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FEDERAL SUBSISTENCE REGIONAL COUNCIL MEETING

VOLUME I

WESTERN INTERIOR
YUKON KUSKOKWIM DELTA

Lake Lucille Lodge
Wasilla, Alaska
October 14, 2003
8:30 o'clock a.m.

COUNCIL MEMBERS PRESENT:

EASTERN INTERIOR

Gerald Nicholia, Chair
Sue Entsminger
Allen J. Stevens
Virgil Umphenour
Larry Williams
Philip Titus

WESTERN INTERIOR
Ronald Sam, Chair
Angela Demientieff
Benedict Jones
Emmitt Peters
Jack Reakoff
Michael Stickman
Robert Walker

YUKON KUSKOKWIM DELTA
Harry Wilde, Chair
Nick Andrew, Sr.
James A. Charles
Mary Gregory
John Hanson, Sr.
Billy McCann
Philip Moses
John B. Thompson, Sr.
Lester Wilde

Regional Council Coordinators:
Donald Mike, Eastern Interior
Vince Mathews, Western Interior
Alex Nick, Yukon Kuskokwim Delta

P R O C E E D I N G S

(Wasilla, Alaska - 10/14/2003)

(On record)

CHAIRMAN NICHOLIA: Good morning, ladies and gentlemen. As we agreed, the three chairman, Ron Sam, Harry Wilde and me, will chair the morning session. So I'd like to call the Tri-Council meeting together between the Y-K, Western and Eastern Interior. We'll have a little change here. We'll let Vince Mathews do the roll call for all three Councils.

Go ahead, Vince.

MR. MATHEWS: I'll start off with the Yukon-Kuskokwim Delta Regional Advisory Council. Is John Thompson here?

MR. THOMPSON: Here.

MR. MATHEWS: Lester Wilde, Sr.

MR. L. WILDE: Here.

MR. MATHEWS: Philip Moses.

MR. MOSES: Yeah.

MR. MATHEWS: Mike Savage.

MR. SAVAGE: Here.

MR. MATHEWS: James Charles.

MR. CHARLES: Here.

MR. MATHEWS: Billy McCann.

MR. MCCANN: Right here.

MR. MATHEWS: The chair, Robert Nick, is absent due to other commitments. Ray Oney.

MR. ONEY: Here.

MR. MATHEWS: Nick Andrew, Sr.

MR. ANDREW: Here.

MR. MATHEWS: Mary Gregory.

MS. GREGORY: Here.

MR. MATHEWS: John Hanson.

MR. HANSON: Here.

MR. MATHEWS: Harry Wilde, Sr.

CHAIRMAN WILDE: Yeah.

MR. MATHEWS: We have 11, so we have a full quorum on the Yukon-Kuskokwim. Western Interior. Emmitt Peters.

MR. PETERS: Here.

MR. MATHEWS: Michael Stickman.

MR. STICKMAN: Here.

MR. MATHEWS: Robert Walker.

MR. WALKER: Yeah.

MR. MATHEWS: Carl Morgan.

UNIDENTIFIED SPEAKER: He'll be back shortly. He just took his wife to Anchorage, so let it be known that he'll be back shortly.

MR. MATHEWS: Okay. Benedict Jones.

MR. JONES: Here.

MR. MATHEWS: Angela Demientieff.

MS. DEMIENTIEFF: Here.

MR. MATHEWS: Jack Reakoff.

MR. REAKOFF: Here.

MR. MATHEWS: Raymond Collins has been ill. I'll give you an update on that during the housekeeping. Ron Sam.

CHAIRMAN SAM: Here.

MR. MATHEWS: Mr. Chairman, we have eight of the nine members with one that's going to be here in a few seconds. Okay, Eastern Interior. Virgil Umphenour.

MR. UMPHENOUR: Here.

MR. MATHEWS: Larry Williams. I believe he's weathered out and we're working on getting him in. Gerald Nicholia.

CHAIRMAN NICHOLIA: Here.

MR. MATHEWS: Tricia Waggoner was not able to attend this meeting. Jim Wilde is not present. Sue Entsminger.

MS. ENTSMINGER: Here.

MR. MATHEWS: Jay Stevens.

MR. STEVENS: Here.

MR. MATHEWS: Andrew Bassich I believe is weathered out also. Philip Titus.

MR. TITUS: Here.

MR. MATHEWS: We have five of the nine members, so you have a quorum for Eastern Interior.

Thank you, Mr. Chair.

CHAIRMAN NICHOLIA: Thank you, Vince. One thing I want you guys to understand here is we have a language barrier and a culture barrier, so I want you guys to speak slow on your presentation and stuff so they can understand. I want you to speak slowly so those interpreters could interpret for the people that don't understand and vice versa. There's one person I want to recognize here from the Kodiak Aleutians is Della Trumble. She's here for the Yukon and Kuskokwim regions and sometimes Area M is impacted by us or we impact Area M, so that's one of the reasons she's here.

Della.

MS. TRUMBLE: Thank you, Gerald. Good morning and thanks for inviting me to this meeting.

CHAIRMAN NICHOLIA: For the invocation by

an elder, I'd like to request Nick Andrew to do the invocation.

(Off record)

(On record)

CHAIRMAN NICHOLIA: I guess I'll have to leave it up to Vince on this work session here.

MR. MATHEWS: Yes, Mr. Chairman. Under the work session, basically I'm going to be going over safety and then scheduling, booklets, review of the agenda, how best maybe to handle the proposals. We'll be going through meeting ground rules and some other updates.

So, safety is always number one. If we have a disaster or problem in this building, we need to leave from these doors that are behind me along the windows area. Wash rooms are down the hall and you go down and take a left. For those that you know of people that need to have access down here and cannot utilize the chairs, it is a nice walk to go around the side and these doors are unlocked.

The meeting schedule. We do have a buffet lunch provided for the Regional Council members. So far it's been running about noon, but that can be subject to our wishes. We can change that if we have enough time. Generally speaking, we usually break around 5:00 or 5:30 for dinner, but that can be modified. We've noticed that the evening sessions are 7:00 to 10:00 if the Chairs decide we need to go into the evening.

The meeting booklets. You have three meeting booklets. Today you're going to be working mainly out of this tan one. There's very large tabs on the side. If you look there, you'll page through to a tab that says Tri-Council meeting. Hopefully you've found that by now. The green book you will not need today. That will be on Thursday. Today you will be dealing this afternoon with the salmon-colored one to deal with projects. I know this is repetitive for the Western and Y-K, but just to get everybody up to speed. If Council members do not have copies of these books, get a hold of Donald Mike, the coordinator for Eastern Interior or Alex Nick, the coordinator for Y-K or myself. For the public, there are public copies of materials in this book at the table back there.

Let me go through some other housekeeping stuff. We have a professional photographer here. Our files of pictures are not very extensive, so we do have a professional photographer here that will be taking pictures. I'll cover Ray Collins real quick because he's on my mind. Ray Collins has served on the Western Interior Regional Council since its first meeting. He's had a series of illnesses and is in the hospital recuperating. It's been a long haul for him, so we have a large poster in the back room if you'd like to leave a note for him. The refuge manager will make sure that will get to him. He did want to participate by teleconference, but I talked to him extensively that due to his health conditions it would not be the best thing for him.

Okay, we got that out of the way. We will be passing out a new copy of the Regional Council's operations manual. In there is Title VIII of ANILCA Western Interior has a standing request that there always be a copy of Title VIII of ANILCA, so I did hand that out. We encourage you to use that manual and bring it to each meeting so you have it there. That's kind of our Bible.

Ground rules. We had a meeting with the three chairs and we went over some ground rules. This will take a little bit of time, but it will help everyone understand and it will make things go quicker. We've divvied up when each Council chair will chair and they'll recognize when they are chairing. So, when a person wants to speak, they need to be recognized by the Chair that is running the meeting then. They just can't speak. The Council members know that very well, so that's fine.

The sound system as well as note taking. Only one person speaks at a time. The microphone system, when the red light is on, your mike is on and it's being recorded. If the red light is off, we're not recording you, so you'll need to turn it on so we can record.

A standard thing for all meetings, all questions and comments from a Council member needs to be directed through the Chair. You get the attention of the Chair and the Chair recognizes you.

The Chair can give time limits to public testimony if time limits are needed to maintain a timely review of agenda topics and issues before the Regional

Council. We've already announced time limits for the organization reports of 10 minutes plus questions and answers. The Chairs need to remind the presenters at the beginning of that so that they are cognizant of that if at all possible. The Chair can request the presenter to summarize their key points if they do get a little long-winded. We're basically here to get information across to the Councils that is timely. It is obvious these meetings we're having here are on fish, so we hope the presenters, if at all possible, can direct their presentations to the fish issues.

Public testifiers, do not ask questions of the Regional Councils unless the Chair has previously agreed to that. If you have copies of your testimony or handouts, you need to give those to one of the three coordinators here. We have to maintain an administrative record.

Because this is a complex meeting, we're going to have a roll call after lunch and if you do go to dinner and go to evening session, at that time, so we maintain on the record that there are quorums. Those are the rules. The Chairs discuss conducts. Respect will be shown to all attending and participating in the meetings. Discussions, comments and dialogue should focus on the issue at hand, not the person presenting it. Proper attention by the Regional Council members shall be shown to all presenters and testifiers.

The next part of the meeting rules is it's pretty much done by all Councils, but make sure the public understands it. We have a procedure to review the proposals. We've developed this procedure so we can have a strong record and to maintain good meeting management. So the Chair will introduce the proposal, that will be followed by the biological/social/cultural analysis and that will be up at the table up here. It could be several people.

Then the Chair will announce are there any agency comments. That can also be organizations. Then it's open to public comments from the audience. We do have green cards in the back. If you do not fill one out, you need to raise your hand and be recognized by the Chair to be allowed to testify. Those are to be turned in to the table here so we can get them to the appropriate Chair.

Then there will be a summary of written

comments. If you have written comments from villages, please get them up to us so we can properly address them.

After written comments, the Regional Councils can have a motion, they deliberate, develop a recommendation and then -- for the record, Staff needs a justification for your actions. Most of the Council members have been doing that. We appreciate that and would like you to continue. If there's an obvious consensus between the three Councils, you just go by all those in favor aye, those opposed nay, et cetera. The Chairs are very cognizant of when that exists. When there doesn't appear to be a consensus, then we will go to voting by individual Regional Councils. We'll walk you through that. So it's not a majority of all the Council members here. The recommendation will be based on the majority of each individual Council.

We may have Staff that are taking notes in the crowd approach the Chair to get clear the justification and that will be done during break. Many of you know me. If I don't know it, I will ask for clarification. You don't have to, but it would be good for the record to have a good, strong justification.

Finally, over the years I've noticed that it's easier to have a motion to adopt the Staff recommendation. That doesn't mean when you make that motion that you support the Staff recommendation. It just means you want to get that recommendation on the table. The reason it would be better to do a positive motion and use the Staff recommendation is that it eliminates sometimes the need for amendments. When you get to two amendments, I, as your Staffer, get lost. So it would be best to minimize the amendments as much as possible and, if at all possible, have positive motions and we can assist you with that either through suggestions or actually typing those up and getting them before you. I know this is long, but we're almost done.

Another housekeeping thing. Gerald has already mentioned it. I'm doing my best to talk as slow as I can. We all need to talk slower to allow the translators to translate. Council members have first priority on these FM receivers. Right now, if I listened to this, I'd be hearing what I'm saying in Yup'ik. If these things start acting up, just let us know and we'll get you a battery.

Earplugs. The way this sound system works and for the presenters it's the same thing. You press the button, it's on. When the button is off, the speaker in front of you gives you sound. The volume control on there does nothing to the speaker, but if you would like a headset that plugs into the side and goes over your ear, that volume control does that. So we do have some nice ear sets that plug into the side. We discovered yesterday by one of the Council members that these earplugs like this are good but they're not the best. So if you're having difficulty hearing with this type of earplug, we'll get you a better one. Again, we don't have enough to cover everybody, but Councils get first priority, then we go from there.

We've been using the vans in the evening for those that may want to go visit the sites of Wasilla. We'll announce that towards the end of the meeting, but we do want to make sure your needs are met as far as going to a store or whatever needs to be done with that. We only have the two vans, so we will work on that. And lunch is provided here. The rest of the stuff we'll cover later. So let me look at the agenda real quick. Oh, I didn't cover the agenda. I'm sorry.

The agendas are on page 19. I hope you found that. The Chairs will decide on Topic IV but I'm just going to bring it up. That's where the Regional Council members introduce themselves, what village and concerns. That is followed by review and approval of the meeting agenda. The public can bring up amendments to the agenda, but please realize the agenda is just an estimated time of when this is going to happen and topic order. They're subject to change. We have large agendas published in the hall. We have Staff at the front desk and Staff everywhere else, contact them to find out where they are on the agenda and set your time appropriately to that.

Then we go into subsistence fisheries. Obviously, the major topic of this meeting is the Yukon River. That will start off with a post-season fisheries review, which will be a joint presentation, and I'll just go by memory, by Russ Holder from U.S. Fish and Wildlife and then Dan Bergstrom and other Staff, Fred Bue, Tracy Lingnau and probably others I'm missing right now.

On the agenda, you see the Association of Village Council presidents listed there. They're going to be under agency reports. That was an error in our

agenda. So there will be a post-season review and then we'll go into the Federal proposals, which are under Tab B. You see the numbers and the name next to it in parentheses. That's the lead presenter. I'll just pick one, Proposal 5, expand the drift gillnet fishery area in District 4. Pat McClenahan will be the presenter. So that's what those names are there for.

Then we go into the Alaska Board of Fisheries Proposals and we'll talk more about that later. That covers Tuesday. Wednesday is the Fisheries Monitoring Program and their plan. That's your salmon-colored book. Cliff Schleusner will be doing that amongst other staff. Also, there will be discussion about the Partners Program and then we go into organization reports. Again, that will be limited to 10 minutes. The Chair calls up each one of those that are listed there and if they have a representative, they're more than welcome to come to the mike. If by accident we missed a person or an organization there, that doesn't mean you're cut out, it just means you have to get a hold of the Chair and say we would like to be added to that. One correction, there will not be a presentation from the Division of Sport Fisheries.

The last thing, if you know at this point if there is a village or organization that wants to teleconference in. We need at least 45 minutes to pull that off. I have no knowledge of any. Alex, do you have any knowledge of any requests for teleconferencing?

MR. NICK: For the record, my name is Alex Nick, Regional Council coordinator for Yukon-Kuskokwim Delta Subsistence Regional Advisory Council. As of the time I left Bethel where I'm stationed at, I have not received any requests for teleconferencing.

MR. MATHEWS: Thank you. Donald, do you know of any from Eastern Interior?

(No comment)

MR. MATHEWS: Donald says none from Eastern. Any questions on the agenda? I'm not asking for adoption now because that's not my authority here. I'm just asking is there something else I need to explain in this work session relating to the agenda schedule or whatever. Okay, there's no questions. I think I covered the whole bible, but it's important to get everybody on the same wavelength and I appreciate your patience.

Thank you.

CHAIRMAN NICHOLIA: Thank you, Vince. At this time we're down to Part IV, Regional Council Member Introduction and Concerns. I'll go first. I'm Gerald Nicholia from Tanana. I grew up around the Yukon River fishing with my father. There's one great concern that I have. These three Councils represent the whole Yukon River and we have to work together. There's going to be a lot of differences here today, a lot of proposals. I want you guys to speak your mind, keep it short. I respect the elders that are here. It feels like the young guns from the Eastern Interior is picking on the downriver elders, but we've got the in-between here. I want respect shown. No outbursts, so try to keep our tempers. Let's work together.

CHAIRMAN WILDE: Mr. Chairman. My name is Harold Wilde. I am originally from Mountain Village. Grew up in Hooper Bay. We do have some concern with my Council. In order to understand proposals, we may have to caucus once in a while because a lot of these proposals need to be translated so every one of my Council may understand. It may be a slow meeting for you, but in order to work better with the rest of the Council, that's what they want. Once in a while they caucus before they approve a proposal. We don't have hardly any proposals from our area, but we have to give my Council the opportunity to understand completely the proposal and have less conflict. That's all I have for now.

CHAIRMAN SAM: Thank you, Gerald.

When we called the two Councils meeting to order, we deferred most of our other concerns to be introduced at our respective Council meeting where we all have good opportunity to present our other concerns. However, if you do have anything, I will not stop you. This is not our first time meeting as a tri-council or even two council. As Gerald so ably stated, we do respect our neighbors and we like to deal with them fairly, we've got to listen to them and we've all got to understand the great need to work together, especially all the proposals that concern the Yukon River. Again, I would like to thank Gerald and Harry for putting all this stuff in the public and I am here to respect those views and I hope all of us do that.

Thank you.

CHAIRMAN NICHOLIA: Thank you, Harry and Ron. We'll go around the table here introducing the other Councils and we'll start with our distinguished guest, Della Trumble.

MS. TRUMBLE: Good morning. I guess, first of all, I really thank you for the opportunity to be present. Being involved in these meetings in the past has been educational and an insight for me to understand the various regions. I think it's wonderful to see all of you working together to try to resolve a lot of these issues. I feel that the more education that we all have of each other's regions and of each other's lifestyles only helps us to better work together to resolve some of the issues of concern.

I don't want to take too much time, but I do want to say thank you for allowing me to be here.

CHAIRMAN NICHOLIA: Thank you, Della. We'll just go around the table.

MR. WALKER: Thank you, Mr. Chairman. My name is Robert Walker. I'm from Anvik, the lower end of the Western Interior RAC.

We will have some more deliberations here with the summit of fish like we did with the moose. I like to be fair to everybody. One of my questions to the OSM yesterday or day before yesterday when we were deliberating on the C&T on lower portion of 21, we have to have numbers when they say it's not an issue. If we have numbers to say we have plenty to go around, there's more understanding and more working relationship to work with. Today we're going to work with fish, so it's going to be numbers again. Like Chairman Harry Wilde mentioned in Anchorage to everybody targeting lower Yukon for fish, we'd ask them to come up today again with the numbers how it's going to be for next coming year.

Thank you.

MR. JONES: My name is Benedict Jones from Koyukuk RAC member for Western Interior. My concern is Koyukuk River moose management. The population is declining rapidly because sport hunters and many of the people from Fairbanks and Anchorage go to the Koyukuk River under subsistence hunting. So the drawing permit helped cut down on the sport hunters, but I'd like to see that drawing permit reduced down a little more than

previous years because the moose is declining too fast. As for the fishing, this past summer was really good and we had good quality of fish and a window that did help the scheduling for more fish to get to the spawning area. That's all I have.

Thank you.

MR. PETERS: Good morning, Mr. Chairman. My name is Emmitt Peters from Ruby, Alaska and Western Interior. I was very impressed how these three Councils work together and that's what we need to do. We've got to understand every region how they operate or what we need. We've got to tell the Federal and State government everything is not as easy as they think it is. Like these elder people, they're used to fishing their way to make a living. They go according to the water level and the climate. We've got to understand the way they make their living in their own district. The same as up in the Interior where we are. When the water goes down, we get a lot of fish. When the water comes up, then there's hardly any sign of that. We've got to understand all these rules they come up with. It kind of puzzles a lot of us Native people in the Interior because things change all the time. Anyway, I'm very proud to be here. Like Benedict says, the population of moose is down. We need to put a limit on some of these areas for the outside hunters.

Thank you very much.

MS. DEMIENTIEFF: I'm Angela Demientieff from Holy Cross. I share all the same concerns as Robert. We're both from the same region. Our biggest one right now is so many hunters coming in to 21(E). Some of our people did not get their moose this year because they're being chased by people from out of our region and from people from downriver. Our fishing was good this year, but the best part of our fishing was being on teleconference weekly. This way I knew what was going on downriver and I knew when the people upriver got their fish, so I enjoyed the conferences this year.

Thank you.

MR. REAKOFF: Jack Reakoff from Wiseman. I live in the Brooks Range. I've been on the Western Interior Council from the first meeting. My main concern as a RAC member is the Ichthyophonus problem on the Yukon River and I would like to discuss at some point in this

meeting this recent Dr. Cossan (ph) report, possibly under one of our proposals, but I'd like this Tri-Council to look at this Ichthyophonus issue. This is not in our booklet, but I would like to see that addressed. We have ongoing problems with escalating numbers of air taxi operators and so forth on the upper Koyukuk, but those are ongoing issues that we've heard about and we're working on fish mostly in this meeting.

Thank you.

MR. STICKMAN: Good morning, everyone. My name is Mickey Stickman. I'm from Nulato. One of the biggest concerns that I have and I've always voiced it is the fact that when it comes to fishing, primarily commercial fishing, the State of Alaska and their management strategy pit us against each other because they -- for years I've been saying they've been practicing geographic discrimination because of no commercial fishing in Area 4(A), the area where I'm from, but this is a subsistence council, so I want to make that clear, the fact that subsistence fishing is more important to me than commercial fishing. Also, the other things that I'd like to make clear is that we all come from different geographic areas, so we all have our own belief system. We all have different respect for all animals.

Another issue I have, there is a growing concern in Nulato and Kaltag because the people who live in our villages are taking who they say are friends and family out hunting, but they're out there and these people are not from the state of Alaska. They come from outside the state. It's all on Federal lands, so it's all in the refuge, it's all in the Federal hands, but it's going to be a big concern that's going to grow. This year hunting was a little different in our area because of the emergency order and no cows allowed, so everybody was in heavy competition for all the bulls out there. Even though it was a bull-only season, a lot of people were successful, so for that I'm happy.

The other concern that I have is -- you know, we all share the same feelings, but when the proposals come up, when the Staff analysis comes up, sometimes the issues are pretty complex because you don't know if you're dealing with allocation. So I'd like the proposers to be very clear on what they're talking about, allocation or distribution or anything like that. As far as the windows, my personal feelings on the windows is

that it seems to me the primary focus of the windows is working. Last summer was probably one of the best fishing years in the last 10 years for the people in my region. The one question I have for the subsistence users in my area are the windows working for you or against you. One of the things that I always bring up is the effort.

Thank you, Mr. Chair.

MS. ENTSMINGER: Thank you, Mr. Chair. My name is Sue Entsminger. I live near Mentasta Village and been there over half my life and have some strong ties to the people there. My concern is it seems as though moose is the most utilized animal by subsistence users. Like in our area, we see some possible abuse of the designated or proxy hunting and I feel like we should keep a close handle on that and not see it be abused, such as somebody that never hunted a moose that's over 60 gets somebody to go hunt a moose for them and then that person hunts a moose for themselves. It seems as though that's a lot of meat that that person that was hunting could have taken one moose and shared that moose with the elder because I doubt they could eat a whole moose.

Another major concern is big game commercial services with the guiding industry and the air taxi industry and hunter transporting into the rural regions. We, as Councils, should request the State to reinstate the Big Game Commercial Services Board because it would help in regulating some of the abuse.

Thank you.

MR. UMPHENOUR: Thank you, Mr. Chair. My name is Virgil Umphenour. I live in North Pole. My two major concerns are quality escapement on the spawning grounds of our salmon and equal, reasonable opportunity for all the subsistence users in the drainage. Tied in with the escapement and the reasonable opportunity are what Jack Reakoff spoke of, Ichthyophonus. We have proposals before us where the discussion on Ichthyophonus will be appropriate. Those are my two major concerns and I also agree with Sue, we should do what we can to try to get the State to reinstitute the Big Game Services Board so all this illegal guiding and air taxi operations that take place on Federal lands.

Thank you.

MR. TITUS: Philip Titus from Minto. I have a lot of subsistence concerns, but we could deal with it later.

