

1 EASTERN INTERIOR FEDERAL SUBSISTENCE  
2  
3 REGIONAL ADVISORY COUNCIL MEETING  
4  
5 PUBLIC MEETING  
6  
7 VOLUME II  
8  
9 Nenana, Alaska  
10 October 15, 2008  
11 9:00 o'clock a.m.  
12  
13

14 COUNCIL MEMBERS PRESENT:  
15

16 Sue Entsminger, Chair  
17 Andrew Bassich  
18 Richard Carroll  
19 Andrew Firmin  
20 William Glanz  
21 Virgil Umphenour  
22  
23 Regional Coordinator, Vince Mathews  
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P R O C E E D I N G S

(Nenana - 10/15/2008)

(On record)

MADAME CHAIR ENTSMINGER: We'll call the meeting to order. We have a couple items we want to bring up first and then we're going to get into the fun stuff. Is Vince ready to do this housekeeping thing, as he's busy trying to make a cell phone call?

MR. MATHEWS: My calling card no longer works. We transferred companies, so I have to work another number to get YR DFA in.

MADAM CHAIR ENTSMINGER: Can someone else do that for you?

MR. MATHEWS: I'll turn it over to Steve.

MADAM CHAIR ENTSMINGER: While he's sorting that out in his mind, remember the local hire thing? I was just looking at the annual report thinking maybe that's a real appropriate place to put that.

MR. UMPHENOUR: Okay.

MADAM CHAIR ENTSMINGER: Just that we want local hire in any government positions is what I was thinking. Vince, what do you want to do first, this housekeeping stuff or this annual report we overlooked?

MR. MATHEWS: We would do housekeeping, if that's okay with you, Madam Chair.

MADAM CHAIR ENTSMINGER: It is.

MR. MATHEWS: Okay. As you know, last night we had that community meal and we put out a collection can and we collected \$180. It went to Edna. I talked to her last night and that's going to go to their operation of the rec center. For the public that's new to this, we usually have community meals and it goes to a service group within the community.

The other thing is we have a

1 recognition award for Mr. Andrew Bassich, so let me  
2 grab that here. He also gets a cup and it has Fish and  
3 Wildlife Service on it and Alaska Region in case he  
4 gets lost. Anyway, this is dealing with the issue  
5 that's coming up today or presentation I should say and  
6 this is from Michael Fleagle, Chair of the Federal  
7 Subsistence Board, to Andrew.

8

9 Thank you for attending the North  
10 Pacific Fishery Management Council's June meeting in  
11 Kodiak, Alaska, to represent the interest of your  
12 Regional Advisory Council and the subsistence users in  
13 your region on the Bering Sea salmon bycatch issue. It  
14 was an impressive effort with Regional Council  
15 representatives from Bristol Bay, Yukon-Kuskokwim and  
16 the Western Interior Regional Advisory Councils. In  
17 addition, Andrew Bassich of Eastern Interior Regional  
18 Advisory Council attended the Kodiak meeting  
19 representing the U.S./Canada Yukon River Panel.

20

21 Mr. Probasco, Assistant Regional  
22 Director, reported to me that all four Regional Council  
23 members did an excellent job voicing their region's  
24 concerns about the recent high salmon bycatch in the  
25 Bering Sea Aleutian Islands pollock fishery and  
26 requested action to reduce this by.

27

28 You, meaning Andy, and your fellow  
29 Regional Council members provided excellent testimony  
30 to the Management Council about the importance of  
31 salmon to people of the region and the conservation  
32 measures taken within your region to address the  
33 decreasing salmon returns.

34

35 It was clear from your testimony that  
36 each of you spent a great deal of time preparing for  
37 your testimony before the Management Council and  
38 interactions with the Management Council members. Your  
39 efforts were well received at the meeting and I commend  
40 you for your job well done.

41

42 With that, I'll give this letter to  
43 Andy and a cup.

44

45 MADAM CHAIR ENTSMINGER: Good job,  
46 Andy.

47

48 (Applause)

49

50 MADAM CHAIR ENTSMINGER: I'm glad you

1 could be there for us, Andy. I know you were wearing  
2 several hats while you were there.

3

4 MR. MATHEWS: Another housekeeping item  
5 is we need to determine the meeting, go over the  
6 meetings for the upcoming, so if you go to Page 63 in  
7 your book you'll see a series of calendars. That's the  
8 next meeting, which would be the winter meeting 2009.  
9 You selected March 17th and 18th. So we need to  
10 determine if that's still going to work for you and we  
11 need to determine a location. Please realize we try to  
12 have no more than two Council meetings per week.

13

14 MADAM CHAIR ENTSMINGER: The only thing  
15 I would have is the SRC meeting and I don't know when  
16 it is, but I'll make sure it doesn't come in that time.  
17 I don't hear anything from any of the Council members  
18 having any heartburn on the dates.

19

20 MR. GLANZ: Those dates will work for  
21 me.

22

23 MR. BASSICH: Well, for me, that whole  
24 month is pretty tough for me. That's my guiding time.  
25 I'll try to work around what we end up doing. It's  
26 good knowing early so I can try and schedule things.

27

28 MADAM CHAIR ENTSMINGER: And it's  
29 probably tough to even be on teleconference, right?

30

31 MR. BASSICH: If I'm not out in the  
32 field, if I'm in the Eagle area, I can be in on  
33 teleconference and I will do that for sure.

34

35 MADAM CHAIR ENTSMINGER: If you want to  
36 do that, that would help us out. A lot of these issues  
37 are important to Eagle. So it's hard, but you're  
38 happy. We'll just let it go at 17 and 18.

39

40 MR. BASSICH: Yeah. I'll work around  
41 it the best I can.

42

43 MADAM CHAIR ENTSMINGER: What about the  
44 place. We're limited, right, Vince?

45

46 MR. MATHEWS: Yes, either Fairbanks or  
47 on the road system. You can suggest others, but it has  
48 to be justified.

49

50 MADAM CHAIR ENTSMINGER: Does the road

1 system include going north to the hot springs?

2

3 MR. MATHEWS: It's on the road system.  
4 The hot springs are closed.

5

6 MR. GLANZ: Guys, in Central, at the  
7 corner there, there's a bunkhouse with 12 beds, I  
8 believe, or 14 and the BLM old fire station, which is  
9 now the Northern District Office, there's eight beds  
10 there and we could put people up at the school if  
11 anybody would be interested in going to Central for  
12 that.

13

14 MR. MATHEWS: The only thing that I'm  
15 going to note for you guys is the fisheries proposals  
16 are up and Central is dependant on the fish there, but  
17 you try to meet usually as close or on the river as you  
18 can, but Central obviously is close to Circle, which is  
19 on the Yukon.

20

21 MADAM CHAIR ENTSMINGER: How long a  
22 drive is that?

23

24 MR. GLANZ: Two and a half hours from  
25 Fairbanks.

26

27 MADAM CHAIR ENTSMINGER: Sometimes our  
28 schedules get pretty tight and it is nice not to have  
29 to go so far. What do you guys want to do? We have an  
30 offer to go to Central.

31

32 MR. BASSICH: When was the last time we  
33 were in Central?

34

35 MR. GLANZ: I think about 2001.

36

37 MADAM CHAIR ENTSMINGER: We could even  
38 have it at my area. No, we've been there. Actually,  
39 any of the communities like Dot Lake, but that's in  
40 Unit 12. We probably need to go north. I need the  
41 wishes of you guys. Central is one. Any others?

42

43 MR. BASSICH: Central with a back-up of  
44 Fairbanks.

45

46 MR. UMPHENOUR: It sounds good to me.

47

48 MADAM CHAIR ENTSMINGER: Any  
49 objections. That's a nod in agreement or a nod that  
50 you object, Richard?

1 MR. CARROLL: That week right there in  
2 Fairbanks is pretty crowded with Tanana Chiefs  
3 Conference going on. I think that would be the week  
4 for Doyon Limited and North American Dog Races. That's  
5 a crowded time in Fairbanks I know.

6  
7 MR. MATHEWS: Yeah, I didn't check the  
8 calendar. TCC is the second week of March or third  
9 week of March? Does that affect any members here that  
10 it might be the same week as the TCC convention?

11  
12 MADAM CHAIR ENTSMINGER: There are a  
13 lot of absent members here that aren't answering that  
14 question, too. Is that when that is?

15  
16 MR. MATHEWS: I didn't mark my  
17 calendar. I can look for last year.

18  
19 MADAM CHAIR ENTSMINGER: Then I just  
20 need to know from you guys if we have that meeting  
21 during TCC, I think we should move it up a week. We're  
22 going to agree on Central, Fairbanks as a backup, and  
23 we don't want to conflict with TCC. Vince, that's up  
24 to you to make sure it's not done. It's one or the  
25 other week. Hi, Ann. Go ahead.

26  
27 MS. WILKINSON: Just one thing about  
28 moving it up a week. When we developed the schedule  
29 for the deferred Proposals 12 and 13, we did that very  
30 fine. In order to get things done in a timely fashion  
31 for your Council meeting and to get the materials out  
32 to you, moving it up a week might push us. We got the  
33 report a little bit earlier, but I'm not sure that that  
34 is going to -- we can count on that as a cushion time.  
35 So, if you're going to move it, it would be better if  
36 you moved it back a week, a week later.

37  
38 MADAM CHAIR ENTSMINGER: Ann, wouldn't  
39 that also affect Western Interior and Y-K? The Western  
40 Interior meeting is the 18th and 19th of February.  
41 Would it affect them also?

42  
43 MS. WILKINSON: Yes, you're right. I'm  
44 sorry. Early morning. I should just forget it.

45  
46 MADAM CHAIR ENTSMINGER: So we just  
47 have to deal with what happens.

48  
49 MR. MATHEWS: What I can do is have  
50 somebody or myself go over to the tribal office and we

1 can contact TCC and find out the dates. If it's  
2 different, we'll announce, and you guys can move it  
3 back. Right now I've got Central and Fairbanks as a  
4 backup and I'll work with Bill so he knows to call out  
5 all the troopers in Central when we arrive.

6

7 Then you look on Page 64. Since this  
8 book was published there's a few more entries. So the  
9 week of September 28th we already have two Council  
10 meetings in there, so you need to avoid that if at all  
11 possible. That's the only week I know of that we have  
12 two already scheduled. So that leaves you with the  
13 calendar open. Y-K is on October 1 and 2, along with  
14 Seward Pen. The next week is Southeast, October 6-8.  
15 The last week, October 27th to 28th, is Bristol Bay.

16

17 MADAM CHAIR ENTSMINGER: Three day  
18 meetings. We're down to a day and a half.

19

20 MR. MATHEWS: For you guys it's going  
21 to be a two-day meeting. Southeast needs three because  
22 of the amount of issues they deal with.

23

24 MADAM CHAIR ENTSMINGER: I'm going to  
25 suggest the week of the 19th. Anyone have any trouble  
26 with that?

27

28 MR. BASSICH: Depending on river  
29 conditions. This time of year is kind of the tail end  
30 of what I can usually do.

