairbanks, it's not fair for me that I don't
15 get to go to McDonald's, but then, again, to them it's
16 not fair that they can't go to eat king salmon. But
17 then, again, is it not fair for me not being able to eat
18 period, but you can eat king salmon in Fairbanks. I
19 think that's the whole point that we're getting at here.
20 It's not fair for people in Fairbanks to eat king salmon
21 when I don't get to eat it in my home town where I'm
22 living in Fort Yukon. That's not fair to me.

23
24 I think a lot of people get the
25 commercial fishing part confused somewhat because the
26 commercial openings they're having are for chum salmon.
27 Actually I was kind of surprised this year at their
28 bycatch numbers, how small they were compared to previous
29 years. I guess because there's not any kind salmon
30 coming up the river anymore probably is part of it.

31
32 MADAME CHAIR ENTSMINGER: They ate them
33 all.

34
35 MR. FIRMIN: I've always been one that
36 has been saying this for a while and I want to say it
37 again. You know, we always end up with extra closures on
38 the upper end of the river and I've always been, well,
39 why don't they have extra closures starting on the other
40 end of the river. If they get a lot of fish going by,
41 then, hey, open it wide open, but not wait until they
42 say, hey, there's not enough fish going by and then close
43 it down. Close it from the get-go at the other end of
44 the river.

45
46 I see a lot of different points about it,
47 but I think that we need to support this 13-07 because
48 it's got a secondary clause in there that would allow it
49 to be -- it wouldn't be in effect if there was plenty of
50 salmon for everybody. And that's only king salmon. It

1 doesn't say anything about what you can do with your chum
2 salmon or anything like that. What, 2 million of them
3 swam up the river this year. Should be plenty to go
4 around.

5

6 MADAME CHAIR ENTSMINGER: Council
7 members. Joe.

8

9 MR. MATESI: I might as well throw in my
10 two cents worth as well. I'm with Andrew on this. It's
11 actually interesting for me to step back from myself and
12 try to look objectively at the way my thinking has been
13 kind of evolving and changing with the last year and a
14 half because this is the third meeting now where we've
15 looked at pretty much the same identical thing. I may be
16 getting a little crotchety, but I guess my thinking
17 hasn't fossilized yet because it is evolving on this.

18

19 One thing that -- getting ready for this
20 meeting, one of the things that I was able to take out of
21 all the reading is that I'm starting to think that it's
22 a mistake to talk about customary trade restrictions in
23 the context of low king salmon runs. In one of the
24 testimonies quoted in our book was something like -- I
25 can't remember the wording exactly, but dealing with
26 customary trade is the make or break of bringing the
27 kings back, which struck me as pure hyperbole. There are
28 low king runs. We all agree with that. It's pretty
29 obvious. But I don't think that singling out customary
30 trade as a scapegoat is going to be the make or break for
31 restoring those runs.

32

33 That being said, we've got to get a
34 definition on significant commercial enterprise. We have
35 to come up with some way so that enforcement has a handy
36 tool and they can go after these few abusers. I guess
37 they're out there. What I'm hearing they're out there,
38 some really egregious things. So we're going to have to
39 do that.

40

41 Those are the ways my thinking has been
42 going on all three of these things here. I'm really
43 interested in defining this significant commercial
44 enterprise, but I don't want to do anything that looks
45 like we're singling out practitioners of customary trade,
46 which happens in some parts of our region more than
47 others and I want to be sensitive to those people. I
48 don't want to single them out and say if you guys just
49 stop doing this, then lo and behold all of a sudden the
50 river is -- you're going to be able to walk across the

1 river on the backs of fish again.

2

3 (Laughter)

4

5 MR. MATESI: Okay. That's all.

6

7 MADAME CHAIR ENTSMINGER: That's not
8 going to happen. Okay.

9

10 Bill.

11

12 MR. GLANZ: This actually wasn't made --
13 I think there was only I and one other man, Andy, that
14 are Caucasian on that board. The rest was mostly all
15 Native people on that board and they agreed with
16 everything that -- a lot of these things were made by
17 their motions from the Y-K down there and a lot of times
18 we just went along with it. Because nobody's saying you
19 can't trade five gallons of gas for a fish. That's
20 trade. Nobody's telling you you can't do that.

21

22 Law enforcement down at one meeting was
23 talking about the thousands of jars of king salmon they
24 found down at a convention they were selling off the
25 Yukon. While we're restricted to even catch any fish,
26 somebody down river from us is taking up all these fish
27 and selling them at the conventions. That's what this
28 kind of stuff we're trying to eliminate. It's not going
29 to restore the fish like Joe just stated, but during
30 these times of restrictions it's certainly going to help.
31 I mean that's the only thing I'm looking forward to.
32 I've caught 27 fish in the last eight years on salmon.
33 That's my total take. It ain't because I'm a
34 conservationist.

35

36 It's because it's closed.

37

38 (Laughter)

39

40 MR. GLANZ: I mean that's the way I look
41 at it. We've got to do something to help these salmon
42 stocks get back. I agree with him over there. The
43 commercial enterprise of the trawlers, they're the
44 biggest detriment to these fish. Once we get a handle on
45 them -- I mean their bycatch was 60,000 kings. We don't
46 even get that many on the Yukon that we utilize every
47 year with all the households.

48

49 Anyway, I just made my speech. I'm going
50 to vote in favor of this.

1 MADAME CHAIR ENTSMINGER: Council
2 members, other discussion. Lester, you're too quiet.

3
4 (No comments)

5
6 MADAME CHAIR ENTSMINGER: Virgil.

7
8 MR. UMPHENOUR: I'm also going to vote in
9 favor of our RAC's proposal, which is Proposal 07. I
10 think the majority of the issues have been brought up by
11 my fellow Council members. So, if no one else has
12 anything to add, I'll call the question.

13
14 MADAME CHAIR ENTSMINGER: Well, I would
15 like to add just a little bit. This is not my region and
16 I have a difficult time at times and I'm trying so hard
17 to wrap my head around it and sometimes it's like, well,
18 I thought I had it clear last time, then we were talking
19 about strips and then they told me, no, you're talking
20 about whole fish. I was told we were talking about whole
21 fish and now we don't know if we're talking about whole
22 fish again.

23
24 So it makes it a little difficult to --
25 if we were talking about whole fish, I think that's
26 awesome, but when you start talking about strips, I hear
27 the elders speak and it does make me try to think about
28 what are they trying to tell me. What is it -- and the
29 passion that the young man here has. Something he has
30 done all his life is very important to him.

31
32 Sometimes I don't like making these
33 decisions because I don't think I'm qualified to make the
34 decision and I want to just bow out. I also have a deep
35 concern about the resource. The resource should always
36 come first, I believe. I think my very first meeting we
37 were discussing this very thing 10 years ago and I
38 remember saying at that time all I heard was
39 conservation, conservation. I said why are we selling
40 fish if there's a conservation issue. Talk about
41 sensitive. I found out a lot more in 10 years about
42 sensitivity. It's incredible.

43
44 I guess I still have to maintain. My
45 heard goes out to you guys that -- Lester, you need to
46 speak if you have something to say here. I really -- it
47 does, but I don't think it's going to stop you guys's
48 tradition. I have a hard time believing it would. I
49 think the conservation to have plenty of fish in the
50 future for everybody to have is what concerns me.

1 MADAME CHAIR ENTSMINGER: Uh-huh. That
2 I can feel. I feel that pain deeply.

3
4 MR. ERHART: And I feel it down at home.
5 I don't only talk to Tanana people, I talk all the way
6 down to the lower river, all over the place, and that's
7 their feeling. I mean they were happy there was a lot of
8 chum because that kind of shut them up a little bit.

9
10 (Laughter)

11
12 MADAME CHAIR ENTSMINGER: Larry.

13
14 MR. WILLIAMS: Thank you, Madame Chair.
15 I feel the same way as Sue does. I don't think I'm
16 qualified to make decisions for people up and down the
17 river, whether they can engage in customary trade or not.
18 The only way we're going to bring back fish to my way of
19 thinking is to go to the grassroots level, right down to
20 the village level and talk to the people and have them
21 agree on a drastic conservation measure supported by them
22 in the villages saying that they will cut back or not
23 fish at all.

24
25 Like I said, I maintain a fish camp and
26 I haven't been down there for maybe the last 10 years.
27 I do my small part in making sure we have fish for my
28 grandkids, which are grown up now. You know, if
29 everybody thought the same way or severely limit -- it's
30 severely limited now, I know -- severely limit the catch
31 of chinook, you can catch all the chum you want. What
32 I'm basically saying is that this has to come from the
33 villages all up and down the Yukon River, on the mainstem
34 of the Yukon.

35
36 As a chairman of the Yukon Flat Advisory
37 Committee, we have a meeting coming up and I'm sure this
38 will be a hot topic of discussion. I invite everybody
39 who can make it down to Stevens Village to come by and
40 put your two cents in. So I'm sure this will be brought
41 up and I hope something positive comes out of that
42 meeting and I hope something positive comes out of this
43 meeting, which I'm sure it will.

44
45 Thank you.

46
47 MADAME CHAIR ENTSMINGER: Andy.

48
49 MR. BASSICH: Thank you for those words,
50 Larry. I was really pleased to hear you say that this

1 has to happen at the grassroots level because I agree
2 with you and I think that's the only real way to fix any
3 of these big problems.

4
5 That being said, a dead fish is a dead
6 fish. Once a fish is dead, whether it's cut up in
7 strips, sold whole, put in a freezer, whatever, it's no
8 longer going to contribute to any future runs. That's
9 the fundamental issue here that we're trying to encourage
10 people. That's what we're up against now.

11
12 Number two, we have lost about 50 percent
13 of the total population of the run in two life cycles.
14 Twelve years we've lost almost half of the fish that used
15 to come up the Yukon River. We can't afford to go two
16 more life cycles and have that again. If we do that,
17 that means 75,000 fish in the entire river. There will
18 be no commercial -- sorry, not no commercial, there will
19 be no fishing of chinook salmon, so nobody eats king
20 salmon. That's what we're up against right now. We
21 can't afford not to take every available tool, put it in
22 the toolbox to us to ensure that this run doesn't further
23 decline. That's really, really important right now.

24
25 The third thing I want to bring up and it
26 goes back to your comments, Larry, how do you think it
27 feels -- our community voluntarily did not fish. There
28 was one or two people that fished in our community this
29 year for chinook salmon, but everybody else pretty much
30 stayed out of the fisheries and made the decision early
31 to hope that the fall chum run comes in. How do you
32 think it makes us feel when we give up that important
33 resource to us and then we hear about strips or jars or
34 I don't even care if it's whole fish, whatever it is,
35 showing up at AFN. Do you think that's going to make us
36 want to do it in the future? Boy, it's pretty hard to
37 sell conservation to that level to people if they know
38 that other people are going to go make money on it.

39
40 MADAME CHAIR ENTSMINGER: A very strong
41 point you made there, but I know for myself I feel the
42 pain that Lester speaks of because I think in the 10
43 years that I've been talking about Yukon fish, which is
44 half the meetings I've gone to for this RAC, that's
45 probably -- a small part of conservation is giving up
46 this part, because I think the big problem is in the high
47 seas, like Lester says. If 60,000 kings are caught in
48 the high seas, maybe we ought to sink some boats. I
49 don't know. That's crazy when you think about it that
50 way.

1 Andrew, did you talk about -- that fish
2 that was brought into the village, where did it come from
3 again? Remember there was supposed to be fish that was
4 supposed to be voluntarily given back to the Yukon from
5 these high seas fishermen. Remember that part?
6

7 MR. FIRMIN: It wasn't the high seas
8 fisher, it was the test net fisheries from Emmonak and
9 Mountain Village, their test driftnet fisheries conducted
10 by Fish and Game.
11

12 MADAME CHAIR ENTSMINGER: Has anyone seen
13 any of these fish come back to their village that were
14 supposed to be voluntarily brought back from the pollock
15 fishery?
16

17 Who's first.
18

19 Virgil.
20

21 MR. UMPHENOUR: They go to the food bank
22 in Seattle.
23

24 MADAME CHAIR ENTSMINGER: And none of it
25 comes back here.
26

27 MR. UMPHENOUR: Zero comes to Alaska.
28

29 MADAME CHAIR ENTSMINGER: What a joke.
30

31 MR. UMPHENOUR: Those boats are all out
32 of Seattle. They're not Alaska residents. Hell, 85
33 percent of them are probably illegal aliens or they're
34 aliens anyway.
35

36 (Laughter)
37

38 MR. UMPHENOUR: They're not even citizens
39 of this country. The people making the money. No, that's
40 the honest to God's truth. So that's who gets the -- the
41 food bank in Seattle gets all those fish. They don't
42 want to waste the money to send them to Alaska. They'd
43 have to pay air freight. They just haul them back there
44 in their trawler when they're done fishing and they don't
45 have to pay no air freight.
46

47 MADAME CHAIR ENTSMINGER: That's my
48 point. I can feel your pain, Andy, and I can feel your
49 pain, Lester, so it makes it really hard for us to sit at
50 this Council and we've got to vote on this stuff, just

1 like those poor guys do in Anchorage, and you just wonder
2 if you have enough information or even closely qualified
3 to make that decision. It's hard.

4

5 MR. UMPHENOUR: Madame Chair.

6

7 MADAME CHAIR ENTSMINGER: I mean they
8 tell me you don't have any guts if you don't vote, and
9 then you vote and you do what you think is right. That's
10 how I feel about this. Go ahead, Virgil.

11

12 MR. UMPHENOUR: Something I didn't say on
13 my report I gave to the North Pacific Fisheries
14 Management Council, but the new data and the new sampling
15 and all this other stuff, info is out. It came out just
16 before that Council meeting, so I reported on it. That's
17 what I spoke to. There were over 6,000 king salmon that
18 would have crossed the border into Canada last year and
19 over 2,700 that would have come up the Tanana River and
20 passed right past Fairbanks caught in that pollock
21 fishery last year. Madame Chair.

22

23 MADAME CHAIR ENTSMINGER: Okay. So you
24 get stuck between a rock and a hard spot being on this
25 board.

26

27 MR. BASSICH: Madame Chair, I'd like to
28 call the question.

29

30 MADAME CHAIR ENTSMINGER: Okay, you can
31 call it. Everybody ready? Roll call.

32

33 MR. MATESI: Madame Chair, I'd like to
34 request a roll call.

35

36 MR. BASSICH: Yeah, request roll.

37

38 MR. GLANZ: Andrew's already going for
39 it.

40

41 MADAME CHAIR ENTSMINGER: 07, the motion
42 is just as you see it in the book on Page 58, 13-07.

43

44 MR. BASSICH: Yes.

45

46 MR. UMPHENOUR: No, Page 62.

47

48 MADAME CHAIR ENTSMINGER: How come I'm
49 looking at the wrong one. Yeah, and it's up here too.
50 I think it's in two places in the book, 62 and 58. It's

1 proposed Federal regulation, Eastern Interior Council
2 proposal regulation FP13-07. It's adding customary trade
3 of Yukon River Chinook salmon may only occur between
4 Federally qualified rural residents with a current
5 customary and traditional use determination. This will
6 only be in times of shortage when there is no chinook
7 salmon commercial fishery and restrictions on subsistence
8 fishing are in place. That's the language that's being
9 added. To my understanding, that means the last two
10 years that would have been in place.

11
12 Everybody understand the motion? Roll
13 call.

14
15 MR. FIRMIN: I have a quick question.
16 Are we going to support any of the modifications that
17 ADF&G proposed.

18
19 (Council shakes head negatively)

20
21 MR. FIRMIN: No. Just as written.

22
23 MADAME CHAIR ENTSMINGER: No. This
24 proposal is what we're voting on.

25
26 MR. FIRMIN: I'll start in the middle
27 with William Glanz, I suppose.

28
29 MR. GLANZ: Yes.

30
31 MR. FIRMIN: Andrew Bassich.

32
33 MR. BASSICH: Yes.

34
35 MR. FIRMIN: James Roberts, absent.
36 Joseph Matesi.

37
38 MR. MATESI: No.

39
40 MR. FIRMIN: Donald Woodruff, is he still
41 online.

42
43 MR. WOODRUFF: Yes.

44
45 MR. FIRMIN: Is that a yes vote or yes,
46 you're online?

47
48 MR. WOODRUFF: Yes is the vote.

49
50 MR. FIRMIN: Okay, just clarifying.

1 Virgil Umphenour.
2
3 MR. UMPHENOUR: Yes.
4
5 MR. FIRMIN: Sue Entsminger.
6
7 MADAME CHAIR ENTSMINGER: Yes.
8
9 MR. FIRMIN: And myself, I vote yes.
10 Larry Williams, Sr.
11
12 MR. WILLIAMS: No.
13
14 MR. FIRMIN: Lester Erhart.
15
16 MR. ERHART: No. I don't think it's
17 going to solve the problem.
18
19 MADAME CHAIR ENTSMINGER: You're probably
20 right.
21
22 MR. FIRMIN: That's 6 for, 3 against, and
23 1 absent.
24
25 MADAME CHAIR ENTSMINGER: That can't be.
26 Six, four?
27
28 MR. FIRMIN: Six in favor, 3 opposed, 1
29 absent.
30
31 MR. MATESI: 6 to 3.
32
33 MADAME CHAIR ENTSMINGER: Okay, it is
34 right.
35
36 MR. FIRMIN: Motion carries.
37
38 MADAME CHAIR ENTSMINGER: All right. So
39 since we took that all together, do you just want to make
40 a motion to -- yeah.
41
42 MR. UMPHENOUR: Madame Chair. I move
43 that we take no action on proposal FP13-06 and 08 due to
44 the action taken on Proposal 07.
45
46 MADAME CHAIR ENTSMINGER: Do I hear a
47 second.
48
49 MR. ERHART: Second.
50

1 MADAME CHAIR ENTSMINGER: Second. Okay,
2 discussion. I've got a second.
3
4 MR. UMPHENOUR: Ask if there's any
5 objection.
6
7 MADAME CHAIR ENTSMINGER: Any objections.
8
9 (No objections by Council)
10
11 MADAME CHAIR ENTSMINGER: Hearing none,
12 passes unanimously. I forgot to mention it or did I, I
13 can't remember. Andrew had to leave for a doctor's
14 appointment.
15
16 MR. GLANZ: Two o'clock he said.
17
18 MR. UMPHENOUR: He just left.
19
20 MADAME CHAIR ENTSMINGER: And he has
21 requested that we take up some of the State proposals so
22 these tough ones he's present.
23
24 MR. UMPHENOUR: Why don't we take a
25 break.
26
27 MADAME CHAIR ENTSMINGER: And Virgil
28 would like to take a break.
29
30 MR. GLANZ: You know what, I think that's
31 a good idea.
32
33 MADAME CHAIR ENTSMINGER: Be back in
34 about 10.
35
36 (Off record)
37
38 (On record)
39
40 MADAME CHAIR ENTSMINGER: We're going to
41 go ahead and get started. The request from Andy was --
42 he wanted to take up the rest of these Federal proposals,
43 so we're going to go right into these State proposals.
44 In your handout, Eva has given us this. It's a copy of
45 all the State proposals. Number 98 isn't in there, but
46 it was the pike one, which we just voted on. We might
47 want to just -- we probably could have added it to our
48 other one because it's a parallel proposal, right,
49 Donald?
50

1 MR. RIVARD: Yes, Madame Chair. Actually
2 I made a mistake when I said -- it's 97. 98 is a similar
3 one, but it's actually 97 is the one you'd probably take
4 up as a Council.

5
6 MADAME CHAIR ENTSMINGER: 97, is that
7 pike?

8
9 MR. RIVARD: That's the parallel one to
10 the Federal one you did earlier today.

11
12 MADAME CHAIR ENTSMINGER: Well, we don't
13 have a copy of that. The ones that's in your pamphlet
14 starts at 130 and goes to 154. Actually, there should be
15 two fisheries books here because I brought one.

16
17 MR. UMPHENOUR: There's three here
18 because I brought my own with me.

19
20 MADAME CHAIR ENTSMINGER: Does someone
21 need a spare one?

22
23 MR. UMPHENOUR: Here, you guys can share
24 this one.

25
26 MADAME CHAIR ENTSMINGER: The only thing
27 that's probably there is just number 97. So go -- it's
28 a parallel proposal to what we've already taken up on the
29 Federal side.

30
31 MR. UMPHENOUR: It's on Page 99.

32
33 MADAME CHAIR ENTSMINGER: I don't think
34 we need to go through the whole scenario again and just
35 add it to what we've already done and refer to that
36 discussion.

37
38 MR. RIVARD: Madame Chair. It might be
39 good for the record that I introduce it so it's on record
40 as to what you're actually dealing with.

41
42 MADAME CHAIR ENTSMINGER: Great. Thanks
43 for the help. Go for it.

44
45 MR. RIVARD: Good afternoon, Council
46 members. Don Rivard with Office of Subsistence
47 Management. We're going to go through State fisheries
48 proposals that pertain to your area or are of interest to
49 your Council. The first one is Proposal 97. It's on the
50 top of Page 99 in the blue board, the Board of Fisheries

1 proposal book. Some of you have copies of that.

2

3 This deals with reducing northern pike
4 bag and possession limits in the Yukon River from Holy
5 Cross to Paimiut Slough to three fish. It's a bag and
6 possession limit for northern pike of three fish, of
7 which only one may be 30 inches or greater in length.
8 This is the parallel proposal to the Federal one you
9 dealt with earlier today. Thank you. This was also
10 submitted by the GASH Advisory Committee.

11

12 MADAME CHAIR ENTSMINGER: That one we
13 don't have a copy of. It's in the book. There's three
14 books on the table. Virgil and I share one, Lester and
15 Larry can share and these guys can share. How did we lose
16 Bill?

17

18 MR. UMPHENOUR: Do we need to go through
19 the actions?

20

21 MADAME CHAIR ENTSMINGER: We're not going
22 to go through that, sorry.

23

24 MR. UMPHENOUR: Do you want to do it the
25 way the State does it? Move to adopt State Proposal 97.

26

27 MADAME CHAIR ENTSMINGER: I need a
28 second.

29

30 MR. FIRMIN: Second.

31

32 MADAME CHAIR ENTSMINGER: Okay. Speak to
33 your proposal.

34

35 MR. UMPHENOUR: Speaking to the proposal,
36 I would like to reference all my comments I made
37 previously on the similar proposals submitted by the same
38 proposer to the Federal Subsistence Board. I want to
39 incorporate all those remarks. Just emphasize that it is
40 a conservation issue and it's very important to the
41 people that live in that area.

42

43 Madame Chair.

44

45 MADAME CHAIR ENTSMINGER: Okay. It's all
46 the same as -- it's a companion proposal that we already
47 voted on, which was which number. Can you help me out,
48 Donald. Was it 13-0.....