MR. STEVENS: Good morning. My name is Jay Stevens and I'm from Stevens Village. Most of the concerns dealing with fish issues have already been mentioned by Gerald and Virgil here about quality escapement. More so than that, this is my first tri-meeting and, as Gerald said earlier, I guess he called me a young buck. So this is my first tri-meeting so I'm really interested to see how the day turns out. Hopefully it will turn out with us coming to a common goal.

Thank you, Mr. Chair.

MS. GREGORY: Thank you. My name is Mary Gregory. I am a 99.8% Yup'ik food user all my life and I hope to do so when I get old and have people hunt for me like the lady was referring to. I sit here on this Regional Board to make sure my elders continue to live up their subsistence way of life because they don't know of any other way to live. They don't speak English and they don't have jobs, so I want them to live their Yup'ik way of life to their fullest.

Thank you.

MR. ANDREW: My name is Nick Andrew, Sr. I live in Marshall and I am on Subsistence Advisory Board and I'm really glad to see lots of people in here and I'm hoping to work together and solve our problems.

Thank you.

MR. MOSES: (In Yup'ik)

INTERPRETER: He is from Nelson, Toksook Bay. He won't be able to speak like you in English, only in Yup'ik. As I was listening yesterday and day before sometimes I am not too comfortable when people don't have the same feelings, when people don't think the same way. Recently, I don't like it and it's not good to have different feelings, but we should always comfort each other and speak kindly to each other. We, at Toksook Bay, when the people from Fish and Game come, it seems like they're not there all the time and since there's no moose in our area -- he doesn't have much to say about that.

Thank you.

MR. CHARLES: My name is James Charles from Tuntutuliak. My concern is the salmon escapement on the Kuskokwim. I live at the mouth of the Kuskokwim River, so fish that go by me goes all the way up to where Ray Collins is, so I have to think of him and his people. Ray Collins is not there today, but there is Mike Savage from Kalskag. I have to think of the people upriver, too. Like John Hanson, he's at the mouth of the Yukon and he has to think of the people upriver. We are in a tough situation sometimes when we're at the meetings because we, as the Advisory Council, we are supposed to be helpers, helpers to the people who make the final decisions and helpers to the people we represent at home, so it's not always easy. Sometimes it's hard to make decisions, but we do a lot of work to make our decisions, which way to go about proposals that we work on.

Thank you.

MR. THOMPSON: My name is John Thompson. I'm from St. Mary's and I am an alternate to these Board members. My real concern is about the fish. That's something we've been fighting over 20 years or so. There's some people that are sitting at this table that I know that have been at fish Board meetings. The thing I really want to see is work together. There is some in front of us today which would really conflict to each others and I think we should solve those problems instead of trying to make it worse. We're trying to make it better in the future so we could work together. The reason why the Lower Yukon people didn't put up any proposals because we're human beings like anybody else from upriver, so I hope we work together.

Thank you.

MR. HANSON: Thank you, Mr. Chairman. My name is John Hanson. I'm from Alakanuk, Alaska. Like I said in Anchorage when we had the CFC meeting, we worked together, help each other. Even if they're 900 miles up the Yukon and we're 900 miles below them, if we work together, we'll solve more things concerning the salmon. My number one is escapement. For the last five years we've had disaster on the Yukon, real disaster. The lower part of the Yukon never fished just so we can let all the salmon go up the Yukon and spawn, but those salmon are slow in producing. But if we work together up and down the Yukon, all the way to the border, we'll

accomplish what we're trying to get. So all the people from District 1 to District 6 later on will benefit from them. As we're sitting here, there's three Councils, this is where we solve most of the problem and that's all I wanted to say.

Thank you.

MR. WILDE: My name is Lester Wilde. I'm from Hooper Bay, Alaska. Within the area that I come from we have Hooper Bay, Scammon Bay and Chevak and down there in that neck of the woods subsistence is not a way of life, it is the way of life, so that is one of the reasons I'm sitting up here. Like my brother Harry Wilde stated a while ago, I was born in Hooper Bay, spent some time in Mountain Village and a number of other villages within the state of Alaska, plus the big village of Chicago and a few other big villages outside, but I migrated back to Hooper Bay on my own about 12 years ago and I've been there for that amount of years. I know most of the people on Western Interior and consider them as my working group and people I'm able to go to when we do have problems in the area for support. I'd like to thank all of you for being here with us today.

MR. ONEY: Good morning, Mr. Chairman. My name is Raymond Oney from Alakanuk. I also have concerns about the fish on the Yukon River. It's also my pleasure to sit here with the two Councils, the Western Interior and also the Eastern Interior. Like Allen mentioned, this is the first time I'm sitting down with the other RAC members. I could just picture in my mind right now the theme for this meeting is working together to make a difference and I think that's the reason why we're here, is to work together to make a difference so that way our subsistence way of living will continue for our children and our children's children.

Thank you.

MR. SAVAGE: Thank you, Mr. Chairman. My name is Mike Savage. I'm from Lower Kalskag. I was born in Upper Kalskag. It's about two and a half miles apart in the river. My ancestors came from the Yukon. My grandpa moved all over. I traveled quite a bit all over. My wife is from Hooper Bay. I know the way they -- as Lester said, the coast is just subsistence. It's good to see this group -- this is my first time I've seen a group like this. My great-grandfather, as one of my cousins are here too, is from Nicholai, up the Kuskokwim, up by

McGrath. He started that village. Our ancestors traveled from where the animals are.

Now my biggest concern is moose. My area, hardly anybody catches moose in that area because there's a lot of people. I went out one night and I saw five cow moose within half an hour. I was tempted to catch one, but it was too daylight. To feed my family, there were three of us left, one sister and two boys. We have a pretty good size family, but we share our food, whatever we catch. It's hard for us. We go through four moose a year. That's subsistence. I work in the store. I don't eat much meat. When I'm out here, I don't eat that much meat. My biggest concern is moose. I hope with this fish thing we come up with a good solution.

Thank you.

MR. MCCANN: My name is Billy McCann. I don't have to tell you guys where I was born, but I was born in Alaska. Let me give you a little laugh because it looks like you're lonesome or something. One time I was working in school a long time. My principal was just like my cousins, we tease each other all the time. One day he came up to me and said, Billy, astronauts are going up to the moon. I said, oh, yeah. Eskimos have astronauts too, but they don't have no (indiscernible), but they go up to the moon so fast, just like a jet, go up to the moon, round trip, five minutes. He says I see it all the time. Eskimo medicine, goes up so fast, it's almost like a jet up to the moon. Round trip, five minutes. That's so fast, I guess, okay. Let me talk Eskimo because my English is a little low. (In Yup'ik)

INTERPRETER: His concerns are very many. When we go to meetings, it's important I think about my family and help my family. I go to the meetings to listen for my generation to use. I always think about that and I want to work effectively because my next generation will be using that eating avenues. You probably all think like that for those who come to the meetings. We need to think like that when we meet together. We work together thinking about our village, our home. We're not just working for ourself but for the people that are living in our homes. We want to work for them.

There's very many concerns that I have and a subsistence way of life is one of them. I have strong concerns about the subsistence way of life. He

wants to follow how he's lived the way they have been in the past and he wants to continue the subsistence way of life in the future. Since there are many concerns and issues, I am not comfortable. That is geared towards us. The white people are trying to boss us around and if we don't follow them, it's not going to follow through. Even a person doesn't want to, people will follow the rules. We should work very carefully.

He's going to talk about Alaska. Alaska. You don't even know who Alaska is to people. The white people of the state of Alaska, they talk about Federal lands also, but those people are also white people. Only the Yup'ik people, starting from our ancestors, those are the real Alaskans in my opinion. They used all the land. They didn't have equipment. They only had dogs as transportation. They didn't have homes of wood, but had sod houses and they used Alaska for food and they shared everything. They didn't make any noises, they didn't complain about their land. They didn't say this is your land, you cannot do that, no. Everybody shared the land. Everybody shared everything. Everybody helped one another and everybody shared everything with each other. For those who weren't able to hunt, food was given to them, food was shared with them. We should be thinking like that. We should not let anybody boss us around. When there are rules and regulations, we should follow that and be very careful when we use them.

Sometimes the proposal-makers make mistakes and I think I have spoken too much.

CHAIRMAN NICHOLIA: Thank you guys for your open remarks. It seems like the biggest thing was for us to work together. We're going to have some pretty tough things to handle, but I think we could work through it. If everybody looked at the agenda, we could review the agenda. There's a mention about Ichthyophonus.

I was just wondering, Vince, where we could stick that in, before or after the proposals.

MR. MATHEWS: Mr. Chairman. If I remember correctly, I think Virgil had a suggestion on which proposal that might fit under. That might be a better way instead of doing it separately, but I didn't know which proposal he was referring to.

CHAIRMAN NICHOLIA: Virgil.

MR. UMPHENOUR: It could be one of the proposals before the Board of Fisheries that address the windows would be the appropriate place to discuss it.

CHAIRMAN NICHOLIA: That's for the State proposals?

MR. UMPHENOUR: That would be correct.

CHAIRMAN NICHOLIA: All right. Then we'll take it up in the State proposals when that comes up.

MR. MATHEWS: Mr. Chairman. I just have two housekeeping items. I remember now why I was getting nervous. I forgot to tell everyone that there's a sign-in sheet by the door. You do need to sign in. It really helps with the administrative record and shows the high attendance here that many of you pointed out. The other thing is, to keep the meeting moving along, it would be best if people would turn off their cell phones. We cannot turn off our two cell phones here because we have people in travel status that we need to know. So, when ours ring, it's not just to get a call, it's because we are trying to find the members that are in transit to this meeting. If the public and others could turn off their cell phone, that would be greatly appreciated.

CHAIRMAN NICHOLIA: I want you guys to look at this agenda here, review it. We've all seen it. I'd like to entertain a motion to adopt it, second it and approve it if it's okay with you guys.

CHAIRMAN SAM: Mr. Chairman. Move to adopt the agenda as presented and already amended to include the Ichthyophonus.

MR. STICKMAN: Second.

CHAIRMAN NICHOLIA: It's been moved by Chairman Sam, seconded by Mickey Stickman.

MR. UMPHENOUR: Question.

CHAIRMAN NICHOLIA: The question has been called. All those in favor of approving the agenda signify by saying aye.

IN UNISON: Aye.

CHAIRMAN NICHOLIA: All those opposed same sign.

(No opposing votes)

CHAIRMAN NICHOLIA: The agenda is approved and we can take a break. Hold on. Alex Nick.

MR. NICK: Thank you, Mr. Chairman. My name is Alex Nick, regional council coordinator for Y-K. This housekeeping is for Y-K, but it might apply to other regions. No matter how hard we work on the travel stuff, there's always some minor problems or problems. I have at least one problem that I need to deal with today. We've got three or four days before you go on home, but if any of you in the Y-K Regional Council seem to have problems or travel changes, please let me know as soon as possible so I could try to correct any problems that you might have. I can't speak for other regions, but that might also be applying to other regions as well. There's three coordinators, Vince, myself and Donald. We will be able to assist you if you have any problems. Vince is busier than Donald Mike and myself, so I think it would be appropriate to see myself or Donald first before you approach Vince.

Thank you.

CHAIRMAN NICHOLIA: Vince, do you want to take a break?

MR. MATHEWS: Yes, Mr. Chairman, I need a break.

CHAIRMAN NICHOLIA: Ten minutes, 15-minute break.

(Off record)

(On record)

CHAIRMAN NICHOLIA: We'll call this meeting back to order. We'll have the post-season Yukon subsistence fisheries review.

MR. PROBASCO: Thank you, Mr. Chair. We're going to have four brief presentations for you addressing the Yukon River drainage. They will be given by both State and Federal in-season managers. We'll start out with Tracy from the Alaska Department of Fish

and Game.

MR. LINGNAU: Mr. Chair and RAC members, thank you. My name is Tracy Lingnau and I'm the Yukon River area manager for the summer season. I manage the chinook salmon and summer chum salmon.

CHAIRMAN NICHOLIA: Excuse me, Tracy. You're kind of speaking too fast here. I've got to remind you guys, I want the Y-K people to really understand because we have a language barrier.

MR. LINGNAU: Absolutely. My apologies. Just a brief history because my face is new to most of you. My career began on the Andreafsky River in 1985. From there on I worked several projects from 1991, where I accepted an assistant area management position in Kotzebue and spent seven years there before coming back to the Yukon River here and in the position I'm in now.

In my summary today, I want to just give a brief geographic description, an overview of some new projects that we have on the river, an overview of stock status and stocks of concerns, and then a stock status summary. So this isn't just kind of a review of this year, but it's a review of stocks in general.

I'm certain most of you know how large the Yukon River is. I apologize for leaving out the Yukon Territory, but I couldn't find a good map that has those folks either. I wanted to include a map anyway just to reiterate how large this area is, how many user groups are on the river. As managers, we're responsible for salmon management for all the escapements and user groups, not only in Alaska but in Canada as well.

The two new projects that we have that are fairly new, one is the radiotelemetry project. I think most folks are familiar with this or somewhat familiar with this. The other one, which isn't fully online yet, is an Ichthyophonus project. This project is funded through the Southeast Sustainable Salmon Initiative and we're just getting started.

The Ichthyophonus project is a new project and is just getting underway. It is a half a million dollar project to study the effects of Ichthyophonus and the implications it might have on chinook salmon. Ichthyophonus is not a new or rare infection and it's been documented more than 100 years

ago. As some of you know, it was noticed in the Yukon River in the mid-1980s. Ichthyophonus is not isolated to Alaska. It's found throughout the world in other climates as well.

As I mentioned before, the other new project we have is a radiotelemetry project. This project provides critical and real time information to both managers and researchers in the Yukon River chinook salmon. This project provides managers a wealth of information. It has become a critical tool in management of chinook salmon, especially in the upper Yukon area.

This project has allowed the Department to challenge border passage estimates that the Canadian Department of Fisheries and Oceans provides. It has also allowed us to discovery new spawning areas and tributaries in the upper river, such as the Chandelar and other rivers. There was a report this year on Coleen River that a gentleman up there had seen a lot of fish up there this year and he hadn't seen that in a number of years.

The next few slides I'm going to be describing the Yukon River salmon stock status and an overview of the escapement and harvest. Stocks of concern determinations are based on the Sustainable Salmon Fisheries policy. This policy has been adopted under State regulation. A chronic inability has been viewed as four to five consecutive years. As you will see, yields or harvests have been well below historical averages for chinook salmon and fall chum salmon, hence those are yield concerns.

Here is the definition of a management concern because the east fork Andreafsky escapement goal has not been met since 1995 and the Anvik River has not met in 2000, 2001 and 2003. We have recommended that the Yukon River summer chum salmon stock continue to be a management concern.

For subsistence, virtually all chinook salmon are used for human consumption. Additionally, Yukon River chinook salmon are commercially the most valued in the state and provides for a cash economy, which enables subsistence users to sustain their subsistence lifestyle.

Although the subsistence harvest continues to remain relatively stable, commercial

harvests have been reduced considerably in recent years to meet escapement and subsistence needs. This is why the chinook salmon is classified as a yield concern, because the harvest is decreased.

The Chena and the Salcha Rivers, which are tributaries of the Tanana River, are most likely the largest producers of Chinook salmon in the Yukon River drainage and are a good indicator of run strength. As you can see in this figure, the escapement goal has consistently been met.

As you heard earlier today, quality of escapement is also an issue and, at least for these two Tanana tributaries, that in more than half of the years shown that the low end of the current escapement goal has been met in females.

This figure shows the estimated chinook salmon escapements into Canada. As you see, with the exception of 1998 to 2000, escapement objectives have been met on a consistent basis, including the last three years. Even though the treaty is in place in years with low runs, Canada continues to allow aboriginal harvest below the escapement level.

For summer chum salmon, subsistence harvests have declined approximately 35 percent over the last few years and commercial harvests are down 97 percent to meet escapement and subsistence needs. In the past, summer chum salmon harvest for commercial roe sales will fill two functions. Once the roe was sold, the carcass was utilized for subsistence. Therefore, reductions in commercial fishing in recent years may have contributed to the decrease in subsistence harvest.

Similar to chinook salmon, this figure shows that the parent years were not overharvested or that roe fisheries has not contributed to the poor summer chum salmon runs. The current optimal escapement goal was set by the Board of Fisheries in 2001 and essentially I've extended those lines back in time just to show you the level of the summer chum salmon run into the Yukon. The 2000 and 2001 poor runs are from years with parent year escapements that were some of the largest observed.

The Anvik River has historically been the largest producer of summer chum salmon on the Yukon River. The summer chum salmon run strength into the Anvik River has been below average through the 2003

season with 2000 and 2001 runs as two of the worst runs on record. Again, because escapement goals have not been met in recent years, this is why the State is recommending that this stock remain a management concern.

Fall chum salmon run strength was well below average from 1998 through 2002, but similar to chinook salmon run a dramatic improvement in the drainage wide size in 2003. The drainage wide optimal escapement goal of 350,000 fall chum salmon has been met annually except for the poor runs of 1998 through 2000.

Combined commercial and subsistence harvest show a substantial decrease in yield, meaning people have not harvested -- whether it's for subsistence or commercial, have not harvested the average that they used to. Most of the difference in harvest is because of the poor run since 1998. Commercial harvest has been essentially non-existent since that year, hence subsistence harvests have been reduced in order to meet escapement needs.

As an example of fall chum salmon escapement into the Toklat River, the pattern is similar to the drainage-wide escapement, with the escapement goal consistently met with the exception of 1999 through 2001. This figure is an estimated coho salmon total harvest because the coho salmon run overlaps the fall chum salmon run and the two species are similar in size. Commercial fishing for coho salmon is limited during poor years with poor fall chum salmon runs.

One of the escapements we monitor is the Delta Clearwater coho salmon escapement. This figure shows that the escapement goal has consistently been met. Preliminary information indicates this year may be a record-setting escapement.

To summarize my presentation, the poor runs of 1998 through 2001 were not localized, caused by overharvesting or roe fisheries. These poor runs were runs from escapements that were near record level. Declines that we have seen have not been species or age-specific. Poor wild salmon runs have occurred throughout Alaska. Although more pronounced in Western Alaska, wild salmon stock declines have also occurred in other Pacific Rim countries. We think most of this is due to the ocean environment. Because of conservative management, escapements have benefitted; however, foregone subsistence and commercial opportunities have impacted

subsistence users and their ability to conduct subsistence activities.

MR. PROBASCO: Mr. Chairman. That concludes Tracy's presentation and it's your wishes, we could take questions now or keep moving on and take questions at the end of all presentations.

CHAIRMAN NICHOLIA: Thanks, Pete. Before anybody forgets, I'd like to ask the RACs if they have any questions. John.

MR. HANSON: Thank you, Mr. Chairman. Those graphs that you showed, are they up to 2003 or just 2001?

MR. LINGNAU: The escapement graphs that I showed you are up to 2003. The harvests have the commercial harvest but don't have the subsistence harvest. In some instances, we estimated that harvest.

MR. HANSON: Yeah, thanks. Well, if they're up to 2003 on your escapement, did all your escapement streams make their escapement goals or are there a few that didn't?

MR. LINGNAU: For chinook salmon, all our escapement goals were met. There were a few rivers that we were not able to monitor. Because of poor weather we couldn't fly. The chum salmon escapement goals, the Anvik River was not met and the east fork Andreafsky was not met.

MR. HANSON: Thanks.

CHAIRMAN NICHOLIA: James Charles.

MR. CHARLES: Thank you, Mr. Chairman. On your coho picture, the graph shows red. What does that red bar represent? And I have another one.

MR. LINGNAU: That year there were some roe sales and that graphing included those sales. What we did is keep that separate from whole fish sales. So, essentially, it's part of the commercial harvest, but a different form of the harvest.

MR. CHARLES: Thank you. And on your chinook picture, that graph that shows subsistence catches, it keeps rising. Is that because of more people

harvesting chinook? I see it's been low in the past and keeps rising and it's been pretty steady from there on.

MR. LINGNAU: Mr. Chair. I believe probably that increase that you see and then it levels out is most likely due to population increase, more users.

MR. CHARLES: Thank you.

CHAIRMAN NICHOLIA: Billy McCann.

MR. MCCANN: Thank you, Mr. Chairman. You said something about on your report that

(In Yup'ik).

INTERPRETER: He mentioned the disease of the fish. I would like to know more about what exactly is this disease or if this disease is going to affect us humans. I have a question about that. I also have other questions, too.

MR. LINGNAU: The disease ichthyophonus is in the fish and seems to increase with the environmental changes. It sounds like there will be further discussion on the disease. As far as hurting people, no. The effects that we see is that people notice it in their fish and they would need to harvest more good fish to make up for the few bad fish that they get.

MR. MCCANN: What is it exactly? What (in Yup'ik).

INTERPRETER: What is it exactly? Will it harm us? Will the disease in the fish harm our health?

MR. LINGNAU: Mr. Chair. If I may, Joe Sullivan with YRDFA spent 20 years studying diseases and, if I can, I'd like to defer that question to him.

CHAIRMAN NICHOLIA: Go ahead, Al.

MR. NICK: Mr. Chairman. I'd like to interpret what Billy McCann's question is. His question is very simple. He only wants to know if the disease is harmful to human beings for human consumption. That's all.

MR. SULLIVAN: No, it's not harmful to human beings. If you cook it, you can eat it and it won't hurt you.

CHAIRMAN NICHOLIA: Could you state your name, please?

MR. SULLIVAN: Sorry. I'm Joe Sullivan. I work for Yukon River Drainage Fisheries Association.

CHAIRMAN NICHOLIA: Okay, Billy.

MR. MCCANN: (In Yup'ik)

INTERPRETER: I also have another question. He said those roe fisheries -- he mentioned about roe and the meat is given to people that use it. Those people that are going after roe, are they selling the roe and are they selling the meat? If they catch too much fish just for the roe and they give the meat to the people -- my concern is whether the fish is being used or is it being thrown to the ground. That's the question I have in the roe, people that are going after the roe with the fishermen, that are just getting the roe and giving the meat to subsistence users. Is that how it works?

MR. LINGNAU: Mr. Chair. The question is concerning the carcass from females who harvest roe. The roe is taken and sold to a commercial buyer and then that carcass is taken home for subsistence use to either feed people or to dry for their dogs.

MR. MCCANN: I'm going to talk English. Do you make sure fish is not wasted on doing that? Because I know the people, the fishing people watch what they're catching and if they don't want too many fish because they might spoil it, but if that happens, then somebody might not want those fish if they've got enough fish. Oh, I'm trying to use my both languages sometimes. That's what I'm worried about. The fish might be wasted because the fish are going downhill, too. We've got to watch that really close, no matter who's getting money for it. We've got to watch those fish buyers also to make sure it's not wasted. There's one thing, the fish is going downhill too because down there is catching them and wasting them down there, too. That's what we've been hearing. That might be, too, but you guys have been checking it, too, I think. I hope. Do you understand my words then?

MR. LINGNAU: Yes, sir, I do.

MR. MCCANN: It's time to give me an answer then.

CHAIRMAN NICHOLIA: Della, would you like to speak to that?

MS. TRUMBLE: I will to some degree. To be honest with you, one of the things in listening to the discussion, it would have been appropriate and maybe something to think about in the future as we go into these discussions and do these presentations is to have a presentation from what statistics are available from our region and the information. Like I say, it's an educational process. I know that our area has been targeted numerous times because of this and yet I know I disagree just because I live in our region and I know what fish are caught and I know we did not have a great season this year and we haven't for the past four years. It's true that the past two years that the state of Alaska -- excuse me. I'm Della Trumble, the Chair from the Kodiak Aleutians and I live in King Cove, which is part of Area M.