31

32 MADAM CHAIR ENTSMINGER: You've got a  
33 tough one there.

34

35 MR. BASSICH: Yeah, I'm just a little  
36 isolated that way. Vince can charter an airplane in.  
37 I've got a lake he can land on.

38

39 MADAM CHAIR ENTSMINGER: Can't you  
40 snowmachine?

41

42 MR. BASSICH: I might have to to go  
43 home.

44

45 MADAM CHAIR ENTSMINGER: All right.  
46 We're moving it up to the 13th and 14th. Any  
47 objections to that.

48

49 (No objections)

50

1 MR. MATHEWS: The 13th and 14th. Any  
2 location? Again, this would be your wildlife meeting.  
3 Road system or Fairbanks.  
4  
5 MADAM CHAIR ENTSMINGER: Raise your  
6 hand, guys. Where are we going?  
7  
8 MR. BASSICH: How about Tok, Tetlin,  
9 that area? I mean it's wildlife a lot of times or  
10 dealing with moose, caribou, predator control. That  
11 seems to be a pretty heartfelt topic in that region.  
12  
13 MADAM CHAIR ENTSMINGER: We could go to  
14 Northway. When was the last time we were in Northway?  
15  
16 MR. MATHEWS: You were in Northway in  
17 '96, '97. We had lodging problems there, but maybe  
18 those have cleared up.  
19  
20 MADAM CHAIR ENTSMINGER: Well, the  
21 problem is you'd probably have to stay in Tok, I'd  
22 suspect. When you're on a limited road system, it sure  
23 isn't fair to the northern region. You know what, I  
24 don't know what to say. If I'm limited to the road  
25 system and we're bringing people in from other places,  
26 Fairbanks is -- that's why they're pushing us that way,  
27 I believe.  
28  
29 MR. MATHEWS: You can always wait until  
30 the next meeting to decide. It just helps with  
31 planning to know ahead of time.  
32  
33 MADAM CHAIR ENTSMINGER: All right.  
34 We'll think about it.  
35  
36 MR. MATHEWS: So we'll put it down to  
37 be announced?  
38  
39 MADAM CHAIR ENTSMINGER: To be  
40 announced.  
41  
42 MR. MATHEWS: Then let me check my list  
43 of housekeeping.  
44  
45 MADAM CHAIR ENTSMINGER: Annual report,  
46 number 9, on Page 2, Vince.  
47  
48 MR. MATHEWS: Basically you didn't  
49 submit an annual report. The last time you submitted a  
50 letter saying that all the issues before in your annual

1 reports were on the table and that you didn't submit a  
2 2007 report. So now we're up to 2008. If you'd like  
3 to put together an annual report to present to the  
4 Board, then we could do that. One topic that will come  
5 up today is local hire. That could be an annual report  
6 topic.

7

8 MADAM CHAIR ENTSMINGER: I just  
9 mentioned that this morning. Are we in agreement that  
10 that would be something to add to it that we really  
11 believe strongly in local hire for any of the Federal  
12 jobs when something comes up? Okay. That's where we'd  
13 put it, Vince.

14

15 MR. MATHEWS: None of the Council  
16 members have mentioned any other topics to me for  
17 annual reports. The way the process goes, so Mr.  
18 Firmin understands it, at this meeting you develop a  
19 list of topics and then between this meeting and the  
20 next meeting I work with the Chair or key individuals  
21 to draft that annual report and then that draft is  
22 presented to you at your next meeting for final  
23 approval and then it's submitted to the process. The  
24 Board reviews it, the Federal Subsistence Board, and  
25 then gives you a written response at your following  
26 meeting. So it's topics that are generally beyond  
27 regulatory process. It's more larger-term issues and  
28 concerns. That's pretty much it. You also have the  
29 option of submitting just a letter on that topic.  
30 That's your call.

31

32 MADAM CHAIR ENTSMINGER: Go ahead,  
33 Andy.

34

35 MR. BASSICH: Yeah, I think we talked a  
36 little bit about this yesterday. I'd really like to  
37 pursue and see the effort put into hunter education  
38 both on their impacts to rural hunters and also what we  
39 talked about yesterday about taking care of harvested  
40 materials. I think that's really important and we  
41 really need to address that throughout the state. I  
42 think we also need to contact some of the other RACs  
43 and voice our concerns about that and try and get them  
44 on board too and make it a statewide effort. It's long  
45 overdue.

46

47 MADAM CHAIR ENTSMINGER: Roger.

48

49 MR. MATHEWS: I don't have my notes in  
50 front of me. I think it was going to be a straight

1 letter on that issue. Now it would be part of the  
2 annual report and not a separate letter. And you  
3 wanted it shared with other Regional Councils to get a  
4 statewide effort. Okay. Thank you.

5

6 MADAM CHAIR ENTSMINGER: They're going  
7 in both. Both a letter and the annual report.

8

9 MR. MATHEWS: It would be duplicative  
10 and it would cause -- they go on different tracks, so  
11 it would be easier if it was one or the other because  
12 then the responses are -- it's just a different  
13 process. It's easier if it's all in one, if the issue  
14 is in a separate letter and not in the annual report.  
15 We went through that before.....

16

17 MADAM CHAIR ENTSMINGER: You complicate  
18 things.

19

20 MR. MATHEWS: It complicated things to  
21 have a letter on the same topic go through and go  
22 through a review process and have the same topic in the  
23 annual report.

24

25 MR. BASSICH: So, Vince, who looks at  
26 these letters and who reacts to them? Is it two  
27 different entities depending on the choice that we use  
28 to pursue this?

29

30 MR. MATHEWS: No, it's the same people.  
31 The annual report process actually results in a group  
32 Board review of it. The other one would be more  
33 working with the Staff Committee and others to get a  
34 letter out to each of the -- a draft response letter  
35 with your request and they poll the Board members. The  
36 annual report has an actual Board meeting. Ann works  
37 closer with that than I do.

38

39 MADAM CHAIR ENTSMINGER: Go ahead, Ann.

40

41 MS. WILKINSON: For the process of  
42 letters that come to the Board, when the Council sends  
43 in a letter, it gets reviewed by myself and one or two  
44 other people in our office, goes to Pete Probasco, the  
45 ARD. Then, if it needs research of some kind, then he  
46 will assign someone to research it. Oftentimes that  
47 happens much more quickly than if it goes in the annual  
48 report. When the research is done and the response is  
49 drafted -- I should tell you, when you send in your  
50 letter, it goes to every Board members and every Staff

1 Committee member, so they all will see it and they can  
2 respond to it. They can direct what kind of research  
3 they want too.

4  
5 So it just gets done a lot more quicker  
6 and fewer people involved. If you go into an annual  
7 report, it's going to take almost a year before you get  
8 an answer.

9  
10 MADAM CHAIR ENTSMINGER: I guess I  
11 don't understand the difference. You just need to do  
12 one is what I'm hearing.

13  
14 MS. WILKINSON: If you write a letter  
15 and send it in, it will go through quickly. Maybe two,  
16 three months at the most. If you wait and do it in  
17 your annual report, it's going to be involving a lot of  
18 other people, several reviews for the response and then  
19 it will take a long time.

20  
21 MADAM CHAIR ENTSMINGER: But in this  
22 case, if you really wanted to do something about  
23 education, sometimes a big review is good. So I don't  
24 understand the big hassle about two avenues.

25  
26 MS. WILKINSON: If you wanted to, you  
27 could write a letter to the Board and tell them that  
28 this is what you're interested in doing and that you  
29 want it to be statewide and not expect a response from  
30 the Board at that time, just give them a heads up, and  
31 also put it in the annual report. You could do it that  
32 way. But if you want them to respond both times, it's  
33 going to make it more complicated for them.

34  
35 MADAM CHAIR ENTSMINGER: I understand.  
36 Does everyone agree that the letter is a better avenue?

37  
38 (Council nodding)

39  
40 MADAM CHAIR ENTSMINGER: Okay. It is  
41 the letter. Andy and myself will look at it.

42  
43 MR. MATHEWS: That would be on the  
44 hunter education.

45  
46 MADAM CHAIR ENTSMINGER: Exactly.

47  
48 MR. MATHEWS: And then the local hire  
49 would still remain in the annual report.

50

1 MADAM CHAIR ENTSMINGER: Uh-huh.  
2  
3 MR. MATHEWS: Okay. It's your call,  
4 Madam Chair. If people have other topics that come up  
5 after this meeting, you get a hold of me and I'll get a  
6 hold of Sue and then we can draft them. Let's put a  
7 deadline of December or so to get those topics to me if  
8 at all possible. Okay, that concludes the annual  
9 report topics, so that brings you up to the.....  
10  
11 MADAM CHAIR ENTSMINGER: The Bering Sea  
12 salmon management. Is that where we're at?  
13  
14 MR. MATHEWS: Make sure that Becka can  
15 hear from YRDFA because that's what I was working on.  
16 I apologize for the interruption.  
17  
18 MADAM CHAIR ENTSMINGER: So are we  
19 ready to just get everybody on board. Go ahead.  
20 Introduce yourselves and actually tell us where you are  
21 and your position.  
22  
23 DR. STRAM: Madam Chair. Members of  
24 the Council. First of all, thank you for inviting us  
25 and having us here for your meeting. My name is Diana  
26 Stram and I'm Council Staff. With me are Gerry  
27 Merrigan and Duncan Fields, who are both Council  
28 members and they're going to be introducing themselves  
29 and providing a little background on them.  
30  
31 Then I have a presentation to give you  
32 on our analysis to date. I also want to call your  
33 attention to some handouts that have been passed out to  
34 you that are also available to the public. I have a  
35 copy of the PowerPoint itself with contact information  
36 at the end of it. There's a booklet that we have,  
37 Navigating North Pacific Council Process. It's  
38 intended to provide for you both the information we're  
39 providing in here but how to participate in the Council  
40 process. It's a general booklet, not specific to this  
41 analysis itself.  
42  
43 Then there's a flyer that I believe you  
44 also have in your briefing materials that gives you an  
45 overview of our outreach meeting schedule and the  
46 schedule for our analysis. I will turn it over to  
47 Gerry and Duncan to provide you an overview of their  
48 backgrounds.  
49  
50 MR. MERRIGAN: I'm Gerry Merrigan. I'm

1 from Petersburg, Alaska. I'm in my second year on the  
2 North Pacific Council and I'm a commercial fisherman.  
3 I started out as a salmon trawler in '85, owning a  
4 boat. I crewed before that. And I was involved in the  
5 Pacific Salmon Treaty with the Lower 48 for six years,  
6 so a little familiarity with treaty annexes, not so  
7 much the Yukon. And the Endangered Species Act. I  
8 don't salmon fish anymore. I'm a halibut fisherman and  
9 I work for a longline company that fishes cod in the  
10 Bering Sea.

11  
12 MR. FIELDS: Thank you. Good morning.  
13 I'm Duncan Fields. I grew up in Kodiak. Our family  
14 has had a set gillnet salmon operation there since the  
15 '50s. I guess I started fishing about 1960 out at the  
16 fish camp.