49

50 MR. RIVARD: I'm trying to remember

1 myself.
2
3 MADAME CHAIR ENTSMINGER: 03, I think.
4
5 MR. RIVARD: 13-03, yes.
6
7 MADAME CHAIR ENTSMINGER: So we did
8 everything already on it.
9
10 MR. RIVARD: Your Council, I forget
11 already, you supported that one?
12
13 MADAME CHAIR ENTSMINGER: Yes, we did.
14
15 MR. FIRMIN: Question.
16
17 MADAME CHAIR ENTSMINGER: The question
18 has been called for.
19
20 MR. FIRMIN: I guess there's nobody
21 online or anybody else that wants to.....
22
23 MR. MATESI: Are we following this
24 procedure?
25
26 MADAME CHAIR ENTSMINGER: We don't need
27 to on this one because it was a companion proposal.
28
29 MR. FIRMIN: Unless there's anybody new
30 online.
31
32 MADAME CHAIR ENTSMINGER: The question
33 has been called for. Do you have discussion? No.
34 Donald, are you still online?
35
36 MR. WOODRUFF: Yes, I am.
37
38 MADAME CHAIR ENTSMINGER: All right. Do
39 you know where we're at?
40
41 MR. WOODRUFF: I thought you were on Page
42 97 of the blue book.
43
44 MADAME CHAIR ENTSMINGER: You're doing a
45 good job.
46
47 MR. RIVARD: Page 99, Proposal 97.
48
49 MR. WOODRUFF: Okay.
50

1 MADAME CHAIR ENTSMINGER: It's that pike
2 proposal we already took up.
3
4 MR. WOODRUFF: Yeah, I got it.
5
6 MADAME CHAIR ENTSMINGER: Okay. Just a
7 companion proposal. I see Jennifer would like to speak
8 to it.
9
10 MS. YUHAS: Thank you, Madame Chair.
11 With regard to this proposal on the Federal.....
12
13 MR. RIVARD: You should identify
14 yourself.
15
16 MS. YUHAS: Jennifer Yuhas once again.
17 Don Rivard is reminding me I should identify myself
18 again.
19
20 MADAME CHAIR ENTSMINGER: Okay.
21
22 MS. YUHAS: With regards to this proposal
23 when it came up before you previously, it did not speak
24 to the fact that the State of Alaska recognizes all
25 subsistence users as equal because you're taking this up
26 under the State regulatory proposal rather than the
27 Federal regulatory proposal. I just want to put that on
28 the record.
29
30 For the rest of the proposals you intend
31 to bring up, I did want the RAC to know that the State
32 has not yet concluded analysis and comment, so I won't be
33 providing comment on each of the proposals as we go
34 through them, but we are very happy that you're
35 discussing these so that we can take your comments into
36 consideration while we're drafting our comments. Thank
37 you.
38
39 MADAME CHAIR ENTSMINGER: Okay. Any
40 questions of Jennifer.
41
42 (No comments)
43
44 MADAME CHAIR ENTSMINGER: The question
45 has been called for. All in favor.
46
47 IN UNISON: Aye.
48
49 MADAME CHAIR ENTSMINGER: Anyone opposed.
50

1 MR. MATESI: One opposed.
2
3 MADAME CHAIR ENTSMINGER: One opposed.
4 Donald, would you help us through the rest of this.
5 Explain to them about these crossover proposals type.
6
7 MR. RIVARD: Yes, Madame Chair. The next
8 one your Council may want to consider is Proposal 130.
9 It's on Page 128, the middle of the page in the blue
10 book.
11
12 MADAME CHAIR ENTSMINGER: We have a
13 handout, the Council members do. We have a handout and
14 it's the first page.
15
16 MR. RIVARD: I don't have that handout in
17 front of me, so I'm just going off the numbers here.
18
19 MADAME CHAIR ENTSMINGER: That's just so
20 you know. Just give us a proposal number.
21
22 MR. RIVARD: Proposal 130. The State is
23 reviewing the amounts reasonably necessary for
24 subsistence salmon in the Yukon northern area. They list
25 in the book the present amounts reasonably necessary for
26 subsistence and they're looking at revising these
27 numbers. That's not to mean that they will, but they
28 may. If you would like, I'll tell you what the other
29 Councils did, the Federal Councils did on this.
30
31 (Council nods affirmatively)
32
33 MADAME CHAIR ENTSMINGER: I'm sure we'd
34 like to hear that. Is there any -- I'm seeing B, where
35 it says one, two, three, four, and that's also in this
36 chart. Estimated harvest of.....
37
38 MR. RIVARD: Yes, that's the current
39 amounts reasonably necessary for subsistence that are
40 listed on Page -- well, it's one, two, three and four.
41 The table just shows how they came up with those numbers
42 based on estimated harvest from 1990 to 1999 in that
43 table.
44
45 MADAME CHAIR ENTSMINGER: I see. Any
46 questions, Council members, about this proposal.
47
48 MR. WOODRUFF: I'd like to make one
49 comment.
50

1 MADAME CHAIR ENTSMINGER: Go ahead, Don.

2

3 MR. WOODRUFF: I'd like to refer to
4 Andy's comment on just 10 years of data is pretty
5 inadequate seeing as how from '90 to '99 and '98 there
6 was a complete chum crash. So if Fish and Game is going
7 to pull these numbers out as necessary for subsistence,
8 why would they not include 20 years of data, which would
9 be more inclusive and a lot more information for us.

10

11 MADAME CHAIR ENTSMINGER: That sounds
12 like a question to Fish and Game, right, subsistence.
13 Caroline Brown is here, so she can answer that question.

14

15 MS. BROWN: Thank you, Madame Chair. My
16 name is Caroline Brown. I work for the Alaska Department
17 of Fish and Game, Division of Subsistence. The last time
18 the ANS ranges were considered by the Board of Fisheries
19 they used the historical 10-year or the previous 10 years
20 to come up with those ANS ranges. They did not include
21 -- and it's my understanding that in our analyses going
22 forward that we will not include years where there were
23 subsistence restrictions. We will not include harvest
24 estimates from those years because full opportunity was
25 not provided.

26

27 MADAME CHAIR ENTSMINGER: That must be a
28 decision from top of the.....

29

30 MS. BROWN: Madame Chair. That is -- I
31 wasn't here in 2001 when the initial ANS ranges were --
32 the species specific ANS ranges were established by the
33 Board of Fish. I just know that in that time they did
34 not include those. As Jennifer Yuhas mentioned, the
35 State is still developing its Staff comments and those
36 are currently excluded.

37

38 MADAME CHAIR ENTSMINGER: So you're
39 saying these numbers were made in 2001.

40

41 MS. BROWN: The current ANS ranges,
42 Madame Chair, were established by the Board of Fisheries
43 in 2001.

44

45 MADAME CHAIR ENTSMINGER: That's a long
46 time ago. Virgil.

47

48 MR. UMPHENOUR: I chaired the committee
49 that did that. You have to remember that in 2000 we had
50 an absolute total failure, so I think we only had 300-

1 something-thousand or 400,000 summer chum that year pass
2 the sonar and I don't remember what the kings were.
3 That's super low. The fall chum was the same, but it was
4 a total fishery failure for all species that year and the
5 Board did not want to include -- and we had been having
6 a couple of other super bad years for chum salmon. It
7 was '97 or '98 is when we started getting poor runs in
8 both chums and kings. 2000 was horrible. I believe '99
9 was pretty bad as well. Anyway, we didn't want to
10 include those really bad years because subsistence
11 harvest had been restricted.

12
13 I think -- I'm not sure, but I think we
14 were advised by the Attorney General representative that
15 whenever people can't harvest their subsistence resources
16 because of regulatory action for conservation reasons
17 that you can't hold that against them basically. So
18 that's why we didn't do it.

19
20 Madame Chair.

21
22 MADAME CHAIR ENTSMINGER: But you were
23 not on the Board the last 12 years, so there's been a lot
24 happening since then.

25
26 Joe.

27
28 MR. MATESI: Thank you, Madame Chair. I
29 have a question for you, Virgil. Maybe you could clear
30 it up for me. Were there any years when subsistence
31 fishing harvest was decreased below average or below
32 normal due to low runs in which there were no regulatory
33 restrictions?

34
35 MR. UMPHENOUR: Joe, I'm not sure I
36 understand your question. Did you ask whether in low
37 runs there were no restrictions on subsistence, is that
38 what you said?

39
40 MR. MATESI: No. If you can recall if
41 there were any years where the subsistence harvest was
42 below normal because of a poor run but there were no
43 restrictions imposed, regulatory restrictions? Do you
44 see what I'm getting at?

45
46 MR. UMPHENOUR: I see what you're asking.
47 Maybe someone can remember '93. I know in Tanana in '93
48 they -- well, I know they did. I know that the
49 Department closed subsistence and they had a protest
50 fishery in '93 in Tanana. I'm positive of it. Yeah,

1 they did.

2

3 MADAME CHAIR ENTSMINGER: I remember
4 something like that.

5

6 MR. UMPHENOUR: I remember it. Starting
7 in about 1990 is when we really started to have problems
8 and restrictions, in 1990, with chum salmon. That's when
9 we really got into the battle with Area M. We had one
10 meeting -- well, what ended up happening, they increased
11 the allowable bycatch in November of '91 of chum salmon
12 to 900,000 in the Area M June fishery.

13

14 So I wrote a petition to the Governor.
15 We gave away smoked salmon in the Market Basket store and
16 got people to sign our petition. Will Mayo was president
17 of Tanana Chiefs. He took the petition, they chartered
18 an airplane, he went to all the villages. I sent the
19 petition to Nome, to Northern Norton Sound. We got over
20 10,000 signatures on it and then we delivered it to the
21 Governor. Then we had a special Fish Board meeting in
22 Juneau. There was people from all of AYK, Bristol Bay,
23 Norton Sound, Kotzebue, up and down the Yukon, the
24 Kuskokwim. There was about 88 of us, maybe, testified in
25 Juneau that time at that meeting. We had to stay there
26 about a week.

27

28 Anyway, that's when our restrictions
29 first started that really got people excited in 1990, but
30 we've been having them off and on ever since. When the
31 Board set this ANS, and I did share that I was the chair
32 of the Yukon River Committee for all proposals on the
33 Yukon in January of 2001 maybe, we did not count those
34 years where there was subsistence restrictions.

35

36 MADAME CHAIR ENTSMINGER: This is one of
37 these proposals that I think I'm not qualified to vote
38 on. Do other Council members have any questions of ADF&G
39 Subsistence Division.

40

41 MR. UMPHENOUR: Victor was there.

42

43 MADAME CHAIR ENTSMINGER: This is what's
44 before us and we're asking questions of the State. I
45 guess the question I have, and this is hard, forgive me
46 if I sound like I don't know what's going on, but on our
47 Federal regulations rural residents qualify or C&T and
48 the State -- everybody qualifies for subsistence. How
49 are they fishing, these people -- all these ANS stuff.
50 How are they fishing? Are they fishing with gillnets,

1 are they fishing with rod and reel, how are they fishing?

2

3 MS. BROWN: Madame Chair. The different
4 gear types are used along the river. I think the largest
5 component is setnets, gillnets or driftnets. Also
6 fishwheels depending on what part of the river. Drift
7 gillnetting is not allowed on the entire -- throughout
8 the entire drainage, so that's not allowed everywhere,
9 but those are the three primary -- driftnetting, setnets
10 and fishwheels are the primary subsistence gear.

11

12 MADAME CHAIR ENTSMINGER: So they're
13 basically using, except for driftnets, the same gear as
14 they are for commercial, a lot of these people?

15

16 MS. BROWN: Yes, I believe so.

17

18 MADAME CHAIR ENTSMINGER: I know you guys
19 know all this, but I don't, so I'm sorry. That seems
20 like a lot of fish for the whole state of Alaska. So
21 somebody from Fairbanks can go up there and put a
22 fishwheel in for subsistence.

23

24 MS. BROWN: Madame Chair. Technically,
25 yes. Depending on where they fish, they may have to get
26 a permit to do so. There are certain parts of the Yukon
27 River that are permitted, usually those areas that are
28 road accessible, precisely to capture that harvest that
29 you just described. Otherwise, the harvest estimates are
30 achieved through community visits, house-to-house surveys
31 in post season by community visits. But in areas that
32 are road accessible, they're usually permitted so that we
33 can capture the variety of people who aren't associated
34 -- don't live in a village on the river, but may, say for
35 example, live in Fairbanks but might go to the bridge to
36 fish, for example.

37

38 MADAME CHAIR ENTSMINGER: So you have an
39 idea, the State does, of these numbers, what is probably
40 people in that area versus people that might come from
41 all over the state.

42

43 MS. BROWN: Madame Chair I would say
44 generally yes. The post season -- or the way salmon
45 harvest are estimated on the Yukon River is a combination
46 of a couple of methods or several methods. One method is
47 the house-to-house survey where Fish and Game goes to
48 every village on the river and does house-to-house
49 surveys. In those areas that are road accessible, we
50 also use a permit system where those permits need to be

1 mailed back to Fish and Game. We also use a calendar
2 system that is made available to most or all fishermen on
3 the river. So those are the three -- I will say the
4 calendar system that's the lowest return.

5
6 So the estimates come primarily from a
7 combination of the post season survey that's done house
8 to house in each village on the river and the permits
9 that are returned from those who, wherever they may be
10 from, get a permit to fish in those road accessible
11 areas.

12
13 MADAME CHAIR ENTSMINGER: So the quick
14 answer is yes.

15
16 MS. BROWN: Yes.

17
18 (Laughter)

19
20 MADAME CHAIR ENTSMINGER: If you were to
21 look at these figures, can you give a percent? Is this
22 mostly the people that live out there, these numbers, or
23 is it -- that's what I was asking.

24
25 MS. BROWN: Oh, yes, Madame Chair. I'm
26 sorry. These numbers, the majority of subsistence
27 harvest estimates, come
28 from the people who live in the communities on the river.

29
30 MADAME CHAIR ENTSMINGER: Okay. Eighty
31 percent?

32
33 MS. BROWN: I think even more than that.
34 Yeah, I would say more than that.

35
36 MADAME CHAIR ENTSMINGER: Okay. That
37 helps me a lot. Andrew.

38
39 MR. FIRMIN: So just to get a
40 clarification, the numbers listed in this proposal are
41 the current ones used and you wish to find -- conduct
42 surveys to get new numbers done basically?

43
44 MS. BROWN: Through the Chair. Member
45 Firmin. The goal here in this proposal is not to conduct
46 new surveys. The goal in this proposal is to provide the
47 Board and the public the opportunity to revisit the ANS
48 ranges because the current ANS ranges come from the 1990
49 to 1999 harvest years. There have been some significant
50 changes in fishing patterns, especially for fall chum and

1 summer chum, in the intervening decade-plus years.

2

3 So this proposal provides the public and
4 the Board the opportunity to discuss whether or not ANS
5 ranges should be revisited that accommodate those changed
6 patterns. As somebody mentioned before, that doesn't
7 mean the Board will change those ANS ranges. It just
8 means that they would have a broader set of data instead
9 of just 1990 to 1999 in front of them to decide whether
10 or not these ANS ranges, the current ones, still
11 accurately reflect current patterns of use.

12

13 MADAME CHAIR ENTSMINGER: So it would be
14 for us as a Council, the suggestions I'm hearing from
15 Donald online and Andy, to take in the last -- 2000 to
16 2012 would be in the range of our scope of suggestions,
17 yeah?

18

19 Joe.

20

21 MR. MATESI: Oh, I just.....

22

23 MADAME CHAIR ENTSMINGER: I thought you
24 were agreeing with me.

25

26 MR. MATESI: Yeah, my big pause (ph).....

27

28 MADAME CHAIR ENTSMINGER: Correct?

29

30 MS. BROWN: Madame Chair, could you
31 restate the question.

32

33 MADAME CHAIR ENTSMINGER: For this
34 Council to recommend to the Fish Board to take up 22
35 years or 30 years of data instead of 10.

36

37 MS. BROWN: Madame Chair. That could be
38 a suggestion that this RAC makes to the Board of Fish.
39 Yes, that could be your premise.

40

41 MADAME CHAIR ENTSMINGER: Yeah, because
42 this.....

43

44 MS. BROWN: The proposal itself, if it
45 helps, isn't a -- as I mentioned before, it's an
46 opportunity for the Board to look at these -- to look at
47 -- to revisit these ranges and so there's a variety of
48 things that they could do, including nothing. So if this
49 Council has suggestions or things that they would like
50 the Board to consider, I would think that this is an

1 appropriate forum to make those suggestions.

2

3 MADAME CHAIR ENTSMINGER: Is everything
4 clear as mud?

5

6 MR. MATESI: Madame Chair. Well, I
7 wonder if I'm the only one who is dense enough that this
8 seems ambiguous to me and I'm really not sure what the
9 proposal is. I don't know if it's me or if it's part of
10 the proposal.

11

12 MADAME CHAIR ENTSMINGER: Part you.

13

14 MR. MATESI: Okay. So what are these
15 numbers. Are they the current ANS numbers over that 10-
16 year period, is that correct? And I've got more
17 questions. Go ahead.

18

19 MS. BROWN: Through the Chair. Those ANS
20 ranges reflect the harvest that were from 1990 to 1999.

21

22 MR. MATESI: So what is the proposal for?

23

24 MS. BROWN: As I mentioned before, the
25 proposal is an opportunity for the Board to reconsider
26 those ranges because there's a lot more data available.
27 According to the State system, the Board may -- either
28 Board of Fisheries or Board of Game may revisit ANS
29 numbers periodically or ANS ranges, sorry, periodically,
30 especially if there's evidence to suggest that patterns
31 of harvest have changed. So that's what this proposal
32 provides the opportunity for.

33

34 So if, for example, as Madame Chair
35 mentioned, the Council is interested in a broader set of
36 data being included, that could be a suggestion. If you
37 like things the way they are, that could be a suggestion.
38 There's a variety of things that the Board may do, but
39 the Board does have that -- the Board may revisit those
40 ANS ranges for any resource periodically.

41

42 MADAME CHAIR ENTSMINGER: So we're
43 looking for what we suggest to the Board and I heard
44 twice now from Andy and Don that
45 this is crazy and I agree with them. Joe and then
46 Virgil.

47

48 MR. MATESI: Madame Chair. I move that
49 the Council supports this proposal with the modification
50 that it include a 20-year range as opposed to a 10-year

1 range.

2

3 MADAME CHAIR ENTSMINGER: That would be
4 an amendment because we already have a motion on the
5 floor to support, right? Isn't that how you made that
6 motion?

7

8 MR. MATESI: I'm sorry, Virgil.

9

10 MADAME CHAIR ENTSMINGER: It's okay.
11 It's just to support. You didn't make any -- right? What
12 was your.....

13

14 MR. UMPHENOUR: I moved to adopt because
15 that's the proper procedure.

16

17 MADAME CHAIR ENTSMINGER: Right. So now
18 we've got to make our suggestions, so make your
19 amendment.

20

21 MR. MATESI: Okay. I move that.....

22

23 MADAME CHAIR ENTSMINGER: Amendment.

24

25 MR. MATESI:we -- I propose -- I'm
26 not sure how you word this, but I want to have an
27 amendment to the.....

28

29 MADAME CHAIR ENTSMINGER: You make a
30 motion to amend.

31

32 MR. MATESI: I make a motion to amend
33 that this proposal use a 20-year range rather than a 10-
34 year range.

35

36 MR. UMPHENOUR: Second.

37

38 MADAME CHAIR ENTSMINGER: Okay.
39 Discussion on the amendment.

40

41 MR. MATESI: Speaking to the amendment,
42 I reference the comments that Don and Andy have
43 previously provided.

44

45 MADAME CHAIR ENTSMINGER: I wish it said
46 or longer. Andrew.

47

48 MR. FIRMIN: And that would only be if
49 the current ANS numbers are revisited and revised,
50 correct?

1 MADAME CHAIR ENTSMINGER: That's true,
2 but this is our recommendation. Virgil.
3
4 MR. UMPHENOUR: It's in the book. The
5 Board will take it up. So our recommendation would be to
6 use the last 20 years data rather than what the previous
7 Board did, which was use the previous 10 years data.
8 It's just that simple.
9
10 MADAME CHAIR ENTSMINGER: Are you guys
11 happy with just 20 years? I would ask Joe, 20 years
12 data?
13
14 MR. MATESI: Let me.....
15
16 MR. UMPHENOUR: I don't -- you know, one
17 of the things both boards are required to do is
18 periodically visit these ANSs because of a number of
19 reasons. The major reason is this is animals and fish
20 that's being managed and population trends change. So,
21 when the population trends change, it may be necessary to
22 review these things. Then population trends change and
23 people's habits change. Lots of things change, so
24 periodically that's why the regulation statute, whatever
25 it is that governs it, is there. You have to analyze
26 these every so often and figure out if it's appropriate
27 or not and that's all this proposal is to do. Madame
28 Chair.
29
30 MADAME CHAIR ENTSMINGER: Donald.
31
32 MR. RIVARD: Madame Chair. If you like,
33 I can share what the other two Councils did on this
34 proposal.
35
36 MADAME CHAIR ENTSMINGER: Sure.
37
38 MR. RIVARD: For the Yukon-Kuskokwim
39 Delta Regional Advisory Council, they voted to support
40 the intent to review these numbers, but they didn't
41 necessarily agree with the numbers in the book, the
42 numbers that are there right now. The Western Interior
43 Council opposed this proposal.
44
45 Thank you.
46
47 MADAME CHAIR ENTSMINGER: Opposed
48 revisiting, I guess, huh?
49
50 MR. RIVARD: I'm not sure exactly what

1 they -- I just have that they opposed it.

2

3 MADAME CHAIR ENTSMINGER: Well, if it was
4 described to them like it is us, I'm assuming that's what
5 they meant. Yeah. Okay. I would just -- the question
6 that comes to my mind just briefly is sometimes if you
7 revisit and you take all that other data and then there's
8 this decline in fish population and suddenly they come
9 back, I think this needs to definitely be a
10 consideration.

11

12 You know what I'm saying? So you're out
13 there, you haven't had the opportunity to fish because
14 there's not the fish there and then the ANS goes way down
15 and then someday they come back. I don't know.
16 Everything is so complicated because the State has
17 everybody that qualifies and the Federal side does not.

18

19 MR. UMPHENOUR: Caroline had her hand up.

20

21 MADAME CHAIR ENTSMINGER: Go ahead.

22

23 MS. BROWN: Thank you, Madame Chair. I
24 would just ask the Council to keep in mind that for those
25 years where there were, as we mentioned before,
26 restrictions to subsistence because of -- I don't think
27 he's there anymore.

28

29 MR. RIVARD: I think we've been cut off.

30

31 (Teleconference disconnected)

32

33 MS. BROWN: Where there was restrictions
34 to subsistence because of low abundance, those years
35 would not be included in the analysis.

36

37 MADAME CHAIR ENTSMINGER: Oh, okay.

38

39 MS. BROWN: So the years of analysis
40 should only include those years where reasonable
41 opportunity was provided.

42

43 MADAME CHAIR ENTSMINGER: Virgil just
44 told me a cute one. Do you want to repeat that. Go
45 ahead and tell them.

46

47 MR. UMPHENOUR: In the case of chinook
48 salmon specifically, but in some chum salmon as well,
49 increasing it to a 20-year average doesn't really
50 increase that many more years it will be considered

1 because of the subsistence restrictions on the fisheries
2 anyway.

3

4 MADAME CHAIR ENTSMINGER: Just wait.

5

6 (Connecting teleconference)

7

8 MR. GLANZ: Virgil, repeat that. I
9 couldn't understand half of it.

10

11 MADAME CHAIR ENTSMINGER: This is kind of
12 interesting what he says. You guys were bumped off.
13 You're back on and a comment is coming through. Virgil.

14

15 MR. UMPHENOUR: What I said is that even
16 adding the years 2000 through 2009 or '10 or whatever
17 they do, up to 2011 or 2012, that it won't add as many
18 years because there's a number of those years where there
19 were subsistence restrictions, so those years won't get
20 counted in the average anyway. That's what I said.

21

22 MADAME CHAIR ENTSMINGER: That's
23 interesting.

24

25 MR. UMPHENOUR: Especially in the last --
26 you know, like there's been subsistence restrictions in
27 four of the last five years at least. I'm not sure
28 exactly what.

29

30 MADAME CHAIR ENTSMINGER: Caroline.
31 Yeah, what he's just saying there's a bunch of years that
32 won't be counted.

33

34 MR. GLANZ: Just good years is what
35 they're saying.

36

37 MS. BROWN: I would like to point out
38 that -- I'm not sure if it was made clear earlier, but
39 the Department is not recommending that the Board
40 reconsider ANS ranges for chinook salmon in this proposal
41 because there have been several years -- as I think one
42 of the members mentioned, there were years where low
43 harvest -- the last several years of chinook runs. The
44 patterns have not significantly changes with chinook
45 salmon. There have been low harvest, but those have been
46 largely because of restrictions, but the patterns
47 otherwise have not changed. So the Department in this
48 proposal is not asking the Board to consider -- or is not
49 recommending to the Board to reconsider the ANS range for
50 chinook salmon.

1 MADAME CHAIR ENTSMINGER: Anything else,
2 guys. So what do you want to do. We have a motion to
3 amend.
4
5 MR. UMPHENOUR: Question on the
6 amendment.
7
8 MADAME CHAIR ENTSMINGER: All right. All
9 in favor.
10
11 IN UNISON: Aye.
12
13 MADAME CHAIR ENTSMINGER: Anyone opposed.
14
15 (No opposing votes)
16
17 MADAME CHAIR ENTSMINGER: Okay. Back to
18 the main motion. We're just suggesting to the Fish Board
19 that they take in more years, 20 years.
20
21 MR. MATESI: Question on the motion.
22
23 MADAME CHAIR ENTSMINGER: All in favor.
24
25 IN UNISON: Aye.
26
27 MADAME CHAIR ENTSMINGER: Anyone opposed.
28
29 (No opposing votes)
30
31 MADAME CHAIR ENTSMINGER: Okay. Next is
32 131. Don, would you review the ones that we would
33 consider crossover proposals that we may not want to take
34 up. Just give us those numbers again. I have them here,
35 am I correct?
36
37 MR. RIVARD: Yes. Madame Chair, in my
38 assessment of these proposals that your Council may want
39 to weigh in on, there are at least seven, I believe, that
40 deal only with Districts 1, 2 and 3 and the Lower Yukon.
41 One of those districts or all three or a combination of
42 the three, those could be eliminated if you didn't want
43 to spend as much time. There are a couple of issues
44 that's been important to your Council, like restricting
45 the 6-inch mesh net, in those districts that may prompt
46 you to want to take that up. I'm not sure. But there's
47 a possibility that you could -- there's seven proposals
48 that you could basically not consider today.
49
50 MADAME CHAIR ENTSMINGER: Okay. Those

1 numbers are 133 to 136.

2

3 MR. RIVARD: Yes, 133 to 136, 139, 141,
4 which are basically the same proposal, and 143.

5

6 MADAME CHAIR ENTSMINGER: Do you guys
7 want to highlight those and then if there's some that you
8 want to take up, you have got 133 to 136 are not in our
9 region. 139, 141 and 143. So, as we go through these,
10 look at them and if there's one of those you want to take
11 up, you've got to let me know. So next you're going to
12 take up is 131.