It is true, in the past two years prior to this year that our region had been declared an economic disaster by the governor of the state of Alaska. There are parallels here, I believe, and there's also responsibility on both parts. I feel that to target or point fingers, I'm trying to be really respectful of all of you and appreciate trying to understand where I'm from and what we are doing too and maybe, as an ideal, like I say, in the future, that we do these presentations and include our area and include those statistics so we have a better education also. So you have a better education of me. I've gotten a really good education of your areas.

Thank you.

CHAIRMAN NICHOLIA: I've seen Benedict's hand, then Virgil's.

MR. JONES: My name is Benedict Jones from Koyukuk. Tracy, you mentioned ocean environment change. As we discussed last week, we were concerned about the pollens (ph) in the Bering Sea being overharvested and the juvenile fish mortality in the ocean currents.

MR. LINGNAU: Mr. Chairman, Mr. Jones. I did have another slide I found yesterday but I didn't use it today. I would like to pull it up. It's a picture of the Bering Sea with the coccolithoflorous bloom in 1998. I'm sure most people remember, at least I certainly do, the shape of the kings were skinny, we had reports of diseased fish and this is one of those things in the ocean that can cause a poor run and also poor quality fish. If I may, I can pull it up fairly quickly. (Pause) Essentially the green that you see is the coccolithoflorous and it's calcium carbonate. It's chalk. It's used to do math on chalk boards and this is what the fish are eating. There's no nutrient value at all. This was in 1998, not recently.

MR. JONES: Is that due to the environmental change in the ocean temperature or something like that?

MR. LINGNAU: Most likely.

CHAIRMAN NICHOLIA: Virgil.

MR. UMPHENOUR: I could maybe just point out something on the roe fishery to help people understand. The roe fishery is in District 4(A), which is the middle Yukon. It's from Anvik on up to Nulato or to Koyukuk, and that fishery has not had a commercial fishery for -- I believe the last year they had a commercial fishery was '97 and they only had one or two very short openings, so basically the last time they had a commercial fishery was in 1996, if you want to call it a real commercial fishery. From '98 on they have had no fishery of any kind where they would catch fish to get roe.

Thank you.

CHAIRMAN NICHOLIA: We'll go to Emmitt Peters, then Mary.

MR. PETERS: Mr. Chairman. Benedict just said what I was going to say, so I'll pass.

CHAIRMAN NICHOLIA: Mary.

MS. GREGORY: I have a question for the gentleman that said chalk. What causes it?

MR. LINGNAU: Unfortunately, I'm not an

oceanographer and I might not be able to answer that, but it's a diflagellate. It's a small critter. It's a small animal.

CHAIRMAN NICHOLIA: Raymond.

MR. ONEY: Thank you, Mr. Chairman. I have a question for Tracy or someone that might answer it. Have you done any studies on the spawning grounds also? We've heard about the permafrost melting over the years and I thought that might have some effect on the spawning grounds.

MR. LINGNAU: To the best of my knowledge, there hasn't been actually specific studies. I do know of one study near Fairbanks, but it's only two or three years in the process. It's not a long-term project. They're monitoring ground water temperatures, survival of eggs and egg fry.

CHAIRMAN NICHOLIA: I'll go to Mickey Stickman, then Della.

MR. STICKMAN: Thanks, Mr. Chair. The one thing that I would like to see because the information you give us has a reflection on our decisions, but one thing we don't see is the changes in your optimal escapement goals or biological escapement goals through the years and with explanations on why. Actually, we don't have all the information here because we don't have the information on those changes and the explanations on why.

MR. BERGSTROM: Mr. Chairman. This is Dan Bergstrom with ADF&G, regional management biologist. Currently, the Department, since probably late fall last year, has been working on reviewing escapement goals for the Yukon and the public has been involved with that. There's representatives from like AVCP and TCC, so they've been getting some information. Before the Board meeting, there will be a report reviewing it. As I recall, at the Board meeting last time for the Alaska Board, there was a big presentation on escapement goals and at this time there is very little change from what was presented then. I think the one item is the Anvik River might go down a little bit and that's just based on adding the recent years.

CHAIRMAN NICHOLIA: Della.

MS. TRUMBLE: Thank you, Mr. Chair. I've got two things. Number one, if your presentation is available in print somewhere. The other piece of it is I have the opportunity to get the reports, the notice for openings for subsistence and commercial and it was encouraging to see that the levels were there to, number one, get the subsistence and then the commercial. But I'm looking at your graphs. How much of an impact when you look at the commercial portion is based on -- if you notice when you have a commercial opening that you have to have a buyer. How much impact can there be because there are maybe limited buyers and limited commercial sales because of price is possible based on the figures you gave?

MR. LINGNAU: Mr. Chair. Absolutely having a buyer or a number of buyers and their capacity can affect a commercial fishery quite a bit. We've lost buyers both in the lower end and the upper area. We're not for sure what's going to happen next year either, but certainly from when I started to now the number of buyers and even catcher/sellers has decreased a lot and it does affect how many we take, how many hours we open up in a good year. In marginal years, we're more worried about escapement and subsistence and not commercial.

CHAIRMAN NICHOLIA: Thank you. I'd like to move on a little bit. We seem to be getting past our time here. So, Pete, can you?

MR. PROBASCO: Thank you, Mr. Chair. Next presentation will be given by Fred Bue and he'll give us a management overview for the Yukon Drainage. Fred.

MR. BUE: Thank you, Mr. Chairman. My name is Fred Bue. I'm the State of Alaska Yukon area fall season manager for Commercial Fisheries Division. I work out of the Fairbanks office. You've just heard Tracy's report on Yukon River salmon stock status and trends. What I'll be talking about now is management of the salmon resource.

We all know Yukon River salmon have been relied on for as long as people have lived on the river. We also know that exploitation rate has increased with the increase in population and development. In order to sustain Yukon River salmon fisheries we must ensure we provide for escapements. People depend on salmon resources. Sustaining the stocks will provide for future

needs. However, we do know there will be times when natural production will not always provide an adequate surplus as we have seen in recent years.

Some of the goals of Commercial Fisheries Division are to manage Alaska's fisheries resources based on a sound science, good management principals and a fair and open public process. We provide for a subsistence harvest of fisheries as a priority use consistent with the sustained yield principal and we provide for healthy, sustainable and economically viable commercial fisheries.

Here are some of the elements of State management. It's a public process. All members of the public have an opportunity to comment and make recommendations that affect State management. This can either be involvement as an individual or as a participant in State or Federal advisory groups or with other interest groups.

The Board of Fish was established for purposes of conservation and development of fisheries resources of the state. As fisheries managers, we carry out directives of the Board of Fisheries and the commissioner.

Tracy mentioned in his overview the Department is mandated by the State to follow these priorities. First, escapement is the highest priority because if we don't get fish to the spawning grounds, they can't reproduce and provide fish in the future. Subsistence is the highest priority use. So when we develop management plans and strategies and implement in-season management actions, we give subsistence users highest consideration over other uses.

We also recognize other uses are important to many people. Commercial fishing, for example, is an important means for some people to earn a living. We know that is tied closely to subsistence, to the point where many people have found it difficult to pursue their subsistence activities without the money derived from commercial fishing. So it is important that a sufficient resource is identified beyond escapement and subsistence needs, that we make it available for other uses.

Tracy showed us the trend of weak salmon production in the Yukon River. You are also well aware that the Yukon River salmon markets are declining.

Actually, we've seen the roe markets start to decline before this recent downturn in salmon production. It is believed that the poor runs have hurt markets further by not providing a constant supply of salmon, which is causing markets to look for fish elsewhere.

The recent poor salmon returns to western Alaska certainly caught the attention of the Board of Fisheries. In the winter of 2000-2001, the Board identified stocks of concern, they formulated management action plans to protect and rebuild stocks and they established regulations to guide management towards an agreed-upon objective.

One of the largest changes has occurred in recent years because of the adopted subsistence fishing schedule. This schedule was developed to spread harvest throughout the run to reduce the impact on any particular component of the run and spread subsistence harvest opportunity among users. It was determined that the schedule should provide reasonable opportunity for subsistence users to meet their needs during years of normal to below average runs.

The greatest impact of this schedule was in Districts 1, 2 and 3 where their subsistence fishing time was reduced to two 36-hour periods each week. The remainder of the river essentially did not change, but it should be noted that different areas have different fishing times based on fishing efficiency, which the Board spent a lot of time considering, since this schedule allocated fishing opportunity to different parts of the river.

The way management works is that Yukon River salmon fisheries are managed primarily in-season based on actual return of the stocks and all State actions are based on guidelines established by the Board of Fisheries in regulation and management plans.

The pre-season outlook is public notice of expectations so people can plan for the coming season. Management strategies are developed prior to the season using various sources of information such as previous management practices and recent salmon run trends. It is important to fishers, both subsistence and commercial, to understand that the in-season decisions are based on regulatory management plans developed by the Board of Fisheries.

Beginning with 2001, we've been much more conservative by starting the season on the subsistence window schedule until we have a good sense of the run strength. Our strategy has been to wait until around the first quarter point in the run before further restricting subsistence. Also, our conservative approach has been to wait until near the midpoint to decide on allowing a commercial fishery. The intent is to lower the amount of risk and spread opportunity when faced with poor run outlooks early in the season.

Tracy talked a little bit about in-season assessment. Our in-season management is determined by information from projects that give us an indication of run strength. So essentially the management plans tell us what we should be doing for various run size situations by stipulating the escapement objectives, harvest rates and how the available surplus of fish is to be distributed.

For example, the schematic table of the wording found in the regulatory text for fall chum salmon management plan. The way we use it is to first find the estimated run size in the left-hand side of the table, then moving to the right, the table identifies what type of uses are allowed for that particular run size. The right-hand side shows you the target escapement goal that managers try to attain or stay above after the harvest is taken. Note that the escapement goal is lower when the total run size is lower. The intent here is that subsistence is considered important enough to fish down into what is needed for escapement to provide some fish for subsistence even on a weak run.

Things that make management difficult are that no information is perfect. The Yukon is a large and complex river system. There are many diverse and widely distributed users who rely on the common salmon resource. There are international agreements with Canada to deliver set amounts of salmon to the border, yet we have little control over the Canadian harvest. When salmon production is low, we need to maintain escapement so that there will be salmon available when production improves. There's real difficulty in balancing all the uses and needs over a huge drainage, particularly during low runs.

The basis for initial management strategies have changed. Salmon production has been below expectations based on parent year escapements. Commercial markets for Yukon salmon have become weak and

lifestyles are changing. Managers have used the YRDFA conference call participants to provide user input and comments on management actions in season. The members are considered as representing a cross-section of the drainage-wide user groups who are knowledgeable and active in the fisheries.

Some of the decisions they weighed in on this season were when and to what extent subsistence restrictions should be implemented to conserve fall chum salmon. They recommended fishing dates and times during restrictive fishing that would lessen the burden on users, like fishing during daylight hours or on weekends. They also support extending the commercial fishing season and subsistence fishing schedules beyond times set in regulation when it became obvious that the fall chum and coho salmon runs were above the high-end of the management plans. This was an attempt to make up for lost opportunity.

As managers, we routinely use emergency orders to control the amount of time fished, areas that can be fished or limit the gear to target specific species of salmon as a means to attain management objectives.

CHAIRMAN NICHOLIA: Excuse me. You're taking up a lot of time and I thought this presentation was going to be a post-season Yukon fisheries subsistence deal.

MR. BUE: I apologize, Mr. Chairman. We must have gotten some misdirection. Now I'm going to talk about the recent three years management. The next few slides will be an overview of the recent years management. Recent chinook salmon runs have been increasing since the low in 2000. Most escapement needs have been attained. Reasonable subsistence opportunity had been provided with the full Board of Fish schedule and commercial harvests have been low with some harvestable surplus foregone to conservative management.

Examples of management actions taken in recent years for chinook salmon range from restricting subsistence and no commercial fishing in 2001 to relaxing the subsistence fishing schedule on commercial fishing beyond the pre-season outlook in 2003. Also in 2003 when the summer chum salmon run was in question, commercial fishing was conducted by restricting gillnets to large mesh gear to avoid the smaller chum salmon.

Summer chum salmon runs have improved slightly over the low in 2000, but the production remains below historical levels. Escapement goals and subsistence harvest have been marginal and commercial harvests have been well below average due to the very low abundance.

Examples of management actions taken in recent years for summer chum range from restricting subsistence fishing times and gillnet mesh size with no commercial fishing in 2001 to the regular subsistence fishing schedule in 2002. Also in 2002, because of the summer chum salmon run strength into the Tanana River, directed commercial summer chum salmon fishing was allowed. Again, when the summer chum salmon run was in question in 2003, commercial fishing was conducted by restricting gillnets to large mesh gear to target kinds and avoid the chum.

The 2003 fall chum salmon run doubled the previous five year average run size. Escapement goals have been exceeded in most areas in 2003. Since 1997 only a limited commercial fishery has occurred and that was in 1999 and again in 2003. This year we could have supported a larger harvest. Until this year, subsistence harvests have been held well below average since 1997 in an effort to provide for escapements. In 2001, the subsistence season began closed in the lower river, then it was relaxed near the midpoint, while the upper Yukon River had little or no restrictions. In 2002, the subsistence season began in the lower river until the midpoint; however, the upper river was essentially closed before salmon arrived in that area.

In 2003, the subsistence season began on a reduced schedule in the lower river and then was relaxed after the midpoint. The upper river was restricted for less time than the lower river because project information indicated that we had more confidence in our assessment and the run was sufficient, significantly larger than previous years. Commercial fishing was allowed late in the season and subsistence fishing opportunity was increased beyond the schedule.

For coho salmon, the run has been increasing in recent years with a 2003 run nearly doubling the previous record run size. Escapement goals have been exceeded consistently and subsistence and commercial harvest have been well below average due to management actions taken to conserve the weak fall chum

salmon stocks.

In summary, we have become optimistic. The Yukon salmon runs will continue to experience increased production. When the runs are poor, it is necessary to reduce potential risk, erring on the side of conservation and acknowledging that not everybody will get all they want. There is a very involved public process intended to structure management based on the balance of user concerns and biological needs. All stakeholders have a responsibility to maintain the resource. That concludes my report, Mr. Chairman.

CHAIRMAN NICHOLIA: Before I let you guys ask questions, it seems like all the stuff we've been hearing on these reports about 2001, 2000, it's redundant. Let's stick to the post season. That's what it says here. If anybody asks questions, now is the time.

(No questions)

CHAIRMAN NICHOLIA: Okay. What would we like to do here? It's 10 after 12:00. Would you like to take lunch or keep on? Pete, how much more presentations do you have there?

MR. PROBASCO: I looked at the two presenters and they're recommending to take lunch, Mr. Chair.

CHAIRMAN NICHOLIA: For better Y-K understanding, we're going to take a lunch here and then we'll reconvene at 2:00. Vince, you had something to say?

MR. MATHEWS: Yes. Those Council members that need to go to the bank to cash their check, follow me.

CHAIRMAN NICHOLIA: We'll recess until 2:00.

(Off record)

(On record)

CHAIRMAN NICHOLIA: Everybody please find their chairs.

MR. PROBASCO: Thank you, Mr. Chair. In an effort to speed things along, both Russ and Dan spent lunch time taking the reports and breaking them down, so we're going to give you a quick summary. Russ is going to go through State and Federal management coordination for the Yukon and then Dan will follow up with a report on subsistence. Mr. Chair, I'll turn it over to Russ Holder.

MR. HOLDER: Mr. Chairman and Council members. My name is Russ Holder. I'm with Fish and Wildlife Service in Fairbanks. I have two new assistants that are working for me. Gerald Maschmann back in the back and Jonathan Gerken also there in the middle. I'm going to go through this presentation, try to hit the high points to kind of speed up the time period that you have here.

Why is there Federal fisheries management in Alaska? Because the State law and ANILCA are inconsistent. The State of Alaska constitution provides a subsistence preference for all Alaskan residents, rural and urban, on all lands in Alaska, plus providing for recreational, personal use and commercial. Federal law in ANILCA requires a rural resident subsistence preference.

The rural resident preference provided by the Federal management program is associated with conservation system units. There are eight national wildlife refuges, two national parks and preserves, one national conservation area, one natural preserve, one national recreational area and four wild and scenic rivers outside of conservation system units.

People ask when will Federal management go away. Basically there are three provisions. It's a legal problem. In order to solve this, the State needs to amend the State constitution to provide a rural subsistence preference. Number two, Congress to change ANILCA consistent with the State constitution or, number three, for court decisions interpreting the State constitution being overturned, which would permit the State to authorize a rural subsistence priority.

There are many guiding documents which provide the guidance for the Federal Management Program. Most of them you are familiar with. I'm going to shift down to the lower one, the Yukon River drainage subsistence salmon fishery management protocol which was

signed in 2002.

The protocol objectives for the State and Federal management programs are to manage the fisheries for healthy fish populations, sustained yield and established escapement goals while providing a priority for subsistence uses in all waters, to provide for commercial, recreational and personal use harvests when the harvestable surplus is sufficient, and to facilitate cooperation between State and Federal management staffs.

The protocol provides provisions for pre-season, in-season and post-season evaluation. In pre-season planning, the State managers generate an outlook, State and Federal managers strive to reach consensus on pre-season management strategies consistent with the outlook, and these strategies are presented to spring meetings, including U.S./Canada Joint Technical Committee and Panel, spring RAC meetings and spring fishermen's meetings, including those facilitated by non-government organizations. These management strategies are printed and distributed as an information sheet.

I've included here a copy of the 2002 information sheet, which gives you an idea of what this information sheet actually looks like, including the run outlook, the harvest outlook and management strategies.

Moving into the in-season management, there's daily coordination between State and Federal managers sharing assessment information, the different project information, as Tracy and Fred Bue already covered many of these different types of assessment projects, and in the Federal program there's also additional participation by subsistence fishermen being -- information provided by refuge information technicians and coordinating fishery committee members, many of you sitting here at this Council meeting.

We are also increasing the importance and use of the weekly YRDFA teleconferences. There were 16 teleconferences this past season in which information was both shared by both the managers and the fishermen. The in-season subsistence decisions are announced on joint ADF&G and Fish and Wildlife Service news releases.

I wanted to identify that the Federal participation is only on applicable waters. The map that I showed earlier with the conservation system units, that's where the Federal regulations apply. In order to

decrease the duplication between the State and Federal regulations, the Federal side now uses a streamlining approach and/or a non-objection when commercial activities are being announced. Special actions may be requested by the public or organization. The Federal Subsistence Board focuses primarily on policy. The Federal manager has been myself, authorized the authority for time and area, method and means and harvest limits.

Post-season meetings like this one, there are quite a few and I've listed some of those there on the screen. In summary, the Federal management jurisdiction only applies to Federal waters. Guiding documents include the regulatory management plans and escapement goals. There's an international agreement with Canada that also guides some of our decisions and the protocol outlines State and Federal responsibilities pre-season, in-season and post-season. We have three different RACs and we have one river.

Thank you very much.

CHAIRMAN NICHOLIA: Before you move on, do we have any questions for Russ? Seeing none, I guess, Dan, it's up to you.

Thank you, Russ.

MR. BERGSTROM: Mr. Chairman, you'll be glad to know I decreased my report and now it's down to 300 slides. My name is Dan Bergstrom. I will be presenting subsistence harvest trends. I need to recognize Bonnie Borba, the fall season research biologist, for putting this presentation together.

The Yukon River subsistence fishery is the largest in the state. To ensure subsistence uses are met, accurate estimates of harvest are required. Subsistence and personal use salmon permits are required in areas highlighted in this slide. Subsistence permit areas are highlighted in yellow and the current personal use permitted area is highlighted in green and that's around Fairbanks. It's the Fairbanks non-subsistence area. The permitted areas are those with road access. In all other areas household surveys are conducted.

Here are some trends to show what the harvests have been like before the recent poor runs. This graph shows the 1992 to 1996 five-year average subsistence harvest by species, as well as the breakdown

between lower and upper Yukon communities. The lower portion of those bars is the lower Yukon average harvest and the upper portion is the upper Yukon harvest. Those five-year average harvests are shown at the top of the bars, about 51,000 for chinook, 112,000 for summer chum, 113,000 for fall chum, 34,000 coho.

As you can see for chinook, the harvests are usually about 50/50 between upper and lower areas. The summer chum salmon subsistence harvests are typically larger in the lower Yukon area; however, the upper Yukon area harvests more fall chum and coho.

In January 2001, the Board of Fisheries adopted amounts necessary for subsistence levels by individual salmon species rather than the previous all species combined. These levels give management agencies an idea of the normal range of expected harvest for a given species barring drastic changes in lifestyle and salmon production.

This slide shows the chinook salmon subsistence harvest. If you look at the bars, you can see that since the early '80s the chinook salmon subsistence harvest has been fairly stable with a slight increase through time and averaging about 50,000. The chinook salmon harvest decreased noticeably in 2000 and that was due to an extremely poor return in which restrictive management actions were taken.

In 2001, the next year after that, we see quite an increase and in that year there were management actions to conserve summer chum salmon that included restricting gillnets to eight inch or larger mesh size. This may have resulted in an increase in chinook harvest.

During the 2002 season, fishermen reported being able to meet their needs in season and the run appeared better than the previous year; however, lower than average numbers were reported for all districts in 2002. This may have been due to underreporting of jacks or diseased chinook salmon which couldn't be used, but otherwise that's just a guess. We're uncertain why that occurred last year. Additionally, subsistence harvest patterns may be changing during these years of low salmon abundance. Most salmon species have gone through a period of poor production.

The next one shows the summer chum salmon subsistence harvest. During the early '80s through 1997 some of the subsistence harvest was driven by the commercial roe fisheries which provided carcasses for use for dogs. The salmon roe market began declining in 1997 and a series of poor runs occurred from 1998 through 2001 and you can see where the harvest goes down.

The fishermen in the middle Yukon area have not had a commercial fishery since 1997 and they have reported that it's not worth their time or gas money to deploy fishwheels for harvesting chum salmon for subsistence in the absence of a commercial fishery. This has likely resulted in lower subsistence harvest since 1997. Also, the subsistence fishery was restricted in 2000 and 2001 to conserve summer chums because of low abundance.

Now for fall chum salmon. The subsistence harvests have been greatly affected by extremely weak runs in recent years. The subsistence fishery has been restricted or closed along with complete closures to the commercial fishery in 1993, 1998, 2000 through 2002, and that was all done in efforts to provide for escapement.

Coho, if you remember back to that previous slide, it shows a lot of the same trends because of overlapping run time. The management of fall chum salmon impacts the harvest of coho, too. The subsistence harvest is directly related to the management actions to protect fall chum salmon. However, we have tried in most years to allow some harvest of coho salmon late in the season and in various areas and using different gear types to try to select coho and not fall chum.

This slide shows the impact of poor fall chum salmon runs on subsistence harvest. The first bar on each one, the light green, shows the '94 to '97 average and then the dark color is the '98 to 2001 average, the more recent years. The '94 through '97 information shows years with minimal subsistence disruption and the '98 to 2001 includes the poor years when there was severe reduction in fishing time.

In this example, the lower Yukon areas average fall chum salmon harvest was reduced by 12 percent while the upper Yukon harvest was reduced by 61 percent between those two time periods; however, as you can see, it shows the number of salmon on the left side

of the axis there and the lower Yukon harvest only averages 9,000 to 12,000 fall chum annually. It's a relatively small amount that is likely to be obtained under even very severe restrictions. Similarly, you look at the upper Yukon for the period '98 to 2001. That's an average harvest there of 43,000. You can also see there's a lot larger impact in the upper Yukon.