17  
18 I've been involved in salmon issues for  
19 I guess over 20 years now, Virgil. Professionally, I  
20 went to law school, got a law degree and then came back  
21 and I worked for rural communities in the Gulf of  
22 Alaska that try to maintain fisheries economies or  
23 fishing opportunities in those communities is my  
24 representational base.

25  
26 But I'm here today as a member of the  
27 North Pacific Council and very concerned about the  
28 issues that we'll talk to you about today.

29  
30 DR. STRAM: Madam Chair, I'd also like  
31 to introduce Obren Davis, who is in the audience, from  
32 the National Marine Fisheries Service, in case you have  
33 questions as well. I'll go through this and then we're  
34 available, any of us, for any questions that you have  
35 afterwards.

36  
37 Just to briefly explain to you who we  
38 are and where we interact with the National Marine  
39 Fisheries Service, we're here on behalf of the North  
40 Pacific Fishery Management Council, but the North  
41 Pacific Council and National Marine Fisheries Service  
42 work together to manage the Federal fisheries off  
43 Alaska, which is the three to 200 mile zone. The  
44 Council makes recommendations to NMFS and NMFS approves  
45 and implements them. Our jurisdiction then with  
46 respect to this is the Bering Sea pollock fishery and  
47 that does include management measures that control  
48 salmon bycatch and other fisheries.

49  
50 So the main problem obviously, as you

1 know, is that we have chinook salmon bycatch in the  
2 pollock fishery. The pollock fishery catches chinook  
3 salmon accidentally in the course of their fishing  
4 operations. Chinook salmon bycatch, particularly  
5 chinook and chum, by law is counted but it cannot be  
6 retained or sold. So when it is retained, it is only  
7 to be counted at a processing plant, but it must be  
8 discarded unless it is donated to a food bank.

9  
10 The food bank program then is a  
11 voluntary participation program by the fleet and the  
12 salmon that is donated to food banks is actually in the  
13 Washington state region by virtue of where the fleet  
14 offloads their fish. Again, it is all dead. It's  
15 complete mortality of salmon when it's caught in the  
16 pollock fishery.

17  
18 This graph just gives you from 1992 to  
19 2007 the chinook salmon mortality and this is in the  
20 pollock fishery itself. Basically what you can see,  
21 primarily if you're looking from 2002 on, this  
22 increasing trend -- I would note that 2008 to date is  
23 much lower down around here, but the problem we're  
24 responding to, and the Council has always been  
25 responding to, is salmon bycatch in the pollock  
26 fishery, both chum and chinook.

27  
28 I'll go back to chum in a little bit,  
29 but just to call your attention to the fact that our  
30 current management measures that we're looking at  
31 evaluating are for chinook salmon, which is not to say  
32 that we're not also evaluating measures for chum  
33 salmon, but it's on a slightly different time track and  
34 we will be revisiting that at our December meeting with  
35 respect to what management measures we want to look at  
36 evaluating for chum salmon.

37  
38 So what are our measures currently.  
39 We've been struggling with this problem, the Council  
40 has, throughout the '90s and to the present. We've had  
41 time area closures. They're large, regulatory closures  
42 in the Bering Sea and when the fleet reaches a certain  
43 limit level for chinook and chum bycatch, these  
44 large-scale closures would be called into play and  
45 they're set on certain timing for the remainder of the  
46 A season, throughout the B season. We have two  
47 different fishing seasons in the pollock fishery.

48  
49 What we have found in recent years is  
50 that these large-scale closures were too inflexible for

1 regulation and they were not very responsive to changes  
2 we were observing in either abundance or the location  
3 of salmon or pollock in the Bering Sea. So several  
4 years ago in response to this the Council amended the  
5 FMP.

6  
7 We looked at different measures which  
8 would allow the fleet to operate under a voluntary  
9 rolling hot spot closure system, again this is for both  
10 chinook and chum bycatch, whereby the fleet then  
11 becomes exempt to the large-scale closures provided  
12 that they are all participating in this hot spot  
13 closure system where, depending on your bycatch by  
14 threshold level in the fleet, the closures are enacted  
15 by the fleet itself for a time period of three to seven  
16 days. And this was more responsive to on-the-ground  
17 information as well as different changes that the  
18 program has put about, including last year with the  
19 large scale closure in the Bering Sea in the A season.

20  
21 That's the system that's currently  
22 ongoing right now and that is ongoing. What we're  
23 looking at is the fact that despite that bycatch was  
24 still increasing in recent years and the Council is  
25 responding to that by looking at different measures in  
26 case that one might not be working.

27  
28 I would note that even as we modify any  
29 changes for chinook salmon bycatch management, the chum  
30 management measures are still in place, in which case  
31 the fleet is still operating under their hot spot  
32 closure system for chum salmon regardless of what  
33 happens with chinook salmon until some change is taken  
34 for chum.

35  
36 So the main thing that we're looking at  
37 that we haven't done before is looking at an absolute  
38 limit on the number of chinook in the pollock fishery.  
39 We have caps on other fisheries in the Bering Sea for  
40 prohibited species. We have never had an absolute  
41 limit on the pollock fishery. What would happen if you  
42 reached this absolute limit is the pollock fishery  
43 would close.

44  
45 So what our analysis then is to look at  
46 this range of caps that the Council has put forward for  
47 management measures and to analyze these according to  
48 different considerations with respect to salmon,  
49 including the stock of origin of salmon, the adult  
50 equivalence of the age of the bycatch that would have

1 returned to the river system in each year, and to look  
2 at that against the run strengths by river systems.

3

4                   So to give you an overview then of the  
5 four alternatives that the Council is considering are  
6 existing management measures, which I noted are these  
7 voluntary time area closure management. Alternative  
8 two then are hard caps and that's what we call an  
9 absolute limit, is a hard cap. So there's a range of  
10 hard caps under consideration basically from 29,000 to  
11 87,500. In general, these numbers are based on  
12 historical bycatch averages from the fishery.

13

14                   The cap then under this is divided  
15 between A season and B season. We have two main  
16 pollock fishery seasons, a winter season, which is the  
17 more lucrative roe season for pollock, and then a B  
18 season, which occurs throughout the fall. Chinook  
19 salmon is caught in both seasons. We only catch chum  
20 in the B season.

21

22                   The next alternative we're looking at  
23 is what we call triggered closures and a triggered  
24 closure is a time area closure where there is a cap  
25 that's in place, but the cap triggers the closure. It  
26 doesn't shut down the fishery entirely. It moves the  
27 fishery out of a specified area. So we are also  
28 looking at an updated trigger closure system, so it  
29 would be different time area closures than the ones we  
30 currently have on the books, much more large scale,  
31 covering about 90 percent of the bycatch historically  
32 should that area be triggered by a limit.

33

34                   Then finally alternative four, which  
35 I'm going to spend more time discussing. This is the  
36 preliminary preferred alternative. This is a variation  
37 of alternative two and it's a very specific prescribed  
38 set of hard cap by sector by the pollock fishery. This  
39 alternative was put forward by the Council at our June  
40 2008 meeting in Kodiak with the explicit intent that a  
41 preliminary preferred alternative would be folded into  
42 this analysis that goes out for public review in order  
43 to alert the public as to the likely direction that the  
44 Council is going.

45

46                   The Council is not mandated to go in  
47 this direction. That's why we're providing it, so that  
48 people can comment on what your impression is of  
49 whether or not that is the direction the Council should  
50 be going. They are not locked into that direction, but

1 it's the likely area they're focusing their attention  
2 on in terms of future management measures.

3  
4                   So what is the preliminary preferred  
5 alternative. It sets a high cap and a low cap for  
6 chinook salmon. So a high cap of 68,392, this is an  
7 annual level, split up seasonally and by sector. So  
8 what it is is it's a high cap that would be conferred  
9 upon the fleet should the fleet demonstrate  
10 participation in an industry incentive-based program  
11 that the Council approves of at final action. So while  
12 we're not evaluating what this incentive-based program  
13 is, the fleet would be coming forward to the Council to  
14 alert them as to what program they would put forward  
15 that they believe meets this Council intent.

16  
17                   The Council intent is more detailed  
18 than this, but I'm just listing what the objective is  
19 and that is to reduce salmon bycatch regardless of the  
20 annual abundance. So here the onus is on the fleet to  
21 demonstrate to the Council that they're meeting this  
22 intent.

23  
24                   The high cap then also has a lower  
25 threshold cap of 32,000 and that's an incentive in  
26 order to keep the fleet participating in this  
27 incentive-based program. So basically there's a lower  
28 threshold cap included that if anyone opts out of this  
29 incentive program they're held to a much more stringent  
30 cap standard.

31  
32                   The alternative then is a low cap and  
33 should the fleet at final action come forward to the  
34 Council and the Council doesn't believe that the  
35 program they've put forward meets the objective of the  
36 Council as an incentive-based program that would reduce  
37 salmon bycatch in all times of abundance, then the  
38 Council indicated that the low cap under consideration  
39 would be 47,591.

40  
41                   So it's an either/or decision that the  
42 Council would be making. In theory, both could be tied  
43 into a single alternative, but the reality of it is  
44 that in general the Council at final action is choosing  
45 between the two programs.

46  
47                   Further information then on how this  
48 cap is managed. Again, the cap itself, regardless of  
49 whether it's the high or the low cap, is divided by  
50 season and it's divided such that 70 percent of the cap

1 is in the A season and 30 percent is in the B season.  
2 Eighty percent of the A season cap then could be rolled  
3 over from the A season to the B season in the same  
4 calendar year.

5  
6 The caps are allocated to the four  
7 pollock fishing sectors; our CDQ sector, in-shore  
8 catcher vessels, the mothership sector and the off-  
9 shore catcher processors. There's also a provision  
10 that sectors can transfer salmon amongst sectors in any  
11 given season.

12  
13 I would note that while we're  
14 presenting some preliminary information on our  
15 analysis, just by virtue of taking a cap and dividing  
16 it by season and then further by sector, it makes it  
17 nearly impossible to actually reach the cap itself by  
18 subdividing it in that manner because not every single  
19 sector and every single season is going -- they would  
20 all have to reach their seasonal sector allocation in  
21 order to reach an annual cap. So while we're talking  
22 about an annual cap, effectively you're looking at  
23 these divided out caps because it would be almost  
24 impossible to hit the overall cap.

25  
26 The analysis then evaluates the impacts  
27 of these alternatives on both chinook and chum salmon  
28 on pollock, on other marine resources, which include  
29 other groundfish, crab, other prohibited species like  
30 halibut and herring, on seabird, marine mammals. We  
31 look at environmental justice, specifically getting at  
32 whether they're disproportional impacts on low income  
33 or minority populations. And then finally on the  
34 economic impacts, which includes both the pollock  
35 fishery as well as the salmon fishery and commercial  
36 and subsistence fisheries.