13

14 MR. RIVARD: Correct, 131. This may be
15 something that Jill Klein of YRDFFA wants to address. She
16 can speak to it more. This is actually what -- what's in
17 front of you is a placeholder. The Yukon River
18 Stakeholder Group, c/o the Yukon River Drainage Fisheries
19 Association, actually put in a more specific proposal now
20 and Jill can run that through you -- or run it by you,
21 excuse me.

22

23 Thank you.

24

25 (Laughter)

26

27 MADAME CHAIR ENTSMINGER: Run it through
28 you. Would you run that through me again.

29

30 (Laughter)

31

32 MADAME CHAIR ENTSMINGER: All right.
33 Don, she's going to introduce the proposal? Is that what
34 you're telling me now?

35

36 MR. RIVARD: Yes.

37

38 MS. KLEIN: Madame Chair. Members of the
39 Council. Good afternoon. My name is Jill Klein with the
40 Yukon River Drainage Fisheries Association. The document
41 I just handed out is the specific language of the king
42 salmon pulse protection proposal. I apologize for the
43 handwritten notes on it, but that's the copy I had to
44 make copies of and those are notes from the Lower Yukon
45 RAC. So it could be interesting for you to look at.
46 Those were just some of the things they had questions
47 about or comments on the proposal. There may be a couple
48 extras if anyone in the audience wants to look at it and
49 I'll share my copy afterwards.

50

1 Just to remind you and as Don mentioned
2 there was -- YRDFA convened a committee of stakeholder
3 groups to review the King Salmon Management Plan and to
4 see if there were any way to improve the King Salmon
5 Management Plan on the Yukon River in light of low
6 chinook salmon returns.

7
8 The committee included representatives
9 from the Lower, Middle and Upper Yukon, the three Federal
10 Regional Advisory Councils, the Yukon River Panel, the
11 Association of Village Council Presidents, the Tanana
12 Chiefs Conference and Council of Athabaskan Tribal
13 Governments and YRDFA co-chairs and also fish processors
14 were all involved in the meeting.

15
16 They identified two main priorities. One
17 was to formalize
18 pulse protection and to make sure that the fishery was
19 managed equitably along the Yukon River in different
20 fishing districts.

21
22 Based on the outcomes of that meeting,
23 this is the language that was developed. We did run it
24 through a team of reviewers that included subsistence
25 fisheries science and management experts and all the
26 committee members from that stakeholder group did support
27 this language. I could read through the language if
28 you'd like or as you're all looking at it, I could also
29 take any questions.

30
31 MR. WOODRUFF: She could read it.

32
33 MS. KLEIN: Okay. Don Rivard just asked
34 -- or Woodruff, sorry, asked if we could read it for him
35 online.

36
37 MADAME CHAIR ENTSMINGER: Oh, sure.

38
39 MS. KLEIN: Keep in mind I did just hand
40 out just a portion of the King Salmon Management Plan, so
41 I realized also it might have been better for you to see
42 this in the context of the whole King Salmon Management
43 Plan and how it fits in, so I apologize that you don't
44 have that before you.

45
46 The pieces of this proposal would be the
47 objective of this plan is to provide the Department with
48 guidelines to manage for the sustained yield of Yukon
49 River king salmon. The goal of this plan is to ensure
50 that adequate escapements, both in numbers and quality,

1 are maintained on the spawning grounds to facilitate
2 rebuilding of the run to historical levels.

3
4 The Department will manage for quality of
5 escapement that provides for full representation of the
6 genetic and phenotypic characteristics of the stock and
7 shall use the best available data, including preseason
8 run projections, test fishing indices, age and sex
9 composition, subsistence and commercial harvest reports
10 and passage estimates from escapement monitoring projects
11 to assess the run size for the purpose of implementing
12 this plan.

13
14 Then the specifics of the pulse
15 protection would be, number one, the Yukon River king
16 salmon run usually enters the river in three distinctive
17 pulses of fish. Management of the first pulse of the
18 king salmon run will be based on pre-season projections,
19 management of the second and third pulses will be based
20 on in-season run assessment data.

21
22 Number two, the Department will manage
23 the first pulse of the king salmon run based on pre-
24 season run projections to not allow any harvest from the
25 first pulse when the pre-season project of run size
26 indicates that subsistence harvest will likely be
27 restricted in one or more districts or subdistricts.

28
29 Number three, based on the in-season run
30 assessment.....

31
32 (Teleconference disconnect)

33
34 MADAME CHAIR ENTSMINGER: We lost Don and
35 that's why you're reading it.

36
37 MS. KLEIN: Yeah.

38
39 MADAME CHAIR ENTSMINGER: I'm just kind
40 of curious, guys. When you have something like that, is
41 that -- do you know if we can PDF file that to him so he
42 can have it in front of him? First of all we need to
43 know if he's got his computer on.

44
45 (Off record comments connecting
46 teleconference)

47
48 MS. KLEIN: So Don is back on.

49
50 MR. RIVARD: Don Woodruff is there. Is

1 anybody else online?
2
3 MR. SHARP: Yeah, Dan Sharp.
4
5 MADAME CHAIR ENTSMINGER: It said there
6 was five. Is there five people online or just two?
7
8 MR. RIVARD: They may be trying to call
9 back in now. So we have Don Woodruff and Dan Sharp from
10 BLM.
11
12 MS. KLEIN: Don, at what point did you
13 get cut off?
14
15 MR. WOODRUFF: You were reading the item
16 four or three.
17
18 MR. RIVARD: So start with three.
19
20 MS. KLEIN: Okay, so we'll start with
21 three.
22
23 MR. WOODRUFF: It all seems to make sense
24 to me. (Indiscernible), so go ahead.
25
26 MADAME CHAIR ENTSMINGER: I can't hear
27 him.
28
29 MR. RIVARD: I didn't have him on
30 microphone.
31
32 MS. KLEIN: Madame Chair. Would you like
33 me to just finish reading the last two points?
34
35 MADAME CHAIR ENTSMINGER: Don, do you
36 need her to finish reading? This should be in a -- they
37 said this should be online too, right?
38
39 MS. KLEIN: I would have to email it to
40 him if he's at his computer.
41
42 MADAME CHAIR ENTSMINGER: Just need to
43 know, Don, do you have your computer in front of your
44 face?
45
46 MR. WOODRUFF: No, I'm using the phone.
47
48 MADAME CHAIR ENTSMINGER: Okay. No
49 wonder you made us read it. All right. Continue.
50

1 MS. KLEIN: So item three or section
2 three was based on the in-season run assessment. The
3 Department will restrict harvest opportunities on the
4 second and third pulses of Yukon River king salmon as
5 necessary to provide for escapements and international
6 treaty obligations.

7
8 Section four is the Department shall
9 distribute reductions in subsistence harvest
10 opportunities equitably among users and that's the end of
11 the proposed language.

12
13 MADAME CHAIR ENTSMINGER: Okay. All of
14 that confusion I just lost where we're -- do we have a
15 motion on the floor?

16
17 MR. UMPHENOUR: No.

18
19 MADAME CHAIR ENTSMINGER: No. Okay. Go
20 ahead, Virgil.

21
22 MR. UMPHENOUR: Move to adopt Proposal
23 131.

24
25 MR. WOODRUFF: Second.

26
27 MADAME CHAIR ENTSMINGER: Don seconded
28 it.

29
30 MR. UMPHENOUR: I'll speak to the
31 proposal. The group spent two days. I was one of the
32 people that spent the two days there in Anchorage, all
33 day each day. It actually went pretty late the second
34 day even. We only agreed on two things. This is one
35 thing we agreed on. Let's see. I can't quite remember
36 the second one.

37
38 MADAME CHAIR ENTSMINGER: What is the
39 this that you agreed on?

40
41 MR. UMPHENOUR: But anyway, this is the
42 first thing we agreed on.

43
44 MADAME CHAIR ENTSMINGER: This one
45 or.....

46
47 MR. UMPHENOUR: The other thing.....

48
49 MR. RIVARD: Pulse protection.

50

1 MR. UMPHENOUR:is in here somewhere
2 too.
3
4 MR. RIVARD: Pulse protection.
5
6 MR. UMPHENOUR: Yeah, pulse protection,
7 yeah. Okey-doke. Anyway, I support it. I think 5 AAC
8 05.360, that's part of sustainable salmon policy, isn't
9 it, or not, or it's taken out of it though. Part of that
10 wording.
11
12 MR. BUE: 5.360?
13
14 MR. UMPHENOUR: That's just the King
15 Salmon Management Plan.
16
17 MR. BUE: That's the Yukon River King
18 Salmon Management Plan.
19
20 MR. UMPHENOUR: Yeah. Okey-doke. Okay.
21 Anyway, I fully support it because it's -- well, one
22 thing, it's the only thing we could all agree on that's
23 actually a positive step towards conservation and
24 rebuilding our king salmon. Madame Chair.
25
26 MADAME CHAIR ENTSMINGER: Anyone else.
27 Don.
28
29 MR. RIVARD: Madame Chair. The Yukon-
30 Kuskokwim Delta Subsistence Regional Advisory Council and
31 the Western Interior Regional Advisory Council both
32 supported this proposal.
33
34 MADAME CHAIR ENTSMINGER: That's why it's
35 the only -- it's the one thing you could agree on? Wow.
36
37 MR. GLANZ: Two days, that's not bad.
38
39 (Laughter)
40
41 MADAME CHAIR ENTSMINGER: That's pretty
42 good. Two days, yes. Just to help my brain. I'm sorry.
43 This is in here. What is this compared to this?
44
45 MR. FIRMIN: 132.
46
47 MS. KLEIN: The handout is the actual
48 proposed language that will be presented to the Board of
49 Fisheries come the Board of Fisheries meeting in January
50 and the other document you're looking at is the proposal

1 that was submitted, which gave more about the backgrounds
2 and the reason for this, but it didn't have any specific
3 language. It was like a placeholder proposal.

4
5 MADAME CHAIR ENTSMINGER: Now I'm
6 remembering how the State works. Okay.

7
8 MS. KLEIN: Those might be the two
9 documents you're looking at.

10
11 MADAME CHAIR ENTSMINGER: Uh-huh.
12 Anymore discussion.

13
14 MR. FIRMIN: I, along with Virgil, was
15 involved in a lot of this and we said it was a good first
16 step in the right direction. I think Jill is still
17 working on some of the wording, as she said, before this
18 is concrete, but the intent is there and that's what we
19 need. I agree with it 100 percent.

20
21 MR. GLANZ: So what have they been doing
22 before? Emergency orders, EOs, in order to do this pulse
23 protection?

24
25 MR. HAYES: (Nods affirmatively)

26
27 MR. GLANZ: Okay. That's what I was
28 concerned with, how we were doing it prior to this date.
29 Question.

30
31 MADAME CHAIR ENTSMINGER: The question
32 has been called for. All in favor.

33
34 IN UNISON: Aye.

35
36 MADAME CHAIR ENTSMINGER: Anyone opposed.

37
38 MR. WILLIAMS: I oppose.

39
40 MADAME CHAIR ENTSMINGER: One opposed.
41 Okay. What's next, 132?

42
43 MR. RIVARD: Madame Chair. Proposal 132.
44 The proposal is to prohibit the sale of king salmon from
45 the Yukon River Drainage unless there is a directed king
46 salmon commercial fishery. In other words, no commercial
47 sales of chinook salmon caught in non-chinook directed
48 commercial fisheries in the entire Yukon River Drainage.
49 Chinook salmon caught as bycatch, and that's the term
50 that's used in here but it's probably incidental catch,

1 shall go into the subsistence fishery only.

2

3 Thank you.

4

5 MR. UMPHENOUR: Move to adopt Proposal

6 132.

7

8 MR. GLANZ: I'll second that.

9

10 MADAME CHAIR ENTSMINGER: Discussion.

11

12 MR. UMPHENOUR: Okay. We actually
13 submitted this proposal three years ago jointly with the
14 Fairbanks Advisory Committee, Tanana/Rampart/Manley
15 Advisory Committee, I think Ruby Advisory Committee,
16 several of us. So what we did this year is Fairbanks
17 Advisory Committee -- we submitted those -- I think there
18 were four or five proposals and this is the first one of
19 them. So this was our proposal three years ago. It's
20 Fairbanks Advisory Committee's proposal in the book this
21 year and I fully support it. We've already addressed
22 this issue I don't know how many times. Madame Chair.

23

24 MADAME CHAIR ENTSMINGER: Yeah. So the
25 difference in this proposal and what we voted on earlier
26 was that was directed to Federal waters and this is
27 State.....

28 MR. UMPHENOUR: (Nods affirmatively)

29

30 MADAME CHAIR ENTSMINGER:which
31 takes care of the whole river.

32

33 MR. UMPHENOUR: (Nods affirmatively)

34

35 MADAME CHAIR ENTSMINGER: More
36 discussion. I'm sorry. We've got people who want to
37 talk. We're trying to handle.....

38

39 MR. EDWARDSON: I didn't catch what the
40 proposal was for. Is it the same thing you talked about
41 earlier with Federal?

42

43 MADAME CHAIR ENTSMINGER: This is the
44 State proposal, Yukon River King Salmon Management Plan,
45 which prohibits the sale, right, of king salmon unless
46 there's.....

47

48 MR. MATESI: Madame Chair.

49

50 MADAME CHAIR ENTSMINGER: Yes.

1 MR. MATESI: I might be unclear then. My
2 understanding is that what this addresses is if there is
3 a chum commercial season and there's incidental catch of
4 kings, then those kings cannot go into the commercial
5 stream. So it is not similar to what we talked about
6 earlier. Am I correct in that?
7
8 MR. UMPHENOUR: (Nods affirmatively)
9
10 MR. RIVARD: (Nods affirmatively)
11
12 MR. MATESI: Okay. Thank you.
13
14 MADAME CHAIR ENTSMINGER: Thanks, Joe.
15 I need some help once in a while.
16
17 MR. FIRMIN: Can I say something real
18 quick.
19
20 MADAME CHAIR ENTSMINGER: Yeah, go ahead.
21
22 MR. FIRMIN: I think, Joe and Una, this
23 was before there was no commercial directed chinook
24 fishery, but if they caught them, the fish buyer would
25 still buy them.
26
27 MADAME CHAIR ENTSMINGER: Yeah.
28
29 MR. FIRMIN: So some people actually do
30 know which side of the river kings run on, so let's go on
31 this side and, oops, there's a bunch of kings.
32
33 MADAME CHAIR ENTSMINGER: Incidental
34 catch, yeah.
35
36 MR. FIRMIN: And it's incidental. They
37 haven't been buying it for four or five years now,
38 but.....
39
40 MR. UMPHENOUR: A couple years is -- no,
41 I think three years ago they sold incidental caught
42 kings. They did. This would totally stop it.
43
44 MR. MATESI: Yes.
45
46 MADAME CHAIR ENTSMINGER: Go ahead.
47 Public testimony.
48
49 MR. EDWARDSON: Una Edwardson
50 representing TRMAC and Tanana Native Council. We support

1 this. I was wondering if it would be possible if someone
2 could write up something that says that the fish caught
3 during the commercial fisheries can be given to the Upper
4 River who don't get the opportunity to fish. Like
5 Kwik'Pak sent us fish from their test fishery. I was
6 wondering if they could do the same -- something like the
7 same thing like if the commercial fishermen catch some
8 kings if they could send them upriver because they get a
9 lot more fishing opportunities than we do.

10

11 MADAME CHAIR ENTSMINGER: Council
12 members. Virgil.

13

14 MR. UMPHENOUR: The Board can't really
15 address that issue because it's beyond their authority.
16 That would be telling a commercial fisherman that he
17 couldn't keep his bycatch and eat it or give it to his
18 grandparents or children or someone else. They don't
19 really have the authority to do that. And the Board does
20 not have the authority to tell the Department what
21 they're going to do with the test fishery, but I believe
22 the commercial fish manager wants to address that issue
23 as well.

24

25 Madame Chair.

26

27 MADAME CHAIR ENTSMINGER: Steve has some
28 input to that.

29

30 MR. HAYES: Thank you, Madame Chair. The
31 last couple of years we've had our directed summer chum
32 commercial fisheries. Kwik'Pak Fisheries has voluntarily
33 told fishermen that if they can't use the chinook salmon
34 that they catch in those summer chum commercial fisheries
35 that they can donate the fish to them. The processor
36 will process the fish and donate the fish to communities
37 along the river. They've done it all the way into
38 Canada, communities into Canada. It's all been done at
39 their own cost. So if fishermen can't use them, they've
40 already reached their needs, they'll deal with the fish
41 and get them to people who do need them.

42

43 MADAME CHAIR ENTSMINGER: Do you have any
44 idea how many that happens in a year?

45

46 MR. HAYES: Right off the top of my head
47 not exactly. Vaguely I remember last year I think it was
48 a couple thousand fish that were distributed throughout
49 Alaska and Canada. But they do it at their own cost, the
50 shipping and everything, to these communities. They're

1 not forcing the fishermen to give them the fish. It's
2 all voluntarily. None of the Department test fishery
3 fish are given to the buyer to give away. Those are
4 either given to the community for subsistence fish
5 strictly.

6
7 MADAME CHAIR ENTSMINGER: That's cool.
8 Yeah. Okay. Anyone else. Anymore testimony out in
9 space.

10
11 (No comments)

12
13 MADAME CHAIR ENTSMINGER: Any more
14 discussion.

15
16 (No comments)

17
18 MR. FIRMIN: Question.

19
20 MADAME CHAIR ENTSMINGER: The question
21 has been called for. All in favor say aye.

22
23 IN UNISON: Aye.

24
25 MADAME CHAIR ENTSMINGER: Anyone opposed.

26
27 (No opposing votes)

28
29 MADAME CHAIR ENTSMINGER: It's unanimous.
30 We'll get this 133. Do you guys want to take it up.
31 Don, maybe you could alert us which ones you think.....

32
33 MR. RIVARD: Madame Chair. The next
34 three, 133, 134 and 135, all deal with restricting either
35 the size of the stretch mesh to 5.5 or 6 inches and/or
36 the mesh depth. So this is all in Districts 1, 2 and 3
37 for the first one and District 1 in 134 and 135, so
38 that's the Lower River.

39
40 MADAME CHAIR ENTSMINGER: Are they trying
41 to make it big again?

42
43 MR. RIVARD: No, they're trying to make
44 them smaller.

45
46 MADAME CHAIR ENTSMINGER: Smaller.

47
48 MR. RIVARD: Right now the limit is 7.5
49 inches, I believe, for subsistence is the size limit and
50 they want to make the nets smaller.

1 MADAME CHAIR ENTSMINGER: Do we want to
2 take these up? Do you have a question, Virgil?
3
4 MR. UMPHENOUR: We have a proposal
5 addressing that issue as well. I haven't really studied
6 these that carefully. I think the purpose of this --
7 well, Proposal 133 they want to go to 5.5-inch mesh
8 gillnet and I think the reason for that only 30 mesh
9 deep. So they can have a directed chum salmon fishery
10 earlier before the majority of the kings have went by
11 because they're finally admitting that the smaller mesh
12 nets that don't go as deep don't catch as many king
13 salmon. I think that's what that issue is here. So I
14 think we should maybe see if Steve has some clarification
15 on this.
16
17 MR. HAYES: Madame Chair. I think Virgil
18 explained it well. The idea behind this proposal is that
19 with the smaller mesh size -- currently when we have our
20 directed summer chum fishery it's 6 inch or smaller mesh.
21 The proposal seeks to restrict mesh size to 5.5 inch or
22 smaller. The idea being that it would target more summer
23 chum and the incidental harvest on chinook would be or
24 should be lower at that point. That's directed at
25 commercial fisheries.
26
27 MADAME CHAIR ENTSMINGER: So what do you
28 want to do. Virgil. It would be nice to lock this so we
29 don't have to deal with them.
30
31 MR. UMPHENOUR: Well, we have our own
32 proposal in here.
33
34 MADAME CHAIR ENTSMINGER: That addresses
35 what they are?
36
37 MR. UMPHENOUR: Right, that addresses
38 this issue that we've had in there I don't know how many
39 times. Just a minute, I'm getting to it.
40
41 MADAME CHAIR ENTSMINGER: Does it address
42 all the districts though?
43
44 MR. UMPHENOUR: It addresses all the
45 river. Ours does.
46
47 MADAME CHAIR ENTSMINGER: Okay. Then we
48 can move on, right?
49
50 MR. UMPHENOUR: Right, but I've got to

1 find it.

2

3 MADAME CHAIR ENTSMINGER: Well, it's in
4 here, so we'll get to it. That means we can pass over --
5 Donald, are we correct in this? 133 to 136, if we take
6 up our proposal, it will kind of take care all of those?

7

8 MR. RIVARD: They're all a little bit
9 different.

10

11 MADAME CHAIR ENTSMINGER: But then if we
12 take up ours, it deals with the whole river, right? So
13 that's all we need to do is the way I'm interpreting
14 that. 140 would be our next proposal. If you guys see
15 any in there that you want to take up, you've got to let
16 me know.

17

18 MR. WOODRUFF: 138.

19

20 MADAME CHAIR ENTSMINGER: Don, did you
21 say 138?

22

23 MR. WOODRUFF: That's correct.

24

25 MADAME CHAIR ENTSMINGER: You want to
26 take up 138.

27

28 MR. RIVARD: Madame Chair. I have 137 is
29 also something your Council may want to weigh in on.

30

31 MADAME CHAIR ENTSMINGER: Which is --
32 explain it to us in brief so we know.

33

34 MR. RIVARD: Okay, Proposal 137. This is
35 to develop an optimum escapement goal for in-river goal
36 for the Yukon River summer chum salmon stock that
37 originates above Pilot Station. I'll just read a little
38 bit more so you understand this hear, so we all
39 understand. Summer chum salmon subsistence and
40 commercial harvest data are available for the entire
41 Yukon River Drainage by district. Additionally sonar
42 counts of summer chum salmon passing the sonar site are
43 available since 1995 and can possibly be estimated prior
44 to that date. Therefore the data are available to
45 develop a biological escapement goal.

46

47 However, since ADF&G has not recommended
48 either a drainage-wide biological escapement goal or a
49 biological escapement goal that corresponds to the
50 drainage above Pilot Station, this proposal is asking

1 that they develop an optimal escapement goal or an in-
2 river goal for the Yukon River summer chum salmon stock
3 that originates above Pilot Station.

4

5 Thank you.

6

7 MADAME CHAIR ENTSMINGER: Do you guys
8 want to take that up? I'm counting on you guys.

9

10 MR. WOODRUFF: Sue, I'd like to make a
11 comment.

12

13 MADAME CHAIR ENTSMINGER: Don, I hear
14 you. Is that a motion to take this up?

15

16 MR. WOODRUFF: Well, 37 and 38 deal with
17 this optimum harvest goal. I think Mr. Sandone and his
18 cronies, as so well put by someone else, don't realize
19 that there's a certain percentage of fish that have to
20 get up in the spawning grounds as just plain energy for
21 the system. It's an ecology issue. If we harvest every
22 fish that doesn't meet the minimum escapement goal, I
23 think we're being severely short-sighted in not seeing
24 the pike and the bears and the eagles and everybody else
25 needs some of that energy for the whole system to
26 survive. That seems to be some of these issues that
27 Sandone doesn't recognize.

28

29 MR. UMPHENOUR: Move to adopt Proposal
30 137.

31

32 MADAME CHAIR ENTSMINGER: Do you want to
33 lump those two together?

34

35 MR. MATESI: Second.

36

37 MADAME CHAIR ENTSMINGER: I heard a
38 second.

39

40 MR. UMPHENOUR: Hearing what he just
41 said, I was sitting here thinking about it. That is the
42 issue. Optimal escapement goals. The Board came up with
43 all that kind of stuff while I was on the Board, the
44 salmon fishery policy which is in regulation. Optimal
45 escapement goal is when you can't really figure out what
46 a biological escapement goal should be, so the Board --
47 in fact, the Yukon River fall chum is the first optimal
48 escapement goal I think the Board ever passed. It's when
49 they started lowering escapement goals.

50

1 Anyway, I'm against lowering the
2 escapement goals because what ends up happening many
3 times is then you don't have a high enough escapement
4 goal. The things that get affected the most when you
5 don't have enough fish on the spawning grounds besides
6 not enough fish coming back is more moose calves get
7 eaten, less fish for the wolves and we all know from
8 reports that have been given to us years ago at this RAC
9 that the Toklat River wolf pack that gets tagged, it's
10 been tagged since the '80s in the Park, that one
11 individual wolf up to approximately 40 percent or so it's
12 annual diet was salmon. They eat lots of salmon. So
13 when there's not enough salmon for the wolves to eat,
14 they eat the next easiest thing to catch, moose calves,
15 pregnant moose getting ready to have their calf, that's
16 what they eat.