Here's a summary of the subsistence salmon harvest showing by year all species. The declines in the salmon harvest in the Yukon area can be most directly attributed to the management actions and subsequent reductions in the fall chum salmon harvest. Chinook salmon uses are being met most consistently except for 2000 and that's the lower bar. Summer chum salmon uses are being met most years except for fishery restrictions in 2000 and 2001. Subsistence harvests have decreased in upper river areas also because of the commercial summer chum salmon closures and that's the yellow one, second stack bar up. Fall chum salmon harvests have been in decline due to management actions taken to protect escapement needs. That's basically 1998 through 2002. As I said earlier, coho salmon harvests have been impacted by the fall chum fishery.

Low salmon runs in subsequent fishery restrictions obviously impact subsistence harvest; however, there are other factors that may affect subsistence harvest that are difficult to quantify. As noted for summer chum, low salmon runs precluding commercial fishing may impact subsistence harvest in the middle Yukon area. In some areas, lack of commercial fishing may increase the need for fish because of the lack of cash. Changes in lifestyle, whether due to poor runs or other factors, also impacts subsistence harvest, such as numbers of sled dogs, and if there's changes in the source of salmon to feed dogs. Mother Nature also plays a role such as high water events during the peak of the salmon passage may impact the harvest.

There's no doubt that all the fishers along the Yukon River have experienced a major upheaval during recent years. Efforts to manage the fishery such that returns will be increased, particularly in years when run sizes are poor, will help to provide fish for the future. That covers my presentation on the subsistence harvest.

I had one other item to mention that we talked about at the CFC meeting. I just wanted to go

over the 2002 Canadian border chinook escapement. Based on in-season run assessment in 2002, there was a limited commercial harvest of chinook salmon and I think a lot of people in the room had heard that the initial escapement estimate for the Canadian portion of the drainage was below the goal recommended by the panel. However, subsequently, this late spring and early summer, through use of the radio tagging project operated near Russian Mission, the number has been re-evaluated and we estimate now we were at least at the goal that year, that we did meet the escapement. After this development, the Department does have concerns for the DFO mark/recapture/tagging project and, to address this in the future, we're proposing through various funding sources a sonar project in Alaska downriver from the border.

Lastly, I went over a draft preliminary outlook for next season and the Staff really hasn't developed their 2004 outlooks yet, but this past summer we did see some improvement, particularly in chinook and fall chum salmon runs and we saw improved runs both the Yukon and the Kuskokwim. We have received information from offshore studies that they are catching chums, kings and sockeye in greater numbers than last year, so there are reasons to be optimistic about this next year. As we always say, we'll still manage based on in-season assessment, what we see when it comes back. I'm happy to answer any questions.

CHAIRMAN NICHOLIA: Any questions? Jack.

MR. REAKOFF: Do you have a funding source for the sonar project at the Alaskan side of the Canadian border or what's the status on that funding source?

MR. BERGSTROM: Mr. Chairman. I think there's several different areas of funding now, but I think the plan right now, as we're trying to contact DFO in Canada and we're trying a plan to try it as either an RNE or a treaty implementation project.

CHAIRMAN NICHOLIA: Virgil, you had a question?

MR. UMPHENOUR: Thank you, Mr. Chair. Mr. Bergstrom, you said that based on the radio telemetry it appeared that maybe the DFO fishwheel project wasn't counting fish as well, but I also know that the

fishwheels on the mainstem, particularly in the rapids area, weren't catching king salmon as well either. Because of the low water, is it possible that the DFO fishwheels weren't as effective at catching king salmon as well or was that considered?

MR. BERGSTROM: Mr. Chairman. I think one of the problems we think that the tagging estimate has in Canada is partly their recovery. In Alaska, with Fish and Wildlife Service and Department tagging projects, we have real intensive recovery efforts and, just because of various reasons, up there it isn't done as intensively and I think that's part of the problem. Then as far as like you said with low water, we noticed that the last two years in the rapids and also at the Canadian wheel projects there has been low water and the catch rates have been lower with low water. When we've looked at other years now with high water, we noticed that catch rates were up, so there's a real factor of water level impacting catches there as well as abundance.

MR. UMPHENOUR: Thank you.

MR. MOSES: (In Yup'ik)

INTERPRETER: Mr. Chairman, I'm going to ask a question. I heard subsistence users will use permits to fish. What will happen to a person when he fishes without a permit if they know that he's fishing without a permit if he's trying to acquire fish for food? When you become aware of that person doing that, what will you do to him?

MR. BERGSTROM: Mr. Chairman. Obviously, if a person doesn't have a permit, they could be cited. These permit areas on the Yukon have been there for a long time, so people in that area know about it. That's the important thing, to get out the information so people know if they fish in an area, they need a permit, then we work hard at being able to get them a permit. Either we go visit villages or we do it through the mail and we've even started doing a few via e-mail now. In these areas, it's not much of a problem. They know about it.

CHAIRMAN NICHOLIA: Dan, I believe he asked what happens when a person gets caught without a permit.

MR. BERGSTROM: Mr. Chairman. Russ let me know, which is what I would do, and I can't speak for

enforcement, but we would normally make sure that we have a permit with and we'd be able to do a permit right there and then you make sure they know in the future to have them.

MR. MOSES: (In Yup'ik)

INTERPRETER: I'm Yup'ik and these people here are Yup'iks also. When I think, especially now during meetings, when I think of these people here, I think of them as children and you are the authority and it's getting worse and worse. It's only through your authority we live. It's like being children and we tell our children what to do. Also, these elderly people over here, it seems like you're treating them like children. When I first joined the Council, the books weren't this thick. The regulations that you finished. When I first started, I only had a few papers. As I look at these, they follow your instructions. When you instruct a child, the child will follow your instructions. I'm elderly, I'm not that old, but I remember people back in those days. They respected that fish because it was their means of survival. There was no store-bought food. I feel sorry for the people in the Yukon River and the Kuskokwim River because everybody is always discussing and talking about those rivers and the problems in those rivers. I guess there's no conflict in my village. Fish and Game don't come to my village. It seems like it's peaceful in my village. I'm just mentioning that.

Thank you.

MR. BERGSTROM: I think everybody knows the rules and paper on all these rivers has increased. There's a lot more people. But just getting back to the permits, we don't look at it so much as like permission to go fishing. It's a method to gain the harvest information since in these road areas people can come from all over Alaska to go subsistence fishing, so the only way to find out who is there is to have the permits. Thanks.

CHAIRMAN NICHOLIA: Della.

MS. TRUMBLE: Thank you, Mr. Chair. The questions I have in reviewing your study you presented, the years that it went up to are 2002. I'm assuming that's because you're still gathering the information for 2003 to incorporate into what you've presented. When would that information be available?

MR. BERGSTROM: Mr. Chairman. It will be at least the end of February. It will be after the Board meeting. We've rarely been able to get it done quicker than that. You always want the information quicker, but that's about when it will be ready.

CHAIRMAN NICHOLIA: Philip.

MR. TITUS: I've got a question for Dan, I guess. On these permits, are you putting out more permits or just a set number? Is there more people going to be fishing next year?

MR. BERGSTROM: Mr. Chairman. It would be good to get the numbers back from this year. It's been fairly stable through the years on each of these permit areas. It probably went down a little bit during these recent bad years because people started to hear about it and didn't get permits, didn't go fishing, but I did understand this year from the Fairbanks staff that the number did go up some. I think mostly around the haul road, but that actually increased a little this year.

CHAIRMAN NICHOLIA: Any more questions?

(No questions)

CHAIRMAN NICHOLIA: I see no more questions. Thank you, guys.

MR. PROBASCO: Thank you, Mr. Chairman. That will move us into the proposal section of your agenda, Mr. Chairman. I also think we omitted to make people aware that we do have those CFC summaries, before each Council member as well, so you could reference that as well during your discussion and deliberations.

Mr. Chair.

CHAIRMAN NICHOLIA: To get things rolling here on these proposals, we've got a little paper right here. I want to start on the easy proposal so we could get kind of streamlined here. That's Proposal No. 6 and 7, reduce the three-inch gillnet restriction in Birch Creek.

MS. GREGORY: Mr. Chairman. Can you give me the page number?

MR. MATHEWS: Mr. Chairman, Mary. When the presenter gets up there, he will direct you to the right page and tab number.

MR. BERG: Thank you, Mr. Chairman. For the record, my name is Jerry Berg. I work in the Office of Subsistence Management. Just to let those of you know who don't already know, we've had a little bit of a shift in personnel in our office and some reassignments and that's why you're seeing me here presenting Yukon proposals and Y-K and Western Interior Councils saw Rich Uberuaga presenting Kuskokwim issues yesterday because Rich has been reassigned to the Kuskokwim for fishery issues on management. I will be the Yukon fisheries biologist assigned to your Councils now for the Yukon. Tom Kron, who was previously on the Yukon, has moved into a different position in our office. So just to let you know that's why you're seeing some different faces presenting information on these issues before you.

Proposals 6 and 7 deals with Birch Creek in the upper Yukon. I did want to mention before we get into this proposal that this proposal really is an Eastern Interior proposal. It only affects people in the upper river, so it really doesn't need to be presented to all three Councils. It was kind of an oversight when we put this agenda together. So I can go ahead and present it and you can deal with it as all three Councils if you're like, but it's really an Eastern Interior proposal.

Would you like me to continue with 6 and 7? The other option would be to defer 6 and 7 into the Eastern Interior individual meeting on Thursday.

CHAIRMAN NICHOLIA: What is the wish of my Council?

MR. WILLIAMS: Mr. Chairman. For the record, I'd like to move that Proposals 6 and 7 be deferred to Eastern Interior.

CHAIRMAN NICHOLIA: There's a motion. Is there a second?

MR. UMPHENOUR: Second.

CHAIRMAN NICHOLIA: It's been moved and seconded to defer 6 and 7 to the Eastern Interior. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN NICHOLIA: All those opposed same sign.

(No opposing votes)

CHAIRMAN NICHOLIA: Motion carries. The next proposal I was going to go for is Proposal No. 12, to remove red color restriction for kegs and buoys on Yukon and Kuskokwim Rivers.

MR. BERG: Thank you, Mr. Chairman. Proposal 12 was submitted by AVCP and requests that red buoys be allowed to identify subsistence nets in Federal public waters of the AVCP region. Currently, there's a statewide Federal subsistence regulation that allows the use of any color buoy except red. I know that's not a widely known regulation. Oh, I didn't give you the page number. This analysis starts on page 109 for the executive summary and the analysis starts on page 111 under Tab B, Proposal No. 12.

This is a Federal statewide requirement to use any color buoy except red and it was initial meant to separate subsistence and commercial fishing gear. Red, as many of you know, is the primary color used to identify commercial fishing gear. The requirement was likely to allow subsistence fishing to continue with less disruption to subsistence during the commercial fishing periods. However, there's been many regulation changes over the years and in most areas subsistence fishing is now closed by regulation for various times surrounding commercial fishing periods. Most fishermen and law enforcement officers have largely ignored this buoy color requirement on subsistence gear for many years on the Kuskokwim and the Yukon, so it's really kind of an outdated regulations.

This regulation was first put into Federal subsistence regulations in 1993, so it's been in our statewide regulations ever since and it's kind of been overlooked. AVCP did catch that this year and that's why you're seeing this proposal before you today. The State regulations do not have any kind of restrictions for buoy colors for the Yukon, but the State regulations do have a similar restriction on the Kuskokwim. The State regulation for the Kuskokwim was established in 1979.

As all of you know, it's very common to see red buoys used with subsistence drift and set gillnets in both the Yukon and the Kuskokwim Rivers today. It's basically an outdated regulation and it's not been enforced in recent years. If this proposed change is adopted, it's recommended that it be modified to include all Federal public waters on the Yukon and the Kuskokwim, not just the AVCP region. This would align with State subsistence regulations in the Yukon. For the Kuskokwim, there's a similar proposal that will be presented before the Board of Fisheries in January.

If subsistence fishermen were now required to comply with the current regulation, then they would have to either buy new buoys of a different color. Red buoys are highly visible. They help identify nets that can be potential hazards on the river. it would allow subsistence fishermen to continue using red buoys and would correct an outdated regulation.

So the preliminary conclusion for this proposal is to support the proposal with the modification to allow any colored buoy on subsistence gear in all Federal public waters of the Yukon-Northern and Kuskokwim areas.

Thank you, Mr. Chairman. I'd be happy to try to answer any questions at this time.

CHAIRMAN NICHOLIA: Let's save the questions until Council deliberations and motions.

MS. GREGORY: Mr. Chairman. I move that we adopt Proposal.....

CHAIRMAN NICHOLIA: Hold on, Mary. There's a paper right here that we're going to go by, this paper. We'll save our motions for the last deal.

MR. L. WILDE: Mr. Chairman. There's a number of us here that don't know what paper you're talking about and we don't have it in front of us.

CHAIRMAN NICHOLIA: Vince, it seems like we don't have enough copies to go around for people to understand what we're trying to do here.

MR. MATHEWS: Mr. Chairman. I apologize for that. We will get you copies of it. It's already in your agenda. The copy he's talking about, we just put

together a little checklist for the chairs so we have a good record and some of us just need to follow these things in order. I'll get copies for it, but basically it starts off with the introduction, a proposal by the Chair, followed by analysis by Staff, then we go with Agency comments, then public comments, then written comments, a summary thereof, and then the Council can make a motion, deliberate, make a recommendation, et cetera. You can change that. It's just to help with three Councils so there's kind of uniformity.

CHAIRMAN NICHOLIA: Another thing. On page 20, it's just about the same format under part B there, proposal procedure, and that's what we'll go on. Everyone clear on that?

MR. BERGSTROM: The Department supports this proposal.

CHAIRMAN NICHOLIA: The Federal.

MR. BERG: I don't think there's any other Federal comments at this time, Mr. Chairman.

CHAIRMAN SAM: Since we're dealing with proposals, wouldn't Staff recommendation constitute the Federal stand on any proposal just for parliamentary procedure?

MR. MATHEWS: No. Basically, the Office of Subsistence Management is an interagency office. It attempts at all times to try to have a uniform position between all the Federal agencies, but they can, because of their mandates, because of their data, et cetera, could have a different viewpoint. So this is an opportunity for them to come up and share that new data or different viewpoint. So, no, the recommendation in the book doesn't always reflect all five agencies that are on the Board.

CHAIRMAN NICHOLIA: In that case, is there any agency comments, AVCP, TCC?

(No comments)

CHAIRMAN NICHOLIA: Hearing none. Is there any public comments from the audience?

(No comments)

CHAIRMAN NICHOLIA: Summary of written public comments.

MR. MATHEWS: Yes, Mr. Chairman, we did have some written comments and I apologize to the Council for bouncing around here. You moved in a different direction than I was prepared for. We did receive a letter on September 29th from Morris Coffey and he's from Stebbins Native Village Corporation and he did comment on this proposal. I assume we're on Proposal 12.

Stebbins fishermen support this proposal since subsistence users already use red buoys and this would align with the State regulations. I also apologize to the Kuskokwim Salmon Working Group. I don't have my notes with me on their actions on this, so if there's one present or Mr. James Charles remembers their position on this, I believe it was to support, but I don't have my notes here. Jerry might know if they support it. My assumption is they do and I can verify that if I can get to a computer to pull up the records.

CHAIRMAN NICHOLIA: So you're saying there's two written comments in support of this proposal?

MR. MATHEWS: Yes, but one I can't verify. Oh, here it is. Thank you, Don. This is what I was looking for. Kuskokwim Salmon Management Working Group positions. We have a list of them. On Proposal 12, they unanimously support that. Mr. Chairman, I apologize for bouncing around like that, but it's very important when we work with these different groups that we accurately reflect what they did because they worked very hard on this, so that's why I took the extra time.

Thank you.

CHAIRMAN NICHOLIA: Since that's all the written comments, we'll go into Council motion, deliberations, recommendations. I believe Billy McCann wanted to say something.

MR. MCCANN: I agree with that red buoy because it's really safe for all the people. You can see it for a long ways and you wouldn't even run into the net. I think that's a safe way to be. I agree with that. I follow that. We should push for that because it's not hurting anybody. We've been using it all the time, even when we subsistence fish, just because it's safe for the people. The boats go by, they can see that. Sometimes

if you're caught in the nets, if you've got a small boat, you might fall off a boat, too. I think that's safe. I go for that.

Thank you.

CHAIRMAN NICHOLIA: Ron.

CHAIRMAN SAM: Thank you, Mr. Chair. For the public's information and I think Vince, too, he might have missed it, but just because we're operating on a different format, it says that our sit down this morning with all three Chairs, Mr. Wilde of Y-K Delta asked that the motion be made at the last moment because he wanted complete understanding by his Council members and that is why we're not operating the old format. I think this is working fine. They're already making recommendations.

CHAIRMAN NICHOLIA: Would anybody entertain a motion to adopt this proposal?

MS. GREGORY: Mr. Chairman. I move that we adopt Proposal No. 12.

CHAIRMAN NICHOLIA: It's been moved.

MS. ENTSMINGER: Second.

CHAIRMAN NICHOLIA: It's been moved by Mary Gregory, second by Sue Entsminger. Discussion. John.

MR. HANSON: I second it.

CHAIRMAN NICHOLIA: Okay, John. Jerry.

MR. BERG: Mr. Chairman. If we could get Mary to clarify whether she supports the proposal itself, which only applies to the AVCP region or if she supports it as modified by Staff, which would apply to the whole drainage.

MS. GREGORY: I support the whole thing because it's written -- oh, Staff recommendation? I need a little clarification on that one then. Yukon North area and the Kuskokwim area. It includes the Yukon, the whole proposal.

CHAIRMAN NICHOLIA: John, do you agree with that? You're the second. Do you agree with that?

MR. HANSON: Yes.

CHAIRMAN NICHOLIA: Virg.

MR. UMPHENOUR: I don't know if everyone is aware that in the upper Yukon subsistence and commercial runs concurrently. The troopers might not like it, but it doesn't bother me.

CHAIRMAN NICHOLIA: Any more discussion.

Go ahead, John.

MR. THOMPSON: This was during the time when they had commercial and subsistence at the same time this buoy was recorded. Today, both subsistence and commercial doesn't work together in catching fish, so it's better to have a colored buoy because there has been some accidents running into a white buoy. Who knows, they might lose their life sometime if it's a white buoy. It doesn't reflect like red buoy does.

Thank you.

CHAIRMAN NICHOLIA: Any further discussion.

(No response)

CHAIRMAN NICHOLIA: It's been moved, second, discussion. The question has been called. Vince, I think we'll do the first roll call vote. I think you know what I mean by that.

MR. MATHEWS: Yes, Mr. Chairman, I understand. Let me go to your various rosters. I think, as you discussed this morning, I'm assuming that all three Councils are in agreement with this motion apparently, so then we'll go ahead with the roll call vote. Lester Wilde.

MR. L. WILDE: Yes.

MR. MATHEWS: John Thompson.

MR. HANSON: Yes.

MR. MATHEWS: That was John Hanson that responded. John Thompson.

MR. THOMPSON: Yes.

MR. MATHEWS: Philip Moses.

MR. MOSES: Yeah.

MR. MATHEWS: Mike Savage.

MR. SAVAGE: Yes.

MR. MATHEWS: James Charles.

MR. CHARLES: Yes.

MR. MATHEWS: Billy McCann.

MR. MCCANN: Yes.

MR. MATHEWS: Raymond Oney.

MR. ONEY: Yes.

MR. MATHEWS: Nick Andrew, Sr.

MR. ANDREW: Yes.

MR. MATHEWS: Mary Gregory.

MS. GREGORY: Yes.

MR. MATHEWS: Harry Wilde, Sr.

CHAIRMAN WILDE: Yes.

MR. MATHEWS: A majority on the Yukon-Kuskokwim voted in favor of the motion. Western Interior. Emmitt Peters.

MR. PETERS: Yes.

MR. MATHEWS: Mickey Stickman.

MR. STICKMAN: Yes.

MR. MATHEWS: Robert Walker.

MR. WALKER: Yes.

MR. MATHEWS: Carl Morgan.

MR. MORGAN: Yes.

MR. MATHEWS: Benedict Jones.

MR. JONES: Yes.

MR. MATHEWS: Angela Demientieff.

MS. DEMIENTIEFF: Yes.

MR. MATHEWS: Jack Reakoff.

MR. REAKOFF: Yes.

MR. MATHEWS: Ron Sam.

CHAIRMAN SAM: Yes.

MR. MATHEWS: Unanimous for Western Interior in support of the motion. Eastern Interior. Philip Titus.

MR. TITUS: Yes.

MR. MATHEWS: Jay Stevens.

MR. STEVENS: Yes.

MR. MATHEWS: Sue Entsminger.

MS. ENTSMINGER: Yes.

MR. MATHEWS: Gerald Nicholia.

CHAIRMAN NICHOLIA: Yes.

MR. MATHEWS: Virgil Umphenour.

MR. UMPHENOUR: Yes.

MR. MATHEWS: Mr. Chairman, they're also unanimous. All three Councils were unanimously in support of the motion.

CHAIRMAN NICHOLIA: Motion carries. Okay. We want to take on Proposal No. 8, close Federal public waters to any commercial harvest. I think that's a six-year moratorium.

MR. BERG: Yes, Mr. Chairman. Since the

next three proposals, Proposals 8, 9 and 10, all address Yukon River salmon issues, much of the biological information I present in this proposal will also apply to Proposals 9 and 10, so I'll only go over that information once under this proposal unless there's specific questions.

Proposal 8 was submitted by the Native Village of Fort Yukon and requests that Federal public waters of the Yukon River be closed to commercial harvest of chinook and chum salmon for six years. For those who have not yet found Proposal 8, it's found starting on page 65. The proponents felt that this closure would help rebuild these salmon stocks and provide for more subsistence opportunity in the upper Yukon River for the subsistence users in that upper river. The proponent also stated that the secure period was chosen to allow a full chinook salmon life cycle to occur without being subjected to commercial harvest.

As you've heard already through the reports this morning, both the chinook and chum salmon subsistence fisheries have experienced below average returns in recent years. However, there has been much less commercial fishing on chum salmon in the Yukon River since 1997. The recent shortages of chum salmon are not due to a directed commercial chum fishery and, therefore, this analysis will primarily focus on chinook salmon.

As you know, ADF&G has the direct responsibility for management of commercial fishing on the Yukon River, including Federal public waters. However, the Federal Subsistence Board does have the authority and responsibility to close Federal public waters to the non-subsistence taking of fish to ensure that the taking of fish or wildlife for subsistence is given a priority over the taking for other purposes. The Federal Subsistence Board can restrict, close or reopen the taking of fish and wildlife for non-subsistence uses on public lands and waters only if necessary under the five provisions listed on your first page of the analysis. Those being for conservation of healthy populations of fish and wildlife, for reasons of public safety, administration, for the continued viability of a particular fish or wildlife population or to continue subsistence uses of such populations.

As you also heard this morning in the presentations, the first priority in both State and Federal laws is to ensure that enough fish are allowed to

escape to the spawning grounds. The second priority being to ensure that there is sufficient opportunity for subsistence users to meet their needs.

The current subsistence salmon management system between the State and Federal agencies is a cooperative effort to minimize the impacts of two sets of regulations on the subsistence users. The Federal and State agencies have signed an interim memorandum of agreement, often referred to as the MOA, that states that the Federal program will follow the existing State management plans unless they do not provide for the subsistence priority in Federal law or a separate plan is developed and adopted by the Federal Board.