37  
38 So how do we evaluate the impacts of  
39 these alternatives. What we're looking at is looking  
40 backwards. So we look backwards from 2003 to 2007 and  
41 we look at the range of caps and their subdivisions by  
42 sector and season. If these caps had been in place,  
43 when would the pollock fishery have had to stop  
44 fishing.

45  
46 So what we end up with then is  
47 employing these caps over that time period in the past.  
48 When would the pollock fishery have been constrained.  
49 Then we have a closure date by fishing year, by season,  
50 by sector. Then we look at had the fleet stopped

1 fishing, how many salmon would not have been caught had  
2 they had to stop right then and going forward with how  
3 much they caught at the end of that year without having  
4 been stopped.

5  
6 Then we have an estimate of what our  
7 salmon savings are. We also then look at had they  
8 stopped fishing on that date, how many pollock would  
9 they have foregone and so what's an estimate of the  
10 pollock they wouldn't have caught. Everything moves  
11 forward from that aspect of it in order for us to  
12 estimate how many salmon would have been saved by any  
13 cap that you put into place and how much pollock catch  
14 would not have been achieved.

15  
16 So this table then gives you a general  
17 overview. I would caveat that this is taking a  
18 snapshot of a very complex set of alternatives. But  
19 trying to look at for the years of our analysis, the  
20 lowest bycatch year in the analysis, not historically,  
21 is 2003, where the average overall bycatch was roughly  
22 47,000 chinook. Then comparing it against 2007, which  
23 is the highest year, and that actually is the historic  
24 highest year, where there's 122,000 chinook.

25  
26 Then looking at a range, our overall  
27 range annually is 29,300 to 87,500. Looking at that as  
28 sort of bookends as to what effect that would have on  
29 the percent salmon reduction and percent pollock catch  
30 foregone and then comparing it against where does the  
31 Council's preferred alternative lie in the range there.  
32 Again, to caveat that these actual capped levels that  
33 are listed there, they're listed in a general sense,  
34 but they're very sector and seasonal specific.

35  
36 What you can see then is in a high  
37 bycatch year, like 2007, the highest cap would still  
38 have reduced salmon by about 37 percent at a cost of 22  
39 percent of the pollock. The Council's preferred  
40 alternative then would be much better than that in  
41 terms of higher percent salmon reduction with roughly  
42 the same percent pollock catch foregone.

43  
44 It's important to keep this in mind  
45 because these are the issues the Council has to weigh.  
46 They're mandated to reduce bycatch to the extent  
47 practicable and also to allow the pollock fishery to  
48 achieve optimum yield. So this is the kind of  
49 conceptual framework that's in front of them in terms  
50 of how much salmon can you reduce and how much pollock

1 are you going to reduce to achieve that.

2

3                   So the lowest cap then under  
4 consideration at 29,300, you would have achieved a 92  
5 percent reduction in salmon in that year with that cap  
6 at a cost of almost 50 percent of the pollock catch.  
7 For comparison then, looking at a lower bycatch year in  
8 2007, the highest caps under consideration, they aren't  
9 going to do anything for you to reduce bycatch in that  
10 lower year because the cap is above what the bycatch  
11 ended up coming in at that year.

12

13                   So when you look at the Council's  
14 preferred alternative in that respect, you basically  
15 see that none of these caps are going to reduce salmon  
16 appreciably unless you get down to the most  
17 constraining cap, where at 29,300 you would have  
18 reduced about 52 percent of the salmon at a cost of 22  
19 percent of the pollock. So this just kind of in a  
20 general snapshot sense gives you the sense of the  
21 trade-offs that are being weighed.

22

23                   In addition to looking at just the  
24 number of salmon that would have been saved, we also  
25 tried to look at how that translates into the number of  
26 salmon returning to individual river systems. As you  
27 know, not all salmon that are caught as bycatch would  
28 have survived to return to the river system as adults.  
29 To look at how many would have returned, we have to  
30 consider several factors. One is their ocean  
31 mortality, that some of them would have died in the  
32 ocean regardless, and then we also have to look at what  
33 is the age of the fish in the bycatch and what year do  
34 they mature to return to the river system itself.

35

36                   Fortunately, in the pollock fishery, we  
37 have very good observer coverage, so we have very  
38 precise estimates both of the number of salmon as well  
39 as the samples of salmon in terms of looking at the age  
40 composition of the bycatch. So we have very good  
41 information from the pollock fishery on what the age of  
42 the salmon in the bycatch is by year and by season.  
43 Then we also have estimates of what the maturity  
44 schedule is by river system in Western Alaska for some  
45 river systems more than for others. So we're including  
46 both of those into our ability to estimate what  
47 proportion of the fish caught in any one year would  
48 have returned first as adults and then by river system.

49

50                   So the rivers of origin then are based

1 on recent genetic data we have. We are looking at  
2 adult equivalent estimates that are approximated to the  
3 river of origin through several different genetic  
4 studies. What we've tried to do is use the genetic  
5 study that we have that uses the most recent bycatch  
6 data, which is 2005 and 2006 bycatch data from the  
7 fishery, and that's a study by Jim Seeb and Bill  
8 Templin. That approximates us out to aggregate rivers  
9 of origin. We're using that level of information in  
10 order to then aggregate back to specific Western Alaska  
11 river systems, such as the Yukon, the Kuskokwim and  
12 Bristol Bay.

13

14                   Then we employ the Kate Meyers study  
15 that you're probably familiar with where she had  
16 aggregate information for what proportion is going back  
17 to Western Alaska and then of that proportion what  
18 proportion is going to the Yukon, to the Kuskokwim and  
19 to the Bristol Bay river system.

20

21                   I would note that there's a lot of  
22 effort right now going on to increasing the sampling of  
23 bycatch data in the Bering Sea pollock fishery. The  
24 genetics are really moving forward quickly and  
25 resolving individual river systems and the ability to  
26 indicate quickly from a sample what the river of origin  
27 is. Now we're trying to make sure that the Agency and  
28 the Alaska Department of Fish and Game makes sure that  
29 our sampling plan is adequate in the Bering Sea so that  
30 we have adequate spacial coverage. So this is all kind  
31 of a moving picture.

32

33                   Just to give you a general idea from  
34 this analysis then of the estimated impacts on Western  
35 Alaska river systems, the first two bullets are based  
36 on that table I showed you where if you're first  
37 looking at overall bycatch reduction, under these suite  
38 of alternatives, in the highest year you're looking at  
39 about 37 to 92 percent reduction and the lowest year 0  
40 to 52 percent reduction.

41

42                   When you translate that again by  
43 modeling based on discounting for ocean mortality, age  
44 of the bycatch, what rivers you're returning to and  
45 using an assumption in general about 54 percent of the  
46 aggregated bycatch is going back to Western Alaska,  
47 then of that 40 percent of that would be to the Yukon,  
48 and the results of over all these caps would indicate  
49 that you would then be looking at somewhere between 0  
50 and 15,000 salmon returning to the Yukon that would not

1 have otherwise. For the Kuskokwim, which is 26 percent  
2 of the Western Alaska breakout, 0 to 9,000 of the  
3 salmon, and then for the Bristol Bay and Nushagak 0 to  
4 13 percent of salmon saved.

5  
6 I would also note that in the analysis  
7 we also look at other river systems and aggregate  
8 systems, but our particular focus is on the Yukon,  
9 Kuskokwim and Bristol Bay.

10  
11 So where are we in the process of our  
12 analysis. Right now we're conducting these outreach  
13 meetings. Our draft analysis is in internal review and  
14 we're revising it currently. Our anticipated date for  
15 publishing this for public review will be December 5th,  
16 2008.

17  
18 That then begins a 60-day public  
19 comment period, which is why we're trying to highlight  
20 this in these outreach meetings so everyone is aware  
21 when it's available and the amount of time that you'll  
22 have to provide public comments to the National Marine  
23 Fishery Service. That is anticipated to be between  
24 early December and early February. The council itself  
25 will take final action in April of 2009 in Anchorage.  
26 The National Marine Fisheries Service would be  
27 scheduled to implement new regulations for any new  
28 program by January of 2011.

29  
30 In terms of our outreach meetings, this  
31 just shows you and the flyer that we passed out  
32 indicates these meetings as well, we're really trying  
33 to make an effort. We've been using the Federal  
34 Subsistence Regional Advisory Committee meetings to the  
35 extent possible as a forum for providing outreach and  
36 information. We have several other meetings that  
37 we're trying to attend in the month of October and in  
38 Nome probably in February.

39  
40 So what we're doing now is looking for  
41 public input. We're trying to put all this information  
42 out there so you're aware when this is available and  
43 you're able to comment both to the Council and the  
44 National Marine Fisheries Service on the analysis, on  
45 the alternatives, on the action by the Council.  
46 There's many ways you can do this. We're bringing  
47 Council members to these meetings so you can comment  
48 directly to them. We will be cataloguing the general  
49 nature of discussions at these meetings. While it's  
50 not formal public comment, we are cataloguing it and

1 including it in our final draft. It will be presented  
2 to the Council at final action in terms of what the  
3 discussions were at these various outreach meetings.  
4 You can also come in person and testify at our April  
5 2009 Council meeting. You can write a letter to the  
6 Council.

7  
8 Your comments could address the scope  
9 of the analysis, the content, the adequacy, the impact  
10 analysis, is it sufficient, the merits of the  
11 alternatives, and especially your recommendation for a  
12 preferred alternative by the Council.

13  
14 Again, the EIS will be available we  
15 anticipate early December. You can download it from  
16 the NMFS website. You can also request a printed copy  
17 by calling NMFS. You can also request us and we'll  
18 make sure you get a copy of it. We're hoping we can  
19 also make CDs available of the analysis.

20  
21 That's it and we're available for any  
22 questions.

23  
24 MADAM CHAIR ENTSMINGER: You covered it  
25 well. You had something to add here.

26  
27 MR. MERRIGAN: Just to recap how we got  
28 to where we're at right now. Some people might see it  
29 as the Council finally taking some action now, but to  
30 backtrack a little bit, originally there was a large  
31 chinook savings area that was triggered by a catch in  
32 time and there was a chum one also and that's still on  
33 the books. As migration patterns change, as the Bering  
34 Sea was warming up, all of a sudden the chinook savings  
35 area wasn't saving anything anymore. So we've had a  
36 warming trend that peaked in 2003 and now it's gone the  
37 other way, but '04 and '05 were above average and now  
38 we're below average. In fact, we just heard that the  
39 2008 trawl survey where they have temperature sensors  
40 on the bottom and on the surface is the coldest in 25  
41 years in the Bering Sea.

42  
43 So the old chinook savings area may be  
44 temperature related why it didn't work and that's why  
45 the Council went to the voluntary rolling hot spot to  
46 try to get to the places where the rates were highest  
47 and that was in place in '07. That's when the catch  
48 was the highest. So it's hard to say if it could have  
49 been worse or not. It doesn't look like it worked, but  
50 the people that put that together feel the catch would

1 have been higher without it. The idea is that  
2 migrations have changed. They needed something  
3 different, so they went to that.