17
18 So it's detrimental to the entire
19 ecosystem. So I don't think we should intentionally
20 commercial harvest right -- set a OEG and then commercial
21 harvest right up to that OEG because if there's -- there
22 can't be any room for error then. So that's why I'm
23 opposed to this proposal. Madame Chair.

24
25 MADAME CHAIR ENTSMINGER: Very logical.
26 Anyone else want to speak to this.

27
28 (No comments)

29
30 MADAME CHAIR ENTSMINGER: Do I hear
31 someone calling for the question?

32
33 MR. MATESI: Question.

34
35 MADAME CHAIR ENTSMINGER: The question
36 has been called for. All in favor of Gene -- oops. Of
37 this proposal presented by Gene Sandone. I can't
38 remember the.....

39
40 MR. UMPHENOUR: 137.

41
42 MADAME CHAIR ENTSMINGER: Yeah, 137.

43
44 (No aye votes)

45
46 MADAME CHAIR ENTSMINGER: All opposed.

47
48 IN UNISON: Aye.

49
50 MADAME CHAIR ENTSMINGER: Fails

1 unanimously. Next.

2

3 MR. RIVARD: Madame Chair. It's Proposal
4 138 and this would modify the Fall Chum Salmon Management
5 Plan trigger point from 500,000 to 400,000 in the Yukon
6 River Drainage.

7

8 Thank you, Madame Chair.

9

10 MADAME CHAIR ENTSMINGER: Go ahead.

11

12 MR. UMPHENOUR: Move to adopt Proposal

13 138.

14

15 MR. GLANZ: I'll second that.

16

17 MADAME CHAIR ENTSMINGER: Speak to your
18 motion.

19

20 MR. UMPHENOUR: I can remember when Louie
21 Barton was the research scientist for the Yukon and I can
22 remember when our chum salmon runs started getting in
23 trouble and YRDFA wanted to -- at that point in time we
24 had to have -- in order to have a subsistence fishery --
25 I'm not sure whether we had to have 600,000 or 500,000,
26 somewhere in there, but the escapement goal -- dang it,
27 I wish I could remember this better. The escapement goal
28 I know was more 400,000 and I remember when YRDFA wanted
29 to change it so that we could have a limited subsistence
30 fishery instead of totally closing the subsistence
31 fishery. The Department fought it absolutely tooth and
32 nail. But I remember going through all that stuff.

33

34 Back then you had to have -- I believe to
35 have a commercial fishery we had to have 680,000, I can't
36 remember, past the sonar, but it was over 650,000 before
37 you could have any commercial fishery period. Now they
38 want to lower it down to.....

39

40 MADAME CHAIR ENTSMINGER: 400.

41

42 MR. UMPHENOUR: Yeah, to 400,000 and I
43 think that was the escapement goal back then. That was
44 only, when you took in the fishing branch, the Chandalar,
45 the Toklat, Sheenjok, I'm not sure. I think four
46 systems. Fred, you remember, right? Had to add up to
47 400,000.

48

49 MR. BUE: Thank you, Madame Chair. Fred
50 Bue. Yeah, with previous employment was with the State

1 as fall management biologist. The Fall Chum Management
2 Plan has evolved quite a bit in the last 15 years,
3 probably a little bit longer than that, and it's evolved.
4 Previously there were thresholds higher levels, but we
5 estimated the population differently than we do now. We
6 estimate the population off of what we call a four area
7 index and we essentially used these escapement indices to
8 index the area.

9
10 Since then we've gone back and developed
11 the Pilot Station sonar estimate and the Eagle sonar and
12 we've been able to develop better escapement grounds. So
13 we can go back -- using the data we have now, we can go
14 back and reconstruct the run historically, so we've
15 changed a little bit of the -- our measurement there.

16
17 Like Mr. Umphenour says, it has changed,
18 the thresholds have changed and, right or wrong, things
19 develop and things have changed and production has
20 changed and there has been quite a bit of development.

21
22 MR. UMPHENOUR: So, anyway, this issue is
23 the same as the previous issue we just got through
24 addressing. The previous issue was summer chum salmon.
25 This one is fall chum salmon. Only this also targets the
26 coho as well as the fall chum because they run together
27 and get caught together. So I'm opposed to this proposal
28 as well because what he wants to do is lower the trigger
29 point before the commercial fishery gets prosecuted and
30 there's been lots of times where a commercial fishery has
31 been prosecuted in the Lower River on fall chum salmon
32 and then they realize, well, it's not really going to
33 come in like we anticipated, so you guys upriver get
34 restricted or don't even get to fish at all. If Andy was
35 here, he'd really harp on that because that's happened to
36 the guys at Eagle quite a few times.

37
38 So I'm totally opposed to this as well
39 because fishery science is not an exact science. You
40 can't guess exactly what's coming back no matter what you
41 do. All it takes is a little bit of a mess up and the
42 people upriver get the short end of the stick. And not
43 only the people upriver get the short end of the stick,
44 but all the rest of the things that we already spoke
45 about get the short end of the sticks. The wolves, the
46 bears, the eagles, everything else. Plus all the food
47 for all the resident species fish that these fish
48 produce. So I'm opposed to it too. What it is it's too
49 risky. Madame Chair.

50

1 MADAME CHAIR ENTSMINGER: Don and then
2 did you have -- Andrew, did you have discussion later?
3 Go ahead, Don.
4
5 MR. RIVARD: Madame Chair. The Yukon-
6 Kuskokwim Delta Regional Advisory Council and the Western
7 Interior Regional Advisory Council both opposed this
8 proposal.
9
10 Thank you.
11
12 MADAME CHAIR ENTSMINGER: Uh-huh. I just
13 looked at that. Any other discussion.
14
15 MR. WOODRUFF: Yeah, I have something to
16 say.
17
18 MADAME CHAIR ENTSMINGER: All right, Don.
19 Go ahead.
20
21 MR. WOODRUFF: Well, since we didn't get
22 any chinook this year, I think I got one, we're eating
23 chum salmon and if they change this escapement goal, I
24 think it will be whitefish is all I'll be eating and not
25 chum salmon, so I'm totally opposed to this. I think
26 that it's vital for us people on the Upper River. That's
27 what we get is just chum salmon these days and that's why
28 I wouldn't want to change these numbers at all. Mr.
29 Sandone doesn't seem to recognize that.
30
31 MADAME CHAIR ENTSMINGER: Thanks, Don.
32 Any others.
33
34 MR. FIRMIN: I agree with Don. I only
35 caught two king salmon this summer.
36
37 MADAME CHAIR ENTSMINGER: Anyone else
38 want to speak to this.
39
40 MR. ERHART: Question.
41
42 MADAME CHAIR ENTSMINGER: The question
43 has been called for. All in favor of the motion or that
44 Proposal 138.
45
46 (No aye votes)
47
48 MADAME CHAIR ENTSMINGER: All opposed.
49
50 IN UNISON: Aye.

1 MADAME CHAIR ENTSMINGER: Passes
2 unanimous -- or I mean fails. Sorry.
3
4 MR. GLANZ: Failure to pass.
5
6 MADAME CHAIR ENTSMINGER: Yeah. Good
7 job. All right. We're up to 139.
8
9 MR. RIVARD: Madame Chair. Proposal 139
10 and 141 also deal with Districts 1 through 3. It has to
11 do with either aligning or allowing concurrent
12 subsistence and commercial fishing periods in those
13 districts. So your Council may or may not want to take
14 those two up.
15
16 MR. UMPHENOUR: Madame Chair.
17
18 MADAME CHAIR ENTSMINGER: Go ahead,
19 Virgil. Go ahead.
20
21 MR. UMPHENOUR: Well, also Proposal 140
22 is the same issue, which I wrote and I think I
23 participated in writing 141, which is basically the same
24 thing too. We need to take one of them up.
25
26 MADAME CHAIR ENTSMINGER: Let's take ours
27 up. Does that sound good?
28
29 MR. UMPHENOUR: That sounds good.
30
31 MADAME CHAIR ENTSMINGER: Okay.
32
33 MR. UMPHENOUR: Move to adopt Proposal
34 141.
35
36 MR. MATESI: 140.
37
38 MR. FIRMIN: Second.
39
40 MADAME CHAIR ENTSMINGER: Yeah, we're
41 taking up 141.
42
43 MR. MATESI: Oh, 141.
44
45 MADAME CHAIR ENTSMINGER: That's moved
46 and seconded. Virgil, do you want to speak to it.
47
48 MR. UMPHENOUR: In the Department's
49 proposal, they add a little bit of history, but I was
50 around when that happened in 1993 when the Board changed

1 it so that they couldn't fish concurrently in the Lower
2 Yukon and it was because of issues with people selling
3 subsistence king salmon or getting their friends and
4 relatives who were commercial fishermen to take their
5 subsistence king salmon and sell them along with the
6 commercial catch. That's what caused that regulation to
7 get passed. There's no king salmon fishery there to
8 begin with now and even if there was I think that was a
9 bad move back then. They should have -- because the way
10 I look at it is biologically.

11
12 The Department had a guideline harvest
13 range. They're going to let them catch X number of king
14 salmon anyway. A dead king salmon is a dead king salmon.
15 So if they took that subsistence fish that they were
16 going to sell or have their buddy or relative sell, sells
17 it and then it gets counted as a commercially caught fish
18 even though the guy wasn't probably licensed that caught
19 it. So what. Whenever they catch X number of king
20 salmon, then they don't get to fish for king salmon
21 anymore. All it was was an enforcement issue. The cops
22 wanted to be able to write tickets.
23 Anyway, biologically a dead fish is a dead fish.

24
25 However, the Upper Yukon, we're managed
26 so that we fish concurrently, commercial and subsistence,
27 so that you can have true windows. That regulation keeps
28 you from being able to have true windows in the Lower
29 River because you have to have those closures around the
30 subsistence opening -- I mean the commercial opening.
31 People can't fish subsistence then. So basically what
32 you're doing is shutting down the subsistence fishermen
33 so the commercial fishermen can fish and that's
34 ridiculous to shut down and restrict the subsistence
35 fishermen so the commercial fishermen can fish.

36
37 Let the subsistence fishermen fish at the
38 same time as the commercial fisherman and then you can
39 have true, unmolested passage of salmon onto the spawning
40 grounds. Otherwise you can't have that. So it's
41 actually a straight conservation issue. Madame Chair.

42
43 MADAME CHAIR ENTSMINGER: Okay. Steve.

44
45 MR. HAYES: Madame Chair. Of course,
46 we're still going through our process and our Staff
47 comments. I can't say whether or not we support or don't
48 support this proposal, but this has been a tool that
49 we've been using the last couple of years with our summer
50 chum directed fishery. We've had concurrent subsistence

1 and commercial fishing periods. And the idea is that
2 we're not increasing fishing time by doing that, that
3 we're putting fishermen out there for commercial and
4 subsistence at the same time. So it is a tool that we
5 have been using the last couple of years. Of course,
6 it's not in regulation, but we have done it. Then again,
7 as I said, at this point I can't say whether or not the
8 Department supports it or not because we still have to go
9 through our process.

10

11 MADAME CHAIR ENTSMINGER: You've got to
12 support it. They didn't stop you. Any other discussion
13 or any public testimony.

14

15 (No comments)

16

17 MADAME CHAIR ENTSMINGER: Donald.

18

19 MR. RIVARD: Madame Chair. The Yukon-
20 Kuskokwim Delta Regional Advisory Council took no action
21 on 141 based on their actions on 139 and 140, which were
22 to oppose those two actions.

23

24 MR. UMPHENOUR: Did Western Interior take
25 it?

26

27 MADAME CHAIR ENTSMINGER: Yeah, did
28 Western -- did they take up.....

29

30 MR. RIVARD: No, Western did not take
31 this one up.

32

33 MADAME CHAIR ENTSMINGER: Yeah, they just
34 took up 138. That's the last of what Western took up
35 actually. Council members, any more discussion.

36

37 MR. FIRMIN: I have a quick one. If I
38 remember right when we were putting this together this
39 was because you would almost have the same person go out
40 on a subsistence opener, fish, take all his fish home,
41 then the next day he would go out or after, what,
42 whatever their waiting period is, he would go out under
43 a commercial license and fish some more and then he'd
44 have a second opportunity to fish and take home a
45 subsistence catch or his kings as a subsistence catch
46 because he's not allowed to sell them.

47

48 So he's going out to subsistence fish for
49 one day and then the next day he goes out and commercial
50 fishes and gets to basically subsistence fish a second

1 day. So that's kind of where that whole fairness issue
2 came in and it's like they're still fishing the same
3 pulse of fish while we're still waiting for fish to show
4 up. If I remember correctly, that was how it came about
5 and this just made it equal with the rest of the river as
6 far as openers are concerned.

7

8

Was that right, Virgil?

9

10

MR. UMPHENOUR: That's right. The same
11 guy could go out and commercial fish, then they get to go
12 out and subsistence fish after they have that closure and
13 you can't have a regular long window closure because you
14 have to have a subsistence fishery too. So what it would
15 do basically -- well, what they -- what it would
16 basically do is throw the windows out the window. Once
17 you have a commercial fishery, then the commercial
18 opening because of that regulation, what would happen, it
19 would be closed for 18 hours before then 12 hours after,
20 but then after that it's open seven days a week until the
21 next commercial opening, then it closes 18 hours before,
22 during and then 12 hours after. So basically you could
23 not have any windows. You had little teeny short
24 windows. An 18-hour window of no fishing before and then
25 a 12-hour window. Well, hell, in 18 or 12 hours those
26 fish can't swim that far. A guy with a -- hell, a 24
27 horse boat can drive 30 minutes and he's already got in
28 front of the fish that hadn't been fished, so you could
29 have no unmolested fish going up the river.

30

31

MADAME CHAIR ENTSMINGER: The short
32 answer was yes.

33

34

(Laughter)

35

36

MADAME CHAIR ENTSMINGER: Okay. I'm
37 pretty sure we support our own proposal. Anyone else
38 want to speak to it.

39

40

MR. GLANZ: I'll ask for the question.

41

42

MADAME CHAIR ENTSMINGER: The question is
43 called for. All in favor of Proposal 141.

44

45

IN UNISON: Aye.

46

47

MADAME CHAIR ENTSMINGER: Anyone opposed.

48

49

(No opposing votes)

50

1 MADAME CHAIR ENTSMINGER: Okay. How are
2 we doing. We have several to go through yet. Is there
3 any lumping of these things? I know a lot of times
4 there's similar proposals stuck in there. What's the
5 next one you want to take up. I see that Andy's back. Do
6 you want to take the rest of these up at the end and
7 spend more time on our Federal?
8
9 MR. BASSICH: Let's just knock them out.
10
11 MADAME CHAIR ENTSMINGER: You want to
12 knock them out?
13
14 MR. BASSICH: Yeah, I think that's fine.
15
16 MADAME CHAIR ENTSMINGER: Let's see how
17 we can do it quickly. Are we taking up 142 you guys?
18
19 MR. RIVARD: 142 is on my list, Madame
20 Chair, and it's something that might be dear to Mr.
21 Firmin's heart.
22
23 MADAME CHAIR ENTSMINGER: Then we better
24 highly consider it. Open Yukon River District 5D from
25 July 4 to 18.
26
27 MR. RIVARD: This is a District 5D from
28 Stevens Village to Circle. What they're asking is that
29 there would be no closures on subsistence fishing from
30 July 4th to the 18th.
31
32 MADAME CHAIR ENTSMINGER: Yukon Flats AC.
33 Is there a motion.
34
35 MR. FIRMIN: Motion to support Proposal
36 142.
37
38 MADAME CHAIR ENTSMINGER: Is there a
39 second.
40
41 MR. UMPHENOUR: Second.
42
43 MADAME CHAIR ENTSMINGER: Speak to it,
44 Andrew.
45
46 MR. FIRMIN: I wasn't in on the AC
47 meeting when they did this one and it kind of heartfelt,
48 but personally I don't think I could -- a lot of the fish
49 that they get in Fort Yukon go through that time period
50 in that first pulse is what a lot of people depend on

1 because that's the only good fish that comes by Fort
2 Yukon at that time. At the same time, this is a
3 conservation message and what we've been going through,
4 this kind of goes against all of our other proposals, so
5 personally I can't really support it at this time.

6

7

MADAME CHAIR ENTSMINGER: Larry.

8

9

MR. WILLIAMS: Thank you, Madame Chair.
10 I was the chairman of that board when we passed this
11 proposal and the reason behind it is that you can read it
12 clearly they have no other chance to get their fish for
13 subsistence purposes except on the first pulse. They
14 said they're not going to fish it intensively. Just
15 enough to get their winter catch for subsistence
16 purposes. So that's the reason behind that. That was
17 the reason I voted against the other proposal a lot of us
18 brought forward because I remember that we proposed that
19 we fish on the first pulse and I can't support closing a
20 first pulse to all fishing.

21

22

Thank you.

23

24

MR. GLANZ: Madame Chair.

25

26

MADAME CHAIR ENTSMINGER: That explained
27 your vote. Thanks. Yes, Bill.

28

29

MR. GLANZ: My biggest concern is Circle.
30 When moose season opens, there's a major highway going to
31 circle constantly, constantly, constantly. From
32 Fairbanks, Glennallen, they're all that way. It would be
33 the same thing if we open the salmon season like this
34 because there would be a constant flow of cars and
35 vehicles from all the subsistence units, even Tok people
36 would probably drive up there. Put their boat in and go
37 downstream.

38

39

MADAME CHAIR ENTSMINGER: Probably not.

40

41

MR. GLANZ: Huh?

42

43

MADAME CHAIR ENTSMINGER: Probably not,
44 but go ahead.

45

46

MR. GLANZ: No, but I see it happening
47 with caribou, so I'm sure it would happen with fish. I
48 see it happening with moose with subsistence. In other
49 words, the river would be lined with nets and wheels.
50 That's going to be the problem. That is going to be the

1 major problem right there that would happen, so I'm
2 opposed to this.
3
4 MR. FIRMIN: Half of Fairbanks would move
5 to Fort Yukon just to go fishing.
6
7 MR. GLANZ: You're right, yeah.
8
9 MADAME CHAIR ENTSMINGER: Andy.
10
11 MR. BASSICH: Just to go through our
12 discussion justification, there is a conservation concern
13 and there is substantial evidence that if we were to fish
14 that that we would have very detrimental aspects to the
15 salmon fisheries and it goes against everything we've
16 been working towards in conservation, so I will not
17 support it.
18
19 MR. WOODRUFF: Sue, can I make a comment.
20
21 MADAME CHAIR ENTSMINGER: Yes, you can,
22 Don. Go ahead.
23
24 MR. WOODRUFF: Thank you. I think I'm
25 going to agree with Bill. I'm going to go down there and
26 fish because they excluded me and they said no one would
27 suffer and that would be me. If this passes, I'm going
28 to take my net and go down there and fish just like Bill
29 said.
30
31 I'm opposed to this proposal. It goes
32 against all the conservation of the windows, the whole
33 project and the first pulse protection.
34
35 MR. UMPHENOUR: Question.
36
37 MADAME CHAIR ENTSMINGER: The question
38 has been called for. Does anyone disagree.
39
40 (No comments)
41
42 MADAME CHAIR ENTSMINGER: Okay. All in
43 favor of 142 say aye.
44
45 MR. MATESI: Aye.
46
47 MR. ERHART: Aye.
48
49 MR. GLANZ: Aye. Is this opposed?
50

1 MADAME CHAIR ENTSMINGER: No, this is in
2 favor of it.
3
4 MR. GLANZ: Oh, okay. I'm sorry.
5
6 MADAME CHAIR ENTSMINGER: All in favor of
7 it. I hear one aye.
8
9 MR. MATESI: Aye.
10
11 MADAME CHAIR ENTSMINGER: That's correct.
12 Two ayes.
13
14 MR. BASSICH: I thought I heard a third
15 one.
16
17 MR. GLANZ: No. That was me. I was
18 voting in favor because I thought it was against it.
19
20 MADAME CHAIR ENTSMINGER: Oh, no. This
21 is a positive motion. All opposed.
22
23 IN UNISON: Aye.
24
25 MADAME CHAIR ENTSMINGER: Are we happy
26 with that? I have to vote with them, so it's 2 to 7.
27 All right. I don't think you'd like that, Larry, seeing
28 the whole world up there. Okay. But I understand what
29 you're thinking. 143 is next, is that right? No. Do
30 you want to take that up, Virgil? That's Districts 1, 2
31 and 3.
32
33 MR. UMPHENOUR: Move to adopt Proposal
34 143.
35
36 MADAME CHAIR ENTSMINGER: Is there a
37 second.
38
39 MR. BASSICH: Second.
40
41 MADAME CHAIR ENTSMINGER: Okay. Donald.
42
43 MR. RIVARD: Madame Chair. Proposal 143
44 would remove the restrictions during the subsistence fall
45 chum season in Districts 1, 2 and 3 of the Yukon as
46 follows. There would only be two 36-hour fishing periods
47 per week during the summer season only, which there is
48 right now, but it would take that off the fall season for
49 chum. The reason is it's unnecessary restriction to fall
50 season subsistence fishery in Districts 1, 2 and 3.

1 That's what the proponent states.

2

3

Thank you.

4

5

MR. UMPHENOUR: Thank you, Madame Chair.
6 The Board put this into effect in January of 2001. What
7 it does is it allows windows for the fall chum and the
8 coho to pass upriver unmolested. That's what it does and
9 I think we should still do that myself.

10

11

Madame Chair.

12

13

MADAME CHAIR ENTSMINGER: Andy.

14

15

MR. BASSICH: Thank you, Madame Chair.
16 Summer chum and in particular fall chum have a very
17 dynamic abundance over time. What I'm saying is they
18 tend to at times be very, very abundant and then they
19 very quickly diminish. With the declines on chinook
20 salmon and our effort to try and get people to harvest
21 other species, I guarantee you in the next two years
22 we're going to be sitting at this table dealing with fall
23 chum conservation because more and more effort is going
24 to be put either commercially to try and make up the
25 difference or through subsistence activities to make up
26 the difference.

27

28

I'm going to start right now just saying
29 what I'm going to be probably saying for the next 10
30 years. We better start watching out for fall chum
31 because we're going to do the same thing to them and
32 they're not as resilient as the summer chum are in
33 numbers. And the other aspect of that to our region is
34 fall chum is absolutely critical to everyone in our
35 region, from Tanana up. Without fall chum salmon our
36 lifestyle disappears. You know, we can kind of get by
37 without king salmon, it hurts, but we can't get by
38 without fall chum.

39

40

Our life -- if you look at all the
41 subsistence reports, it's the last area in Alaska on the
42 Yukon drainage where there are dog teams and that's
43 absolutely essential food for that lifestyle. So if we
44 want all dog mushers in Alaska to basically disappear
45 from using their dogs for hunting, trapping, hauling wood
46 and that lifestyle, then let the fall chum go away and
47 that will happen.

48

49

We have to maintain conservation. We
50 have to be very cognizant of any additional commercial

1 harvest of fall chum or we will be in the exact same
2 place in a couple of life cycles very potentially quicker
3 than that as we are with the chinook salmon right now.

4
5 Thank you.

6
7 MADAME CHAIR ENTSMINGER: Others. Any
8 more discussion.

9
10 (No comments)

11
12 MR. GLANZ: I'll call the question.

13
14 MADAME CHAIR ENTSMINGER: The question
15 has been called for. All in favor of 143.

16
17 (No aye votes)

18
19 MADAME CHAIR ENTSMINGER: All opposed.

20
21 IN UNISON: Aye.

22
23 MADAME CHAIR ENTSMINGER: Unanimous.

24 Next.
25

26 MR. RIVARD: Madame Chair. The next two
27 are 144 and 145. They both deal with restricting
28 gillnets to 35 meshes in depth. 144 is for all the Yukon
29 River Drainage. This was submitted by the Fairbanks
30 Advisory Committee. Proposal 145 also restricts gillnets
31 to 35 meshes in depth, but it's just for Districts 1
32 through 5, so that means it does not include the Tanana
33 River drainage, which is District 6.

34
35 Thank you, Madame Chair.

36
37 MADAME CHAIR ENTSMINGER: How would you
38 like to proceed.

39
40 MR. UMPHENOUR: Move to adopt 144.

41
42 MADAME CHAIR ENTSMINGER: That's because

43 it's yours. Is there a second.

44
45 MR. BASSICH: I'll second.

46
47 MR. FIRMIN: Second.

48
49 MADAME CHAIR ENTSMINGER: We're on 144.

50

1 MR. UMPHENOUR: This is one of the
2 proposals that we were -- the RAC was a co-sponsor of
3 four years ago along with Tanana, Rampart, Manley AC, as
4 well as the Fairbanks AC. There was some proposals
5 earlier here kind of addressing this and we decided we'll
6 go with our proposals. This is one of our actual
7 proposals even though it doesn't say so in the book.
8 We've discussed this issue a lot in the past and we need
9 to pass it. It's a straight conservation issue. Madame
10 Chair.

11
12 MADAME CHAIR ENTSMINGER: A good short
13 version. Thanks, Virgil. Did you want to address it,
14 Andrew?