The Federal and State agencies have also adopted the detailed plan outlining how they will work cooperatively in season to manage the salmon runs under this dual management system. The in-season manager, Russ Holder, talked about this plan in his report referred to as the Yukon River Management Protocol. In that protocol it outlines how the Federal in-season manager, Russ Holder in this case, will work to consult with the representatives of the Yukon River Coordinating Fisheries Committee on pre-season management strategy, management plans and in-season actions when appropriate. I know that Russ has consulted with many of you in-season on critical management decisions that have been made in recent years.

The current salmon management system for the Yukon relies on these pre-season run strength projections and in-season assessments of run strength to manage the salmon as they migrate up the river. In 2002 and 2003, a conservative pre-season strategy was agreed upon to not open the commercial chinook fishery until near the mid-point of the run. In-season management of the fisheries was then adjusted as appropriate by subdistrict as the salmon moved upriver.

As many of you know, the first half of the chinook run is primarily composed of Canadian-bound fish. Middle Yukon chinook stocks are also important contributors to the first half of the run. Lower and middle river chinook stocks are thought to contribute most heavily to the second half of the run. Early run Canadian-bound chinook salmon are the first salmon available each spring when drying conditions are often the best. As a result, these Canadian stocks support a large share of the chinook salmon subsistence fishery as

they migrate throughout the Yukon River.

The status of the spawning stocks varies across the drainage, as you heard throughout the reports this morning. If you look at Table 1 on page 70, you can see the commercial harvest and escapement data for the period 1995 to 2002. Substantial reductions in commercial harvest are evident when you look through that table and reflective of a more conservative management strategy during years of below average returns. Chinook salmon escapement appears to be consistently achieving the objective level in the Anvik River based on aerial survey indices. Survey data is incomplete and inconsistent in quality for the Andreafsky and Nulato; however, the escapements in those two systems appear to be lower than desired for the Andreafsky River and adequate for the Nulato, but weir and counting tower projects on these two systems, respectively, should provide a better evaluation of stock status in future years.

Based on the data from the Chena And Salcha River counting towers in the Tanana River drainage, spawning escapement goals are being met for those systems. Based on data from the mark and recapture project at the Canadian border, spawning escapement in the Canadian Yukon River drainage was below the target level for three of the five years during 1998 to 2002 and appears to represent the most evident spawning escapement concern in the Yukon River. However, the last two years have provided some encouragement.

If you look at Figure 1 on page 71, this shows the Canadian border passage numbers and they were the lowest from '98 to 2000, as you've seen in numerous graphs today. However, the data also shows that the commercial fishing was also drastically reduced for all Yukon River chinook stocks in response to these lower returns. The numbers of chinook salmon migrating past the Canadian border indicate that the commercial fishing closures in 2001 and the conservative strategy used in 2002 to delay commercial harvest until after the mid-point of the chinook salmon run were important and responsive management actions implemented by the in-season managers.

These conservative management tools reveal the strengths in allowing the in-season managers the flexibility to adapt to the run strength indicators during the season. Continuing to use a conservative

approach during years of below average run strength should allow Yukon River salmon stocks to improve in future years.

Figure 2 on the next page shows the Canadian-origin chinook salmon numbers by adding together the estimated harvest of Canadian-origin chinook salmon in the Alaska Yukon River fisheries, the harvests in Canada and the spawning escapements in Canada. Based on these data, the run size of Canadian-origin chinook salmon has been about half or less during each of the recent five years, '98 to 2002, as compared to prior years dating back to 1985.

Although in-season managers are being responsive to the lower chinook salmon returns by reducing commercial fishing harvest, the primary cause of the salmon declines is still unknown. The overall declines are more likely a cause of less favorable environmental conditions for salmon production than of any over-harvest by commercial fisheries.

I think one reason we are reviewing this proposal is because of lower subsistence harvest in some upriver areas. If you look at Table 2 on page 73, you can see under the column for District 5 that District 5 is typically the largest chinook salmon subsistence fishery in the Yukon River. District 5 has also seen the most substantial drop in subsistence harvest of chinook salmon in recent years. With the recent average annual harvest from 1998 to 2002 being approximately 27 percent below the average annual harvest from 1988 to 1992.

So these declines in subsistence harvest really highlight the need to better understand the full scope of effects to subsistence users of changing harvest patterns on the Yukon River and the effects of change on subsistence use opportunities. It's particularly important to know how this impacts the rural residents of the Yukon River in their ability to maintain their physical, economic, traditional and cultural existence. A proposal to study the cultural aspects of the Yukon River fishery issues will be submitted to the Office of Subsistence Management, Fisheries Information Services Division this year.

Adoption of the proposal to close the commercial chinook and chum salmon fisheries on the Yukon River would principally affect only the chinook salmon commercial fishery since there has been much less

directed chum salmon commercial fishing in recent years. Without a commercial chinook salmon fishery in the lower Yukon River, more fish may be distributed throughout the river and into spawning areas. However, the State could also decide to allow a commercial fishery to occur outside of Federal public waters causing major disruptions to current commercial fishing practices. The current flexible management approach of pre-season planning, in-season management adjustments and post-season evaluation has been responsive by restricting commercial fisheries to help meet escapement and subsistence harvests. The larger issue is likely the unknown environmental effects that seem to be causing a decline in salmon production. However, the most recent increasing trends in Yukon River salmon returns do provide a more optimistic outlook.

This proposal, if adopted, would preempt the State's management authority for State fisheries on those portions of the Yukon River within Federal jurisdiction and undermine the current Federal/State/stakeholder cooperative management efforts. Closing the commercial fishery for six years by regulation would simplify in-season management as there would be no commercial fishery and fewer decisions necessary by State and Federal managers. However, a goal of modern fisheries management is to be responsive to information as it becomes available. A regulatory commercial fishery closure for six years runs counter to this approach and undermines the cooperative nature of in-season management.

The preliminary conclusion from our office is to oppose this proposal. However, it is recommended that the Federal Subsistence Board draft a letter to the Alaska Board of Fisheries requesting a collaborative process between the two Boards to address the broader resource and subsistence concerns that are raised by this and other related regulatory proposals for the Yukon River. It is also recommended that the chairs of the three Yukon Regional Advisory Councils participate in the January 2004 Alaska Board of Fisheries meeting and that they report back to their respective Councils at their winter meetings this coming February or March. At that time, their full Regional Councils can develop recommendations to the Federal Subsistence Board for the May 2004 meeting, if needed.

Mr. Chairman, that's all the comments I have at this time. I'd be happy to try and answer

questions later if there are any.

Thank you.

CHAIRMAN NICHOLIA: Thank you, Jerry. Dan.

MR. BERGSTROM: Thanks, Mr. Chairman. The ADF&G comments are on page 77. The Department does not support this proposal. This proposal would prohibit commercial fishing even when there is a harvestable surplus of fish above the amounts necessary for subsistence. We do not believe that the Federal Subsistence Board has the legal authority to close a state-managed fishery when harvestable surpluses of fish are available that exceed amounts needed for subsistence. Those are our prepared comments.

I also have a little additional. If you think back to the presentations earlier today, part of that was done to provide a background for reviewing these proposals. We saw that last summer the chinook and fall chum salmon runs showed that an abundance of fish can change from year to year a lot. Last summer there was a surplus of chinook and fall chum salmon and commercial fishing was allowed in all districts from 1 through 6 where there was a buyer available. This is appropriate management based on the existing management plans. I think I do agree with one of the things Jerry said, is that some of these proposals, particularly like this one, is based on these really poor runs we've seen. What we do have to look at is that the runs can improve, which hopefully we'll see a better trend next year, too.

CHAIRMAN NICHOLIA: Thank you, Dan. Vince, written public comments.

MR. MATHEWS: Mr. Chairman, there was one written public comment.

CHAIRMAN NICHOLIA: Hold on, Vince. We're skipping something here. Is there any public comments from the audience on this one?

Tim.

MR. ANDREW: Thank you, Mr. Chairman. I've got to sandwich in between some agency people here. Hopefully they'll be nice to me. Mr. Chairman, members of the RAC, committees and Yukon-Kuskokwim Delta, Western Interior and Eastern Interior. AVCP's position on this

proposal is to oppose it primarily because it violates Section VIII(15) of ANILCA which outlines that the only time any of the species should be closed is only necessary for the conservation of healthy populations of fish and wildlife or necessary to provide for subsistence opportunity.

The possible impacts of this proposal to the lower Yukon economy is extremely devastating. Many of our people in the lower Yukon area depend primarily on commercial fishing. There is no other alternative for them with the exception of fire-fighting. There is no resource development out in the area to provide for job opportunities and there's also no type of private development that is occurring within the area. This would create a situation as explained earlier. People in this area need to be able to commercial fish if there's surplus after determining that there would be enough of a population to provide for escapement and subsistence in order for themselves to subsistence fish and hunt during the later seasons and also put fish away for their own personal consumption.

Mr. Chairman, that's it. Thank you.

CHAIRMAN NICHOLIA: Thank you, Tim. I believe that if Ragnar is here, he said he wanted to speak to this. He spoke to me personally.

COHEN: Mr. Chairman. My name is Norman Cohen. I'm speaking on behalf of the Yukon Delta Fisheries Development Association. Ragnar had to leave and asked me to speak on his behalf. YDFDA opposes the proposal. YDFDA understands and agrees that in times when escapement needs and subsistence needs cannot be met, there is not going to be a commercial fishery. However, when a surplus does exist, there should be a fishery and managers should have the flexibility to be able to deal with the conditions as they arise during the season and allow commercial fisheries in those cases.

Understanding the importance of subsistence, YDFDA also supports the windows concept to make sure that fish get upriver during the early part of the year and for the other runs that come through in order to make sure that those subsistence needs are met at the same time as allowing for commercial fisheries when conditions warrant.

Also, that there are many in-season

processes. The YRDFA teleconferences and the other joint Federal/State groups to work on these issues during the season and that provides for dealing with the conditions as they arise. As Tim Andrew said, commercial fishery is very important to the economy of the lower river and should be able to continue when conditions warrant, as they did this year.

Thank you.

CHAIRMAN NICHOLIA: Is there any more agency comments out there?

(No comment)

CHAIRMAN NICHOLIA: TCC.

(No comment)

CHAIRMAN NICHOLIA: Anybody.

MR. BROWN: Thank you, Mr. Chair. My name is Buddy Brown. I'm the president of Tanana Chiefs Conference.

I'll conclude my remarks with our position, but then I'd like to lead into that with some remarks leading up to TCC's position. It kind of puts TCC into somewhat of a precarious situation because, if you think about it, the villages that stretch all the way from Holy Cross up to Eagle comprise about 1,000 miles of Yukon River and those are the villages that Tanana Chiefs Conference works on behalf of. Given that there are those 1,000 miles, you've got varying needs between the different districts, all the way from Holy Cross, up to Nulato, up to the rapids, up to Fort Yukon and then all the way up to Eagle.

Because of that, there are some commercial fishing dependant communities in the lower areas and even in the middle areas of the Yukon River that we work on behalf of. Due to this, we would be placed in a situation of competition between communities really when subsistence needs could be met. It is conceivable that subsistence needs could be met in the upcoming years; however, we are concerned about some of the developments in the past few years and this unexplainable return of fish this past year now being possibly projected to future years without really any factual basis for that. But, nevertheless, we would

reluctantly oppose this proposed regulation change because of that fact that we do represent villages along that entire stretch of the river.

There have been some things said that I would like to make clear our position that are somewhat related to this position. One was whether or not the Federal Subsistence Board has jurisdiction that is only attached to Federal public lands and Federal waters along the Yukon River. It's our position that, if necessary, the Federal Subsistence Board could conceivably reach beyond Federal public lands and Federal public waters to non-Federal waters along the Yukon River if necessary to conserve the resource or to provide for subsistence uses all along the river. It's a concept known legally as extra-territorial jurisdiction. It's been used in other contexts. Never really tested on the Yukon River yet, but I know it's been brought up several times here and I don't want, from TCC's perspective, the Regional Advisory Council members automatically assuming that your jurisdiction over issues is limited really only to those Federal public waters. If necessary, I would request that if you do get into that question, at some point you request a legal opinion on that and we would be happy to participate in that process. So I did want to make that part clear.

We also understand the concerns that are being raised by the Native Village of Fort Yukon in this proposal. You heard mention earlier about the windows concept, something that we did support before the Board of Fish and also before the Federal Subsistence Board for conservation purposes back in 1999 and 2000 before the State Board of Fisheries. Now we are seeing some attachment to subsistence restriction through the windows management being attached to commercial openings and that's really caused concern for us. It's really affected, for example, in the Holy Cross area where they will not have a buyer and because they don't have a buyer they do not get a commercial opening. Well, if you don't get a commercial opening, then you're still fishing for subsistence under the windows when those restrictions really should be legally lifted, so we do have concern with attaching windows to subsistence fishing when the commercial fishing openings are being made available to other parts of the river.

So I did want to make that part clear because I do see that concern being raised in this proposal. When you're seeing subsistence opportunities

that are being limited in an unreasonable fashion. But, nevertheless, TCC would reluctantly oppose this proposal, understanding the concerns being raised in it and hoping that we could work with Federal managers and with the State managers through a process to address the concerns, but we also work on behalf of villages in the lower parts of the river that would be impacted if this proposal was to be adopted. Thank you, Mr. Chair and members of the Committee.

CHAIRMAN NICHOLIA: Thank you, Buddy. Hearing no other agency comments. Vince, you can go on to written public comments.

MR. MATHEWS: Yes, Mr. Chairman. There was one written comment from Morris Coffey representing the fishermen in Stebbins. Proposal 8. Fishermen in Stebbins oppose this proposal because the existing managers are reacting to lower run sizes and can close commercial harvest when needed in-season. There are better run size assessment projects throughout the drainage and this helps to ensure commercial harvests are not hurting the resources. The Canadian escapement requirement has been met for the last three summers and we don't see a need to put such strong measures in place. Those are the only written comments that I'm aware of.

Thank you, Mr. Chair.

CHAIRMAN NICHOLIA: For the record, they both oppose.

MR. MATHEWS: Yes, Mr. Chairman. For the record, the fishermen in Stebbins oppose the proposal.

CHAIRMAN NICHOLIA: Before we go into Regional Council motion and deliberations, from my point of view, this Proposal No. 8 to reduce commercial fishing is more from my point of view a frustration proposal. I know those people. I've really been trying to support them, stick up for them, but when you have nobody here, none of their proponents here to better explain their position and not participate in YRDFA conference, only deliberations and throwing it out there without any explanation here at this meeting, it puts me in a bum position because I'm the Chairman for Eastern Interior Advisory Council and I'm supposed to be representing them.

There's another flip side of this coin,

too. It took a long time for these three RACs to be sitting down here like this deal and these kind of issues. For those reasons, those reasons of working together, being united as one subsistence user group along the Yukon, I am not going to support this. I will entertain a motion to adopt this.

MR. HANSON: Thank you, Mr. Chairman. I make a motion to adopt Proposal 8.

CHAIRMAN NICHOLIA: Is there a second.

MR. ONEY: Mr. Chairman. I second the motion.

CHAIRMAN NICHOLIA: John Hanson moved, Ray Oney second. Discussion. John.

MR. THOMPSON: Thank you, Mr. Chairman. I'm kind of confused on this graph, the catches of these units. In 1988, three combined catch less than District 5. District 5 catch 17,000 and these three districts are less than 17,000. Now, on the way down -- is this the number of fishermen? Does it make any difference? Does District 5 have more fishermen? I know these three districts have over 700 fishermen.

CHAIRMAN NICHOLIA: John, I think I could answer that for you. Between the fall chum and the chinook, we do catch more fall chum than you guys, but I don't think we catch any more chinook than you guys, but I think you got mixed up between the fall chum and the chinook. Dan.

MR. BERGSTROM: Mr. Chair. This is Dan Bergstrom. I would say when you look at that table there, there is some variability between years. Some years the harvest does go up and down and there's various reasons along the river on a given year why it may change. One year some place may catch more than somewhere else, but it's more that long-term trends that we try to look at that we showed you earlier. So I wouldn't get too concerned about how it looks in one year like that back in '88.

Then, as far as harvest, the harvest is just as we've always said for subsistence. It's what people take. There's no restriction on how many you can take in the Yukon. You take as many as you need. Some places take more for whatever reasons they do. There's

probably a higher population at the mouth. We see that they're catching more now, too. There's different populations of people, but they can take different amounts of fish.

MR. THOMPSON: The reason why I asked this question is does it make a difference from openings? We have 36 hours and there's 48 hours in the other area. That's where I'm confused.

MR. BERGSTROM: Mr. Chairman. It's not really on the harvest so much that the timing is based, it's more on the efficiency. So, you know, at the mouth where all the fish are available and it's easier to catch fish, there's a little less time. As you move up river, there's usually less overall abundance because fish are going out to escapements or have got caught by other people, so they might have more time in another place. But that's what it's based more on, efficiency, how quick they can catch fish.

MR. THOMPSON: Thank you.

CHAIRMAN NICHOLIA: Ron.

CHAIRMAN SAM: Thank you, Mr. Chairman. This is hopefully more for speaking to some clarification. The motion was to adopt Proposal 8. A yes vote on this would mean that you support passage of Proposal 8. A no vote is no and you're supporting Staff recommendation of opposing this proposal. Am I right, Vince?

MR. MATHEWS: Basically you're right. An affirmative for it would be to pass the proposal. A negative would be to reject the proposal. I don't think the motion was to adopt the Staff recommendation unless the Staff recommendation matches. It's to adopt the proposal.

MS. GREGORY: Mr. Chairman.

CHAIRMAN NICHOLIA: Mary.

MS. GREGORY: I'm going to tell it to my colleagues in my language. (In Yup'ik)

INTERPRETER: If you vote yes, you will vote to close Federal public waters and if you vote no, you will not approve Proposal No. 8. In the year 2000 to

the year 2000-something, this will take into effect. Yesterday he made a motion not wanting. So even though we don't want to approve -- she's just reiterating her double negative motion yesterday. So, in light of yesterday's double negative, even if we do not want to approve a motion or proposal, we will vote yes, in the affirmative.

CHAIRMAN WILDE: Mr. Chairman. What you mean is, if you don't want to accept this proposal, you say no. If you want to accept it, you say yes. (In Yup'ik)

INTERPRETER: This proposal, if you want to vote it down, vote no, but if you want to approve Proposal 8, vote yes. Do you understand?

CHAIRMAN NICHOLIA: Further discussion.

MR. MCCANN: Mr. Chairman. Why are you trying to confuse us on the motion, yes or no? On the proposal, yes means you like it. No means you don't like it. You guys are trying to confuse us on voting. It should be yes all the time. No means you don't want it. Don't try and confuse us. I'm confused what I'm going to do. No, yes.

CHAIRMAN NICHOLIA: Billy, let me straighten this out here. We adopted this proposal as the proponent wants to put it, a six-year moratorium on commercial fishing, mainly on chinook. If we vote yes, we'll be agreeing to this proposal, but if we vote no, we'll be putting it down. I could see where I could get this on a consensus vote. I'm going to do it this way. I'm going to say all those in favor and if you say yeah, I'll take you outside. (Laughing) If you say yeah, you're in support of this proposal. If you say no, we'll shoot the proposal down. So where's the question?

MR. REAKOFF: Question.

CHAIRMAN NICHOLIA: John Hanson moved to adopt, second by Ray Oney, discussion, Jack Reakoff question. All those in favor of this proposal signify by saying aye.

(No response)

CHAIRMAN NICHOLIA: All those in favor of opposition of this proposal signify by saying aye.

IN UNISON: Aye.

CHAIRMAN NICHOLIA: Motion fails. Vince.

MR. MATHEWS: Mr. Chairman. Just to make it clear on the record there was no vote in the affirmative, correct? I did hear one, that's why I need to make that clear. There was a single vote in favor of the proposal. There is none then. Let the record reflect.

Thank you.

CHAIRMAN NICHOLIA: Okay. This means that Proposal No. 8 fails. I think we should take a break.

(Off record)

(On record)

CHAIRMAN NICHOLIA: The next proposal to be taken up is Proposal No. 10 and it's similar to the proposal we just got through. Where is Jerry Berg?

MR. BERG: Sorry, Mr. Chairman. Proposal 10 can be found on page 89 of your booklet. I'll try to go slow on this one. Again, much of the information I just presented on Proposal 8 also applies to this proposal, so I won't repeat that same information, but will answer any questions anybody may have.

Proposal 10 was submitted by the Gwich'in Village Council of Fort Yukon and requests that Federal public waters of the Yukon River be closed to commercial fishing when a total commercial harvest of 65,000 chinook salmon or 80,000 chum salmon has been reached. The proponent is requesting a cap on commercial fishing to help rebuild stocks and to provide more subsistence opportunity for upriver subsistence users.

As many of you know, there's quite a varied history to commercial salmon harvest limits and management quotas for the Yukon River. I've summarized some of the commercial fishing history in the analysis in your book. I won't go into all that detail, but this proposal does focus on commercial harvest levels that existed just before and after statehood. The proponent suggests that it would be beneficial to go to those pre-statehood annual commercial harvest quota limits that I

just mentioned.

Commercial harvest of chinook salmon in the Yukon River have been less than 65,000 fish, as requested in this proposal, for four of the past five years, with below average returns from 1998 to 2002. The in-season managers have responded to these lower returns with reduced commercial fishing time to conserve the resource and help provide for subsistence opportunity. Any change in a commercial harvest quota would need to be made through the Alaska Board of Fisheries process to make changes to the existing salmon management plans or a separate management plan would need to be developed.

Salmon returns are difficult to reliably predict even when comprehensive data are available. In a system such as the Yukon, with limited historical information, return forecasting is even more unreliable. It is possible that salmon runs in the Yukon River may improve enough to continue to allow for commercial fishing for chinook salmon and chum salmon above the levels identified in this proposal. If adopted, this proposal would remove the flexibility that the current management system has in place to allow managers to assess the runs in-season and adjust their management during the season based on the most current in-season run strength indicators.

The preliminary conclusion is to oppose this proposal. Thank you, Mr. Chairman. I'd be happy to try to answer any questions any of you may have.

CHAIRMAN NICHOLIA: Jerry, we'll question you on it when we have our discussion. Dan.

MR. BERGSTROM: Mr. Chairman. ADF&G comments are on page 93. The Department does not support this proposal. This proposal would prohibit commercial fishing even when there is a harvestable surplus of fish above the amounts necessary for subsistence and that would be true if you had a surplus above those caps proposed. We do not believe the Federal Subsistence Board has the authority to close State managed fisheries when harvestable surpluses of fish are available that exceed the amounts needed for subsistence. We would feel it would be better for such proposals to be directed to the Alaska Board of Fisheries.

CHAIRMAN NICHOLIA: Thank you, Dan. Is there any agency comments? Tim.

MR. ANDREW: Thank you, Mr. Chairman. For the record, my name is Timothy Andrew. I'm the director of natural resources for AVCP. Like Proposal No. 8, the AVCP opposes this proposal due to the possible economic devastation it would cause to our communities. Thank you, Mr. Chairman.

CHAIRMAN NICHOLIA: Thank you, Tim. Is there any other agencies? Buddy.

MR. BROWN: Thank you, Mr. Chair and members of the RACs. Again, my name is Buddy Brown from Tanana Chiefs Conference. We're kind of put in a tough situation again because this tribal council out of Fort Yukon is one of my bosses, so it puts me in a tough situation. I do know the frustration that they are going through.

For your information, we submitted two special action requests this summer to the Federal Subsistence Board, both of which were denied, but, to a certain extent, airing similar frustrations with the in-season management of the Yukon River kings, the chinook salmon, during the summers, so we do have similar frustrations as the Native Village of Fort Yukon. However, we have been, since that time, meeting with the Federal Office of Subsistence Management, also reaching out to the Department of Fish and Game, and are currently getting geared up to make some proposals to the State Board of Fisheries.