4  
5 We had a PSC cap, but it was not a hard  
6 cap. The alternatives we have now, it is a hard cap.  
7 It will shut down the fishery, so that's a pretty large  
8 departure from where we had been. The origin of those  
9 numbers in the upper range was the '04 to '06 average  
10 it looks like.

11  
12 DR. STRAM: The highest is slightly  
13 above the '04 to '06 average. It has to do with an ESA  
14 issue.

15  
16 MR. MERRIGAN: Then the other number  
17 was more like 9,706 with the drop in 2000. So '07 was  
18 the highest year, '00 was down here. In the interim --  
19 we're in '08. We're down, of course, like from -- it's  
20 18,000, I think, about right now where they're at. A  
21 lot of the catch occurs this time of year, so those  
22 guys have tried not to be fishing in October. Of  
23 course, if you just deal with chinook only, you could  
24 possibly make more chum issues by moving back into the  
25 summer, so it's kind of these different effects of  
26 squeezing the balloon, where do people move.

27  
28 The other part that industry did this  
29 year is they put in a closure in an area just north of  
30 -- in the Bering Sea you have the big shelf and then  
31 there's a drop off and the good fishing is usually  
32 along the edge and the edge has contours. There's a  
33 very large indentation called the horseshoe that's just  
34 north of Dutch Harbor and northeast Unimak Pass area.  
35 The industry did a co-op agreement. They put a very  
36 large closure in there.

37  
38 But no one knows why the bycatch  
39 numbers are low in '08, whether it's abundance, the  
40 closure, behavior. No one can attribute the large  
41 reduction to whatever reason. We just know they're  
42 down.

43  
44 I guess the one point is that in our  
45 process, if you saw something -- if we pass something  
46 in April '09, it's implemented for a full season in  
47 2011, there's going to be '08, '09, '10 operating in  
48 the existing regulations. The reason for that is we're  
49 bound by enumerable Federal laws, NEPA, ESA, we've got  
50 the intersection the Pacific Salmon Treaty from the

1 Lower 48, the Yukon Agreement and Federal subsistence.  
2 Part of what we pass has to then -- the Council passes  
3 it, we're done in April '09, goes to the NMFS Alaska  
4 Region, they have to analyze it, it gets conveyed to  
5 the Secretary and then there's a proposed rule in the  
6 Federal Register, there's another comment period, the  
7 EIS scoping. It's just a long procedure. It takes  
8 forever.

9

10 So, in the meantime, the group that can  
11 act the quickest is our industry. Like they can sign a  
12 co-op agreement amongst themselves and put a closure in  
13 place like they did the beginning of A season this  
14 year.

15

16 Which brings me to why the two cap  
17 numbers. In a perfect world, we would have a floating  
18 cap based on abundance of chinook out there. In my  
19 experience in the Lower 48 we have exactly that. We  
20 have an abundance index that's calculated annually and  
21 that determines our harvest in Southeast, but that's  
22 based on a lot of coded wire tag information and they  
23 have those nice, big cement weirs in the Lower 48  
24 called a dam, so they get really good counts of what  
25 goes by. They have all hatchery-associated components  
26 with the wild stocks, the indicator stocks. We have  
27 like 38 of them, so we have a really good idea.

28

29 We don't have that information up here.  
30 The DNA information for the lower Yukon, Kuskokwim and  
31 Western Alaska is indistinguishable because king salmon  
32 move around as part of their survival pattern. They  
33 can't tell them apart. So we don't have that ability  
34 to set a floating cap, so we have to pick a number. In  
35 some years that number may be restrictive, in other  
36 years it may not be given the slide that Dr. Stram put  
37 up.

38

39 So what do you do when you get to years  
40 of low abundance. A part of our motion is that if  
41 industry comes to us with a co-op agreement that has  
42 incentives that would keep them from catching -- would  
43 be a disincentive to catch a chinook anytime regardless  
44 of abundance, then that's the plan we need to see from  
45 them and it has to be vessel specific to reward good  
46 behavior and punish bad behavior. They'll be bringing  
47 that back to us kind of in February. In April we have  
48 to make a decision whether that meets requirements of  
49 our motion. If it doesn't, then it goes to the lower  
50 cap. If it does, then it goes to the higher cap, but

1 they have incentive not to catch. I'm sure there will  
2 be questions on that.

3

4                   For people that don't join the co-op  
5 there's another number that's even lower, 32,000, and  
6 that's an aggregate cap that would be incurred by  
7 everybody. So they would be shut down first, the  
8 people that chose not to participate in a cooperative  
9 agreement to not catch king salmon.

10

11                   I think I'll just close with that, a  
12 little bit of the process of how we arrived at that.  
13 The hardest part is that we don't have the ability to  
14 set an abundance-based cap, so that's kind of why we  
15 have this two part motion with the two levels of caps  
16 in there. Actually three levels.

17

18                   MR. FIELDS: Thanks, Gerry. Diana, you  
19 mentioned two documents. You talked about the analysis  
20 and then you talked about the environmental impact  
21 statement. Maybe you can clarify the parallel tracks  
22 and time frames for comment on both of those documents.

23

24                   DR. STRAM: Sure. I'm sorry if I  
25 confused it all. It is one single document. It's  
26 easier to say a draft analysis than it is to say EIS  
27 IRFA. But it is one very large document that's put  
28 forward for public comment as well as the document upon  
29 which the Council itself will take final action and  
30 that is this EIS and that is what will be available in  
31 December.

32

33                   I would also note based on what Gerry  
34 was discussing, because part of the Council's motion  
35 that is not included in any sort of analysis, so  
36 there's nothing written on it that you would be able to  
37 review is this incentive program. The Council,  
38 recognizing that, is trying to put forward as much  
39 public comment and ability on that so that both the  
40 Council and the public can understand these proposals  
41 as they evolve.

42

43                   And given that, while this action is  
44 not in front of the Council in December at our  
45 Anchorage meeting, there will be an evening workshop  
46 where the Council has requested the industry come and  
47 provide presentations to the public to further educate  
48 them on their proposals as they evolve.

49

50                   The next time there will be a public

1 meeting to basically discuss those proposals  
2 specifically, the Council has a salmon bycatch work  
3 group. It's a standing committee of the Council. That  
4 group will be having a meeting. We have not yet set  
5 the meeting date. It will be probably around the third  
6 week in January and also in Anchorage, open to the  
7 public. The sole purpose of that meeting is for  
8 industry to provide presentations of these proposed  
9 programs that would meet Council intent for an  
10 incentive-based program and allow the public to ask  
11 questions as well as the committee to provide  
12 recommendations to the Council.

13  
14 Next, at the February meeting in  
15 Seattle, Washington, the Council will again have a  
16 review of these programs. They will have their science  
17 committee review and provide comment to the industry  
18 and to the Council on the proposals as well as the  
19 advisory panel and the Council. All of this is sort of  
20 going on as we are in the public comment period of the  
21 whole analysis, the EIS itself.

22  
23 The action on the EIS and final action  
24 by the Council is at the April meeting, but there will  
25 be other stages where the public can become more  
26 informed of these proposals as they evolve. Again, it  
27 is a slightly tenuous thing that is done at the April  
28 meeting whereby the presentation by industry at the  
29 April meeting and the documentation of that is what is  
30 in front of the Council when they make their decision  
31 in addition to an analysis that focuses largely on the  
32 impact of different cap levels themselves.

33  
34 MR. FIELDS: If I might. Sometimes you  
35 can lose the forest for the trees and I think we tend  
36 to get detail specific very quickly.

37  
38 MADAM CHAIR ENTSMINGER: Right.

39  
40 MR. FIELDS: I think for your group  
41 today and for what you can do in terms of impact, the  
42 key decisional juncture was when the Council said back  
43 in June that there will be a hard cap. There's  
44 substantial support around the Council to say no more.  
45 There's going to be a number and after that number we  
46 will close down your fishery. That substantial policy  
47 call is a substantial policy step that the Council  
48 hadn't been willing to do before. That sent a chill  
49 through the industry because for the first time it's  
50 kind of like -- I have to use an analogy because I've

1 got kids at home. You know, you can tell them no, no,  
2 no, and then you spank them. When you spank them, they  
3 understand no. That's kind of how this hard cap is  
4 now. We're wrestling a little bit with where the  
5 number is, but everybody knows for the first time  
6 there's going to be a hard cap. So that's the forest.

7  
8

9                   As you dig down a little deeper then,  
10 we're working with the industry in terms of how to get  
11 to that number and the industry says if you work with  
12 us and give us a little bit harder number, we'll get  
13 together ourselves and police ourselves. As you know,  
14 if you can get people to work together to achieve a  
15 goal, a lot of times that's a better result than trying  
16 to enforce it from the outside.

17

18                   So that's what's going on now. We've  
19 said, industry, come back with a plan and we'll look at  
20 it and if we think your plan will work, we'll give you  
21 a little bit more leeway. Normally I'm a little  
22 skeptical about that, but in this context I think it  
23 has some possibilities.

24

25                   One of the things we're seeing with a  
26 lot of information and a lot of concern in the  
27 industry, bycatch rates are way down this year. Now,  
28 biology could have contributed to that a great deal  
29 too, but practically speaking, you know, a season ago  
30 in October we were over 100,000 chinook and this year  
31 we're under 20,000. That's a big deal, a big change.

32

33                   So that's sort of the second component  
34 that we're working with. There's going to be a hard  
35 cap. We're working with industry. If industry puts  
36 together a plan, the Council will probably shift those  
37 numbers up a little bit.

38

39                   But that's where you come in, is  
40 evaluating whether or not this industry plan is going  
41 to work and that, to me, is the focus of the RACs. Is  
42 the industry plan going to work and if it's not, going  
43 to go with a low number and if it is, we're going to go  
44 with a high number.

45

46                   So I guess from my perspective as a  
47 Council member, that's how I would distill all of our  
48 information in terms of your process to give feedback  
49 to the Council, is to focus on these industry-generated  
50 plans for reducing bycatch and Gerry went into some

1 real important detail about how those have evolved.  
2 There's a lot of ideas swirling.

3  
4 I want to caution if you wait until  
5 April to give significant feedback, it's a little bit  
6 too late in terms of decision process. It's not  
7 theoretically too late, but as you know, practically,  
8 if you wait right until the last meeting before a  
9 decision. So I really think significant input is  
10 probably between now and the February meeting.

11  
12 I'm looking around for what you think,  
13 Diana, but go ahead.

14  
15 DR. STRAM: I think the difficult thing  
16 here is when you're commenting to the Council on a cap  
17 level, that's straightforward and that's something you  
18 can provide that information in written comment, in  
19 person at the April meeting, all those things are very  
20 important. The part that is difficult is your comment  
21 on the industry's proposal and that is this moving  
22 target. We can provide you information on when those  
23 proposals are going to be put forward to the public.

24  
25 MADAM CHAIR ENTSMINGER: So we don't  
26 have that.