15
16 MR. FIRMIN: No. I was just wondering if
17 we were grouping 144 and 145 together since they're both
18 the same.

19
20 MADAME CHAIR ENTSMINGER: It would be
21 nice if we could do that, but it's too late now.

22
23 MR. MATESI: If we do 144, we don't have
24 to do 145.

25
26 MADAME CHAIR ENTSMINGER: Yeah.

27
28 MR. GLANZ: Right.

29
30 MADAME CHAIR ENTSMINGER: Joe just said
31 if we vote this one up, then we don't have to take up
32 145. Okay.

33
34 Thank you, Joe.

35
36 Any other discussion.

37
38 (No comments)

39
40 MADAME CHAIR ENTSMINGER: Okay, Don.

41
42 MR. RIVARD: Madame Chair. The Yukon-
43 Kuskokwim Delta Regional Advisory Council opposed Number
44 144. Thank you.

45
46 MADAME CHAIR ENTSMINGER: That makes
47 sense. Anyone else want to speak to it from the public.
48

49 MR. UMPHENOUR: Andy had his hand up for
50 a second.

1 MADAME CHAIR ENTSMINGER: For a second?
2 Did I miss it? Anyone else want to have discussion.
3
4 (No comments)
5
6 MR. GLANZ: We have a question.
7
8 MADAME CHAIR ENTSMINGER: The question is
9 called for. Okay. All in favor.
10
11 IN UNISON: Aye.
12
13 MADAME CHAIR ENTSMINGER: Anyone opposed.
14
15 (No opposing votes)
16
17 MADAME CHAIR ENTSMINGER: Okay.
18 Continuing.
19
20 MR. UMPHENOUR: Madame Chair. I move we
21 take no action on Proposal 145 based on the action taken
22 on Proposal 144.
23
24 MR. MATESI: Second.
25
26 MADAME CHAIR ENTSMINGER: Any discussion
27 needed.
28
29 (No comments)
30
31 MADAME CHAIR ENTSMINGER: All in favor.
32
33 IN UNISON: Aye.
34
35 MADAME CHAIR ENTSMINGER: Okay. I like
36 that. Where are we.
37
38 MR. UMPHENOUR: Move to adopt Proposal
39 146.
40
41 MR. BASSICH: Second.
42
43 MADAME CHAIR ENTSMINGER: It's been moved
44 and seconded. Speak to the motion, please.
45
46 MR. RIVARD: Do you want me to introduce
47 it?
48
49 MADAME CHAIR ENTSMINGER: Oh, yeah.
50 We're trying to go real fast here. Sorry.

1 MR. RIVARD: Proposal 146 would allow
2 only 6-inch stretch mesh gillnet gear in the Yukon River
3 Drainage.

4
5 MR. UMPHENOUR: I'll speak to the
6 proposal. We've had this -- this proposal has been
7 before the Board of Fisheries for in excess of I think
8 about 15 years at least, every time. It almost passed in
9 2001. Only one vote. Too bad it didn't pass back then.
10 Anyway.....

11
12 MADAME CHAIR ENTSMINGER: It's worth a
13 try, huh?

14
15 MR. UMPHENOUR: Well, let me say this.
16 There's some of you that have been on this Council a
17 while. Some of us sitting here at this table, probably
18 close to half of us, have heard me say this in the past.
19 That is, it was a report to the Board of Fisheries by the
20 Department in 1981. They were addressing the same issue
21 on -- except in Cook Inlet. This is January of '81.
22 This report had six studies in it. One of them was
23 actually done on the Yukon on effects on fecundity and
24 sex ratios of king salmon when harvested by different
25 size gillnets. One of the studies was done by Ricker.

26
27 Anyway, the concluding sentence was no
28 directed chinook salmon fishery is sustainable if
29 gillnets larger than 6-inch mesh are used. That was the
30 last sentence. So they went to 6-inch gillnets in Cook
31 Inlet. That was January of '81. The Yukon was the last
32 fishery in the state to have an unrestricted mesh on
33 gillnets for chinook salmon fishing until three years
34 ago. Anyway, we need the 6-inch mesh proposal.

35
36 The funny thing though, this is anecdotal
37 evidence. When I went to that meeting that we had, Andy
38 and I went to, this king salmon meeting that came up with
39 the two proposals we just discussed last spring. We had
40 a facilitator and this guy is the first facilitator I've
41 actually really enjoyed facilitating a meeting when you
42 know that you've got people there with very strong
43 feelings about opposing views. This guy was actually a
44 good facilitator. He had a lot of experience in dealing
45 with the salmon stocks of the Columbia River and dealing
46 with the tribes and the commercial fishermen and other
47 people at each other's throats.

48
49 Anyway, in the evening he told me, he
50 says, you know, I couldn't weigh in on anything, but on

1 the Columbia River it took 40 years after they went to 6-
2 inch gillnets to start seeing the large king salmon come
3 back. Forty years. He says until we do that on the
4 Yukon we'll never get our big king salmon back. Madame
5 Chair.

6

7 MADAME CHAIR ENTSMINGER: Yep, I've heard
8 that before. Andy.

9

10 MR. BASSICH: Yeah, you know, this year's
11 management strategies for king salmon conservation,
12 including putting restrictions down to 6-inch mesh for
13 subsistence people and a good majority of the entire run
14 I think there was maybe one or two openings in the Lower
15 River where they weren't restricted if I can recall, but
16 someone could correct me on that. Basically they're
17 already using this strategy to try and get more fish up
18 the river.

19

20 I think the point that Virgil just made
21 on trying to get these larger fish back up, that's
22 absolutely essential for this run to ever recover. We're
23 down to zero eight-year-olds and I think we're down to 2
24 or 3 percent seven-year-olds. That's where all the eggs
25 are at. You know, it's exponentially more eggs in fish
26 as they get larger. So it's critical that we try and at
27 least allow the fish to try and do what nature wants them
28 to do. We've been doing everything in our power to not
29 let that happen. So I'm in favor of this.

30

31 MADAME CHAIR ENTSMINGER: Other
32 discussion.

33

34 MR. FIRMIN: I was kind of in favor of
35 this over the 7.5-inch mesh net because that was with
36 other people. The discussion was if we'd just go from
37 8.5 to 7.5, we're just going to catch the next size
38 smaller fish. So a 6-inch mesh is what a lot of people
39 already use and I believe they were voluntarily using it
40 this summer in the Lower Yukon in their subsistence and
41 commercial fishing. I whole-heartedly agree with it.

42

43 MR. BASSICH: Question

44

45 MADAME CHAIR ENTSMINGER: The question
46 has been called for. Donald, did I miss it, did you say
47 what the RACs did? Okay, Western didn't take it up and
48 Y-K opposed. The question has been called for. All in
49 favor of this.

50

1 IN UNISON: Aye.
2
3 MADAME CHAIR ENTSMINGER: Anyone opposed.
4
5 (No opposing votes)
6
7 MADAME CHAIR ENTSMINGER: It's unanimous.
8 Next.
9
10 MR. RIVARD: Madame Chair. The next, 147
11 and 148 have to do with allowing drift gillnets in
12 District 4 for the State side, extending into 4B and 4C.
13 I don't know if your Council wants to take that up or
14 not.
15
16 MADAME CHAIR ENTSMINGER: Council
17 members.
18
19 MR. BASSICH: Yes, Madame Chair, let's
20 take it up.
21
22 MADAME CHAIR ENTSMINGER: Okay.
23
24 MR. UMPHENOUR: Move to adopt Proposal
25 147.
26
27 MR. BASSICH: And 8. Let's do them both
28 at once.
29
30 MR. UMPHENOUR: Well, we can just take no
31 action on the other one after we do one. Move to adopt
32 Proposal 147.
33
34 MR. BASSICH: Seconded.
35
36 MADAME CHAIR ENTSMINGER: Okay, moved and
37 seconded. Don.
38
39 MR. RIVARD: Proposal 147 would allow
40 drift gillnets as legal gear in a subsistence fishery in
41 District 4A of the Yukon River upriver to the community
42 of Ruby. Ruby is in 4B and 4C, so it's more than just
43 District 4A. So that's the intent.
44
45 Thank you, Madame Chair.
46
47 MADAME CHAIR ENTSMINGER: Discussion.
48 Virgil.
49
50 MR. UMPHENOUR: I made the motion. I'm

1 not the second. Did someone second it?

2

3 MADAME CHAIR ENTSMINGER: Yeah, right
4 there.

5

6 MR. BASSICH: I did.

7

8 MR. UMPHENOUR: Okay. This drift fishing
9 targets the fish that are out further in the river. So
10 the fish out further in the river are usually the larger
11 fish. So what that means is they're targeting the fish
12 going to Canada and they're going to target more female
13 fish as well. So, conservation-wise, to expand the
14 fishery in times of conservation defies common sense. So
15 I'm opposed to this regulation.

16

17 At Ruby one or two fishwheels can catch
18 the whole village's catch anyway on that bluff. They
19 don't need to be out there catching those fish headed for
20 Canada. Madame Chair.

21

22 MADAME CHAIR ENTSMINGER: Don.

23

24 MR. RIVARD: Madame Chair. I just wanted
25 to remind your Council that there is a Federal fishery
26 for drift gillnetting in this area and it's only Federal
27 right now, so this would just allow it under State
28 regulation. Thank you.

29

30 MADAME CHAIR ENTSMINGER: So the bluff
31 must be on State land.

32

33 MR. UMPHENOUR: Right. But it would
34 allow it where it's not Federal land on both sides of the
35 river, so that would add a big -- I think a pretty good
36 size chunk of land or area that they could fish, is what
37 I think it would do. I'm still opposed to it because it
38 would expand a fishery that has got severe conservation
39 problems, is basically what it would do. Madame Chair.

40

41 MADAME CHAIR ENTSMINGER: Others,
42 discussion.

43

44 MR. MATESI: Madame Chair.

45

46 MADAME CHAIR ENTSMINGER: Joe.

47

48 MR. MATESI: I agree with Virgil and, yes,
49 my understanding is there's large segments of the river
50 which are State managed and it would expand into there.

1 Let's remember this is not a traditional subsistence
2 activity. It's brand new, migrating upriver from the
3 Lower River. I just can't get the vision of ghost nets
4 out of my mind. You know, they snag these nets on the
5 bottom of the river and they have to cut them loose and
6 they're down there catching fish, they're dying for
7 years. So I agree with Virgil. I'm going to oppose this
8 as well.

9
10 MADAME CHAIR ENTSMINGER: Anyone else.

11
12 MR. BASSICH: Question.

13
14 MR. WOODRUFF: Madame Chair.

15
16 MADAME CHAIR ENTSMINGER: Don, go ahead.

17
18 MR. WOODRUFF: Mr. Rivard, what did the
19 other Councils advise or vote on?

20
21 MADAME CHAIR ENTSMINGER: Western did not
22 vote.

23
24 MR. RIVARD: Madame Chair. Neither did
25 the Y-K Delta Regional Advisory Council. They did not
26 take these up.

27
28 MADAME CHAIR ENTSMINGER: Either one.

29
30 MR. RIVARD: Either one.

31
32 MADAME CHAIR ENTSMINGER: That's one way
33 of dealing with it.

34
35 MR. BASSICH: Question.

36
37 MADAME CHAIR ENTSMINGER: The question
38 has been called for. All in favor of this proposal say
39 aye.

40
41 (No aye votes)

42
43 MADAME CHAIR ENTSMINGER: All opposed
44 same sign.

45
46 IN UNISON: Aye.

47
48 MADAME CHAIR ENTSMINGER: Unanimously
49 opposed 147.

50

1 MR. UMPHENOUR: Move to take no action on
2 Proposal 148 due to the action taken on Proposal 147.
3
4 MR. FIRMIN: Second.
5
6 MADAME CHAIR ENTSMINGER: It's been moved
7 and seconded. I ask for unanimous consent or whatever I
8 need to do. I must need a break.
9
10 (Council nods affirmatively)
11
12 MADAME CHAIR ENTSMINGER: Okay. Good.
13
14 MR. UMPHENOUR: Move to adopt Proposal
15 149.
16
17 MR. BASSICH: Second.
18
19 MADAME CHAIR ENTSMINGER: Don.
20
21 MR. RIVARD: Madame Chair. Proposal 149
22 would create a harvest reporting system for subsistence-
23 taken salmon in the Yukon River Drainage. All
24 subsistence users -- the language is all subsistence
25 users must have a catch calendar and shall record all
26 harvested fish on the catch calendar in ink before
27 concealing the fish from plain view, transport it from
28 the fishing site or offload it from a vessel.
29
30 Thank you, Madame Chair.
31
32 MR. UMPHENOUR: Madame Chair. That's the
33 other thing that that group that we met, you know, with
34 YRDFA and Andy and I went to it. That's the other thing
35 we agreed to. But this is the Fairbanks AC proposal
36 here. Proposal 150 is the one that everyone was able to
37 agree on, the stakeholder group, this meeting we had. So
38 I don't know. Does Jill have some substitute language
39 for that?
40
41 MS. KLEIN: Madame Chair and Virgil. We
42 didn't create any new substitute language for that
43 proposal because when we further researched it we learned
44 that a permit is what would be required. I think we
45 discussed it at the group level that nobody was in favor
46 of permitting the entire Yukon River, so we didn't
47 develop that further.
48
49 MR. UMPHENOUR: Okey-doke. Well, our
50 Fairbanks AC proposal has the catch calendar as a permit,

1 so basically. So that addresses that, but we did all
2 agree to it at the meeting while we were there. Maybe
3 some people changed their mind, I don't know, after they
4 left. This is something that was before the Board three
5 years ago as well. I can't remember how many people
6 sponsored it though, but I know the Fairbanks AC did.

7
8 Basically until -- you know, we've heard
9 the managers say this a number of times, they don't
10 really know for sure how many fish are getting caught in
11 the subsistence fishery and this is the only way you're
12 going to know. We have the different assessments they
13 do. They send out these catch calendars, but if someone
14 doesn't fill it out and send it back or even fill it out
15 or anything, there's no requirement on it, but everyone
16 did agree to that at the meeting.

17
18 This is something that basically I think
19 should be done. It's been discussed a lot. I don't know
20 how the rest of the Council feels about it, but it's
21 there so you can put your two bits worth in. I did mine.

22
23 MADAME CHAIR ENTSMINGER: Larry, then
24 Joe.

25
26 MR. WILLIAMS: Thank you, Madame Chair.
27 I don't know how to quite say this. Making this --
28 recording this subsistence-caught fish, making it
29 mandatory, it seems like it's taking the thing a bit too
30 far. As if some of the subsistence fishermen haven't
31 suffered enough already, they're making it mandatory
32 marking every day what -- how many fish you caught. I
33 don't see how another regulation like this would help
34 sustain the chinook runs. I mean I don't see no sense in
35 it at all. I'm going to be opposing this proposal.

36
37 Thank you.

38
39 MADAME CHAIR ENTSMINGER: Joe.

40
41 MR. MATESI: Thank you, Madame Chair. I
42 realize that my vote once again today might be an
43 outlier, but I'm going to vote no and for the following
44 reasons. First of all, the way this is written, you have
45 to have some kind of catch calendar with you in the boat
46 out at the eddy as you're pulling fish out of the net.
47 The way this is written, you can't leave the eddy until
48 you've filled out that fish calendar in ink. I don't
49 care if it's raining out or what. That means if you
50 start up your motor and you head back to fish camp,

1 you're now a criminal. Like Mr. Williams says, it's just
2 too much.

3
4 I can't see criminalizing somebody like
5 85-year-old Simon Francis when he goes 160 miles up
6 Porcupine River and he's up there and he wants to set out
7 a fish net for a day or two, catch a few salmon, he
8 doesn't have a fish calendar, he can't even read and
9 write really, hardly speaks English, and this makes a
10 criminal out of him. I can't go along with that. I just
11 don't think that it's in the intent of ANILCA, which was
12 simply trying to recognize the validity of the
13 subsistence lifestyle.

14
15 Now I agree it's great to have data and
16 I applaud the Department for the really good work that it
17 does in acquiring that data with the fish calendars and
18 the subsistence surveys that are done at the end of the
19 season. Let them keep doing their job and don't try to
20 put the onus of this work onto the backs of the
21 subsistence users themselves.

22
23 MADAME CHAIR ENTSMINGER: Go ahead, Don.

24
25 MR. RIVARD: Madame Chair. The Yukon-
26 Kuskokwim Delta Regional Advisory Council took this
27 proposal up and they opposed it. Thank you.

28
29 MADAME CHAIR ENTSMINGER: I have a quick
30 question. Does anybody here have a copy of that fish
31 calendar? I'd like to look at it.

32
33 MR. BASSICH: I just turned mine in
34 yesterday.

35
36 MR. MATESI: Madame Chair. I just got
37 mine in the mail yesterday. Well, I got it in the
38 mail.....

39
40 MADAME CHAIR ENTSMINGER: Oh, you're
41 serious.

42
43 MR. MATESI: Let me explain. I got it in
44 the mail in my post office box in Fort Yukon and Andrew
45 was kind enough to bring my mail to me because we didn't
46 stop in Fort Yukon on the way in, so I got my calendar
47 yesterday. I would be a criminal if this were adopted.

48
49 MR. WOODRUFF: I have a.....

50

1 MADAME CHAIR ENTSMINGER: Don, I hear
2 you. You're on.

3
4 MR. WOODRUFF: I have a catch calendar
5 and I also have a permit and it is not a big deal to
6 write down the catch that I get. Also, I think if you
7 read this closely, there's some commas in this proposal,
8 so transporting the fish from the site or offloading them
9 from the vessel. In other words, if you have them -- a
10 catch calendar on the shore and you unload your vessel
11 and you record your catch, then that's a totally --
12 qualifies you as a legal person, I guess.

13
14 I would think that these catch calendars
15 are much more data realistic than someone walking through
16 the village interviewing people about their catch six or
17 eight months later asking them do you remember catching
18 any chinook or any chum salmon.

19
20 MADAME CHAIR ENTSMINGER: So am I to
21 interpret that you're in favor or not in favor of this?

22
23 MR. WOODRUFF: In favor and it's not a
24 big deal to write the numbers down.

25
26 MR. UMPHENOUR: Let Andy talk and then
27 I'll say something else.

28
29 MADAME CHAIR ENTSMINGER: Andy.

30
31 MR. BASSICH: Thank you, Madame Chair.
32 I think we'll be talking about this maybe a little bit
33 more later too. We've been talking about this for a long
34 time and the arguments against it from the Department of
35 Fish and Game is the cost of initiating this, but what's
36 the cost of losing a salmon run and what's the cost of
37 managers having the tools they need to manage the run so
38 that we don't have further decline. Not to mention these
39 long sets of data are probably the most important sets of
40 data that we can create for any biological or scientific
41 analysis. So if you don't have long-term good data sets,
42 your hands are tied behind your back.

43
44 The other thing that I hear about is what
45 about accuracy. Will people report it accurately. Well,
46 reference your book on Page 28, the bottom of the page.
47 When they were talking about the harvest permits for the
48 drift fisheries, which we just talked about earlier
49 today, if you look at those numbers, those numbers are
50 incredibly accurate, they're very consistent all across

1 the board from the time it was initiated until 2011. We
2 don't have the 2012 data. Obviously it wasn't too much
3 of a burden for those people to fill out that fish
4 calendar when they were participating in that drift
5 fisheries. Really, look at Page 28. It's pretty telling
6 of what people will do when they're required to do it.

7

8 The next point I want to bring out is
9 that how many people here don't have to fill out a permit
10 when they shoot a moose or a caribou or a sheep.

11

12 MADAME CHAIR ENTSMINGER: You mean the
13 harvest report.

14

15 MR. BASSICH: Yeah. Not too many people.
16 We're requiring everybody to report or have a permit to
17 harvest just about any other species in Alaska, but we're
18 saying salmon, naw, just catch whatever you want, you
19 don't have to report it, we don't care. That's
20 essentially what we've been doing.

21

22 MADAME CHAIR ENTSMINGER: I thought they
23 have to do it through their calendar. I thought you're
24 reporting through your calendar.

25

26 MR. BASSICH: But the comment you just
27 heard is that it would be considered -- Joe was just
28 saying they dropped it because they consider it to be a
29 permit. Well, it is basically a permit when you harvest
30 for -- when you buy a harvest ticket to hunt moose or
31 something like that, that's basically a permit.

32

33 MADAME CHAIR ENTSMINGER: I'm confused.
34 I thought you guys have to have a calendar.

35

36 MR. BASSICH: We do if you're -- right
37 now.....

38

39 MADAME CHAIR ENTSMINGER: So you have to
40 fill it out and send it in. That's already there.

41

42 MR. BASSICH: The calendar right now that
43 is in place for the road system areas like Eagle and I
44 believe Manley and a few other areas.....

45

46 MR. GLANZ: Circle.

47

48 MR. BASSICH:that is your catch
49 calendar and permit. It's one thing. You have to get
50 that before you go fishing and you have to fill that out

1 at the end of the year. If they don't get that, they can
2 say that you're not going to get another permit next
3 year, so it's both. It's been in place since I've been
4 fishing 30-something years. Like Don.....

5
6 MADAME CHAIR ENTSMINGER: You're
7 saying.....

8
9 MR. BASSICH: Like Don Woodruff said,
10 this is how hard it is to do. Watch this. Four king
11 salmon, one whitefish, one grayling. That's all you have
12 to do every day. That's not too hard. Seriously. They
13 say that it's a paperless society down in the Lower Yukon
14 -- or up and down the Yukon, but people still have to
15 fill out harvest reports for moose and these people had
16 to fill it out, the people that did the drift fisheries
17 had to fill out their harvest to participate in that --
18 what is it, 4B and C drift fisheries and they did a great
19 job of it.

20
21 MADAME CHAIR ENTSMINGER: Okay. Help me
22 out. I get your point.

23
24 MR. BASSICH: No, I'm building a case
25 here because this is really important. We're going to be
26 talking about this some more at the Federal level.

27
28 MADAME CHAIR ENTSMINGER: Just answer my
29 question before you go on. You're saying the road system
30 has to get this catch calendar, but there's people in the
31 Yukon that do not?

32
33 MR. BASSICH: That's correct. It's not
34 imposed upon people along the Yukon River unless you live
35 in an area that's accessible by the road. So that's the
36 problem that I have with this is you're requiring me to
37 do it, you're requiring Bill to do it, but anybody that
38 lives in other areas they don't have to fill out a
39 calendar like that. So if we want to talk about
40 equitable requirements on people.

41
42 But that's a small part of it. The
43 important thing is we need this data. We need to tighten
44 up. When stocks or any resource declines, you need good
45 data to make good decisions in the future. If you don't
46 have that, you can't make good decisions and that's why
47 we keep stumbling over our own feet all the time in this
48 process. That's been happening since fisheries began
49 early on in man, right.

50

1 Like Virgil said, we're not learning from
2 our mistakes. We need to knuckle under. Do we like
3 doing it? No. But, you know what, these people should.
4 I'll bet in 2005 they hated it, but they did it. By
5 2011, man, that's some pretty amazing -- I mean that's
6 incredible reporting and that's valuable information.

7

8 The point I'm just trying to make is a
9 lot of these arguments in my mind don't carry any weight
10 whatsoever. They're superficial arguments.

11

12 MADAME CHAIR ENTSMINGER: Gotcha. Larry
13 and then Lester.

14

15 MR. WILLIAMS: Thank you, Madame Chair.
16 I'd like to respectfully disagree with the representative
17 from Eagle that we don't get calendars. We get our
18 calendars through the mail. I get mine every -- the
19 first part of June. They respectfully ask that we fill
20 it out to the best of our ability.

21

22 I'd like to make a point that most
23 subsistence fishermen on the Yukon River are Native or
24 they come from Native background. It's been known for
25 years and years that Natives are inherently polite and
26 honest or try to be. When I go fishing -- when I used to
27 go fishing, we limit ourselves. We severely limit
28 ourselves. We get maybe 25 chinook and we pull our nets
29 in and we go home. Maybe 30 to share among our family
30 and our close friends in the village. The whole village
31 is our close friend in fact.

32

33 Anyway, we severely limit ourselves to 25
34 to 30 and then we pull our nets, load our boats and go
35 home. Then we fill out the calendar and we mail it back
36 because we want to do our part in trying to keep track of
37 how many fish were caught. Then they come around in the
38 fall time and we do to the best of our ability to give
39 them accurate information as to how many chinook, how
40 many fall chum and so forth were caught.

41

42 So, you know, just catching the drift
43 somebody is going to underestimate the number of fish
44 that were caught it goes against my grain because the
45 people I know are inherently polite and honest.

46

47 Thank you.

48

49 MADAME CHAIR ENTSMINGER: Lester.

50

1 MR. ERHART: Yeah, he's -- we do the same
2 in our village, but I mean we don't -- if you catch 25
3 fish, that's enough work for the day. You don't have to
4 get anymore. You don't have to take this with a grain of
5 salt. Back in the '60s I used to go down to the Lower
6 River and we'd have meetings and stuff and the boys would
7 be teasing each other and say how many fish you drop off
8 with your girlfriends. Oh, three, he said. Did you
9 write it in the book? No, my wife will see it.