So, while we do share similar frustrations with the Native Village of Fort Yukon, we also must at this time reluctantly oppose the proposal that they have submitted in light of other avenues we are currently trying to follow to get some of these issues resolved. With that, we do reluctantly oppose this proposal.

Mr. Chair. Thank you.

CHAIRMAN NICHOLIA: Thank you, Buddy. Is there any more agency comments.

(No comments)

CHAIRMAN NICHOLIA: Public comments from the audience.

(No comments)

CHAIRMAN NICHOLIA: Summary of written public comments, Vince.

MR. MATHEWS: Mr. Chairman. Again, from Morris Coffey of fishermen of Stebbins area. Fishermen in Stebbins oppose this proposal for the same reasons stated that they have for Proposal 8. This proposal has limits that exceed recent harvest, so it would only take effect during times when runs were more abundant. It seems to be opposite of the intent of the proposal. That's it, Mr. Chairman.

Thank you.

CHAIRMAN NICHOLIA: Thank you, Vince. Before we move, second, discussion and question, I want to clarify it right now. If we move to adopt Staff recommendation, like written here on page 87, we'd be supporting Staff recommendation to oppose this proposal. If we move to adopt the proposal as the proponent presents it, we'd have to do what we did the last time. Do you guys understand me?

CHAIRMAN WILDE: Alex, will you translate that to the rest of the Council over there.

MR. NICK: Thank you, Mr. Chairman. For the record, my name is Alex Nick. I'm the Regional Council coordinator. (In Yup'ik)

INTERPRETER: This proposal, Chairman Gerald Nicholia says if we follow the Staff recommendation, to oppose Proposal 10, but if you want Proposal 10, to approve it, you won't follow Staff recommendation. Is that correct?

MR. L. WILDE: Mr. Chairman. I move that we accept Staff's opposition to this proposal.

MR. STICKMAN: I second the motion.

CHAIRMAN NICHOLIA: It's been moved by Lester Wilde, second by Mickey Stickman. Discussion.

UNIDENTIFIED SPEAKER: Question.

CHAIRMAN NICHOLIA: The question has been called. We'll be voting on Staff recommendation to oppose this proposal. All those in favor of Staff recommendation signify by saying aye.

IN UNISON: Aye.

CHAIRMAN NICHOLIA: All those opposed same sign.

(No response)

CHAIRMAN NICHOLIA: Motion carries. That means this proposal fails.

MR. MATHEWS: Mr. Chairman. For the record, since your mike was off, it was all in the positive, unanimous to support the Staff recommendation to oppose. Your mike was off on the second part.

CHAIRMAN NICHOLIA: We'll start dealing with Proposal 9 and I believe this proposal came from the Eastern Interior, our RAC, to reduce the openings in the mouth from two 36-hour periods to two 18-hour periods and I believe our intention at that time in Nunana was the same frustration as Fort Yukon. I have to say this. This window thing that we're operating under is this Y-K region is not allowed to fish the first half of the pulse and when they're not allowed to fish the first half of the pulse, they're not allowed to fish in sunshine, as I understand it. When they are allowed to fish in the subsistence and commercial, they are allowed to do it on rainy days and bad weather and not good days to put up fish. That's what I've come to understand in working with these people. For that reason, I believe that this proposal as it was put out by the Eastern Interior is our own proposal of frustration, just simply for the fact that we want to stick up for Fort Yukon. I know it will be going against our own Council, but I'm going to put it out there anyway. Jerry.

MR. BERG: Thank you, Mr. Chairman. Much of the information I presented in Proposal 8 also applies to this proposal, so I will not repeat that same information. As Mr. Chairman just said, Proposal 9 was submitted by the Eastern Interior Regional Council and it requests that subsistence fishing time in the lower Yukon River, Districts 1, 2 and 3, be allowed for no more than two 18-hour salmon fishing periods per week.

The Regional Council expressed concerns that fishing opportunity throughout the Yukon River is not equitable among all users and felt that this proposal may help to address that concern. The current subsistence salmon fishing schedule allows for two 36-

hour subsistence fishing periods per week in Districts 1, 2 and 3 prior to any commercial fishing.

This is on page 81 if you're not already there. When the Alaska Board of Fisheries classified the Yukon River chinook, summer chum and fall chum as stocks of concern in the fall of 2000, they also implemented the subsistence fishing schedule.

I already discussed the biological status of chinook salmon for Proposal 8. I'll briefly go over the biological status for summer and fall chum. Figures 1 and 2 for this proposal were inadvertently left out of the book, so those were just passed around to you with those figures on there. I believe most of this information was also gone over this morning, but just to kind of highlight. Figure 1 does show that the summer chum salmon runs returns have experienced below average returns over the past five years when compared to the higher returns such as 1995. Summer chum salmon run strength has steadily declined until 2002, when there was a slight increase in the index counts at the Pilot Station in Anvik River sonar projects. Anvik River sonar has a BEG, biological escapement goal, of 400 to 800,000 summer chum salmon and passage index counts in 2000 and 2001 were below that lower objective.

The Pilot Station sonar does not have an established escapement objective, but instead has passage index counts. The drainage wide minimum management objective for summer chum is 600,000 fish and drainage-wide escapements have been below this in 1999, 2000 and 2001, but they've also improved over the past two years.

Figure 2 shows that fall chum salmon had similar declines in returns for the past five years, not including this most recent year. The past two years have provided some encouragement with increases at the Pilot Station sonar index counts. Fall chum salmon index counts at the Pilot Station sonar have declined to a level of around 400,000 fish since 1998. However, this past year does provide encouragement for better returns.

The management plan for fall chum salmon outlined in the guideline harvest in regulation requires that some level of subsistence harvest restrictions be implemented when the Pilot Station sonar count is below 350,000 fall chum salmon. The drainage-wide minimum management objective for fall chum salmon is 350,000 fish. Subsistence harvest restrictions for fall chum

salmon have mostly been in the form of less fishing time allowed or even closed altogether, such as in 2000. That was reviewed this morning, a brief overview.

This proposal, if adopted, would reduce the amount of subsistence fishing time in the Yukon River Districts 1, 2 and 3 by 50 percent of the current time allowed in the subsistence fishing schedule. As I said, the fishing schedule allows two 36-hour fishing periods per week, which is the least amount of fishing time allowed along the Yukon River.

If the conditions were good, it is possible that reducing the fishing time to two 18-hour periods would not impact the overall subsistence harvest for lower river residents since all salmon that enter the mouth of the Yukon must past through that lower river. However, this would reduce the likelihood of subsistence users meeting their needs if the pulses of fish coming into the river did not coincide with that 18-hour opening.

The current subsistence fishing schedule is a reduction in the amount of time they are able to fish compared with previous years and an additional reduction in their fishing time may be a hardship for some of the elder subsistence users in the lower river. It may require subsistence users to fish longer into the season and thus increasing fuel costs to get their needed salmon supply. In-season managers have been responsive to declining salmon returns in recent years with cuts in the commercial chinook salmon fisheries and reductions in subsistence fishing time during the fall chum salmon season.

As an example, the subsistence fishing schedule was reduced by 50 percent just this past summer to two 18-hour periods to start the season, but once it was realized that the salmon run was stronger than it was, opened back up. So I think the in-season managers are being responsive and have the authority to do what this proposal is asking for currently.

Adopting this proposed change would also preempt the cooperative efforts between State and Federal agencies responsible for fisheries management. A similar proposal will be before the Alaska Board of Fisheries this coming January. It may be more appropriate for this issue to be addressed during the Alaska Board of Fisheries meeting since the subsistence fishing schedule

is defined in the State's Yukon River King Salmon Management Plan. If the Federal Subsistence Board adopted this proposal, it may undermine the considerable efforts between the Federal and State agencies to work together in a cooperative manner.

Mr. Chair, the preliminary conclusion is to oppose this proposal. I'd be happy to try to answer any questions any of you may have.

Thank you.

CHAIRMAN NICHOLIA: Dan.

MR. BERGSTROM: Thank you, Mr. Chairman. ADF&G comments are on page 86. The Department recommends deferring , pending action by the Alaska Board of Fisheries. The subsistence fishing schedules were created by the Board after carefully considering a substantial amount of public input. The effect of this proposal would be to substantially limit harvest opportunity for subsistence users in these districts. It would also create a significant discrepancy possibly between State and Federal subsistence salmon fishing regulations, which would be confusing and problematic for users as well as managers and enforcement. The BOF will consider a similar State proposal (#154) during the January 2004 meeting. That's our comments on that.

One aside I have is I was just thinking with Tracy and listening to the frustrations and we've talked about that, that we understand the poor runs and stuff. I think one of the things is a communication thing, to get on the river a little more, and we'll try and develop a plan for being able to visit more remote areas this next summer so we can talk to people and get more input and provide information. Thanks.

CHAIRMAN NICHOLIA: Tim, did you want to say something?

MR. ANDREW: Thank you, Mr. Chairman. Now I'm being placed on the end. Thank you, Mr. Chairman, members of the Regional Advisory Councils. AVCP stands in opposition of this proposal primarily because it would further restrict the subsistence user in our villages of Districts 1, 2 and 3 of the Yukon River. These villages are currently experiencing a hardship with the restrictions currently placed in the beginning of the salmon season when we started this past summer.

Villages, starting, I believe, May 29th, were restricted down to two 36-hour openings. However, this past season was a little bit of a different season. The salmon came in quite a bit earlier. In fact, John Hanson had mentioned that the salmon started arriving May 18th or when he caught his first salmon on May 18th.

One thing I'd like to point out is that AVCP is going to be in opposition of the windows that's going to be taken up here soon. As an example this past summer the salmon did start coming in on May 18th and the projects did not start until -- or the enumeration projects did not start until perhaps latter May or perhaps mid June when the Pilot Station sonar started. We believe that rather than restricting the subsistence fishery, the pressure should be put in the place of those that are responsible for the salmon enumeration projects to start earlier. That way there would not be any unnecessary subsistence restrictions.

Thank you, Mr. Chair.

CHAIRMAN NICHOLIA: Buddy, do you want to say anything? Just asking. Anybody else want to say anything?

(No response)

CHAIRMAN NICHOLIA: Just asking. Private sector.

MR. DEMIENTIEFF: Good afternoon, Mr. Chairman. My name is Phillip Demientieff. I'm from Holy Cross. I wanted to speak as a subsistence fisherman. I oppose this Proposal No. 9. This year fishing was pretty good in king salmon fishing. If we go down to this 18-hour window openings -- you know, in Holy Cross we just start fishing when the ice goes out, the water is high. Subsistence fishermen have a tough time just trying to catch kings before they shut the windows. Sometimes we have windy, rough waters, and we can't go out there and fish due to high waters and we have limited setnet areas, so I'm just letting you guys know that. I've been fishing all my life and sometimes we have tough times and I'm just trying to catch a fish for subsistence use.

Thank you.

CHAIRMAN NICHOLIA: Vince, any written public comments?

MR. MATHEWS: Yes, Mr. Chairman. Mike Coffey of Stebbins had a written comment. Fishermen in Stebbins agree with some level of reduced fishing time, but 50 percent is too much. Two 24-hour periods might work. Fishing is dependant on the tides and suggest a 24-hour opening as a more conservative schedule that would ensure the coverage of the tide cycle. That's all the written comments I'm aware of.

Thank you.

CHAIRMAN NICHOLIA: You know, all the way from the border to the mouth, we're all heard, I know that. We instituted this proposal last spring without knowing that it was going to be a good or bad return. As it turned out, it was a good return. It kind of made all the people meet their needs as far as Stevens Village. Even though Fort Yukon got seven days a week, they're in such a bad area part of the Yukon they're still not going to meet their needs. I believe that what these people are fishing on at Fort Yukon are Canadian-bound stocks. What these people may be fishing on in the mouth could be Tanana River stocks, Anvik River stocks, Koyukuk River stocks or whatever. These people are not allowed to commercial fish the Y-K region until the first half of the pulse is past them and that's the good fish that they want and they're getting cut off from that commercially. That's what drives their market down.

I never had all this information in front of me this last spring, so that's why I'm going to vote against my own proposal. I don't like to take a no action because that sends a different message to the Board. One way or the other, I believe we should take action on every opportunity we have as three RACs. That way, even if you're going against me or anybody else or for somebody else, that way we send a clear message, not a mixed message. Jack.

MR. REAKOFF: Mr. Chairman. I'm opposed to this proposal. I feel that subsistence is the highest priority.....

CHAIRMAN NICHOLIA: Jack, Jack. Move and then we'll discuss.

MR. REAKOFF: All right. I move to adopt the Staff's recommendation to oppose this proposal and I would like to discuss that.

MR. WALKER: I'll second that.

CHAIRMAN NICHOLIA: It's been moved by Jack Reakoff, second by Robert Walker to adopt the Staff recommendation to oppose Proposal No. 9. Discussion. Billy.

MR. MCCANN: (In Yup'ik)

INTERPRETER: Putting restrictions on subsistence fishing for us -- he's not in favor of further restricting subsistence harvest of fish because we, as Yup'ik people, when we fish we don't fish at any old time. We look at the weather. When the weather is bad, we cannot put up a lot of fish to dry because they're hard to dry in bad weather. So we do watch the weather very carefully. With the weather and subsistence restrictions, we will not be able to follow this subsistence fishing schedule due to weather. The subsistence fishermen fish when the weather is good. So he's opposed to a subsistence fishing schedule. We do not fish any old way and we do not always catch a lot of fish. Some people continue fishing on through the summer and some don't fish all summer. So he's not in favor of this subsistence fishing schedule because we fish according to what the weather is.

Thank you.

CHAIRMAN WILDE: Alex Nick, will you translate that motion.

MR. NICK: Thank you, Mr. Chairman. For the record, my name is Alex Nick.

(In Yup'ik)

INTERPRETER: The motion that was made, Jack Reakoff's motion and Robert Walker seconded it, that they move to follow Staff recommendation on Proposal 9.

CHAIRMAN NICHOLIA: Virgil.

MR. UMPHENOUR: Thank you, Mr. Chairman. We have information before us that we didn't have when we made this proposal. I'm going to read a little bit of it out of our stuff. This document here is the one that was presented to the Board of Fisheries on the stocks of concern for the AYK region just a week or 10 days ago. The outlook for 2004 is for lower abundance than observed

in 2003. Although the six-year old component is expected to be average, the five-year old component may be weak because of the below-average number of four-year-old chinook salmon observed in 2003.

Chum salmon. The Anvik River B.E.G. was not met in 2000, 2001 and 2003. In 2001, the total run was assessed at approximately 400,000 fish, similar to 2000. In 2003, the escapement projects, most notably Anvik River, which usually contributes approximately half of the Yukon River summer chum salmon run, produced about 60 percent of the 2002 escapement and did not reach its goal. That's found on page five.

I realize most people don't have this, but on page 34 it says Table 3, Yukon River summer chum salmon historical escapements from selected ground base projects. Kaltag River this past year only had 3,056 chum salmon pass the weir. In 1995 it had 77,000. '96, 51,000. '97, 48,000. Nulato River weir, 23,000 fish. 148,000 in '94. 236,000 in '95. 129,000 in '96. 157,000 in '97. Clear Creek. '95, 116,000. '96, 100,000. '97, 76,000. 2003, 5,000.

Our book that we're working with on the analysis for the proposal to close commercial fishery. District 5, that's on the Yukon, and this is addressing chinook salmon, has also seen the most substantial drop in subsistence harvest of chinook in recent years. With the recent average annual harvest from 1998 to 2002 being approximately 27 percent below the average annual harvest for 1988 to 1992.

This proposal addresses two things. It addresses escapement to perpetuate the species for sustained yield and addresses reasonable opportunity for the people upriver. That's what the proposal addresses. Maybe cutting the fishing time in half is too much, such as the written comments say, but this issue has to be addressed some way so that the people upriver in District 5, especially in the Fort Yukon area, get reasonable opportunity because I think that Fort Yukon's subsistence needs are down about 50 percent while District 5 overall is down 27 percent.

So just sending a message to the Board of Fisheries that we're in unity to oppose this proposal, I don't go for that. The Board of Fisheries needs to take an action that will put more fish upriver so that the people in Fort Yukon and in the rest of District 5 have

reasonable opportunity to meet their subsistence needs.

Everyone has this paper here. This paper is issues the Coordinating Fishery Committee that met on Friday and Saturday came up with, Yukon River issues. If you look at page two of it and you look at Issue 19, when the schedule is lifted, the subsistence users are usually already done fishing, that was a lower Yukon member of the CFC saying that by the time the commercial fishery started the last two years with the two 36-hour periods and this past season the first two periods were only 18 hours. When the commercial fishery started, they were finished subsistence fishing. Their needs were already met for chinook salmon.

So, what that tells me is that the lower Yukon met their needs prior to the commercial season starting with the windows open, so that tells me that they have plenty of reasonable opportunity. However, the people up in District 5 did not get their subsistence needs met and even though they're targeting chinook salmon, they're still catching a number of chum salmon. I just went through the numbers on what happened on three of the main systems with weirs on them where they count every fish that goes through. They're getting maybe 10 percent of their historical escapement of what they were getting 10 years ago. So we have a problem that needs to be addressed.

Maybe this proposal, as written, is not the appropriate vehicle to address it, but it does need to be addressed and I think the easiest way to solve this problem is just to do what the original Board of Fisheries' intent was, which was the windows are the windows and the subsistence and commercial in the lower Yukon fish concurrently like they already do and have been doing for years in the upper Yukon.

Thank you.

One final thing. I think this is an appropriate place to bring up ichthyophonus rather than wait until midnight tonight.

CHAIRMAN NICHOLIA: Wait. Let's handle one issue at a time. Let's not try to confuse it. John.

MR. HANSON: Thank you, Mr. Chairman. I've got a question to the ADF&G. This one that was passed to us not too long ago, your graph only goes to

2002 and the graph before this that you showed on your screen there, I don't think any of them had 2003. So every time we work on commercial or subsistence we're always using old figures. Why aren't we having 2003 figures? They're not done or they haven't started on them?

MR. BERG: Mr. Chairman, Mr. Hanson. When I put this data together it was actually this past summer. We have to put this information together quite a bit ahead of this meeting so that we can get it to the printer and get the books printed and then mailed out to you. So, obviously, that data was not available. In fact, it's still being compiled in some areas of the Yukon. So it's just the timing of this meeting. Some data is still being collected and it's a little bit early to get all those numbers. Unfortunately, I did not have the 2003 data when these figures were put together, that's correct. That's just kind of the nature of the timing of it all.

Thank you.

MR. HANSON: Thank you, Jerry. I think if we have to work with each other, we should have an accurate chart and figures on salmon, king, chum, cohos or fall chum, not using the outdated ones. I call 2002 outdated ones because it was last year's and the fish this year weren't running like last year. There was a lot of kings and when the fall chums came, there was a lot of fall chums and cohos. When I left Alukanuk, there was still a lot more cohos going upstream. So if you give the figure lower, there's something wrong with all that fish that came into the Yukon.

CHAIRMAN NICHOLIA: Robert.

MR. WALKER: Thank you, Mr. Chairman. Robert Walker, Western Interior Board. I'm also in Unit Y4. We would have to oppose this because if we start tearing the down the windows here for 1, 2 and 3, what's going to happen to 4, 5 and 6? We like our windows two 48's and we're really happy with this. So I recommend to our board to oppose it as Staff has written.

Thank you.

CHAIRMAN NICHOLIA: Benedict.

MR. JONES: Benedict Jones from Koyukuk.

My feeling is that, as John said, the lower river stock has been declining on the weir count because of commercial opening on the mid half of the stock and those are the fish that's going from Andreafsky up to Koyukuk River stock. You can see that Koyukuk River and then Kaltag and Nulato River stock has been declining the last 10 years. So I oppose this.

CHAIRMAN NICHOLIA: Jack.

MR. REAKOFF: Mr. Chairman. As I was going to say, I'm opposed to the proposal to restrict subsistence fishers in any portion of the Yukon River. I am in favor of the windows. It's my opinion as a RAC member that the windows provide harvest throughout the whole Yukon drainage and allow escapement. I think the windows are a very necessary component in rebuilding these salmon stocks on the Yukon. So I'm in favor of the windows, but I'm opposed to reducing the subsistence fisher's opportunities in the lower river or any portion of the river for subsistence users. Those are not the ones to take the burden of the main brunt of conservation. The commercial fishery is to take the main brunt of conservation.

Another aspect is that the Department is lamenting supposed over-escapements in certain portions of the Yukon drainage. There's certain portions of coho over-escapements also because of conservation concerns for chum salmon. The chinook salmon over-escapements are just a peripheral issue. We haven't discussed this ichthyophonus thing, so we need to continue with extreme caution.

MR. MCCANN: Mr. Chairman, may I say some more words?

CHAIRMAN NICHOLIA: Go ahead, Billy.

MR. MCCANN: I agree that the count is not accurate because last year fish is already dead and some of that fish is in my stomach. It shouldn't be report. Fallacy report. They are lying to us by reporting last year's reports that are dead already. They need to report to us with figures from the new season, the latest, not from last year's. Even if they give us a report from last year, the fish are not going to come back. Next time you give us a report, you're going to make a report right, not fooling us.

CHAIRMAN NICHOLIA: John.

MR. HANSON: Thank you, Mr. Chairman. This is my last speech here. This proposal here, with all that salmon that came into the Yukon in 2003, chums were a little shakier than last year. Fall chums and cohos, they were heavy. I can't see why this proposal came up reducing District 1, 2 and 3. District 3 last year and this year didn't have a buyer and this year, when the Department opened up commercial, since they didn't have a buyer, they included it into their subsistence. Then the Department went up the river and the only one that had a buyer was Nenana or Galena. All the rest didn't have buyers.

If this is going to be voted on, I want to make an amendment to this proposal. If it's going to be voted down, then I won't make an amendment. I'll do it on another proposal. I'm not going to support it. It's hurting the three Districts 1, 2 and 3. Why not take the whole darn Yukon, all the way up to 6, if we want to cut down the windows. The windows were put there by Board of Fisheries and it worked real well. We have no problem in District 1 and 2. Putting it to two 18 hours, that's pretty ridiculous to do that on subsistence. Subsistence is already set. It can't be reduced only if the stocks go way down. The windows we don't close them.

Thank you.

CHAIRMAN NICHOLIA: Della.

MS. TRUMBLE: Thank you, Mr. Chair. I have a question and it may be me not understanding all the process. I know I've been involved in this for quite a while, but I still have questions. If you look at Proposal 9 in which the recommendation is to accept Staff recommendation to oppose and you look further down in ADF&G comments, it says Department recommends deferring pending action by Board of Fisheries and that is Proposal 154 and I've read Proposal 154, which technically is the same as this No. 9. What happens if the Department of Fish approves 154? What effect does that have on the Federal side?

MR. BERG: Mr. Chairman, Ms. Trumble. The recommendations from your Councils will be carried forward to the Federal Subsistence Board for them to consider. If the Federal Subsistence Board were to also

oppose this proposal and reject it, then it would not have any impact on the schedule for Federal waters. If the State Board of Fisheries were to adopt the proposal, then it would cut the schedule in half to 18 hours and that would apply to both State and Federal waters unless the Federal Board took a separate action to also align that regulation.

CHAIRMAN NICHOLIA: Thank you, Jerry. More discussion. Lester.

MR. L. WILDE: Mr. Chairman, if there are no discussion, I'll call for the question and roll call vote, please.

CHAIRMAN NICHOLIA: The motion by Jack Reakoff is to adopt the Staff recommendation to oppose Proposal No. 9, seconded by Robert Oney. Vince, you got our deal there? We're going to do a roll call vote and we're going to bounce it around.