27  
28 DR. STRAM: No. And that's what I'm  
29 trying to say. You won't ever have that. You won't  
30 have it in writing. What we evaluate is the cap  
31 levels. The Council is sitting in a different position  
32 as they're becoming updated. This past meeting that we  
33 just had last week is the first time the industry was  
34 charged with come forward with your proposal. So they  
35 provided some draft overviews to the Council of this is  
36 the direction we're moving in.

37  
38 MADAM CHAIR ENTSMINGER: Have you seen  
39 it?

40  
41 DR. STRAM: At the Council meeting a  
42 week ago.

43  
44 MADAM CHAIR ENTSMINGER: First time.

45  
46 DR. STRAM: Formally, in public, yes.

47  
48 MADAM CHAIR ENTSMINGER: I mean I'm  
49 full of questions. I hate to interrupt you.

50

1 DR. STRAM: No, please.

2

3 MADAM CHAIR ENTSMINGER: What's  
4 happened here, I'm consuming -- I hope I have a  
5 sensible, logical brain here, I thought I did, but once  
6 I hear all this, we're coming into -- everybody here  
7 has got to have the same kind of questions that I do  
8 and I think our Council needs to probably ask a few  
9 questions and then we'll try -- if we're getting off  
10 track, you can tell us. You've said some things that I  
11 can tell you there's some questions here and I think  
12 I'm ready to start taking questions if that's okay with  
13 you guys. And then if we can give some input today, I  
14 would highly encourage that.

15

16 I'll let you go first. Go ahead,  
17 Virgil.

18

19 MR. UMPHENOUR: Okay. I know both  
20 Gerry and Duncan and I've known them for a long time  
21 because we've been involved in fishery politics for a  
22 long time. What I would like to do, Madam Chair, is  
23 kind of give my perspective, which is kind of a  
24 briefing, that might help our Council. The first thing  
25 I would like to say, if you look at Page 2, you can see  
26 that the bycatch jumped up in '96, '97, '98.

27

28 MR. MERRIGAN: Of the PowerPoint.

29

30 MADAM CHAIR ENTSMINGER: Yes.

31

32 MR. UMPHENOUR: Yes. See, I've been  
33 involved in this process a long time and I can remember  
34 when they first started the observer program. I  
35 remember a report given to the people that were  
36 attempting to negotiate the treaty with Canada for the  
37 Yukon River for the year 1990 or '91. I know I was in  
38 Juneau at a meeting. They said it was 248 king salmon  
39 or 228, something like that. This was during the A  
40 season up through about the middle of February and we  
41 were meeting in March at the time. So, a year later,  
42 after they started the observer program, the bycatch  
43 was 24,000 for that period. So it opened up the big  
44 question of credibility.

45

46 Now I have to tell a short story. When  
47 I was on the Board of Fisheries, we passed in the  
48 Bering Sea a no prospecting regulation. If you fished,  
49 no matter what it was for, within 30 days you would not  
50 be able to fish in the red king crab fishery. We passed

1 regulations like that in Southeast that Gerry is  
2 familiar with. The Board of Fisheries got sued by some  
3 of the trawlers and that's the people that catch the  
4 pollock. Then we had a joint meeting with the Council  
5 and the Board to resolve this.

6

7 Now I have to back up. In 1992 I did a  
8 joint venture where we bought a barge, a tugboat and I  
9 was buying fish out of Mountain Village.

10

11 MADAM CHAIR ENTSMINGER: Short version.

12

13 MR. UMPHENOUR: Short version. So,  
14 anyway, we had an idiot for a tugboat captain that blew  
15 up both diesel engines, so we had to charter a C-130  
16 Hercules to fly our diesel engines in to Mountain  
17 Village. That's the only way we could get them there.  
18 Plus we had to hire a mechanic. So at this joint  
19 meeting I told a story. The trawlers were complaining,  
20 and these were the crossover trawlers, they couldn't  
21 make a living and the sea lions were causing a big  
22 problem with them. We hired this mechanic to change  
23 these diesel engines over and I asked the mechanic what  
24 were you doing before you came here. He says, oh, I  
25 just got off a factory trawler in the Bering Sea, I  
26 fished the whole A season, and I said, well -- now this  
27 was in '92. If you look at this thing over here, it  
28 starts the bycatch reporting in '92 and I just finished  
29 that meeting, I think, where they said they had caught  
30 24,000 in the bycatch in the A season and the year  
31 before they said only 248 on the honor system  
32 reporting. So I says how many salmon did you guys  
33 bycatch. He says, hell, there's no way of knowing how  
34 many salmon you bycatch because they pull up a couple  
35 hundred thousand pounds at a time, but I'll tell you  
36 one thing we really caught a lot of, we caught over  
37 1,000 sea lions. Most of them are dead when they bring  
38 them up, but once in a while one of them is alive and  
39 you get a mad sea lion on deck that is really  
40 something.

41

42 So anyway, the credibility of the  
43 industry to me is not very good. Duncan and I  
44 participated in Kodiak one time on some proposals to  
45 close down non-pelagic, hard on bottom trawling in  
46 Kodiak waters. Those trawlers tried every way they  
47 could to get the Board to not take action on that.  
48 They promised to produce videos that showed that they  
49 weren't really damaging the ecosystem on the bottom.  
50 So I said, okay, fine. We're finally at the Anchorage

1 meeting at the Captain Cook. I produced videos of what  
2 hard on bottom trawling does to the bottom. The  
3 industry never produced those videos.

4  
5 To me, their word and their credibility  
6 is really bad.

7  
8 MADAM CHAIR ENTSMINGER: I want to  
9 address that.

10  
11 MR. UMPHENOUR: Pardon?

12  
13 MADAM CHAIR ENTSMINGER: I want to  
14 address that. You made your point. I'm going to  
15 reiterate, Virgil, I think everybody at this table has  
16 heard horror stories of the trawl fleet from somebody  
17 we know that's worked on those things counting. So  
18 he's very passionate about it. I really appreciate it.  
19 What he's saying is there's no credibility. Has  
20 something changed for their credibility since '92?

21  
22 MR. MERRIGAN: I guess just a few  
23 things of what regs we have. So I think the observer  
24 program got implemented a little bit later than '92,  
25 but the estimates we have here that go with that table  
26 we have 48,000 for the bycatch. I guess just like you  
27 guys, you're each explaining your fisheries in the  
28 river. The lower river is different than the middle  
29 river, there's the braided sections. You all have  
30 different ways of doing it and I guess from here  
31 looking out you look at the trawl fleet as one big --  
32 the same.

33  
34 Of course, when we deal with these  
35 people they're all different too. You've got family  
36 owned capture boats, then you have corporations that  
37 own a lot of boats, then there's the CP fleets, the  
38 catcher process, the factory trawlers that process on  
39 board. They all fish different. CPs can range further  
40 and fish up north and actually get into less salmon  
41 bycatch but more Western Alaska chinook. The CV fleet,  
42 because they're just like fishermen, they have to -- I  
43 think two days out of Dutch is as far as they can go.  
44 They fish down here and they're facing fuel prices.

45  
46 This is a pelagic trawl fishery. It's  
47 hard on bottom trawl. Bottom trawl gear would be roller  
48 gear and that's what they fish yellow-fin sole and cod  
49 with, but there's no roller gear allowed in the pelagic  
50 fisheries. Pelagic meaning mid water. They do make

1 bottom contact when it's in mud and sand, but they  
2 can't go into any harsh environment. They'll lose  
3 their net. They have electronics on their net that  
4 they call the third wire. So they can't go into real  
5 hard bottom. They're not exactly the same fishery as  
6 the bottom trawl fishery and pelagic trawl fishery.  
7 It's different gear, different species they're going  
8 after. I know it looks like all one in the same from  
9 looking inland out. They do get some crab and halibut,  
10 but it's quite a bit less than some of the bottom trawl  
11 that does cod. That's where the higher bycatch is. So  
12 there's a little bit of difference there.

13

14 In terms of the credibility.....

15

16 MADAM CHAIR ENTSMINGER: Can I stop you  
17 right there, Gerry. So are you telling me the impact,  
18 what you're showing us here, is just the trawl fleet  
19 for pollock and then you're telling me that there's  
20 other fisheries out there that are also taking possibly  
21 these salmon?

22

23 MR. MERRIGAN: It's about 95 percent in  
24 the pollock fisheries is chinook.

25

26 MADAM CHAIR ENTSMINGER: Ninety percent  
27 is taken in this fishery alone.

28

29 DR. STRAM: Probably about 98 percent  
30 in recent years. The reason why this action is focused  
31 on the Bering Sea pollock fishery is they take the  
32 majority of the chinook bycatch. What he's addressing  
33 is a separate bycatch issue. It's not chinook salmon  
34 bycatch.

35

36 MR. FIELDS: Let me take a shot at the  
37 credibility issue. Credibility often tracks economics  
38 in fisheries. If you look at the right-hand side on  
39 the high bycatch levels at 22, 23, 32, 46 percent, at  
40 23 percent that's somewhere between 150 to 200 million  
41 in lost revenue by the pollock fleet. If you get down  
42 to 46 percent, you're talking a neighborhood somewhere  
43 between 405 100 million dollars in lost revenues.  
44 That's the incentive the fleet has to clean up their  
45 act, Virgil. It's economics. It's not good will. I  
46 can't say there's absolute credibility to that, but I  
47 think there's substantial economic motivation. That's  
48 why I'm thinking that an industry solution may get us  
49 further along in addressing the actual problem because  
50 of these kind of economic incentives.

1                   MADAM CHAIR ENTSMINGER:  If I may,  
2 Virgil.  I like to try to be diplomatic when I can.  I  
3 understand you equated that to economics, but if I was  
4 somebody sitting here in Nenana or upriver somewhere  
5 and someone threw those figures at me and said it's all  
6 these millions of dollars and the fish upriver  
7 declining and this could be the potential, I would be  
8 offended.  I know we're here looking out at you, but  
9 you're doing studies that it seems like it's not  
10 respectful to the people that this loss, 52 percent  
11 loss or whatever.  I'm having a hard time telling you  
12 exactly, but I think you understand my drift.

13  
14                   DR. STRAM:  Can I just comment on that.  
15 On behalf of our analysis, while I'm just showing a  
16 snapshot of percent salmon versus percent pollock  
17 catch, that's not to indicate that we're not looking at  
18 -- to the extent that we can take the salmon that would  
19 have been saved, translate it back to a river system  
20 and make any assumption as to what that would have  
21 meant up the river, that's what our entire analysis  
22 does, but we're limited by our ability to say what  
23 happens when the salmon gets to the mouth of the river.  
24 But we're covering as much on the economics of this,  
25 which is a lot easier to establish from the pollock  
26 fishery as well as what the impacts are upriver on  
27 subsistence, on commercial salmon fisheries.  It's not  
28 in any way an intent to say that that's not covered or  
29 a consideration.

30  
31                   MADAM CHAIR ENTSMINGER:  I just want  
32 you to be aware that that's how people will feel.  
33 Andy.