10

(Laughter)

11

12 MADAME CHAIR ENTSMINGER: You're so bad.

13

(Laughter)

14

15

16

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REPORTER: Lester.

1 MR. ERHART: We have a representative
2 come every fall and pick them up and want some more
3 information. Mostly they want to know how many dogs you
4 got, which I don't think it's any of their business.

5
6 (Laughter)

7
8 MADAME CHAIR ENTSMINGER: Non-
9 conformance. Okay, go ahead, Larry.

10
11 MR. WILLIAMS: Thank you, Madame Chair.
12 Like I said, I think I remember a couple meetings back
13 that we're not really required to send these in, but if
14 somebody went to the time and effort to send these
15 calendars to us, we should be polite enough to fill it
16 out to the best of our ability, as accurate as possible
17 and send it back to them. Just fill it out, drop it in
18 the mail. How much effort does that require. It's not
19 a required thing. It's not mandatory.

20
21 Thank you.

22
23 MADAME CHAIR ENTSMINGER: Lester.

24
25 MR. ERHART: These calendars we get,
26 there's only maybe four
27 species on there. Summer chum or fall chum and maybe
28 sheefish I saw on the last one, but nothing else, you
29 know.

30
31 MADAME CHAIR ENTSMINGER: No whitefish.

32
33 MR. ERHART: No.

34
35 MADAME CHAIR ENTSMINGER: Jennifer is
36 patiently waiting to speak. Can you guys provide me with
37 one of these calendars. I just want to see one.

38
39 MR. MATESI: Madame Chair. I have one
40 upstairs in my room.

41
42 MADAME CHAIR ENTSMINGER: Oh, cool. I
43 want to see it. Okay. Go ahead, Jennifer.

44
45 MS. YUHAS: I think we would certainly be
46 willing to do that. I appreciate that you have one on
47 hand here. Thank you for taking me outside the regular
48 Fish and Game comment period. For the accuracy of the
49 record, I just wanted to speak to the comments about Fish
50 and Game's position. While a calendar may not always be

1 imposed, Fish and Game has been on record for several of
2 your meetings advocating for the calendar and the
3 reporting. So, to clarify our position, there may be
4 finances incurred, but Fish and Game has always advocated
5 for the calendar and the reporting.

6

7 I also have Caroline Brown on hand if you
8 have questions regarding the data collection.

9

10 MADAME CHAIR ENTSMINGER: Meaning the
11 money has already been spent to do so.

12

13 MS. YUHAS: And it will continue to be
14 spent because the data is necessary for the management of
15 the resource.

16

17 MADAME CHAIR ENTSMINGER: All right.
18 Before you....

19

20 MR. BASSICH: Can I ask her a question.

21

22 MADAME CHAIR ENTSMINGER: If I can ask
23 mine first because I think I'll forget and I think I
24 already forgot. Your turn.

25

26 MR. BASSICH: Further point of
27 clarification. You do that. You do expend monies right
28 now, but the methodology of your harvest reporting is
29 very different from what we are talking about right here.
30 Right here we're talking about something that will be
31 filled out in season and will basically be almost like a
32 permit similar to the system like what I have to live
33 with right now, which is not a burden to me whatsoever.

34

35 What you just we're describing is the
36 current methodology whereby Fish and Game does a post-
37 season survey three to three and a half months after the
38 fishing season that they pick a number of communities in
39 the river, not the whole river, but they just take
40 representative communities where they have long data sets
41 and they just go back in and they do these surveys to see
42 if much is changing and that's very, very important.

43

44 MADAME CHAIR ENTSMINGER: I'm seeing
45 Caroline shake her head no, so you must not be correct.
46 I'm not going to let you continue.

47

48 MS. YUHAS: Through the Chair. For the
49 first point, that was not the intent that it be
50 interpreted that that's what I was speaking to. I was

1 speaking to calendars themselves, the mechanics of which
2 have been thoroughly debated on both regulatory bodies as
3 far as immediate, immediately after fishing, whether it's
4 unloaded, whether it's a week later or six months later.
5 Fish and Game has advocated for a calendar filled out as
6 close as possible to the fishing time.

7
8 Caroline Brown is behind me and I don't
9 want to -- I want to give her the opportunity to further
10 clarify the data collection, but I am not speaking only
11 to the current methodology of household surveys, but that
12 we are on the record for having advocated for permits
13 with calendars with numbers of fish filled out as close
14 as is feasible to the fishing.

15
16 MADAME CHAIR ENTSMINGER: That reminds me
17 of my question. Of the data that Fish and Game has right
18 now, these guys that are getting these calendars, they
19 don't have to send in. What do you think the percentage
20 is that's coming in?

21
22 MS. BROWN: Madame Chair. For the
23 record, this is Caroline Brown with the Alaska Department
24 of Fish and Game, Division of Subsistence. Calendars are
25 made available to fishermen along the river regardless of
26 whether or not they're in a permit area. I believe
27 approximately 10 to 13 percent perhaps are returned, so
28 it's a low percentage that's returned.

29
30 In those areas -- so just to speak --
31 just to clarify for the record what the actual method is
32 of data collection. As I mentioned earlier, there are
33 areas along the river that are accessible by road. Those
34 areas there's a required permit primarily because anybody
35 could access that from anywhere and it's hard to know
36 where everybody is from and go there and get accurate
37 data from them, so there is a permit required.

38
39 For those people who live in a community
40 like Tanana or Fort Yukon or Stevens or St. Mary's where
41 people live in the community and access fishing from
42 their community or from fish camps around their
43 community, the Department sends Staff out every year to
44 every community along the river to survey house to house
45 those fishing households. They use a stratified sample,
46 which means they don't go to every single household and
47 every community. They have a long-term data set
48 identifying households in one of our fishing categories
49 from do not fish to heavy harvesters. They sample each
50 of those categories.

1 To just be clear and brief, in the two
2 heavy harvesting categories, they sample 100 percent of
3 those households. As the category gets less and less
4 heavy fishing, they sample less of those households, but
5 they do try to hit all the households that are heavy
6 harvesters or moderate harvesters. So it's that combined
7 with the areas where there is a required permit.

8
9 What I would like to clarify for the
10 Council is the difference between in-season reporting and
11 post-season reporting. There is no in-season reporting
12 anywhere, even for those people who are permitted.

13
14 MADAME CHAIR ENTSMINGER: Now.

15
16 MS. BROWN: Now. Correct. The only --
17 everything is post-season. Permits come in after the
18 season. Calendars come in after the season. The
19 calendars give us a retrospective of what was caught day
20 to day, but we don't -- managers don't necessarily have
21 that information on the day of the harvest if that makes
22 sense. So on June 17th the managers aren't aware of how
23 many fish were harvested on June 17th until after the
24 season is over.

25
26 So I just wanted to clarify the
27 difference between in-season and post-season. Everything
28 we have right now, whether it be permit or post-season
29 surveys are all post-season. In-season permitting or in-
30 season method could be either permitting or household
31 surveys. It's just to do an in-season count is much more
32 labor intensive because you have to bug people throughout
33 the season. We bug them once at the end of the season
34 either by asking them to fill out a permit and send it to
35 us or by going to their house and knocking on the door
36 and asking us to tell them so that we can fill it out.
37 But that's really the functional difference.

38
39 MADAME CHAIR ENTSMINGER: So right now
40 there is no in-season report.

41
42 MS. BROWN: There is no in-season
43 reporting. There is a project that provides an index in-
44 season. It's conducted by the Fish and Wildlife Service
45 and I believe that's funded by OSM in cooperation with
46 YRDFA and that project is an index where on the weekly
47 teleconference YRDFA and Fish and Wildlife work together
48 with local research assistants to sample fishermen in
49 their village to provide feedback on how they're doing.
50 This is week to week. It does not produce harvest

1 estimates that managers use to account for how many fish
2 were harvested. It provides information about how on a
3 general level fishermen are doing in a particular
4 community at a particular point in the season.

5
6 How far along they are in their
7 subsistence harvesting, whether or not they're 25 percent
8 or if they're done or whatever, does not necessarily
9 provide hard numbers or estimates of harvested fish. So
10 it's more of an index of how subsistence is going for
11 people along the river rather than an enumeration project
12 that counts harvested fish and produces community level
13 estimates.

14
15 MADAME CHAIR ENTSMINGER: All right.
16 Fred wanted to speak, but Lester had something first.
17 Pull up a chair, Fred. Lester.

18
19 MR. ERHART: Well, we were shut down for
20 10 days. You can't mark nothing down for 10 days. Then
21 we had an 18-hour opening and we shut down another 10
22 days, so how are you going to put anything on the
23 calendar?

24
25 MADAME CHAIR ENTSMINGER: It's only one
26 day, huh, two days. Good point. Fred, you were shaking
27 your head no. What was that about?

28
29 MR. BUE: I apologize, Madame Chairman.
30 It's something -- previously I administered this survey
31 program in my previous job, but it's been three years, so
32 some things change. I think there's still a requirement
33 on the Tanana River to report weekly in the personal use
34 area and with the pike fishing. Part of that is there's
35 a harvest allocation or threshold in the Tanana River
36 when they meet thresholds or maximum limits in their
37 allocation. The State watches those permits by the week.
38 If it looks like they're going to fall short of their
39 goal, they may provide additional permits or additional
40 fish per this permit. In the portions of the Tanana
41 River they had thresholds and household limits. They
42 have a household limit and also a combined limit, but
43 that's mostly for personal use. For pike fish, the
44 Chatanika pike fishing does have a requirement also.
45 Madame Chair.

46
47 MADAME CHAIR ENTSMINGER: Other Council
48 members have any questions because I have another one.
49 Donald, then Andrew, then Virgil.

50

1 MR. WOODRUFF: I would like to ask
2 Caroline Brown what is the percent of return of the
3 permits that are filled out as opposed to the catch
4 calendars.

5
6 MS. BROWN: Madame Chair. Through the
7 Chair. I don't know the number right off the top of my
8 head, but it is a high percentage of permits that are
9 returned, so permit returns are high, I believe, but the
10 catch calendars I think I said somewhere probably between
11 10 and 13 percent. When I say high, I mean like 80 to 90
12 percent.

13
14 MADAME CHAIR ENTSMINGER: See, that's the
15 return. Now you also said you go in and you physically
16 talk to these high harvesters.

17
18 MS. BROWN: Correct.

19
20 MADAME CHAIR ENTSMINGER: So you should
21 have pretty accurate data I would assume by knowing this.

22
23 MS. BROWN: Yes. The Department does
24 maintain, I believe, an accurate harvest estimate for all
25 of the salmon species using these methods combined. What
26 it does not do is have an in-season measure. The reason
27 I'm making this distinction is because I'm listening to
28 Member Bassich's comments about wanting to be able to
29 provide this information to managers as we go along the
30 season as one of the things that managers have, what tool
31 they have in their toolbox for determining appropriate
32 in-season regulation in terms of restriction or opening
33 up windows or what have you. What managers don't have
34 access to right now are in-season estimates. They have
35 post-season estimates and those are accurate.

36
37 MADAME CHAIR ENTSMINGER: And that's the
38 reason for this proposal.

39
40 MR. BASSICH: Can I ask one quick
41 question.

42
43 MADAME CHAIR ENTSMINGER: Andrew.

44
45 MR. FIRMIN: Maybe we could table this
46 one until towards the end of the meeting and maybe Virgil
47 could get a hold of somebody else on the AC and come up
48 with a little different wording. Because this is
49 something that we've discussed thoroughly with YRDFA and
50 this is something we discussed thoroughly on the Tri-RAC

1 Committee that there needs to be some type of reporting
2 for many, many more reasons than what we're talking
3 about. It could be used for all types of tracking
4 purposes, for customary trade or anything like that. You
5 could determine a lot of things from that data. But the
6 way that it's written right now I currently couldn't
7 really go along with it for reasons Joe stated and Larry
8 stated, but I don't think I want to be illegal because I
9 forgot my calendar at home. You know what I mean?

10

11 MADAME CHAIR ENTSMINGER: I do know what
12 you mean. We don't take ours with us.

13

14 MR. FIRMIN: I forget my paddle and my
15 battery for my boat at home and I just pull-start the
16 thing and go.

17

18 MADAME CHAIR ENTSMINGER: I'm with you.
19 I understand.

20

21 MR. FIRMIN: I would like to see that
22 changed a little bit, but other than that I'm all for it.
23 I just currently at this time don't really like some of
24 the wording in there.

25

26 MADAME CHAIR ENTSMINGER: I agree with
27 you. Virgil, then Caroline, or did you want to speak
28 to.....

29

30 MS. BROWN: I can wait.

31

32 MADAME CHAIR ENTSMINGER: Okay.

33

34 MR. UMPHENOUR: The reason it's worded so
35 harshly is because that's what the troopers wrote for the
36 dipnetters, so we just took the dipnetter language. That
37 is a little bit.....

38

39 (Laughter)

40

41 MADAME CHAIR ENTSMINGER: You can always
42 do that and it works.

43

44 MR. UMPHENOUR: No, it is on the harsh
45 side. I totally agree with what Andy said. So it does
46 need to be -- the wording needs to be changed. I agree
47 with that.

48

49 MADAME CHAIR ENTSMINGER: Cool. I like
50 that. Caroline.

1 MS. BROWN: One thing I wanted to add
2 that Fred reminded me of is that when I said that
3 managers don't have -- what they don't have in the
4 current system is in-season metrics of harvest, but they
5 also don't have is a good sense of how harvest is timed
6 throughout the river and that is something that a
7 calendar would provide. It would provide managers with
8 an idea of how the harvest is going throughout the season
9 and the timing of harvest, which is important for certain
10 decisions, and a level of calendar return on the Yukon
11 right now doesn't really lend itself to an easy analysis
12 of that since we don't have a high level of return.

13
14 MADAME CHAIR ENTSMINGER: I'm starting to
15 feel less and less qualified to vote. Actually, all of
16 this has helped me. I think we need to go back and
17 rewrite this thing.

18
19 MR. BASSICH: Can I make a quick comment.

20
21 MADAME CHAIR ENTSMINGER: I don't know.

22
23 MR. BASSICH: I can do it quick.

24
25 MADAME CHAIR ENTSMINGER: Okay. Quick is
26 good.

27
28 MR. BASSICH: Quick is good. The very
29 next proposal is the one that I really wanted to support
30 and it basically says create a harvest report system for
31 subsistence salmon, so it's a much broader proposal which
32 would allow -- if adopted, allow a better analysis of
33 what's needed. So I think really supporting the other
34 one, providing YRDFA doesn't withdraw it.....

35
36 MADAME CHAIR ENTSMINGER: What number is
37 the one you're speaking to?

38
39 MR. BASSICH: 150. It's the very next
40 proposal by YRDFA.

41
42 MADAME CHAIR ENTSMINGER: Yeah, too bad
43 we didn't take that up first.

44
45 MR. BASSICH: And it's the one that we
46 all agreed to, as Virgil was saying, when we were in that
47 salmon management meeting last year. Thank you,
48 Caroline, for pointing those out. I tend, when I speak
49 a lot of times, to be kind of mono in what I'm thinking
50 about and I don't.....

1 MADAME CHAIR ENTSMINGER: Tunnel.
2
3 MR. BASSICH: Yeah, I get in my little
4 tunnel. I'm often thinking about things five years from
5 now, not right now. So I apologize for that if I
6 misspeak.
7
8 MADAME CHAIR ENTSMINGER: Okay.
9
10 MR. BASSICH: But I think the next
11 proposal would actually be closer to what we would want
12 to support as a RAC if we choose to support something.
13
14 MADAME CHAIR ENTSMINGER: What does the
15 RAC want to do. Do you want to table this one and take
16 up this one or do you want something rewritten.
17
18 MR. UMPHENOUR: I need to ask Jill a
19 question first.
20
21 MADAME CHAIR ENTSMINGER: Jill, it sounds
22 like we need to ask you a question first. Joe, did you
23 have something?
24
25 MR. MATESI: Do we have a proposal on the
26 table?
27
28 MADAME CHAIR ENTSMINGER: We do. We have
29 a motion on the table in the affirmative on 149. We
30 could vote it down.
31
32 MR. MATESI: How would we incorporate
33 Andrew's suggestion on that?
34
35 MADAME CHAIR ENTSMINGER: We'd have to
36 table it.
37
38 MR. FIRMIN: Table it until Virgil can
39 come up with something before the end of day tomorrow if
40 that's possible.
41
42 MADAME CHAIR ENTSMINGER: Right. Do you
43 want to table it? So we need a motion to table.
44
45 MR. GLANZ: I'd like to make a motion to
46 table this until tomorrow in the afternoon.
47
48 MADAME CHAIR ENTSMINGER: Do I hear a
49 second.
50

1 MR. ERHART: Second.
2
3 MR. UMPHENOUR: No discussion.
4
5 MADAME CHAIR ENTSMINGER: All in favor.
6
7 IN UNISON: Aye.
8
9 MADAME CHAIR ENTSMINGER: Okay. Now do
10 you want to ask Jill a question? Can we handle it that
11 way?
12
13 MR. UMPHENOUR: Yes. Jill, what is the
14 status of 150? A while ago I think you said the people
15 decided the hell with it.
16
17 MADAME CHAIR ENTSMINGER: Because they
18 don't like a permit. Don't you remember the permit part?
19
20 (Laughter)
21
22 MS. KLEIN: Madame Chair and Virgil. The
23 proposal is still within the process right now, but we
24 haven't developed any further language on it. So I'm not
25 the one who personally worked on it, but the feedback I
26 received was that when we spoke with people, and I'm not
27 sure who exactly we spoke with, but we received
28 information that what seemed like the most likely
29 approach for designing something would be a permit versus
30 the calendars or surveys or other methods. Then we heard
31 some feedback that there was some opposition to having a
32 permit, so we did not develop further language.
33
34 What I think could happen is if you
35 develop further language or the Eastern Interior RAC
36 develops other alternative language, you could propose it
37 to the stakeholder group to look at and take up and then
38 potentially have language supported by them as well come
39 Board of Fish time.
40
41 MR. UMPHENOUR: Okay. So if our RAC
42 takes and amends the Fairbanks AC proposal so that it
43 doesn't have this harsh trooper language up front so they
44 can write lots of tickets, then we could run that back by
45 the group that this is what basically the Eastern RAC
46 came up with. I have something that's hopefully user
47 friendly and will accomplish the objective of a
48 harvesting reporting system that's fairly accurate that
49 management can use.
50

1 MADAME CHAIR ENTSMINGER: So that would
2 have to be a recommendation to YRDFA, not really a --
3 right? Because it would have to go back to YRDFA under
4 this scenario.
5
6 MR. UMPHENOUR: YRDFA kind of honcho'd
7 this thing. It was a diverse group of people. We had
8 people from the RAC, from the panel, processors. We had
9 a diverse group of people from various interests.....
10
11 MADAME CHAIR ENTSMINGER: Stakeholders.
12
13 MR. UMPHENOUR:at this meeting and
14 the processor from the Lower River was there as well and
15 then the guy that worked at Kaltag this year was there
16 too. We had a bunch of different -- we had a diverse
17 group of people there at this meeting.
18
19 MADAME CHAIR ENTSMINGER: Right. But the
20 process is it would go back to them, right? What we do
21 not necessarily is going to go straight to the Fish
22 Board, it would go to YRDFA or both.
23
24 MS. KLEIN: Madame Chair. Right, it
25 could go to both. Whatever your RAC comes up with could
26 be something that you present to the Board of Fisheries
27 yourselves, but you can also suggest it to the Yukon
28 River stakeholder group. They would possibly support it
29 and then maybe even we could show it to others and there
30 would be wider support for it than just from the Eastern
31 Interior RAC come the Board of Fish meeting. That's just
32 a possibility.
33
34 MADAME CHAIR ENTSMINGER: What would you
35 like to do. We have a motion that's tabled, so now
36 you're going to deal with it, right?
37
38 MR. UMPHENOUR: Right. What I have to do
39 -- I can't change the Fairbanks AC proposal. What I can
40 do is, without getting back with the rest of Fairbanks AC
41 -- I'm the vice chair of the AC.....
42
43 MADAME CHAIR ENTSMINGER: Well, we can
44 change it. You can.
45
46 MR. UMPHENOUR: But we can amend their
47 proposal and vote on that tomorrow.
48
49 MADAME CHAIR ENTSMINGER: Right.
50

1 MR. UMPHENOUR: This would be the Eastern
2 Interior RACs amendment to the Fairbanks AC's proposal.
3
4 MADAME CHAIR ENTSMINGER: Right.
5
6 MR. UMPHENOUR: And then I can present
7 that to the Fairbanks AC when we have our meeting next
8 month and then they can.....
9
10 MADAME CHAIR ENTSMINGER: Are we
11 concerned about them, RAC members?
12
13 MR. UMPHENOUR: No, we're not really
14 concerned about them. I'm just telling you what will
15 happen. I will do that and if they think it's a good
16 idea, then they'll vote to go along with it as well, so
17 then we have a unified front. That's the point I'm
18 getting at. When you have a unified front of several
19 different groups, you have a much better chance of
20 getting the Board of Fisheries to pass what you want to
21 get passed. That's my point. Madame Chair.
22
23 MADAME CHAIR ENTSMINGER: You just hit
24 the reader over the head. Okay. So that one has been
25 tabled and that means we have a couple more left. Do you
26 want to continue with this? What time do we have.
27
28 MR. FIRMIN: Continue, break or push on
29 through.
30
31 MADAME CHAIR ENTSMINGER: It would be
32 good to get back to some of these other ones. Do you
33 want to push on through?
34
35 MR. MATESI: Yeah, we're close to the
36 end.
37
38 MADAME CHAIR ENTSMINGER: All right.
39
40 MR. RIVARD: Madame Chair. Don Rivard
41 with OSM. The next one is 151. I don't believe your
42 Council has taken up FP13-09 and 10 yet, have we?
43
44 MADAME CHAIR ENTSMINGER: No.
45
46 MR. RIVARD: So they're somewhat related
47 and the timing might be that you do the Federal ones
48 first and then this will be fresh in your mind and you
49 come back to this 151.
50

1 MADAME CHAIR ENTSMINGER: That's what
2 concerns me. I think you're right in that position.

3
4 MR. RIVARD: Okay. And then last one
5 that I have on my list is Proposal 154, close the Blake
6 River to sport fishing for chinook and I believe one of
7 your members wanted to take this one up specifically.

8
9 MADAME CHAIR ENTSMINGER: Yep, it's been
10 requested. Do you want to start, Don, or do we want a
11 motion.

12
13 MR. RIVARD: Again, this is 154. The
14 proposal is to close the Black River and its tributaries
15 to sport fishing for king salmon. This is on Page 162 at
16 the bottom of 162 in your blue proposal book.

17
18 MADAME CHAIR ENTSMINGER: The last one in
19 our handout. She gave us the second page to it. It
20 wasn't in there, but it was handed out to you guys. It
21 would be 163. You should have that to add to that.

22
23 MR. MATESI: Madame Chair.

24
25 MADAME CHAIR ENTSMINGER: Yes.

26
27 MR. MATESI: Would you like me to give a
28 little background on this or wait until the motion has
29 been made.

30
31 MR. FIRMIN: Motion to adopt Proposal
32 154.

33
34 MR. MATESI: I second that.

35
36 MADAME CHAIR ENTSMINGER: We're doing it
37 the way the State does it, ACs. Don, do you want to give
38 it.

39
40 MR. RIVARD: I've already introduced it.

41
42 MR. FIRMIN: Okay. I could refer back to
43 our minutes from our last meeting where we went over this
44 and where we went over the -- they have like a 10-fish
45 limit they could keep and the discussion was basically
46 like why would somebody want to go hook into a bunch of
47 spawned-out king salmon. Currently, as the regulations
48 read, they can do it and some people do do it. I believe
49 there's one or two outfitters that go up there and
50 actually have fishing guides and float trips and stuff.

1 Fish and Wildlife Service did talk to them and say they
2 don't go to target those species, but as the regulations
3 are written they still can and probably some people do go
4 up there privately on their own. That was the reasoning
5 behind a lot of this.

6

7 MADAME CHAIR ENTSMINGER: Okay. Joe.

8

9 MR. MATESI: Thank you, Madame Chair.
10 This proposal was submitted by the Yukon Flats Advisory
11 Committee. They supported it unanimously last winter in
12 their meeting when it was proposed. I'd like to point
13 out this Council has discussed this issue, I think,
14 three, maybe four times so far. Originally we did not
15 have unanimous support on it, but I think we all know
16 more about the issue now. It's an issue of sport fishing
17 for king salmon on the spawning grounds.

18

19 The local villages there, Fort Yukon and
20 Chalkyitsik, eschew fishing for this population as they
21 go by. They don't fish them because they know that the
22 numbers are too low right now and they want to see those
23 numbers build up to where they can harvest them some day
24 in the future with a subsistence fishery.