Go ahead, Vince.

MR. MATHEWS: Yes, Mr. Chairman.

CHAIRMAN NICHOLIA: Wait. You've got to clarify. Yes is for opposing the proposal and no is supporting the proposal.

MR. MATHEWS: Correct, Mr. Chairman. John Thompson.

MR. THOMPSON: Yes.

MR. MATHEWS: John Hanson.

MR. HANSON: Yes.

MR. MATHEWS: Philip Moses.

MR. MOSES: Yeah.

MR. MATHEWS: Mike Savage.

MR. SAVAGE: Yes.

MR. MATHEWS: James Charles.

MR. CHARLES: Yes.

MR. MATHEWS: Billy McCann.

MR. MCCANN: Abstain.

MR. MATHEWS: Raymond Oney.

MR. ONEY: Yes.

MR. MATHEWS: Nick Andrew, Sr.

MR. ANDREW: Yes.

MR. MATHEWS: Mary Gregory.

MS. GREGORY: Yes.

MR. MATHEWS: Harry Wilde, Sr.

CHAIRMAN WILDE: Yes.

MR. MATHEWS: Emmitt Peters.

MR. PETERS: Yes.

MR. MATHEWS: Lester Wilde.

MR. WILDE: Yes.

MR. MATHEWS: Mickey Stickman.

MR. STICKMAN: Yes.

MR. MATHEWS: Robert Walker.

MR. WALKER: Yes.

MR. MATHEWS: Carl Morgan.

MR. MORGAN: Yes.

MR. MATHEWS: Benedict Jones.

MR. JONES: Yes.

MR. MATHEWS: Angela Demientieff.

MS. DEMIENTIEFF: Yes.

MR. MATHEWS: Jack Reakoff.

MR. REAKOFF: Yes.

MR. MATHEWS: Ron Sam.

CHAIRMAN SAM: Yes.

MR. MATHEWS: Philip Titus.

MR. TITUS: No.

MR. MATHEWS: Jay Stevens.

MR. STEVENS: Yes.

MR. MATHEWS: Sue Entsminger.

MS. ENTSMINGER: Yes.

MR. MATHEWS: Gerald Nicholia.

CHAIRMAN NICHOLIA: Yes.

MR. MATHEWS: Virgil Umphenour.

MR. UMPHENOUR: No.

MR. MATHEWS: For Yukon-Kuskokwim Delta Regional Advisory Council, 10 in the affirmative, 1 abstaining. For Western Interior it was unanimous. For Eastern Interior it was three in support of the motion and two opposed.

CHAIRMAN NICHOLIA: So the motion carries to adopt Staff recommendation to oppose Proposal No. 9. Motion carries. I say we take a break.

(Off record)

(On record)

CHAIRMAN NICHOLIA: We'll be taking on Proposal No. 11. Ms. Pat McClenahan. First, I want to say something. We'll deal with these two proposals and then we'll take up customary trade proposals tomorrow morning.

MS. McCLENAHAN: Mr. Chairman. So it's your intention to do Proposal 11 and then followed by Proposal 5, is that correct?

CHAIRMAN NICHOLIA: Yes.

MS. McCLENAHAN: Thank you, Mr. Chairman. I'm Pat McClenahan. Proposal FP04-11 is at Tab B on page 97. Before I get started into the analysis, I'd like to bring to your attention there is a typographical error in the first paragraph on page 97 that was pointed out to me by the proponent. On the third line it should read public waters in Districts 1, 2, 3 and 4. Please strike 5.

Fisheries Proposal FP04-11 was submitted by Mike Moses of Mountain Village. It requests that subsistence fishing for salmon on the Yukon River remain open for rural residents year round in Districts 1 through 4. The current regulation for subsistence is to close before, during and after a State commercial fishery opening. In addition, the joint State/Federal program has established a windowed approach for salmon management on the Yukon River, so we have two types of closures we're considering.

The proposal area consists of Federal waters in the Yukon northern area that are subject to commercial fishery openings which are directly managed by the State, including Federally-administered waters of the Yukon River Districts 1 through 4. Federal waters within this Fishery Management Area subject to commercial fishing are made up of the mainstem Yukon River, within and adjacent to the Yukon Delta, Innoko, Nowitna and Yukon Flats National Wildlife Refuges.

Federal management of subsistence fisheries was expanded in 1999 to include waters within and adjacent to Federal public lands. At that time, Federal subsistence regulations were adopted from the existing State subsistence fishing regulations.

The closures before, during and after State commercial fishery openings were kept for law enforcement purposes so that subsistence-caught fish would not enter into the commercial market. One special provision that currently is in regulations may help to ease that concern. In Districts 1, 2 and 3 you may not possess chinook salmon taken for subsistence purposes unless the dorsal fin has been removed immediately after landing.

In 2000, Yukon River chinook, summer chum and fall chum salmon were identified as stocks of concern

by the Alaska Board of Fisheries who implemented a new subsistence schedule on the Yukon River referred to as a windowed subsistence fishing schedule. The purpose of the schedule is to reduce harvest early in the salmon run when there is a much higher level of uncertainty in telling what the run will be and to distribute the harvest throughout the run. In this way, subsistence harvest opportunity is distributed amongst subsistence users in years when there is no commercial fishing. This provides more equitability for the needs of upriver and downriver subsistence users, even though the overall run numbers have been lower in recent years. Another goal of the schedule is to provide periods of time during which salmon may escape to migrate upriver to spawn without the pressure of fishing.

The Federal program, as you know, does not regulate commercial fishing, except that the Federal Subsistence Board may close Federally-administered lands to the non-subsistence taking of fish and wildlife under subpart B regulations. Such uses may only be restricted in order to maintain a viable population of fish or wildlife to enable continued subsistence use of a particular fish or wildlife population or if there is an issue of public safety or administration. The Federal Subsistence Board is responsible for ensuring a subsistence priority for Fish and Wildlife on Federal public lands.

Because of the complexity of the region's fisheries, the State and Federal agencies are working cooperatively and have developed a joint subsistence salmon management system intended to avoid having two separate regulatory systems for subsistence users to follow.

The history of the success rate for subsistence fishers harvesting salmon species on the Yukon River is complex as you've heard earlier today. ADF&G records show that while the average annual harvest of subsistence-caught chinook salmon from Yukon fisheries management areas has historically increased, between 1992 and 2002, from 20 percent to 64 percent of subsistence households surveyed indicated that they had not met their subsistence needs during the survey year for a variety of reasons.

Since the institution of a windowed schedule, subsistence users who have wage employment Monday through Friday have been finding it difficult to

satisfy their subsistence needs in a very compressed time period during the short opening on one weekend day. This proposal has also been submitted to the Board of Fisheries and will be taken up at their January 2004 meeting in Fairbanks.

If adopted, this proposal would eliminate subsistence fishers from the jointly managed State/Federal management program currently in place. In Federally-managed waters, they would be exempted from the windows approach to openings currently being used. That provides a method to spread the access to the available salmon as equitably as possible among subsistence users throughout the extent of the Yukon River. At the same time, it provides a method to sustain and build the salmon fishery by giving upriver-bound salmon an opportunity to escape to their spawning grounds.

Subsistence fishers would be faced with two different sets of regulations to deal with. Finally, adoption of the proposal would work against the cooperative efforts of the State and Federal agencies carrying out a joint management system.

For all these reasons, Staff preliminary conclusion is to oppose the proposal. Yukon River chinook, summer chum and fall chum salmon were identified as stocks of concern by the Board of Fisheries in 2001. There are two major areas of consideration, concerns about conservation of the salmon fisheries as well as a concern for a management strategy that equitably distributes the resource among subsistence users located in all areas of the Yukon River.

Due to these concerns, supporting the existing joint Federal/State fisheries management program would seem to be the best management strategy at this time. This issue will be taken up in the upcoming Board of Fisheries meeting. The State proposal is Proposal 158, fishing seasons and periods. Mr. Chairman, that concludes my remarks.

CHAIRMAN NICHOLIA: We'll save the questions for discussion. Dan.

MR. BERGSTROM: Thank you, Mr. Chairman. ADF&G comments are on page 107. The department recommends deferring, pending action by the Alaska Board of Fisheries. The subsistence fishing schedules for the Yukon River were implemented for salmon stocks of concern

to provide for escapement and spread out subsistence opportunity to all subsistence users. Although the closures around commercial fishing periods do reduce total subsistence fishing time, they provide a practical way to enforce commercial fishing regulations while also providing opportunity for subsistence fishers. As Pat said, State Proposal 158 is the same as this one. There's seven other State proposals regarding the subsistence fishing schedule, which would be considered during the January 2004 Alaska Board of Fisheries meeting. That's all I have.

CHAIRMAN NICHOLIA: Other agencies. Buddy.

MR. BROWN: Thank you, Mr. Chair. Buddy Brown from Tanana Chiefs Conference.

We were part of a process before the State Board of Fisheries a few years back during which this windows was instituted. At that time, because the Yukon River fish were identified as stocks of concern, we had agreed to go into a conservation mode. We had a lot of fishermen participating in this Board of Fish deliberations in Anchorage at that time. We had agreed to the scheduling of windows for fishing throughout our area definitely for conservation concerns.

In order to spread the subsistence opportunity for those fish equitably throughout the whole region, throughout the whole river system, we supported it. However, when it's being applied when there's a commercial opening, when there's enough fish to provide for all subsistence uses throughout the river and then a commercial opening is had, we have some concerns about windows still remaining in place for subsistence fishing. In our opinion, that has become borderline as an illegal restriction on subsistence taking both under Federal and State law.

So we have some concerns. Right now we're opposed to the proposal. However, we do have some concerns about the application of the windows management system when there's enough fish for everybody throughout the whole river. Then you're really restricting subsistence use.

We've also seen some activities on the manager's part that have caused us some concern where we perceive that they are using the windows system as

creating enough of a buffer zone to provide for commercial opportunity. To us, that would be something we would definitely object to. We see that as a manipulation of the window system to provide for commercial opportunities throughout the river system and that's really not what we had agreed to when this whole management system using windows was put into place a couple years ago.

We specifically agreed at TCC and the fishermen that we had present to a windows system for conserving and rebuilding the stocks. We hadn't at that time discussed using it as an allocation tool. Now, if you do have a shortage of fish in one particular year, yes, you do want to spread the fish out throughout the whole river. However, in times of abundance, using the windows management tool to allocate fish throughout the whole river system is something we have not discussed in the TCC region. Then you're talking about permanently imposing restrictions on subsistence opportunity and we had not discussed that, so we don't have a position on the permanency of the windows system at this time.

We do have a position of using windows to rebuild the stock of concern though. We are definitely in support of using windows to rebuild those stocks. Again, we do have concern about some cross-over and some manipulation of that process. In particular, Holy Cross had been hit by it because the windows remained in place for Holy Cross because they didn't have any commercial buyers, so they did not get a commercial opening. If they did not get a commercial opening, then the subsistence windows remain in place, which is the reason we filed the second special action request this summer to the Federal Subsistence Board. So we do object to that type of a use of the window system, but, overall, we do support using the use of windows to rebuild salmon stocks on the Yukon River.

Thank you, Mr. Chair.

CHAIRMAN NICHOLIA: Tim.

MR. ANDREW: Thank you, Mr. Chairman. My name is Timothy Andrew. I'm the director of natural resources for AVCP. We support Proposal No. 11, but as Buddy from TCC puts it, we support windows as a way of getting fish through in years of low abundance of salmon; however, in years of high abundance of salmon, we feel the institution of windows is completely unnecessary and

it places unnecessary restrictions on the subsistence user.

This past season, as I had indicated earlier, the salmon entered the Yukon River May 18th and the Department's projects did not start until June 2, when they started the lower Yukon test fishery. This is 15 days after the salmon had entered the river. Later, the Department did not start the Pilot Station sonar project until June 12th. This is almost a month after the salmon had entered the river. We feel that when the window started on May 29th they did this because they did not know how many fish went up the river system from that 11-day period.

If we continue windows, we will continue to restrict our subsistence fishermen unnecessarily and give the Department freedom to start their projects any time they want to. We've told the Department in the past the fish are not going to wait until the Department of Fish and Game starts the projects and then start coming up the river. No, they'll start whenever they have the natural instinct to enter the river and migrate up the Yukon River.

I'd just like to reiterate that we feel these windows are unnecessarily applied in years of abundance and when we were faced with conservation years, AVCP hesitantly went with the Department of Fish and Game and US Fish and Wildlife Service to impose windows upon our own people. Especially in 1998, when we had a crash, we worked with Department of Fish and Game, with U.S. Fish and Wildlife Service, and told them in numerous correspondence and also in numerous dialogue between each other that we did not want to have these windows in place for eternity because it places restrictions on our subsistence fishermen. We'd like to try and make the fish managers a little bit more responsible in starting these projects earlier.

Thank you, Mr. Chair.

CHAIRMAN NICHOLIA: Thank you, Tim. Any other agencies.

(No response)

CHAIRMAN NICHOLIA: Private.

(No response)

CHAIRMAN NICHOLIA: Written public comments. Vince. Hold on.

MR. COHEN: Sorry, Mr. Chairman. Again, my name is Norman Cohen. I'm speaking on behalf of the Yukon Delta Fisheries Development Association. We look at this issue of windows as being a mechanism to address the two top priorities for the salmon resource. First is conservation and the second is providing for the subsistence priority throughout the drainage. As managers have spoken, this system providing for quality escapement by allowing different segments of the run to make sure that they can reach the spawning grounds. The second is that it provides opportunity for all fishermen to have good opportunity to obtain their subsistence needs by making sure fish throughout the run are not harvested during certain portions of their migration.

So, for those two reasons YDFDA supports the concept and the use of windows. TCC and AVCP have raised questions that certainly need to be further addressed and we would suggest that that be done at the Board of Fisheries meeting.

Thank you.

MR. MOSES: My name is Mike Moses, Asa'carsarmiut Tribe of Alaska, Mountain Village on the Yukon delta. One of the reasons this came about is mainly because of our elders. I have no problem with doing all the activities that are required for subsistence. However, the elders specifically are being really heavily burdened with the restrictions placed on subsistence. Mainly I'm thinking about camping, teaching them all the things they've been doing in the past and that is being lost. Now they hesitate to go fish camping with their families because of schedules, put the nets in, put the nets out, listening on the radio for a schedule. It's always changing.

All these things have impacted in a way that makes us feel not in the way when everyone was sharing and living in harmony with each other and want to teach their children about subsistence. This is one of the reasons I wrote this proposal. It's not for myself. Many elders live up and down the Yukon. They're the ones that are making the sacrifices. It brings about a feeling that is not very good. This is a big loss for us, being with our families. Now all the children are grown up and they don't know how to use stuff. They're

not being taught.

In closing, I oppose any restrictions on subsistence. I thank you for the opportunity to make a comment.

Thank you.

CHAIRMAN NICHOLIA: Thank you, Mike. Other agencies or private want to comment.

(No comments)

CHAIRMAN NICHOLIA: Written public comments. Vince.

MR. MATHEWS: Yes, Mr. Chairman. Again, Morris Coffey of Stebbins Village had a comment on Proposal 11. Fishermen in Stebbins oppose this proposal and believe that management should maintain the status quo. The current management system works well and the salmon need time to travel through the river without being fished on. That's all the written comments we had.

Thank you.

CHAIRMAN NICHOLIA: Okay. Just like Mike Moses says, he says it all. Fort Yukon says we're all hurting along the river. It's not what we're doing, it's not what the fish is doing. It's what management have done for the last 40 years. They mismanage our fishery, they let too many people fish 30 years ago. That totally destroyed the fishery. It's not our fault or the fish's fault. Look at the manager's people. I feel for what those guys are feeling down there. They're like caught between one world, the world we live in and your world that's imposed on our world for the resources that our people have been living with for the last 30-40,000 years. Being a supporter of the windows, I'd just like somebody to entertain a motion and get this over with.

MR. UMPHENOUR: Move to adopt the Staff recommendation for Proposal 11.

MR. STICKMAN: I second.

CHAIRMAN NICHOLIA: Discussion.

MR. WALKER: Question.

CHAIRMAN NICHOLIA: Did you want to say something, Della?

MS. TRUMBLE: Yes, thank you. My heart goes to what I'm hearing here, but I also feel, being from an area that's been restricted and looking at the high seas and the water temperature and all of these variables that may contribute to what's happening and I'm looking at the windows that have been put in place since 2000 and looking at 2003 and possible benefits of these windows. I fully support the Staff recommendation to continue that, at least until we have a better concept, an idea of what is happening, better paperwork and statistics that tell us what's contributing to all these things. I feel if we open this door and remove windows, it's going to hurt us in the long run. As hard as it is to go with change and how painful it is sometimes, we may have to do that just so our children and their children have something in the future.

CHAIRMAN NICHOLIA: It's been moved, it's been seconded, the question has been called to adopt the Staff recommendation to oppose Proposal No. 11. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN NICHOLIA: All those opposed same sign.

IN UNISON: Aye.

MS. GREGORY: Two nays.

CHAIRMAN NICHOLIA: There's more ayes than nays there, Vince, so I think the proposal fails.

MR. MATHEWS: The proposal fails. Let the record reflect that there were two nays, as on the record. The motion passes.

CHAIRMAN NICHOLIA: That brings us to Proposal 5. Please just hit the points.

MS. McCLENAHAN: Thank you, Mr. Chairman. We're at Tab B on pages 35 and following. In particular, I'd like to have you look at page 37 at the map. Fisheries Proposal FP04-05 was submitted by the Western Interior Subsistence Regional Advisory Council. It is requesting a change in the existing Federal regulations

for a part of Federally-managed waters in Subdistricts 4-B and 4-C downstream from the mouth of the Yuki River. The Yuki River is kind of vaguely indicated here and I just wanted to point out to you that it's the only part of the river that this proposal addresses is the part in the Innoko NWR. There is a parallel State proposal that would address the rest of it between Ruby and Galena there.

The request is that residents may be able to subsistence fish for king salmon by drift gillnet less than 150 feet in length from June 10 through July 14, and chum salmon by drift gillnets after August 2nd. Three communities are primarily affected by this proposal. They are Koyukuk, Galena and Ruby.

I think that you'd like me to cut to the chase here, so I'll just say that the request was so that people who live in Ruby and Galena can be more efficient in their subsistence fishing. Currently, there are some fishwheels and setnets in Subdistricts 4-B and 4-C. For those people who want to use drift gillnets, they go to 4-A, which is quite a ways away. This proposal would allow them to fish using drift gillnets closer to home. Subsistence is economical and it would be more economical for them to do it that way.

I feel that I need to mention some concerns that were expressed to me by management, both State and Federal managers. First of all, there may be a possible increase in the use of drift gillnets in the area. However, we're just talking about very small, less than 20 mile stretch of river and probably only a few drift gillnet fishing sites in the area. There are people here from the local area who I'm sure would like to speak to this.

There was another concern that drift gillnets are very efficient and that the larger hens heading upriver might be targeted. The third concern is Federal/State regulatory alignment. There is a State Proposal 162 that's going to go before the State Board of Fisheries in January. Another comment that I'd like to make is that the gear type is restricted to 150-foot nets compared to the much larger, longer nets that are used in the lower river. Finally, I see no reason to handicap subsistence users.

So the Staff preliminary conclusion is to adopt the proposal. We would be specifying that it would

be within the Federal waters within Subdistricts 4B and C downstream of the Yuki River. Because a strong concern exists among State and Federal fishery managers that allowing drift gillnetting in this area adjacent to villages with fairly large populations at a time of increased fishing efficiency and technological sophistication in fishing equipment would result in an increased harvest of large chinook salmon females bound for Canada, it should carry the caveat that this drift gillnet fishery would be carefully monitored to record any large increases in harvest and any impacts to the fishery. Thank you, Mr. Chairman. That concludes my remarks.

CHAIRMAN NICHOLIA: Dan.

MR. BERGSTROM: Yes, Mr. Chairman. Written Staff comments are just that the Department recommends deferring, pending action by the Alaska Board of Fisheries of two proposals, 162 and 163, that they will be considering in January 2004. There is some consideration on our part that there's Federal applicable waters and State waters in the area and hopefully have the same regulations for both systems. I guess that all depends on who goes first.

We wanted to get across some of the concerns. As you read the proposal, it seems like a part of it was a feeling of overcrowding and less of a need to have this gear type to meet subsistence needs. We agree that driftnets are a lot more efficient. The setnets and fishwheels are bank-oriented, so they tend to take more local stocks and less far-range stocks such as Canadian fish.

From some of the people I've talked to, I know that in the past it was illegal gear type for drift gillnets, but I know that Sydney Huntington has talked at other meetings in the past and said it's not a traditional gear type in that area, so there's a question about that or a concern.

As 4-A went into drift gillnets over the past years, we've seen that the harvest has increased there. I think this is partly due to the people that may not have used the fish so much in the past decided that they could more readily with an easier, more efficient gear type. We've heard from some people in Galena that they thought a reason it might increase there is because there's an influx of people that come out during the

summer.

I think some of these concerns were addressed in that page that you were handed out that came from the Coordinating Fisheries Committee meeting on Saturday. I guess kind of an overall statement at the end is that a lot of the regulations in place the way they are is to -- it's recognized what the traditional fisheries are, so you have to think about when you change things how it might affect the existing fishery, which I think it's a possibility that the traditional setnet fishwheel fishers might see a change in how they fish.

These are some things to think about. We haven't come up with whether we support or oppose or what yet. We haven't talked with other divisions in the department, so we'll be working on that. We're interested in hearing public comments and Council's comments on this. Thanks.

CHAIRMAN NICHOLIA: Agencies.

MR. BYERS: Mr. Chair, members of the Council. My name is Jeff Byers (ph). I'm with the Koyukuk Nowitna Northern Innoko National Wildlife Refuge. I just want to pass along some of our Staff concerns with expanding the drift gillnetting in Subdistricts 4-B and 4-C. As Dan has already pointed out, one of the things to be aware of is that by adopting this proposal it's going to allow more efficient gear type, which has the potential to result in an increased harvest of Canadian-bound stock and it may reallocated commercial, subsistence, sport and personal use harvest levels.

Another thing to be aware is that the intent of the Board of Fish schedule is to reduce the harvest impact on any particular component of the run and to spread subsistence fishing among the users. Drift gillnetting will compress the harvest time and it's a method which can more effectively target Canadian-bound and female breeding stock. This change would reduce the effectiveness of the windowed subsistence fishing schedule that's now in place.

I think one of the important things to point out is that most of the public comments that are in support of this proposal request that it be extended to the mouth of the Yuki River, an area that is not going to be covered by this proposal. This proposal only applies to Federal waters in Subdistrict 4-B and 4-C.

Council has shown support to the Fish and Wildlife Service in conducting its in-season salmon harvest assessment project of village residents to see if their subsistence fishing needs are being met. Working with this project the past two years, I want to pass along an observation that I have on the concern that there may be an increase in harvest. With this year's chinook run being better than the previous two years, people were increasing the number of non-rural family members that they were providing for. With easier and more efficient access to salmon, there is a potential for increased subsistence harvest to provide for non-rural family members when locals feel that the run strength will be able to support this.

Our refuge acknowledges that this is a minor expansion of the driftnetting opportunity. We also understand that one of the reasons for this proposal is to reduce crowding and competition in the driftnet fishery, which has been experienced near Koyukuk. The refuge asks if the Council would consider the following suggestions to reduce potential conflicts with driftnetting in the Koyukuk area or to help mitigate the potential impacts to salmon stocks if this proposal is allowed. One of the suggestions we have to reduce user conflict is increase the portion of time that's available to fishers on the weekends.