34  
35                   MR. MERRIGAN:  I think on that note, we  
36 understand there's more than monetary value to king  
37 salmon in the commercial fisheries and rivers.  There's  
38 a subsistence value and the only reason we're  
39 presenting the economic incentive side for the pollock  
40 fishermen is to get them to -- you know, what do we do  
41 in years of low abundance to make sure they don't catch  
42 it.  Like Duncan said.....

43  
44                   MADAM CHAIR ENTSMINGER:  Police  
45 themselves is what you're trying to say.

46  
47                   MR. MERRIGAN:  .....we're not relying  
48 on their goodwill.  We want them to have a real  
49 incentive to do it.  For them, that means dollars.  
50

1 MADAM CHAIR ENTSMINGER: I'd say we all  
2 appreciate that.

3  
4 MR. MERRIGAN: We understand it doesn't  
5 translate in river. There's like an iconic value of  
6 king salmon. It's beyond dollars and cents in the  
7 river.

8  
9 MADAM CHAIR ENTSMINGER: Right. But  
10 you've just got to be aware that's how people here  
11 think.

12  
13 MR. BASSICH: Thank you. I have a  
14 number of questions here, so bear with me. First, some  
15 basic questions here. Your April meeting, do you have  
16 a place and a date for that yet?

17  
18 DR. STRAM: Yes. It's in Anchorage. I  
19 can get you the date. I just have to pull it up. I  
20 think it starts March 29th, which is a Monday, and it  
21 would go Monday through Tuesday the following week.  
22 February is in Seattle.

23  
24 MR. BASSICH: What's the date in  
25 February?

26  
27 DR. STRAM: February 3rd through about  
28 the 11th.

29  
30 MR. BASSICH: I had some questions  
31 about the confidence in the reporting of bycatch. We  
32 talked a little bit about that. One of the things I'm  
33 still a little bit confused about, earlier in your  
34 presentation you were saying that in alternative four  
35 the way they can move their hard caps from sector to  
36 sector would make it impossible basically for them to  
37 reach their hard cap. Could you elaborate on that a  
38 little bit more. I'm still having a hard time wrapping  
39 my head around what's the point of having a hard cap.  
40 What would be the incentive under a program like that  
41 for them to shut down if they can move the quotas  
42 around to where they never reach the hard cap that  
43 would shut them down?

44  
45 DR. STRAM: Two different things.  
46 Basically the ability to transfer caps makes it more  
47 likely that you're going to hit your hard cap because  
48 you can move it around. If you take a cap and  
49 subdivide it, it's less likely in general that every  
50 single sector will hit their cap. Once you make those

1 caps transferrable, it becomes more likely that  
2 individual sectors may hit their caps. If you look  
3 historically at different sectors, not all sectors  
4 would hit these caps in any season. Some sectors just  
5 won't hit their actual allocation. In a hypothetical  
6 sense, they may choose to then transfer additional  
7 salmon to another sector under this system that's  
8 proposed for a sector that's already hit their cap or  
9 they may just retain it because they may have the  
10 ability to roll some of it into the B season.

11  
12 So just in a general sense, once you  
13 make a cap transferrable among sectors, it is more  
14 likely you're going to hit any overall cap because you  
15 have that ability to shift it side to side.

16  
17 Does that help at all?

18  
19 MR. BASSICH: Yeah.

20  
21 DR. STRAM: I was just speaking in  
22 terms of having an annual cap that's for the entire  
23 fishery you're more likely to hit it. The entire  
24 fishery is going towards one cap. As you subdivide a  
25 cap further and further by season by sector, it becomes  
26 less likely that -- even though you're talking about an  
27 annual overall number, what you're really talking about  
28 is a very sector specific number. When you reach that  
29 number, that sector shuts down, not the entire fishery.  
30 Everybody else can continue to fish until they hit  
31 their own number.

32  
33 MR. BASSICH: What was the total gross  
34 in dollars of the industry last year approximately?  
35 And then I'm also interested in what the bycatch in  
36 metric tons was and what the actual catch was of the  
37 pollock fleet in metric tons.

38  
39 MR. MERRIGAN: '07 the pollock TAC for  
40 CDQ and everybody was about 1.3 million metric tons.  
41 In '08 it was 1 million metric tons and I think we're  
42 looking at, preliminary survey results, there's going  
43 to be a downgrade in the pollock TAC. This is just a  
44 guess right now, 800 to 900,000. There's an absence of  
45 some age two pollock, so the pollock TAC is declining.  
46 A metric ton is 2,204 pounds, so for 2007 I think that  
47 makes it about 3 billion pounds of pollock.

48  
49 MR. BASSICH: What would the bycatch be  
50 in those two seasons in metric tons?

1 MR. MERRIGAN: Well, if you figured the  
2 average size of the fish, I ended up with about -- for  
3 '07, the high year, it would have been close to half a  
4 million pounds, and in '08 that would be more like  
5 65,000 pounds of chinook. I was trying to figure out  
6 how it would relate to other fishermen to explain this,  
7 I would look at -- they don't understand metric tons,  
8 so you go to pounds. I was coming up for '07 like  
9 6,000 pounds of pollock per pound of chinook and '08  
10 it's like four times, 25,000 pounds of pollock per one  
11 pound of chinook.

12  
13 I was trying to explain this to  
14 Southeast trawlers, knowing how many fish I shake, I  
15 had a boat that could hold maybe 4,000 pounds of cohos  
16 and how many fish I didn't keep to get that in terms of  
17 bycatch rates, try to get it to something people can  
18 understand. I know metric tons is not a concept that  
19 most people can follow. I think those are my  
20 calculations. Dr. Stram did a value of the fishery.

21  
22 DR. STRAM: In a general sense, like  
23 gross X vessel value, it's about half a billion dollars  
24 in terms of the fishery itself. What we have in here  
25 because it takes them a year to report it, is for 2006,  
26 which is slightly less than that. I believe the  
27 pollock price has been roughly the same from 2006 to  
28 2007. You're still talking anywhere around half a  
29 billion dollars and possibly a little more than that.  
30 When we report it as an X vessel value, that's actually  
31 a little bit of an underestimate.

32  
33 MR. BASSICH: Okay. Thank you.

34  
35 MR. FIELDS: That's just first  
36 wholesale X vessel. Of course, with your factory fleet  
37 their actual sales price is processed manufactured  
38 pollock. I mean you have your roe and your filets. So  
39 I think while that number is illustrative, I don't  
40 think it really captures the value of the fleet. I  
41 think the number that we sort of use as a general  
42 number is more in the 800 million to a billion range.  
43 Is that.....

44  
45 DR. STRAM: Yeah. That's what I'd say  
46 in general. It depends what we have to list as the  
47 actual value, but that's why we try to say in a general  
48 sense half a billion dollars and that is an  
49 underestimate, where what we assume it to be is more  
50 like 750,000 and upwards of that.

1 MR. BASSICH: I have a few more  
2 questions, but I'll hold off.

3  
4 MR. MERRIGAN: You mentioned the  
5 accountability of the observer program. Was there a  
6 question on that?

7  
8 MADAM CHAIR ENTSMINGER: Yeah, the  
9 confidence.

10  
11 MR. MERRIGAN: I think Dr. Stram could  
12 give -- it's two observers all the time on the CPS, the  
13 factory trawlers. Capture vessels over 125 it's 100  
14 percent observer coverage and then vessels that are  
15 under 125 are 30 percent coverage and then NMFS has  
16 indicated that under this alternative those boats will  
17 be up to 100 percent coverage as well. There's  
18 observers at the plants as well.

19  
20 DR. STRAM: Basically the fleet in  
21 terms of observer coverage when it's 100 percent it  
22 depends on the size of the vessel. We have the most  
23 observer coverage over the majority of the fleet and  
24 then the shoreside catcher vessels, which are the  
25 smaller vessels, those are the ones where basically  
26 about 70 percent are only 30 percent observed, but when  
27 you look at it by percentage of catch basically, if  
28 you're just trying to get a general snapshot, it's 27  
29 percent of the pollock catch has 30 percent observer  
30 coverage on it. So you're basically talking about 73  
31 percent of the catch is 100 percent observed and then  
32 this 27 percent fraction in recent years falls in the  
33 catch that's coming from those vessels that are 30  
34 percent observed. Estimates that have been done on the  
35 precision of the actual numbers, even including the  
36 percent observed, it's extrapolated to an observed  
37 vessel. It's not like they're not counted. It just is  
38 extrapolated by a procedure in NMFS catch accounting.  
39 But the precision on the observer estimates of bycatch  
40 particularly in this fishery are really good, within 5  
41 percent, which is excellent for our bycatch accounting.

42  
43 MADAM CHAIR ENTSMINGER: Can I say  
44 something. What's being questioned here, do we believe  
45 the observers are doing a good job. Are they reporting  
46 everything or is there some type of way they can be  
47 manipulated not to do a good job?

48  
49 DR. STRAM: I think the times they can  
50 be manipulated and the concerns are in discarding the

1 salmon before it's been counted in any way and that's  
2 why when the salmon is brought back to a plant it is  
3 counted there. When it's on a catcher processor, you  
4 have two observers, so it's 100 percent observer  
5 coverage and not only are they counting everything, but  
6 they're there to observe that nothing is being pitched  
7 overboard before it's counted. So the only concerns if  
8 you're looking at what would be the achilles heel of  
9 the fleet would be the percent of the fleet that's not  
10 at all observed and would they discard salmon without  
11 it ever getting into the accounting, even the  
12 extrapolated catch accounting.

13

14 MADAM CHAIR ENTSMINGER: Possibly.

15

16 DR. STRAM: And that's part of the  
17 reason why in order to do this kind of sector-specific  
18 cap NMFS indicated it would have to be 100 percent  
19 observer coverage. So even those vessels that are  
20 currently unobserved or 30 percent observed they have  
21 to have 100 percent observer coverage. So that means  
22 two observers all the time when they're fishing like  
23 that.

24

25 MR. MERRIGAN: As the sectors are  
26 identified up there, the CDQ is the community  
27 development quota. The coastal Native communities own  
28 10 percent of the Bering Sea pollock access rights and  
29 they also own a good portion of the offshore CPs as  
30 well. The next one, the inshore capture vessels, those  
31 boats aren't sorting fish. Most of those go right in a  
32 hole and then they go to a plant, so that's why the  
33 observer is at the plant. The sector that might be  
34 puzzling is the mothership sector and those are capture  
35 vessels that just go over to a floater. Do they even  
36 bring the net on board or does the net go right to the  
37 mothership?

38

39 MR. FIELDS: They transfer the cod in.

40

41 MR. MERRIGAN: So then it's just like a  
42 plant with observers on there. They don't even have an  
43 opportunity to sort. So trying to figure out how can  
44 people game it out, they'd have to be able to see the  
45 salmon which is buried in a giant football field of  
46 pollock and grab it and throw it overboard, but the  
47 chances are kind of slim. They want to clear their  
48 deck. They're not going to sit around and look for it.  
49 They don't have the time. While there's opportunity  
50 possibly for someone to do that, logistically-wise it's

1 kind of difficult, I think.