25

26 So it's kind of painful to watch these
27 fish go by, get to the spawning grounds and they're
28 beating the gravel with their tails making a redd, have
29 somebody fly in from Fairbanks and sport fish for these
30 things. I don't know why there's no spawning closure,
31 but this would take care of it. This would create a
32 spawning closure for that stream.

33

34 MADAME CHAIR ENTSMINGER: Andrew said we
35 had a lot of comments a year ago or last meeting.

36

37 MR. FIRMIN: It was in this hotel.
38 That's all I remember.

39

40 MADAME CHAIR ENTSMINGER: Well, it was at
41 one of the last two meetings. Any other comments. Go
42 ahead, Virgil.

43

44 MR. UMPHENOUR: Normally what is done, if
45 it's a spawning closure, there's a date on the spawning
46 closure. Of course, you have to know when that would be.
47 The appropriate time is to put the appropriate date on
48 the spawning closure.

49

50 MADAME CHAIR ENTSMINGER: That sounds

1 like it's a closed season. Is that what the intent
2 of.....

3
4 MR. UMPHENOUR: Well, this would be a
5 total closed season because it's the whole drainage, so
6 the whole drainage -- if the idea is to not be fishing
7 spawning fish, then you either have to put -- you have to
8 list the area, not just the whole drainage and/or a time,
9 a date. That's how spawning closures are normally put in
10 the regulation book. So to have just a broad one like
11 this, the odds of getting the Board to pass that are
12 probably not nearly as good as if you either restrict it
13 by area above a certain point or by date, then you have
14 a much better chance of getting the Board to pass it.
15 Just to blanket close the whole river they don't like to
16 do that. I don't know if you can do that or not or if
17 you can ask Fish and Game whether they have any
18 information on that.

19
20 MR. MATESI: Virgil, may I ask you a
21 question.

22
23 MR. UMPHENOUR: Go ahead.

24
25 MR. MATESI: I do really appreciate your
26 expertise in this. Could we support this with an
27 amendment?

28
29 MR. FIRMIN: Yes.

30
31 MADAME CHAIR ENTSMINGER: Absolutely.

32
33 MR. MATESI: To meet those criteria, make
34 it more palatable to the Board.

35
36 MR. UMPHENOUR: Right. That would make
37 it more palatable to the Board. If you just leave it the
38 way it is, they're probably not going to pass it. You
39 need to get with Sport Fish Division and you need to find
40 out what the appropriate dates would be for an actual
41 spawning closure to protect the spawning fish because
42 they don't want people fishing on spawning fish either.
43 It's not good management.

44
45 MADAME CHAIR ENTSMINGER: There are
46 several rivers in our area that by a certain point
47 there's no sport fishing.

48
49 MR. MATESI: Well, I don't think we need
50 to talk to Fish and Game about that. I can propose that

1 amendment right now.

2

3 MADAME CHAIR ENTSMINGER: Donald, and
4 then you can continue.

5

6 MR. RIVARD: Madame Chair. This does
7 state it wants the whole Black River and it's tributaries
8 to sport fishing closed for king salmon, but then when
9 you look at -- it says who is likely to suffer. It says
10 recreational users who float Salmon Fork, Black River in
11 July would not be allowed to sport fish for spawning
12 chinook salmon, so it kind of gives a hint as to what
13 they're really targeting here.

14

15 MADAME CHAIR ENTSMINGER: That's what you
16 were going to.....

17

18 MR. MATESI: Yeah. The kings migrate up
19 Black River to the mouth of the Salmon River and then
20 they spawn in the length of Salmon River from its mouth,
21 past the International Boundary into Canada. There are
22 radio-tagged signals from spawning kings across the
23 border in Canada, so it's an international population.
24 So language would simply -- we could restrict it with an
25 amendment saying something like in the Salmon Fork of
26 Black River upstream from it's mouth.

27

28 MADAME CHAIR ENTSMINGER: Is that a
29 motion to amend?

30

31 MR. MATESI: Yes.

32

33 MADAME CHAIR ENTSMINGER: Do you want to
34 do that? Yeah. I mean I agree with you. I think
35 it's.....

36

37 MR. UMPHENOUR: Table it and come up with
38 the language and bring it back up when we bring the other
39 one up.

40

41 MADAME CHAIR ENTSMINGER: Do you want to
42 do it that way, table it?

43

44 MR. FIRMIN: Yes, I think we should table
45 it and get a good language written down. There should be
46 like sport fish regulation books in the back, I would
47 imagine. I think the last time we.....

48

49 MADAME CHAIR ENTSMINGER: Can you handle
50 that, Joe?

1 MR. FIRMIN:talked about this the
2 guy that was -- person that was here, I don't remember
3 his name, from Division of Sport Fish was what do you
4 mean, there's no such thing as a spawning stream that's
5 open for sport fishing until we showed him in the book.
6
7 MR. RIVARD: Don Woodruff has a comment.
8
9 MADAME CHAIR ENTSMINGER: Don, in Eagle,
10 go ahead.
11
12 MR. WOODRUFF: If Fish and Game could
13 make a comment on this proposal or maybe the sports fish
14 guy, John Burr, if he's in the audience, he can comment
15 on this proposal, that would be beneficial.
16
17 MADAME CHAIR ENTSMINGER: He's not here.
18 I think all we need is a motion, guys.
19
20 Go ahead, Jennifer.
21
22 MS. YUHAS: Thank you, Madame Chair.
23 Jennifer Yuhas, Alaska Department of Fish and Game. As
24 a reminder, we are here listening to your comments and
25 there is still ample time for the Department to make its
26 comments to the Board of Fish. We have not formulated
27 our complete analysis and comments to the Board yet, so
28 your comments have plenty of time to be incorporated.
29
30 MADAME CHAIR ENTSMINGER: Uh-huh.
31
32 MS. YUHAS: There is no official
33 Department position on these proposals at this time.
34
35 MADAME CHAIR ENTSMINGER: Right. But
36 we're seeking information from the Department so they can
37 rewrite it.
38
39 MS. YUHAS: At this time there is no one
40 on hand, I apologize, to know the exact dates that would
41 want to be in a language, but you can modify your
42 amendment to speak to incorporation of the appropriate
43 dates. The very specific information doesn't have to be
44 incorporated in your amendment. Those are items that can
45 be inserted during the work session at the Board of Fish
46 meeting.
47
48 MADAME CHAIR ENTSMINGER: So our
49 intent could be done now.
50

1 MS. YUHAS: Absolutely.
2
3 MADAME CHAIR ENTSMINGER: Do you want to
4 do it that way and get it over with and not go through a
5 long, drawn out process. Does that sound good, Andrew?
6
7 MR. FIRMIN: Yes. I think we could
8 either table it or we could just say with the intent that
9 we want this area closed to sport fishing period.
10
11 MADAME CHAIR ENTSMINGER: The Salmon
12 Fork.
13
14 MR. FIRMIN: The Salmon Fork and adjacent
15 tributaries because there are Kevinjik and what's the
16 other one.
17
18 MADAME CHAIR ENTSMINGER: That's why.....
19
20 MR. FIRMIN: There's four of them in that
21 area.
22
23 MR. MATESI: I guess you would say Salmon
24 Fork and its tributaries.
25
26 MADAME CHAIR ENTSMINGER: So that
27 means.....
28
29 MR. MATESI: Maybe the modification could
30 be close the Salmon Fork of the Black River and its
31 tributaries.
32
33 MADAME CHAIR ENTSMINGER: What I'm asking
34 you guys, are you ready to make that amendment now?
35
36 MR. MATESI: Yes, that is the motion, a
37 motion to amend.
38
39 MADAME CHAIR ENTSMINGER: Motion to
40 amend. I hear it. Is there a second.
41
42 MR. FIRMIN: Second to support the motion
43 as amended.
44
45 MADAME CHAIR ENTSMINGER: Donald.
46
47 MR. RIVARD: Madame Chair. As a
48 biologist, and this has already been pointed out, that
49 the fish probably accumulate in the Black River or group
50 in the Black River before they move into the Salmon Fork

1 I would guess. Usually, in that case, you usually want
2 to protect a little bit downstream from the confluence so
3 that you're not fishing those fish in the Black River
4 that are heading into the Salmon. Just a suggestion.

5
6 MADAME CHAIR ENTSMINGER: Well, we have
7 a motion on the floor now.

8
9 MR. FIRMIN: I kind of thought the same
10 thing, like start from like the -- what's that, Pink
11 Bluffs upstream, everything from there upstream. Is that
12 close enough or too far away?

13
14 MADAME CHAIR ENTSMINGER: So now we're
15 discussing that amendment on the floor. It was Salmon
16 Fork and its tributaries. So now you're thinking of
17 changing it. We need to know what you want to do here.

18
19 MR. MATESI: I'm getting lost.

20
21 MADAME CHAIR ENTSMINGER: Right now the
22 motion on the floor is an amendment to the main motion to
23 change it to the Salmon Fork of the Black and its
24 tributaries is closed.

25
26 MR. MATESI: Okay.

27
28 MR. UMPHENOUR: After a certain date.

29
30 MADAME CHAIR ENTSMINGER: So then we.....

31
32 MR. MATESI: July 1st.

33
34 MADAME CHAIR ENTSMINGER: That takes
35 another amendment.

36
37 MR. UMPHENOUR: That would be all the
38 same amendment.

39
40 MADAME CHAIR ENTSMINGER: Yeah, but he
41 has to concur. So are we ready to do this or not? Does
42 it need to be tabled?

43
44 MR. MATESI: I'd like to know what Mr.
45 Williams has to say on this. He's the chair of the Yukon
46 Flats AC. If you have any comment on this.

47
48 MR. WILLIAMS: I don't really have any
49 comment, but since you guys are more familiar with the
50 river up there I think you guys would be more -- like I

1 said, more familiar. So, you know, from a certain point
2 upstream and stuff like that.

3

4 MR. MATESI: I appreciate the expertise
5 we have on this Council. This is a really good way to do
6 it, especially with Virgil's expertise. So I think, from
7 what I hear from Virgil, to cover all our bases, if the
8 amendment is a modification that would state close Black
9 River upstream from Chalkyitsik.....

10

11 MADAME CHAIR ENTSMINGER: So we might
12 need some wording. You might need to table it.

13

14 MR. MATESI: Up to the mouth of Salmon
15 River and Salmon River and its tributaries beginning from
16 July 1st to.....

17

18 MADAME CHAIR ENTSMINGER: I see why you
19 want some language.

20

21 MR. MATESI:September 1st.

22

23 MR. FIRMIN: December 31.

24

25 MADAME CHAIR ENTSMINGER: To December
26 31st?

27

28 (Laughter)

29

30 MR. MATESI: To sport fishing for chinook
31 salmon.

32

33 MADAME CHAIR ENTSMINGER: Do you guys
34 want to see it or do you like what you just come up with?

35

36 MR. MATESI: No, I got that in my mind
37 and I can repeat it if you want.

38

39 MADAME CHAIR ENTSMINGER: The second has
40 to concur.

41

42 MR. FIRMIN: It sounds good. Like you
43 said, from Chalkyitsik upstream to the Salmon Fork and
44 its tributaries.

45

46 MR. MATESI: And including Salmon
47 Fork.....

48

49 MR. FIRMIN: And including Salmon Fork
50 and its tributaries starting July 1st until September

1 31st.....
2
3 MADAME CHAIR ENTSMINGER: Oh, you changed
4 it to September now.
5
6 MR. FIRMIN:chinook salmon sport
7 fishing will be closed.
8
9 MADAME CHAIR ENTSMINGER: You know, the
10 hard part is poor Eva is trying to get this down.
11
12 MS. PATTON: Madame Chair. Just once
13 more for the record, please, the amendment.
14
15 MADAME CHAIR ENTSMINGER: Slowly.
16
17 MR. MATESI: Close Black River from
18 Chalkyitsik upstream to the mouth of the Salmon Fork of
19 Black River and the Salmon Fork of Black River and its
20 tributaries to sport fishing for king salmon.....
21
22 MADAME CHAIR ENTSMINGER: I think you
23 need to go slower.
24
25 MS. PATTON: Just to verify, close Black
26 River from Chalkyitsik upriver to the fork of the Salmon
27 River?
28
29 MR. MATESI: Salmon Fork.
30
31 MS. PATTON: Salmon Fork.
32
33 MADAME CHAIR ENTSMINGER: To the Salmon
34 Fork.
35
36 MS. PATTON: To the Salmon Fork.
37
38 MR. MATESI: And the Salmon Fork and its
39 tributaries.
40
41 MS. PATTON: The Salmon Fork and it's
42 tributaries.
43
44 MR. MATESI: Upstream to the border.
45
46 MADAME CHAIR ENTSMINGER: Well, you don't
47 need to complicate
48 it that much. I think they know we don't have
49 jurisdiction across the border.
50 MR. MATESI: Beginning July 1st till.....

1 MR. FIRMIN: I said September 31st
2 because of the other.....
3
4 MR. MATESI: September 31st.....
5
6 IN UNISON: There is no September 31st.
7
8 MR. MATESI: To sport fishing for king
9 salmon.
10
11 MR. RIVARD: September 31st would never
12 come, so I guess it would be always closed.
13
14 MR. MATESI: Forever.
15
16 MADAME CHAIR ENTSMINGER: Does everybody
17 understand?
18
19 MR. FIRMIN: Question.
20
21 MADAME CHAIR ENTSMINGER: The question
22 has been called for.
23
24 MS. PATTON: For the record, can I repeat
25 the.....
26
27 MADAME CHAIR ENTSMINGER: Yeah.
28
29 MS. PATTON: So it's to close the Black
30 River from Chalkyitsik upriver to the Salmon Fork and the
31 Salmon Fork and its tributaries upstream to the border
32 beginning July 1st to September 30th to all sport fishing
33 -- closed to all sport fishing for king salmon.
34
35 MADAME CHAIR ENTSMINGER: I think you did
36 a great job.
37
38 MR. MATESI: Does that sound good,
39 Virgil?
40
41 MADAME CHAIR ENTSMINGER: They're just
42 going to take our recommendation, so they might throw it
43 away. All right. Everyone understand the amendment.
44 You're calling for the question, I can tell.
45
46 MR. GLANZ: I'm calling for the question.
47
48 MADAME CHAIR ENTSMINGER: All in favor of
49 the amendment.
50

1 IN UNISON: Aye.
2
3 MADAME CHAIR ENTSMINGER: Okay. Now the
4 main motion. Do we need any discussion.
5
6 (No comments)
7
8 MR. GLANZ: Question on the main motion.
9
10 MADAME CHAIR ENTSMINGER: On the main
11 motion as amended. All in favor.
12
13 IN UNISON: Aye.
14
15 MADAME CHAIR ENTSMINGER: Anyone opposed.
16
17 MR. BASSICH: I'm going to abstain.
18
19 MR. WOODRUFF: Oppose.
20
21 MADAME CHAIR ENTSMINGER: One abstention.
22
23 REPORTER: Wait. And one opposed.
24
25 MR. BASSICH: Madame Chair. We should
26 have -- I'm a little uncomfortable with passing. I know
27 that we've discussed this before and everything, but I
28 really would have preferred to have heard from sport fish
29 on this and whether there's a conservation concern, but
30 that's okay. I'm fine with the Council's action, but I
31 can't vote for it.
32
33 MR. RIVARD: You need to clarify Don's
34 vote.
35
36 MADAME CHAIR ENTSMINGER: Don Woodruff.
37
38 MR. WOODRUFF: Yes.
39
40 MADAME CHAIR ENTSMINGER: I need to
41 clarify how you voted.
42
43 MR. WOODRUFF: I voted opposed.
44
45 MADAME CHAIR ENTSMINGER: Okay. Now do
46 we need a break and do you guys want to continue today,
47 how much longer you want to go.
48
49 MR. UMPHENOUR: I don't know how much we
50 really have on our agenda to do.

1 MADAME CHAIR ENTSMINGER: We still have
2 some Federal proposals to do.
3
4 MR. UMPHENOUR: How many?
5
6 MR. GLANZ: Six. Let's do it first thing
7 in the morning. We'll be all day on this.
8
9 MADAME CHAIR ENTSMINGER: Well, the thing
10 is, a couple of these are similar on the State side, so
11 we have.....
12
13 MR. FIRMIN: Three Federal proposals.
14
15 MADAME CHAIR ENTSMINGER:three
16 Federal proposals to take up. Do you want to do any of
17 that yet tonight?
18
19 MR. MATESI: Yes, let's do one of them.
20
21 MADAME CHAIR ENTSMINGER: Do you want a
22 short break?
23
24 IN UNISON: Yeah.
25
26 MADAME CHAIR ENTSMINGER: Yeah, me too.
27 Okay, we'll take a short break and then we'll go into the
28 next proposal.
29
30 (Off record)
31
32 (On record)
33
34 MADAME CHAIR ENTSMINGER: We're back to
35 Proposal 09/10, prioritize the use of chinook. Who is
36 that? David. Page 79 in our book.
37
38 DR. JENKINS: Madame Chair. David
39 Jenkins, Office of Subsistence Management, Page 81, FP13-
40 09/10. You have four more customary trade proposals in
41 front of you. I don't know if you're going to get to all
42 of them tonight, but we'll see what we can do. The first
43 two are grouped together.
44
45 Proposal FP13-09 is submitted by the this
46 Regional Advisory Council and it requests that the
47 Federal Subsistence Board prioritize direct personal or
48 family consumption over customary trade of Yukon River
49 drainage chinook salmon.
50

1 Proposal FP13-10, submitted by the
2 Yukon-Kuskokwim Delta Subsistence Regional Advisory
3 Council, requests that the Board prioritize family
4 consumption over customary trade.

5
6 Notice these are very close. This is why
7 they're analyzed together. The difference is prioritize
8 direct personal or family consumption. 13-09/10 is
9 prioritize family consumption. Both prioritizing over
10 customary trade.

11
12 Both proponents seek to limit exchanges
13 for cash in an attempt to prioritize other uses, that is,
14 to ensure that direct personal or family consumption
15 comes before customary trade of Yukon River chinook
16 salmon. FP13-10 indicates that such prioritization
17 should take place when subsistence restrictions are
18 enacted and that the use of chinook as a primary food
19 source and related food security issue takes precedence
20 over any activities that involve monetary or material
21 gain such as customary trade.

22
23 So the intent of both these proposals
24 should be pretty clear as to prioritize one use over
25 another use.

26
27 Let me just remind you how subsistence
28 uses are defined. Section .803 of the Alaska National
29 Interest Lands Claim Act defines subsistence uses to mean
30 the customary and traditional uses by rural Alaska
31 residents of wild, renewable resources for direct
32 personal or family consumption as food, shelter, fuel,
33 clothing, tools, or transportation; for the making and
34 selling of handicraft articles out of nonedible
35 byproducts of fish and wildlife resources taken for
36 personal or family consumption; for barter, or sharing
37 for personal or family consumption; and for customary
38 trade. So those are the uses defined under ANILCA.

39
40 I should point out that under ANILCA all
41 subsistence uses, as defined, are equally permissible.
42 There are no unimportant subsistence uses under ANILCA.

43
44 There is a single regulatory exception
45 to the prioritization and that is an exception that
46 requires in the Yukon River drainage that chinook salmon
47 must be used primarily for human consumption and not be
48 targeted for dog food. That's the single exception of
49 the prioritization equivalence.

50

1 Both proponents seek another regulatory
2 exception to the Board's practice that finds all
3 subsistence uses defined in ANILCA to be equally
4 permissible and equally important. The proponents seek
5 to prioritize one use, human consumption, over another
6 use, customary trade. There is a discussion of dog food
7 targeted, that single exception in here. I'll skip over
8 that. You can read that at another point if you'd like.
9 The analysis is in there because it is the single
10 exception that I just mentioned.

11
12 The OSM preliminary conclusion for these
13 proposals is to oppose both of them. The reason is
14 really the reason that I just stated, is that, as defined
15 in ANILCA, all subsistence uses are equally permissible
16 and all are equally important. The Board, with a single
17 exception I mentioned, does not prioritize subsistence
18 uses one over the other. For these reasons and because
19 another section of ANILCA may be a more appropriate
20 mechanism for allocating those resources among
21 subsistence users, that is Section .804, the OSM
22 preliminary conclusion is to oppose these two. Madame
23 Chair.

24
25 MADAME CHAIR ENTSMINGER: Quick question.
26 Where is this other place. Didn't I hear you say there's
27 another place?

28
29 DR. JENKINS: In ANILCA, Section .804.
30 Is that the other place you're referring to?

31
32 MADAME CHAIR ENTSMINGER: Well, if that's
33 what you were referring to. There's another place where
34 it can be done is what I thought I heard you say.

35
36 DR. JENKINS: Yes, I said that. Section
37 .804 and that's listed in there in the provisions under
38 .804. The .804 analysis doesn't apportion resources
39 among uses, but apportions them among
40 subsistence users and that's the analysis that we went
41 through, if you recall, for Chisana Caribou.....

42
43 MADAME CHAIR ENTSMINGER: Right.

44
45 DR. JENKINS:in which we
46 apportioned resources among users but not distinguishing
47 or prioritizing among uses. So that's the difference
48 between an .803 and an .804 analysis.

49
50 Thank you, Madame Chair.

1 MADAME CHAIR ENTSMINGER: Thank you.
2 Questions. Does anyone have any questions.
3
4 MR. BASSICH: Yes, I have a question.
5
6 MADAME CHAIR ENTSMINGER: Andy.
7
8 MR. BASSICH: David, can you go to Page
9 53 in our book and on the third paragraph down under
10 responses it quotes this language. It's based on 36 CFR
11 242, blah, blah, blah. The primary focus and extent of
12 the Board's authority is to regulate subsistence
13 activities. As further stated in the policy, the Alaska
14 National Interest Lands Conservation Act and its
15 regulations provide that a subsistence use means.....
16
17 MADAME CHAIR ENTSMINGER: What page are
18 you on?
19
20 MR. BASSICH: 153 in the book.
21
22 MADAME CHAIR ENTSMINGER: You said 53.
23
24 MR. BASSICH: I'm sorry. I told you I
25 misspeak all the time, Madame Chair. Sorry.
26
27 MADAME CHAIR ENTSMINGER: We didn't hear
28 the 1 part. Okay. Gotcha.
29
30 MR. BASSICH: So look down into that
31 third paragraph where you see the 36 CFR.
32
33 MADAME CHAIR ENTSMINGER: Under response.
34 Yeah.
35
36 MR. BASSICH: The following statement or
37 sentences after that it says and its regulations provide
38 that a subsistence use means use of wild renewable
39 resources for -- and I want to highlight this -- direct
40 personal or family consumption. So the question I'm
41 asking you is what you just told us -- when I interpret
42 that, when it says direct personal or family consumption,
43 that, to me, is similar to what we are looking at right
44 here in the wording. I know we've gone through this a
45 lot, but after seeing that I'm a little confused.
46
47 DR. JENKINS: The complete section of
48 ANILCA is the one that I read to you and the section that
49 you just referenced is a fragment of that section in
50 ANILCA that I read into the record here.

1 MADAME CHAIR ENTSMINGER: What does that
2 mean, a fragment? It doesn't count?

3
4 DR. JENKINS: Well, you can't parse out
5 just a little language of ANILCA and say this is what
6 we're going to pay attention to. The subsistence uses --
7 there was a whole series of them that I read to you and
8 the Board has consistently said that all of those uses,
9 not just personal and family consumption, but customary
10 trade and barter and the other uses for transportation
11 and so on are all equally permissible under ANILCA. So
12 the section that Andy just read just says personal or
13 family consumption. That's two of the uses, personal and
14 family consumption, two of the uses, but not all of the
15 uses. So if you just parse out that, then you're losing
16 the whole context in which that personal or family
17 consumption phrase is imbedded.

18
19 MADAME CHAIR ENTSMINGER: You got that,
20 Andy?

21
22 MR. BASSICH: It seems to me like it's
23 contradictory. When we've addressed this in the past,
24 we've been told or I've been told by a number of people
25 that basically the Congress would have to go in and
26 change ANILCA, but here I'm seeing language in there that
27 would support that. I'm just kind of confused how they
28 can have language -- I understand what you're saying, but
29 the fact that we did it with dog food means that they
30 obviously can do it under some circumstance.

31
32 I'm sure there's been this debate and I
33 don't see the difference between prioritizing and saying
34 you can't feed it to dogs and then prioritization saying
35 that in times of low abundance it has to be a priority
36 for human consumption. So I'm just questioning that.
37 I've been getting the runaround on that for a lot of
38 years, but it seems to me there's some teeth there to not
39 just throw this out saying that it can't be prioritized.
40 I think it can. It has been in the past. We just have
41 to push the issue to the point to where it's on the
42 agenda and discussed enough so that there's a final
43 determination because that reasoning that David just gave
44 us has been the pit that we've been falling into to try
45 and make a lot of regulatory changes in the past on some
46 of these issues.