In order to mitigate any potential impacts this may have to salmon stocks, we have two other suggestions. One is reduce the amount of fishing time from the current two 48-hour periods or to adjust the gear mesh depth so that the larger, traditionally deeper running stock have a greater chance to reach their spawning grounds.

As I previously noted, this proposal does not affect the Yuki River area. Most of the public comments request that driftnetting be expanded to the Yuki River mouth and these will not be addressed by this proposal. There are three proposals to allow driftnetting and one proposal to change the fishing period in 4-B and 4-C before the Board of Fish January meeting. Our refuge would recommend tabling this proposal until the Board of Fish has made a determination on those four proposals. Thank you for the opportunity to comment.

MR. SARTEN: My name is Ed Sarten. I'm with the Ruby Fish and Game Advisory Committee. We are

in favor of this proposal. We feel it's not going to really expand the fishery in any way. All it does is basically provide an easier access for those in Ruby who are already going downriver and driftnetting down there, which are just a few people. They just want the same equal opportunity as the people downriver to be able to fish near their village, especially with the increase in gas costs and all these other expenses that have been coming up. I just basically want to stop the congestion of fishing. It would greatly help the people in Ruby that are driftnetting already and make easier access for them. We feel the pressure would not be greatly increased by this. That's basically the reason they want to do that; spread it out a little bit and provide easier access. Thank you Mr. Chairman and Board for my comments.

CHAIRMAN NICHOLIA: Thank you, Ed. Buddy, did you want to say something?

MR. BROWN: Thank you, Mr. Chair, members of the Tri-Council. My name is Buddy Brown with Tanana Chiefs Council. TCC at this time is in support of the proposal. I'll leave it up to the other folks to discuss the overcrowding situation, but if you allowed this proposal to go through and spread the effect of that driftnet fishery a little further along the river system, it may actually decrease the effectiveness and the impact on the run overall. I wasn't there this summer, but I did get some direct reports on the overcrowding situation right there at the village of Koyukuk. Boats were practically bumping into each other as they were drift fishing, knowing the return of the kings this year was pretty good. When you have that type of a situation, you have a pretty effective fishery. Whereas, if you let the Galena and Ruby residents fish closer to their own villages, it would actually spread the impact of that fishery out a little further along the river system instead of just targeting right there in front of the village of Koyukuk.

We also agree with the OSM that it's an unnecessary restriction on the Galena and Ruby subsistence fishermen, them not being allowed to use drift gillnets at this point, especially when you do have commercial openings. So it would be an unreasonable restriction on those rural residents' ability to subsistence fish through their traditional gear type, even though there's conflicting reports on this.

I would also ask the three Regional Advisory Councils to exercise some independent authority here. You are being asked to wait for the State Board of Fisheries to meet and decide on this issue, but you've got the authority yourselves to decide on it instead of waiting for the Board of Fish to meet and decide on the issue and then give it to you guys next year. You do have the authority with respect to Federal waters in this area to make a decision. You do have that independent authority to act now and then request that the State Board of Fisheries issue a similar decision when it meets in January.

I'm also a little puzzled. You just heard some anecdotal information given to you from the refuge office. The reason I'm puzzled is because oftentimes when we use anecdotal data as Native people, our arguments are discredited, yet we just heard that there might be urban residents that are being given fish from their rural families. We don't really know how much, we don't know how much the fishery is going to be increased, we don't know how effective this new fishery will be, but there's no data. I would submit that if we, as Native organizations, were making the similar argument, it would be discredited. So please realize that there is no data on this other than what the local people are telling you.

The impact of the fishery is really going to be minimal and it's really going to spread the fishing pressure a little more throughout that river system instead of just banging those fish right there in front of the village of Koyukuk and putting a big burden on the Koyukuk fishermen as well. With that, TCC is in support of this proposal. Thank you, Mr. Chair and members of the Council.

CHAIRMAN NICHOLIA: Thank you, Buddy. Tim, did you want to say anything?

MR. ANDREW: Thank you, Mr. Chairman, for this opportunity to testify on this proposal. My name is Timothy Andrew. I'm the director of natural resources for AVCP. AVCP stands in opposition to this proposal primarily because it may impact the migrating salmon in the area, especially when this gear type was not traditionally used within the area for quite some time. This area primarily uses fishwheels.

Thank you, Mr. Chair.

CHAIRMAN NICHOLIA: Anybody else in the audience that wants to say something.

MR. MATHEWS: Mr. Chairman. I would like to direct your attention to written public comments that are summarized in the book and they're on page 49 and 50. We did receive 14 comments in support of the proposal. They all address various points, so I'll just cover some of those points and then I'll list the names. The comments in support of this proposal say it's costly to travel a long distance, time consuming to travel downriver when there are sites closer to Galena. They also pointed out a lot of Galena residents travel too far to fish with driftnets. Passage of this proposal will help people that depend on fishing with the high expense of gasoline at $3.55 per gallon. Another comment that came from the ones we summarized, many times there are boats waiting to fish the same spot. Passage of this proposal would spread out the driftnet fishing. These comments were received from Stephen Gregory, Coleen Huntington, one was unsigned, Alfred and Lilly Evans, Max and Bev Huhndorf, Cynthia Davis, Marlene Marshall, Virgil Sam, Terry Pitka, Claude and Flora Keogh, Alfred Nollner, Helen Hodgkin, Charlotte Gowan and Curtiss Carol.

The letter I received today is dated October 8, 2003. It's from Sydney Huntington of Galena and I will do my best to do this slowly so everyone would understand. To whom this may concern, I am not against drifting for kings for subsistence household use as a food. Drifting for salmon was not a historical method of fishing on the Yukon River. Fish traps and dipnets were the only means to catch king salmon until white man introduced the fish nets years ago.

We have modernized the fish nets used in drifting for fish so we can put our nets to use to catch larger kings. The smaller fish go through from the standard depth of fish formerly used. Now the depth gets in extreme cases to 35 feet. Now we are having trouble catching larger breeding because of excess fishing with deep nets with larger mesh size.

The fish have trails along the Yukon River, just like you have streets in your cities. We have closed harvest at the mouth of the Yukon River preventing the people who historically made a major part of their livelihood commercial fishing. That's possibly okay. Only you have opened up stream, a new avenue of selling king salmon with no controls on the harvest

called subsistence harvest. The abuse of that sale of fish could some day in the future be the doom of king salmon on the Yukon River. No different than what has happened to the Atlantic salmon.
Your king salmon then will then come from a Korean fish farm.

If we want to continue having king salmon along the Yukon, we all have to contribute in some cases restricting ourselves from overharvesting and bootlegging subsistence-caught processed salmon. A lot of people who sell kings hardly eat fish but make up and above $20 per pound. I guess it is like drugs. It tastes better because it's illegal.

The main effort is to bring up the lead line to the standard depth of the original nets, 20 to 21 meshes deep. Length does not make a difference. 150 maximum is probably okay. That gives some of the larger females a chance to get to the spawning grounds. Let's stop taking the motherlode of spawning fish out of the river. Again, why make laws where there is no enforcement. There is nothing in Federal subsistence law that is very enforceable, only discriminatory. Drifting with controlled shallower nets with eight inches or less mesh size will help, but why make any laws unless they are enforced. With no good controls set now, 20 years from now you won't have many king salmon except in the memory. If you don't prepare for the future, there will be no future. You just change with the time. That is the full letter from Sydney Huntington that was provided to me today.

Thank you.

CHAIRMAN NICHOLIA: Thank you, Vince. Thank you, everybody. You know, we've been hurting for the last 10 years and we're in a rebuilding mode supposedly. We've been trying to rebuild these fish for the last 30, 50 years, supposedly. We're all sharing the burden here. If we allow this driftnet, which I know is highly efficient, targets big females, that will change stock composition on the spawning grounds and if we allow this, District 4 would not be sharing the burden of conservation as the rest of the districts. I know it's crowded there, but if you're going to driftnet, why not do it in Tanana. I could see this thing balloon. All I was going to say is just like what my grandpa said, we already are changing the stock composition of these salmon. It's a fact.

As a kid, I used to take fish that was about as big as me out of the box. I don't see that anymore. The way we're allowed to fish by these departments are changing the stock composition of the salmon that we thrive on as subsistence people. All I see is another highly efficient tool that is going to adversely effect us in the long run. I say just keep on sharing the burden.

CHAIRMAN SAM: Thank you, Mr. Chair. There is always concern about Canada, but I don't think that we can really answer that question. The bottom line is whether you stop one salmon or 10 tons of salmon out in the ocean, you're stopping fish that is going upriver. I don't think that adopting this Proposal 5 will create any more or bigger fishing industry that already exists anyway. With that argument, I am in support of adopting Staff recommendation to adopt Proposal 5 because it has always been my mandate to create subsistence opportunities to people in the Western Interior Regional Advisory Council district.

MR. UMPHENOUR: Move to adopt the Staff recommendation for Proposal 5.

MR. STICKMAN: Second.

CHAIRMAN NICHOLIA: Discussion. Benedict.

MR. JONES: Koyukuk is the one that drafted this proposal. The reason we did that is we talked to Galena for the past 10 years. As the Yukon River current channel has changed, wider and less flow of current, and Galena has no setnet sites in their area. They only have three sites, one four miles below Galena and two above Galena and only one fishwheel operates. There would be no increase in harvest because the same number of people would be harvesting. They probably get about 20 fish a year for a family of four. Historically, people on the Yukon River have never harvested kings as much as they do nowadays because we only fish for the summer chum and the fall chum. Everybody in Koyukuk and Galena area and Nulato area historically has fished on the north bank, which is the Koyukuk River bound fish.

For commercial permits, there's only five permit holders in Galena, so it would not affect. During the window opening, the people only fish approximately 12 hours per day in the evening. With this driftnetting, I

propose no commercial fishing for driftnetting and restrict the mesh depth to 35 mesh in that area. If there's 15 boats there, they'll be lucky to get 10 fish out of the 15 because there's too much traffic. Immediately all the fish go out to deeper water when all the sounds on the shallow water area. With that I want to thank you.

CHAIRMAN NICHOLIA: Mickey.

MR. STICKMAN: Me and Ben live in that area, so we fish that area and there's a lot of information out there that's not correct. The one thing that I know and Ben knows is that the fishermen from Galena will go down there with a 45-foot net. When you fish with a net like that, your target is in all compositions because you're going so deep. But I've seen them get 85 kings in one drift with a net that size. If you leave it as it is, some composition is going to get slaughtered. But I'm saying I'm going to speak in favor of this. I don't want to show any disrespect to anyone and I always look to elders for advice, but Sydney is only been fishing in the area for 40 years. My people have been fishing there all their lives. You learn to fish from the Yukon River people, so be careful.

CHAIRMAN NICHOLIA: Mary.

MS. GREGORY: Thank you, Mr. Chairman. I'm speaking in support of the proposal because, like I said, I'm 99.8% Yup'ik food eater. I have some relatives in Anchorage that I share my food with whether I catch 50 or 20 kings and chum salmon. Like I told you before, I'm for making sure my elders eat their food until they don't live here no more, so I support the proposal.

CHAIRMAN NICHOLIA: Virgil.

MR. UMPHENOUR: Thank you, Mr. Chair. I know we do have a problem with stock composition. There's a weir on the Tazitna River that's run by BLM. Last year in 2002 only 13 percent of the king salmon that went through that weir were females and they sampled approximately 27-28 percent of the king salmon. 82 percent of those king salmon were 28 inches or less in length. That means 82 percent of the king salmon were smaller than 10-pound king salmon. This year they don't have the full report completed, but I do know that 19 percent of the fish were females. I've known Sydney a long time and I've worked with him in years past and I

respect him and I'm going to go along with him. I'm going to be opposed to the recommendation. It's primarily because those large female king salmon need protection and they're the ones swimming closest to the bottom.

Thank you.

CHAIRMAN NICHOLIA: John. No, wait. I think Philip had his hand up before you.

MR. TITUS: Thank you, Mr. Chairman. My concern is Fort Yukon is asking for more fish and we voted down every proposal they put up and these guys are all for giving them more efficient way to get fish. Fort Yukon is going to get a bigger zero.

CHAIRMAN NICHOLIA: John.

MR. HANSON: Thank you, Mr. Chairman. Pat, on this little map I'm looking at, if this 4-B and 4-C was passed, that would relieve 4-A. Is that where the drifting goes on? And it will be less impact once 4-B and 4-C is open.

MS. McCLENAHAN: That's what the proponents of this proposal suggest. The fishing is going on right here by Koyukuk and people from Ruby and Galena are going down to fish there according to the people that I've talked to. If this proposal were passed, that area from the line at 4-A to the upriver side, all that hatched area, up to Galena, that's Federal waters, then that would be open to drift gillnetting. If the State proposal was passed also, then the waters above Galena up to where the Yuki River is would be opened.

Thank you.

MR. HANSON: Thank you. Mr. Chairman. To relieve 4-A from people going down and drifting, which probably impact 4-A quite a bit with places going down, and this proposal is asking just the drift part from above Koyukuk, I think that would really help the people that go on a long run just to go down and drift. I would support this proposal.

Thank you.

MR. REAKOFF: Mr. Chairman. I support this proposal. It alleviates overcrowding. The other

aspect of this proposal that the opposition is not recognizing is that the subsistence users are going to fish until they get the fish that they need. They're subsistence fishers also. They're not trying to make some big quota or something. They're paying a lot of money to go down there to compete with other users and right in front of somebody else's village. These subsistence users are going to get their fish that they need for use, then they're going to stop fishing like everybody else. So I'm in favor of this proposal.

CHAIRMAN WILDE: Mr. Chairman. When I was young, I used to work in Nenana. We'd go to campsites villages those days there was dry fish hanging and now me, myself, I do think sometimes very hard and, me, myself, I grew up very poor. When I was small, I begged in a house for something to eat or to help my sister and brother. Because of that, when this subsistence comes up, I do my best because how I grew up, it makes me very humble when I heard about people needed food. If I am able to help someone, not to benefit myself, but to help that person that do need, I will support this proposal.

CHAIRMAN NICHOLIA: Go ahead, Emmitt.

MR. PETERS: Thank you, Mr. Chairman. My name is Emmitt Peters and I'm really for this proposal. I think it will do a lot of good for our people in our district. The rich people is the ones that's going down there and getting the fish. The poor ones don't have the opportunity. When they come back with 80, 90 fish from downriver, that makes us mad. We don't have a chance to go out there and drift just to get a little fish to put away for the winter. I think it will do good for us and I'm for this proposal.

Thank you.

MS. ENTSMINGER: Thank you, Mr. Chairman. I'm probably the least knowledgeable on this issue, so I have a few questions. Who would be the next village upriver? Is it Tanana? How far is that to go gillnetting?

CHAIRMAN NICHOLIA: From Tanana to where it's currently at is about 200 miles. If they allowed the Yuki River, it would only be like 130, 40 miles maybe.

MS. ENTSMINGER: How far is Ruby to the Koyukuk where they're going down there to fish?

MR. JONES: Eighty miles.

MS. ENTSMINGER: I guess the concern I have here is, would you try to go down to that fishery if it was moved up?

CHAIRMAN NICHOLIA: No.

MS. ENTSMINGER: Do you think there are other residents on the Yukon that would do that?

CHAIRMAN NICHOLIA: From Tanana. I believe we tried that and was turned down just because it was highly efficient. It will create a non-traditional fishery in a traditional area of fishwheels and setnets. We restricted the lower river with what we did earlier and we shot down Fort Yukon twice. Then we're going to allow them a bigger dip in the bucket just because this year has been good. How about the next five years? That's something else my grandpa said, it's on a six-year cycle. We're going to be expecting bad years again and we're going to allow this that's going to change the stock composition? It's a highly efficient fishery. We are humans and the nature of humans will abuse if there's no enforcement.

I could see supporting this when there's no stocks of concern. But when we're trying to rebuild something for the last 30 years and you give another stakeholder group something over somebody else that you just turned down, I don't think we're doing the right thing if we turn down somebody else and give somebody else a bigger piece of the pie. I say if we pass this, we're not doing the right thing because we shot down Fort Yukon twice and we just turned this one guy down here. I know for a fact this driftnet fishery is highly effective and it does target large females because they go up the middle of the river, so that's why I'm not going to support this proposal.

CHAIRMAN SAM: To prevent redundancy or repetition, I will request a roll call vote and ask that Western Interior be roll called as a region. If we do that and go against the other two Councils, then I would have no choice but to revisit this on the Western Interior separate meeting.

Thank you.

MS. ENTSMINGER: Thank you, Mr. Chairman. I just want to, for the record, mention that we have a member from Eagle who is not here that could really help for our region to know more about it. He's here?

CHAIRMAN NICHOLIA: Andy, you're an Eastern Interior Council member. Get up here. We'd like to hear your opinion on this.

MR. BASSICH: Hello. My name is Andy Bassich. I live in Eagle. I've been in Eagle now for about 21 years. I'm an advisory member and an alternate member on the Yukon River Panel and I've been involved in the fisheries now for about four years. I've been a subsistence fisherman since I came to Eagle. About the last seven years we've noticed a tremendous decline in the size of the salmon in our area. To give you a little bit of an idea of what's taking place or what we see and for those of you who aren't familiar with where Eagle is, we're approximately 12 miles from the Canadian border, so we're the farthest Alaskan fishery up the Yukon River.

We have a mixed fishery up there, fishwheel and setnet fisheries. This year water levels were extremely low during our king salmon run, but during a four-day period running a fish wheel I only caught two female king salmon in four days. Those two salmon were less than 32 inches in length. Granted, some of the setnet fisheries persons in our area were catching larger fish, but this is a trend that we've been noticing in our area for a number of years. It's a tremendous concern to those of us that larger fish are not making it to the spawning ground, which is adversely affecting the genetic composition of the spawn taking place up in Canada. I personally feel this is a very important issue that needs to be addressed. My personal feelings are that we need to really start to protect the larger female salmon bound for the Canadian spawning grounds if we want to protect this run in the future. I would have to say I'm opposed to any additional fishing opportunities that would potentially impact that larger female out of the run.

CHAIRMAN NICHOLIA: Mickey.

MR. STICKMAN: Thanks, Mr. Chairman. I just wanted to correct you. We don't drift in the middle of the river, we drift on the side. The only people that drift in the middle are the people that use the 300-foot

illegal nets that can actually drift out there. The people from Nulato and Koyukuk, they all drift on the bank.

CHAIRMAN NICHOLIA: Sue.

MS. ENTSMINGER: Thank you, Mr. Chairman. That draws another question to me. Does that mean that's the only place you can fish or could you fish in the middle also?

CHAIRMAN NICHOLIA: When it's open, they can drift anywhere they want to.

MR. JONES: The people that drift in the middle have a deeper mesh, that's why we use the shallow water area.

MR. TITUS: Call for the question.

CHAIRMAN NICHOLIA: It's been moved and seconded to adopt the Staff recommendation to adopt the Proposal No. 5. Vince, do a roll call.

MR. MATHEWS: Mr. Chairman, if I understand correctly, we're going to do it by Council on this roll call vote. Since Western Interior is the home region, I'll start with Western Interior. Emmitt Peters.

MR. PETERS: Yes.

MR. MATHEWS: Mickey Stickman.

MR. STICKMAN: Yes.

MR. MATHEWS: Robert Walker.

MR. WALKER: Yes.

MR. MATHEWS: Carl Morgan.

MR. MORGAN: Yes.

MR. MATHEWS: Benedict Jones.

MR. JONES: Yes.

MR. MATHEWS: Angela Demientieff.

MS. DEMIENTIEFF: No.

MR. MATHEWS: Jack Reakoff.

MR. REAKOFF: Yes.

MR. MATHEWS: Ron Sam.

CHAIRMAN SAM: Yes.

MR. MATHEWS: Okay, Mr. Chairman. Yukon-Kuskokwim Delta. Lester Wilde.

MR. L. WILDE: No.

MR. MATHEWS: Philip Moses.

MR. MOSES: Yeah.

MR. MATHEWS: Mike Savage.

MR. SAVAGE: No.

MR. MATHEWS: James Charles.

MR. CHARLES: No.

MR. MATHEWS: Billy McCann.

MR. MCCANN: No.

MR. MATHEWS: Raymond Oney.

MR. ONEY: No.

MR. MATHEWS: Nick Andrew, Sr.

MR. ANDREW: No.

MR. MATHEWS: Mary Gregory.

MS. GREGORY: Yes.

MR. MATHEWS: John Hanson.

MR. HANSON: Yes.

MR. MATHEWS: Harry Wilde.

CHAIRMAN WILDE: Yes.

MR. MATHEWS: John Thompson.

MR. THOMPSON: Yes.

MR. MATHEWS: Okay. Eastern Interior. Virgil Umphenour.

MR. UMPHENOUR: No.

MR. MATHEWS: Sue Entsminger.

MS. ENTSMINGER: No.

MR. MATHEWS: Jay Stevens.

MR. STEVENS: No.

MR. MATHEWS: Andrew Bassich.

MR. BASSICH: No.

MR. MATHEWS: Philip Titus.

MR. TITUS: No.

MR. MATHEWS: Gerald Nicholia.

CHAIRMAN NICHOLIA: No.

MR. MATHEWS: Mr. Chairman, I'll ask my fellows because I'm trying to do both at the same time what the totals are. Mr. Chairman, for Western Interior it was 7-1, seven for and one in opposition. For the Y-K Delta, there was five in affirmative and six opposing, so it failed there. It did pass on Western Interior 7-1. Eastern Interior was unanimously against the proposal.

CHAIRMAN NICHOLIA: So where does that leave us?

MR. MATHEWS: Mr. Chairman, that leaves you with one Regional Council in support and two that oppose it. I would go forward to the Federal Subsistence Board to weight that out.

CHAIRMAN NICHOLIA: I'm going to have the last say on this. We just introduced a highly efficient new fishery on the Yukon River. We might as well say goodbye to our king salmon. The reason I turned it down is because we turned Fort Yukon down and we're letting these guys get a bigger opportunity and we're still in the rebuilding mode. We're going to really affect

composition of the stock that we live on. Try to be very careful. So what. I'm hurting. The people I represent are really hurting way harder. You guys are allowed to meet your needs when they are not to. We've got to share the burden of conservation and I don't see it here.

Go ahead, Ron.

CHAIRMAN SAM: Thank you, Mr. Chairman. I see it in a total different light. All we are doing is expanding not the fishery itself, that is already in existence, all we're doing is expanding that area a little further. That is all we did is recognize a fishery that is already there and just expanded that area to operate on. We are not creating a new fishery.

Thank you.

CHAIRMAN NICHOLIA: I think we're done with this proposal. Go ahead.

MR. RIVARD: Mr. Chair, thank you. Don Rivard with the Office of Subsistence Management. I just wanted to clarify something. You voted as three different recommendations that will go forward to the Board, two opposed, one for the proposal, and the Federal Board will weigh those three recommendations. It's not one recommendation. It's three different ones. I just wanted to clarify that.

CHAIRMAN NICHOLIA: Thank you. I think we're done with the proposals. I think we'll reconvene tomorrow morning and take on customary trade.

MR. MATHEWS: Mr. Chairman. I hate to interrupt you. I'm just the messenger, so please realize that. I've been instructed that the hotel will charge us $500 a day if outside food shows up tomorrow. So I've been instructed that there will be no more food brought in to this meeting hall. If you have questions about that, I'm sure there's management staff that will address that. So no more food can be brought to this meeting place.

Thank you.

CHAIRMAN NICHOLIA: With that, we will reconvene tomorrow morning.

(PROCEEDINGS TO BE CONTINUED)

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