47
48 They are a bit contentious and
49 everything, but they're all based on trying to do
50 something in times of low abundance. So we're hamstrung

1 on being able to create regulations during times of low
2 abundance when you have to start prioritizing a resource
3 use. So that's what I'm bringing to the Council. I
4 think there is some teeth there and I really think we
5 have a chance to bring this before the Board and maybe
6 get them to finally define some of these things for us so
7 we can act in the future in terms of conservation.

8

9 Thank you.

10

11 MADAME CHAIR ENTSMINGER: Well spoken.
12 When I go to the Federal Board meetings -- oh, gosh,
13 what's the attorney's name, Keith Glotz.....

14

15 MR. RIVARD: Goltz.

16

17 MADAME CHAIR ENTSMINGER: Goltz. Ends up
18 ask -- questions are asked like this and there was
19 answers, so am I assuming what you just said is his
20 answer?

21

22 DR. JENKINS: Not entirely. In fact,
23 this language that all subsistence uses are equally
24 permissible and that there are no unimportant uses
25 originated with Gail Norton when she was in the
26 Solicitor's Office here in Alaska. Mr. Goltz.....

27

28 MADAME CHAIR ENTSMINGER: Last week or
29 many years ago?

30

31 DR. JENKINS: No, no, no. Years and
32 years ago.

33

34 MADAME CHAIR ENTSMINGER: Okay. That's
35 what I was wondering.

36

37 DR. JENKINS: She's moved through the
38 system in her own peculiar way. Mr. Goltz did indicate
39 at one of the last Federal Subsistence Board meetings
40 what Andy just raised, that there has been a
41 prioritization and that does open the door for further
42 discussion of these prioritizations. I'm not going to
43 speak for Mr. Goltz, but you can certainly look that up
44 in the record and it's there on the record.

45

46 MR. BASSICH: I guess the only thing I
47 wanted to do is -- the statements given by David are
48 accurate and that's what we've been hearing, but I do
49 believe that the Council here needs to understand that
50 there may be -- just because it said it can't be done

1 doesn't mean it can't be done.

2

3 MADAME CHAIR ENTSMINGER: I agree with
4 you.

5

6 MR. BASSICH: I think we can push it and
7 I think we should push it because I think it's hamstrung
8 us.

9

10 MADAME CHAIR ENTSMINGER: Right. I mean
11 I don't think we have to agree with attorneys every day.
12 We can have our own opinion.

13

14 MR. BASSICH: The other thing, when we
15 were having our Tri-Committee meetings on this customary
16 trade, we had the solicitor, I believe -- was it only
17 from the State or was the Federal solicitor there?

18

19 DR. JENKINS: Ken Lord was there, the
20 Federal solicitor.

21

22 MR. BASSICH: Yeah. And we asked these
23 questions and we never got any definitive answers. So I
24 think it's time to try and work to try and get some
25 definitive answers.

26

27 MADAME CHAIR ENTSMINGER: Keith is his
28 boss, right?

29

30 DR. JENKINS: Keith retired this year.

31

32 MADAME CHAIR ENTSMINGER: Oh, how come I
33 didn't hear about this. I probably did and forgot. So
34 Ken now is.

35

36 DR. JENKINS: (Nods affirmatively)

37

38 MADAME CHAIR ENTSMINGER: All right.
39 Cool. I agree with you.

40

41 MR. BASSICH: So do you want a motion
42 first so that we can have discussion?

43

44 MADAME CHAIR ENTSMINGER: We better
45 follow the Federal rules now. We were kind of lax on the
46 State side because that's what we're accustomed to. It's
47 kind of like customary and traditional. David, you're
48 finished with your presentation?

49

50 DR. JENKINS: Yes.

1 MADAME CHAIR ENTSMINGER: Any other
2 questions of David.

3
4 (No comments)

5
6 MADAME CHAIR ENTSMINGER: Now we go to
7 the agency comments first. It's Fish and Game.

8
9 MS. YUHAS: Thank you, Madame Chair.
10 Jennifer Yuhas, Alaska Department of Fish and Game. The
11 Department is actually neutral on this position with our
12 justification that subsistence is already granted
13 priority on both regulatory sides. In following with
14 Member Bassich's comments, the State was present at those
15 meetings that you spoke of and actually distributed
16 transcripts of Mr. Goltz's from the previous Federal
17 Subsistence Board meeting dealing with the fisheries
18 proposals.

19
20 Everything that my colleague Dr. Jenkins
21 said is absolutely accurate. The Board has been reminded
22 over and over that it has not prioritized the uses except
23 for dog food, that there is consistency in refusing to
24 prioritize, but it was put into the record that the
25 mechanism exists for prioritization. It just has not
26 been utilized and has been discouraged, but the mechanism
27 does exist and that was discussed at the Tri-RAC meeting.

28
29 MADAME CHAIR ENTSMINGER: Okay. Any
30 questions of Fish and Game.

31
32 (No comments)

33
34 MADAME CHAIR ENTSMINGER: Thank you,
35 Jennifer. Any of the Federal agencies have any comments.

36
37 (No comments)

38
39 MADAME CHAIR ENTSMINGER: Next is Native,
40 tribal, village or ANCSA corps -- corporations. I always
41 say corps and I don't mean any dead person.

42
43 (Laughter)

44
45 (No comments)

46
47 MADAME CHAIR ENTSMINGER: Sorry. Anyone
48 online that wants to speak toward the Native, tribal,
49 village or other.

50

1 (No comments)
2
3 MADAME CHAIR ENTSMINGER: Okay.
4 Neighboring Regional Councils. Who's going to speak to
5 that. Eva.
6
7 MR. BASSICH: Let's hear from Eva.
8
9 MS. PATTON: Madame Chair. So for the Y-
10 K Delta RAC on Fisheries Proposal 13-09 and 13-10 Council
11 supports those proposals. For the Western Interior RAC
12 they oppose FP13-09 and 10. The Seward Peninsula RAC
13 also took this up and opposed FP13-09 and 10.
14
15 MADAME CHAIR ENTSMINGER: Wow. We agree
16 with Y-K.
17
18 MR. BASSICH: Isn't that a rare moment.
19
20 MADAME CHAIR ENTSMINGER: Wow, I guess.
21
22 MR. GLANZ: Madame Chair. I'll tell you
23 what happened on that. They said the stuff that you guys
24 down in Eastern have been telling us for years we didn't
25 believe. People from the Western Interior was telling us
26 that for years we didn't believe. But, you know what, now
27 it hit us. Now we're out of fish too. So that's why
28 they went along so well with us at meetings.
29
30 MADAME CHAIR ENTSMINGER: How many years
31 did it take? Okay. That's interesting. Next is any
32 local fish and game advisory committees, any input.
33
34 (No comments)
35
36 MADAME CHAIR ENTSMINGER: Do you have
37 anything there written, any written comments?
38
39 MS. PATTON: No nothing from the advisory
40 committees. We do have written comments again from TCC.
41
42 MADAME CHAIR ENTSMINGER: Okay.
43
44 MS. PATTON: In the form of a table on
45 Page 111 for Fisheries Proposal 13-09 TCC opposes and
46 Fisheries Proposal 13-10 TCC also opposes. That's it.
47 So there's no additional community comments through TCC
48 on those proposals.
49
50 MADAME CHAIR ENTSMINGER: Okay. So no

1 advisory committees with that. All right. Any public
2 testimony.

3
4 (No comments)

5
6 MADAME CHAIR ENTSMINGER: Ready for a
7 motion.

8
9 MR. UMPHENOUR: Move to adopt Proposal
10 FP13-09 and 10.

11
12 MR. GLANZ: Second that.

13
14 MADAME CHAIR ENTSMINGER: Discussion.
15 Who's going to speak to it.

16
17 MR. BASSICH: I can speak to it. I was
18 hoping I could make the motion for that, but you beat me
19 to it, Virgil, because I have some amendments I'd like to
20 make to it. I'll just reference my earlier comments
21 regarding the door is open for this. I think if we
22 really want to get a handle on being able to manage
23 chinook runs in these low abundance times we have to
24 curtail sales of chinook salmon and customary trade.
25 That's the primary reason for it.

26
27 MADAME CHAIR ENTSMINGER: Did you want to
28 make an amendment to this motion?

29
30 MR. BASSICH: I do. Can I make the
31 amendment right now?

32
33 MADAME CHAIR ENTSMINGER: Uh-huh.

34
35 MR. BASSICH: I'd like to offer an
36 amendment that would state the Yukon River chinook salmon
37 are to be used primarily for subsistence use for human
38 food and personal family consumption. Non-cash barter
39 and trade shall be permitted.

40
41 MADAME CHAIR ENTSMINGER: None of these
42 words are in the book anywhere?

43
44 MR. BASSICH: I'm sorry. I'm on Page 79.

45
46 MADAME CHAIR ENTSMINGER: 79 at the top?

47
48 MR. BASSICH: Under proposed regulation.

49
50 MADAME CHAIR ENTSMINGER: You're reading

1 that three I's, whenever the Yukon chinook, that one?

2

3 MR. BASSICH: Yeah. Yukon River chinook
4 salmon are to be used primarily for subsistence use for
5 human food and personal family consumption. My amendment
6 would be to add non-cash barter and trade shall be
7 permitted.

8

9 MADAME CHAIR ENTSMINGER: Non-cash.

10

11 MR. BASSICH: Yes. Non-cash barter and
12 trade, shall be permitted. The reason why I'm offering
13 that amendment to this is it goes back to our earlier
14 proposal on limiting customary trade during times of low
15 abundance and I think it keeps it consistent. One of the
16 things we talked about a great deal at our Tri-Council
17 meeting on this was wanting to continue the cultural
18 practice of barter and trade. It's very critical to the
19 long-standing cultural practices in the region.
20 Basically what we're trying to do, as I said, is try and
21 limit cash sales, but we were very concerned about the
22 use of limiting any type of customary trade in certain
23 times. Does that make any sense?

24

25 MADAME CHAIR ENTSMINGER: Yeah. Well,
26 the last words shall be omitted?

27

28 MR. BASSICH: Permitted.

29

30 MADAME CHAIR ENTSMINGER: Permitted.

31

32 MR. BASSICH: Yeah, sorry. I think the
33 reason I'm asking that, and I could probably ask for some
34 help from legal people, but I just want to make it very
35 clear in this that you can still barter and trade for it
36 and I know it's not written very clearly.

37

38 MADAME CHAIR ENTSMINGER: Did I hear a
39 second on that amendment.

40

41 MR. GLANZ: I seconded it. No, not the
42 amendment.

43

44 MADAME CHAIR ENTSMINGER: I didn't have
45 a second on the amendment. Do I have one?

46

47 MR. UMPHENOUR: Second on the amendment.

48

49 MADAME CHAIR ENTSMINGER: Okay. Now you
50 can continue.

1 MR. BASSICH: Madame Chair. I'm done.
2 I guess maybe what I'd like to try and do is get some
3 input from someone with a little bit more understanding
4 of the legal process and how this would be worded or
5 whatever. The intent, what I'm trying to get at, is that
6 it's very clear to people that you could still barter and
7 trade salmon during these times. Maybe David could help
8 me a little bit here or maybe Jennifer could help me a
9 little bit here. I don't know.

10

11 DR. JENKINS: Madame Chair.

12

13 MADAME CHAIR ENTSMINGER: Go ahead.

14

15 DR. JENKINS: I normally wouldn't impose
16 when you're deliberating on a motion because that's your
17 world, but Andy has asked me to here. I think your
18 amendment is unnecessary and I think it's unnecessary
19 because in ANILCA barter is explicitly allowed as a
20 subsistence use. So I think what you're suggesting is
21 simply redundant and unnecessary language.

22

23 MR. BASSICH: I'm aware of that. I'm
24 very aware of that. The think I'm concerned about is
25 when the analysis is done that's not made very clear.
26 Oftentimes we get analyses from the Department that if
27 you're not really well-versed and really studied up on
28 the topic, you can maybe misunderstand or not have full
29 understanding of it. So if there's some way that we
30 could make sure that that intent is very clear to people
31 about this, that we're still allowing for these other
32 things, maybe this isn't the appropriate place to do it,
33 but I think it has a better chance of passing if it's
34 very clear, but I'm sure there are other people that know
35 better than me when it comes to -- you know, once you get
36 into this level of regulations. I'm just trying to make
37 my intent clear, so maybe it's unnecessary.

38

39 MADAME CHAIR ENTSMINGER: Well, this
40 motion is on the floor. Unless you withdraw your second.

41

42 (Cell phone ringing)

43

44 MADAME CHAIR ENTSMINGER: Music. Five
45 bucks, doughnuts. Joe.

46

47 MR. MATEESI: I don't see the point of the
48 amendment. Dave actually used the words that I was
49 thinking. It's redundant. It's unnecessary. It's bad
50 enough writing regulations. As they get wordier and

1 wordier and more and more repetitive, they're actually
2 less likely to be taken seriously. So I don't think I'll
3 support the amendment.

4
5 (Cell phone ringing)

6
7 MADAME CHAIR ENTSMINGER: Music.
8 Doughnuts.

9
10 (Laughter)

11
12 MR. WILLIAMS: I'm turning it off.

13
14 MADAME CHAIR ENTSMINGER: Okay. He's
15 turning it off. I didn't mean to interrupt you. Yes, I
16 hear what you're saying. Others. It's still on the
17 floor, so either vote it -- you either withdraw that.....

18
19 MR. BASSICH: I'm happy to withdraw the
20 amendment if the Council is not feeling like they want to
21 support it. I'm just trying to make sure what I was
22 saying is very clear to the public.

23
24 MR. GLANZ: It is ambiguous. It's
25 already in the law. Personally, I would oppose it also.

26
27 MADAME CHAIR ENTSMINGER: So let's
28 consider it withdrawn.

29
30 MR. BASSICH: I'll get on the record and
31 say I'll withdraw the amendment to the motion.

32
33 MR. UMPHENOUR: I'll concur.

34
35 MADAME CHAIR ENTSMINGER: And the second
36 concurs.

37
38 MR. FIRMIN: Andy were we going to add in
39 times of low abundance to that or I see back on Page 85
40 there's a note in there that says the language and times
41 of low abundance was inadvertently left off.

42
43 MR. BASSICH: I've withdrawn the
44 amendment, but I would rather have that just stay in the
45 statutes if that's the case. Not have it only in times
46 of low abundance because the way -- it just depends on
47 the Federal Subsistence Board's actions on this, whether
48 they accept the other one. I think this is very
49 important that this pass if we want the ability to do
50 further conservation in the future. So maybe just leave

1 it as it is would be the best.

2

3 MADAME CHAIR ENTSMINGER: And just take
4 note in low abundance as a discussion.

5

6 MR. BASSICH: Just forget about it.

7

8 MADAME CHAIR ENTSMINGER: Oh, okay. But
9 that discussion you had earlier, are you seeing it as a
10 way to work in this proposal, the discussion about the
11 prioritizing?

12

13 MR. BASSICH: Madame Chair. It's my
14 understanding they would basically -- the Federal
15 Subsistence Board would have to address this and make
16 that decision, whether they are willing to prioritize.
17 This would force them.....

18

19 MADAME CHAIR ENTSMINGER: This proposal
20 as written.

21

22 MR. BASSICH: This proposal would force
23 them to make a decision on that, which I think would
24 help.

25

26 MADAME CHAIR ENTSMINGER: Yep, I agree.
27 Any other discussion. Andrew secretly called for the
28 question.

29

30 MR. MATESI: Discussion on the motion.

31

32 MADAME CHAIR ENTSMINGER: On the motion.

33

34

35 MR. GLANZ: The main motion, yes.

36

37 MADAME CHAIR ENTSMINGER: Yeah, the
38 amendment is gone. You did have some? Go ahead for
39 discussion then. On the main motion?

40

41 MR. MATESI: Yes.

42

43 MADAME CHAIR ENTSMINGER: Go for it.

44

45 MR. MATESI: Thank you, Madame Chair. I
46 really apologize if I seem really negative in this
47 meeting. I keep voting no, but I'm going to vote no on
48 this and so I feel obligated to explain my vote.

49

50 MADAME CHAIR ENTSMINGER: That's fine.

1 MR. MATESI: I see value in the Board's
2 decision not to prioritize between one form of
3 subsistence use and another. If we opened up that can of
4 worms, what's to say we can't prioritize customary trade
5 over personal use. Then we start really getting into
6 long, drawn out arguments.

7
8 So, in addition to that there are
9 limitations that this proposal may have with negative
10 effects on subsistence users. Those who rely on small
11 amounts of cash generated through customary trade in
12 order to participate in their subsistence activities may
13 find that they have curtail those activities as a result
14 of this proposal.

15
16 In addition, the distribution of chinook
17 salmon to other subsistence users may be limited because
18 they won't be able to harvest for themselves. I had
19 another point too. I'm trying to think of what it was.

20
21 MADAME CHAIR ENTSMINGER: I'm glad it's
22 not just me.

23
24 MR. MATESI: Yeah. Boy, I'm telling you.
25 And I'm concerned about opening the can of worms here and
26 the next thing we're going to do is we'll say, well,
27 okay, numbers are still low, attacking customary trade
28 didn't work, what's next on the line-up, you know, like
29 ducks going by. I guess it's barter. Let's shoot down
30 the barter next. Let's shoot down trading next, non-cash
31 trading. I think it's very, very valuable to have the
32 discussion on customary trade and seek really hard to
33 find a good legal definition so that enforcement has the
34 option of being able to go after these abuses that we
35 see, which are really egregious. I feel that it's very
36 dangerous to have this discussion always in the context
37 of low numbers. So that's why I'm going to go ahead and
38 oppose this.

39
40 MADAME CHAIR ENTSMINGER: Others.
41 Discussion on the motion.

42
43 MR. BASSICH: Madame Chair.

44
45 MADAME CHAIR ENTSMINGER: Andy.

46
47 MR. BASSICH: Thank you. I appreciate
48 those comments from you, Joe, and we talked a lot about
49 that during the Tri-RAC. In fact, we spent a lot of time
50 talking about that. The very fact that we had consensus

1 all up and down the river shows that I don't think
2 anybody really wants to carry this farther. I think what
3 we're attempting to do is allow.....

4

5 (Cell phone ringing)

6

7 MR. BASSICH: That's not me, is it? I
8 thought I turned it off. Sorry.

9

10 MADAME CHAIR ENTSMINGER: Ten bucks.

11

12 MR. BASSICH: Ten bucks? Go away. I
13 only use these twice a year. Sorry.

14

15 MADAME CHAIR ENTSMINGER: You don't know
16 how to use them then, do you.

17

18 MR. BASSICH: Now I lost my train of
19 thought. But we did talk about this a lot at the Tri-
20 RAC. One of the things we were trying to get from law
21 enforcement was we needed what they called the bright
22 line, which I wish I could have come up with a better
23 terminology for it, so it was a little more
24 understandable for most people. They needed something
25 that was very concrete. If you want something concrete,
26 you're going to have to probably, in this case,
27 eventually put some kind of a dollar value on things. I
28 heard you talk to that earlier, Joe, and I'm glad you're
29 thinking along those lines. I think you're absolutely
30 right.

31

32 But I think this is kind of a first step
33 because you're going to have to prioritize this and then
34 you're going to have to say, look, sales of this
35 particular resource will not be permitted and that begins
36 that process of developing that bright line and it
37 supports it and it supports it river-wide if this is
38 adopted.

39

40 I was quite amazed at our Tri-Council
41 meeting to see the level of understanding once we really
42 talked about this and everybody understood what our
43 intentions were and I think sometimes people read into
44 that. At the very beginning of discussions I heard the
45 exact same comments that Joe just said. After we talked
46 about it for a long time, I think we all kind of came to
47 a consensus that that's not where we wanted to go, but it
48 just was an absolutely necessary step for future attempts
49 to have some tools in the toolbox.

50

1 I've said enough. Thank you.
2
3 MADAME CHAIR ENTSMINGER: Others. More
4 discussion.
5
6 MR. GLANZ: I just have one question on
7 the discussion. How often has preliminary OSM taken
8 opposing a measure that it's passed the next meeting.
9 That's what I mean. I think we're just beating a dead
10 horse here.
11
12 Do you follow what I'm saying?
13
14 MADAME CHAIR ENTSMINGER: You think they
15 get their way every time.
16
17 MR. GLANZ: No, but I would assume that
18 they do. If they say approve, then we say, yeah, let's
19 go for it, but then.....
20
21 MADAME CHAIR ENTSMINGER: No. I want to
22 tell you. I've been going to the meetings. We can
23 disagree with them and they don't always go with OSM's
24 recommendations. Sometimes they change their mind after
25 we've met. So don't assume that they always get their
26 way.
27
28 MR. GLANZ: Well, no, I've just been
29 around the government for 40 years of my life is all.
30
31 MADAME CHAIR ENTSMINGER: That I
32 understand, but somehow or another we've been squeaky
33 wheel long enough. I would say they are listening to us.
34 Discussing the motion.
35
36 MR. GLANZ: I'll call for question then.
37
38 MADAME CHAIR ENTSMINGER: So you're
39 ready.
40
41 MR. GLANZ: Nobody else is commenting.
42
43 MADAME CHAIR ENTSMINGER: Anyone else.
44
45 (No comments)
46
47 MADAME CHAIR ENTSMINGER: Ready for the
48 motion. I call for the question.
49
50 MR. FIRMIN: Roll.

1 MADAME CHAIR ENTSMINGER: And I've been
2 asked for a roll call.
3
4 MR. FIRMIN: Roll call vote for FP13-09.
5 Andy Bassich.
6
7 MR. BASSICH: Yes.
8
9 MR. GLANZ: Excuse me one second. Is
10 this 10 also or 09?
11
12 MR. FIRMIN: No, 09 only.
13
14 MADAME CHAIR ENTSMINGER: Is it 09 only?
15 I thought we were.....
16
17 MR. GLANZ: I thought we were combining
18 it.
19
20 MR. BASSICH: 09 only.
21
22 MR. MATESI: No, 09 only
23
24 MADAME CHAIR ENTSMINGER: Point of
25 clarification, gentlemen. I thought Virgil's motion was
26 for both of them.
27
28 MR. RIVARD: That's what I heard.
29
30 REPORTER: It is.
31
32 MADAME CHAIR ENTSMINGER: So we're voting
33 on both of them as written. That makes it more
34 complicated. See, you had more discussion, didn't you?
35 Are we ready? 09 and 10, we're voting.
36
37 MR. BASSICH: Let the Board sort it out.
38
39 MADAME CHAIR ENTSMINGER: Okay. It's
40 sounds like we're ready to quit for the night. Go ahead
41 with the roll call. Andy Bassich is first.
42
43 MR. FIRMIN: And he said yes.
44
45 MR. BASSICH: Yes.
46
47 MR. FIRMIN: James Roberts is absent.
48 Joseph Matesi.
49
50 MR. MATESI: No.

1 MR. FIRMIN: Donald Woodruff.
2
3 MADAME CHAIR ENTSMINGER: Donald, are you
4 still online?
5
6 (No response)
7
8 MADAME CHAIR ENTSMINGER: We lost Donald.
9
10 MR. FIRMIN: Virgil Umphenour.
11
12 MR. UMPHENOUR: Yes.
13
14 MR. FIRMIN: Sue Entsminger.
15
16 MADAME CHAIR ENTSMINGER: Yes.
17
18 MR. FIRMIN: Larry Williams, Sr.
19
20 MR. WILLIAMS: No.
21
22 MR. FIRMIN: Lester Erhart.
23
24 MR. ERHART: No.
25
26 MR. FIRMIN: Bill Glanz.
27
28 MR. GLANZ: Yes.
29
30 MR. FIRMIN: Leave me between a rock and
31 a hard place, huh.
32
33 MADAME CHAIR ENTSMINGER: It's your turn.
34 That's why you don't call on the same person every time
35 first.
36
37 MR. FIRMIN: I'm still on the fence, but
38 the last time we read all this I was for it, so I'm going
39 to vote yes this time also.
40
41 MADAME CHAIR ENTSMINGER: And that was --
42 is that 6 or 5.
43
44 MR. BASSICH: 5/3.
45
46 MR. FIRMIN: 5/3.
47
48 MADAME CHAIR ENTSMINGER: 5/3 and two
49 absent.
50

1 MR. FIRMIN: Yes, 5/3 and two absent.
2 Motion carries.
3
4 MR. UMPHENOUR: As written.
5
6 MADAME CHAIR ENTSMINGER: I like the idea
7 that they need to talk about it some more.
8
9 MR. BASSICH: You think.
10
11 MADAME CHAIR ENTSMINGER: All right.
12 Anybody want to take up anything else.
13
14 MR. MATESI: Do we only have one more?
15
16 MR. FIRMIN: No, there's two more and the
17 next one is a \$750 limit.
18
19 MADAME CHAIR ENTSMINGER: He has a class.
20 So we will -- is 8:30 okay? Start at 8:30 in the
21 morning. He said 8:00 and you said 9:00, so 8:30 it is.
22 See you guys at 8:30.
23
24 (Off record)
25
26 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

DATED at Anchorage, Alaska, this 4th day of November 2012.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14