2

3 MR. FIELDS: On a comparative basis,  
4 the Bering Sea pollock fishery is the best, most  
5 observed fishery we have probably in the United States.  
6 That isn't to say there's not some probabilities plus  
7 or minus five percent or something like that.

8

9 MADAM CHAIR ENTSMINGER: Yeah. Go  
10 ahead, Andy.

11

12 MR. BASSICH: Thank you. Getting back  
13 to what you were talking about a little earlier, the  
14 industry kind of policing themselves. I'm still trying  
15 to get my head wrapped around what are the incentives  
16 for them to do that. If we go to the higher hard cap,  
17 what incentives are they bringing to you that would  
18 make us think they're going to try and fish a lot  
19 cleaner? If they've got a hard cap, you would think  
20 when they reach that hard cap that's that. A dead fish  
21 is a dead fish basically the way I look at it and it  
22 doesn't matter what they do in their fisheries. Their  
23 incentives might be to try and fish a little longer,  
24 but it seems like every year they're probably going to  
25 end up fishing to that cap.

26

27 MR. MERRIGAN: I guess part of it was  
28 the explanation before, we didn't have the ability to  
29 set an abundance-based cap, so you have to pick a  
30 number. In years of low abundance, actually we're  
31 looking for the incentive to not have them just fish to  
32 the cap when they could avoid it. So the cap is going  
33 to shut them down and the incentive to not reach the  
34 cap, of course, is foregone pollock in revenue.

35

36 The real incentive we're looking for is  
37 in years of low abundance where the cap wouldn't have  
38 been constraining at all. We don't want them to fish  
39 right up to the cap. That's where we're looking for  
40 the economic incentive to address the fact we can't do  
41 an abundance-based cap. The incentive is going to be -  
42 - right now we gave the guidance that their co-op  
43 agreement must provide incentive for each vessel to  
44 avoid salmon bycatch under any abundance condition or  
45 any condition of pollock and salmon abundance in all  
46 years. Incentive measures shall include rewards and  
47 penalties for failure to avoid salmon bycatch at the  
48 vessel level. And then they have to tell us exactly  
49 how they're going to be doing this.

50

1                   So the one scenario that was laid out  
2 at our last meeting was kind of the people paying in on  
3 a rate-based thing at the beginning of the year and  
4 then if you have good behavior you got it back and if  
5 you didn't, it cost you.

6  
7                   MR. FIELDS: To think that through. If  
8 you have low abundance years, even if you have a cap in  
9 the 48,000 range, the impact on Yukon River chinook  
10 will be substantial. So we need a system that while we  
11 can't predict in advance your abundance, it provides  
12 incentive on those low abundance years to avoid chinook  
13 bycatch and that's the motivation to work with the  
14 fleet to try to develop a system that gives them a  
15 little flexibility on high abundance years perhaps, but  
16 also has significant economic disincentives for  
17 catching their cap in low abundance years and that was  
18 the thought behind it.

19  
20                   MR. BASSICH: Thank you.

21  
22                   MADAM CHAIR ENTSMINGER: This is a very  
23 important meeting, guys, but Virgil told us a story  
24 that was interesting to me. Trying to separate these  
25 fisheries, was that a pollock fishery that caught all  
26 those sea lions?

27  
28                   MR. UMPHENOUR: Yes. It was the  
29 fishery we're discussing that caught all the sea lions.  
30 But anyway.....

31  
32                   MR. FIELDS: The price of sea lions has  
33 gone way down, so we're not worrying about that as much  
34 anymore.

35  
36                   MADAM CHAIR ENTSMINGER: Steller sea  
37 lions are on the Endangered Species List, I believe.  
38 That's not funny.

39  
40                   MR. UMPHENOUR: Right. And Dr. White  
41 at the same meeting after I spoke to that said their  
42 other problem is they don't digest lead very well.

43  
44                   Anyway, the reason I went through all  
45 that is credibility of the observer system. Of course,  
46 we've got a guy sitting in the back that used to be the  
47 supervisor for observers. Him and I earlier in the  
48 meeting discussed the whistleblowers and lots of  
49 whistleblowers came to the Board of Fish. One of our  
50 Board members, Russell Nelson, worked as an engineer on

1 a factory trawler and they had a really nice looking  
2 observer that never left the captain's wheelhouse but  
3 did all the paperwork and it was all fine.

4  
5 So how is that part -- my question is  
6 the credibility of the actual observers themselves, it's  
7 a two-part question, and the second one is the  
8 methodology of how they calculate the bycatch. I'd  
9 like to know the methodology because I know that one  
10 joint council Board of Fish meeting the National Marine  
11 Fisheries Service wanted to just totally do away with  
12 it because when they tried to do a whole haul count and  
13 the way they did it with their sampling method it  
14 didn't correlate, so they wanted to do away with it and  
15 that didn't happen. It's still there.

16  
17 So my question is how confident are you  
18 in the actual methodology of how they count the fish?  
19 I'd like for our Council to know the methodology of how  
20 they actually calculate out the bycatch, physically do  
21 it.

22  
23 MR. MERRIGAN: I think Dr. Stram has  
24 the actual math methodology. On the confidence of the  
25 observer program, you know, I'm a small boat fisherman.  
26 I'm not observed. I also work for Freezer Longliners  
27 where we deal with the same 125, 100 percent and 30  
28 percent coverage. So I've been involved in some of the  
29 observer program regs.

30  
31 I think the confidence is pretty good  
32 in the observer program. They de-certify observers if  
33 there's questions. When they get done they have to  
34 have a debriefing session. If the data is  
35 questionable, it doesn't get extrapolated. They'll  
36 have to use something else. So it's a very rigorous  
37 standard process. The extrapolation method seems to  
38 overestimate bycatch and underestimate catch.  
39 Sometimes the extrapolation methods are strange.

40  
41 You mentioned sea lions. One of the  
42 ones I always find strange is -- actually most of the  
43 Steller sea lion mortality right now in fishing is  
44 attributed to Prince William Sound driftnet. They did  
45 a 3 percent sample back in '91 and '92 in which one  
46 year they had no take and one year they had one, but  
47 because it was a 3 percent sample that became 29 and  
48 then they attributed that to 14.5 sea lions per year  
49 and that's the highest mortality fishery for Steller  
50 sea lions still on the books because it hasn't been

1 observed since. That represents 50 percent of the  
2 fishing mortality of Steller sea lions right now of the  
3 endangered population.

4  
5 So I understand the concern about  
6 extrapolations because that fishery is still being  
7 tagged, I think, unnecessarily. I think the sea lion  
8 stories came from the old days in Shelikof Straits down  
9 in the gulf like in the late '80s or something, so I  
10 think you've got to kind of mix and match the anecdotal  
11 evidence.

12 Right now the extrapolation methods for  
13 when there's low observer coverage I think you get into  
14 the real problems. When you have the higher observer  
15 coverage, you have a little more confidence in  
16 extrapolations. I see observers that have not been  
17 credible be de-certified. I think I just saw a letter  
18 somebody wrote, a national fisherman complaining about  
19 being de-certified, but it happens when it's not good  
20 information and that person's not a credible observer.

21  
22  
23 MR. FIELDS: Let me just jump in.  
24 Virgil, I don't know that we can be an apologist for  
25 the observer program. There's certainly issues  
26 associated with it. I think it's improved  
27 substantially from the days where you wrestled with it  
28 at the Board of Fish. We're looking at observer issues  
29 all the time. I went to a seminar this summer on  
30 electronic observer coverage to truth test the actual  
31 observer coverage. I think there will be some progress  
32 made in that regard.

33  
34 So good questions and we should always  
35 be asking about the credibility of observers. I don't  
36 know that we can assure you today that there aren't  
37 some issues, but I can assure you from what I've found  
38 and studied and listened to and talked and asked lots  
39 of questions, that it's much better than it was in the  
40 Bering Sea and the Bering Sea is far better than  
41 anything we have in the Gulf of Alaska.

42  
43 MADAM CHAIR ENTSMINGER: And I just  
44 want to say that I don't want to get wrapped around the  
45 axle on something we can't do, Virgil.

46  
47 MR. UMPHENOUR: Right.

48  
49 MADAM CHAIR ENTSMINGER: We have these  
50 guys here and I want us to be thinking about the things

1 they want -- you know, what we suggest could be done.  
2 What's our ideas as a Council to bring to these guys.  
3 What is our preferred action. There's points that we  
4 want to bring out and you have lots of questions, I  
5 appreciate that, but I want you all to be thinking  
6 about that too. I would like to hear from you guys  
7 over here that aren't speaking.

8

9 MR. UMPHENOUR: I can be done in five  
10 minutes with what I'm going to say to these guys.

11

12 MADAM CHAIR ENTSMINGER: Five?

13

14 MR. UMPHENOUR: I've asked all the  
15 questions I wanted to ask. I just want to point out a  
16 few facts. I wanted to know what their confidence was  
17 in the observer program and the methodology in which  
18 the bycatch of salmon is counted. Duncan has told me  
19 it's much better than when him and I were working  
20 together on these same issues when I was on the Board  
21 of Fish 10 years ago.

22

23 MADAM CHAIR ENTSMINGER: I'm sure it  
24 is.

25

26 MR. UMPHENOUR: So I trust Duncan's  
27 judgment on that. So what I'd like to point out is  
28 that the people sitting in the back of the room that  
29 fish here in Nenana have not got to fish chinook salmon  
30 commercially for three consecutive years. For the past  
31 several years prior to that, all the way up to 2000,  
32 they've been closed, totally closed, one other time,  
33 which was 2001, and 2000 they didn't get to fish king  
34 salmon either. And you correlate that to your data  
35 over here on Page 2 of the presentation, and you can  
36 kind of correlate that a little bit.

37

38 But the other thing is that they've --  
39 and on the Tanana River drainage, the fish they're  
40 fishing, between 30 and 40 percent of the king salmon  
41 that enter the Yukon River go past Nenana. That's  
42 where their natal streams are. So when you have a  
43 place like Nenana that produces 30 to 40 percent of the  
44 king salmon that enter the mouth of the Yukon were  
45 produced upstream from Nenana, on that system, they  
46 haven't got to fish for three consecutive years in a  
47 row.

48

49 We haven't met our border passage  
50 that's agreed to in our Salmon Treaty with Canada for

1 the last three years. They'll claim it's only the last  
2 two, but it's really the last three because the only  
3 way they met their escapement to Canada three years  
4 ago was by not having a commercial fishery, a sport  
5 fishery, any other fishery except for what they call an  
6 Indian food fishery and we call it a subsistence  
7 fishery. So it's three consecutive years there. The  
8 last two years have been a total miserable failure as  
9 far as the agreed upon border passage with the  
10 Canadians.

11  
12 So our chinook salmon situation being  
13 roughly about 23 to 24 percent of the by-caught chinook  
14 are basically headed to the Yukon, you've got to bear  
15 in mind, Duncan, and I think you can really relate to  
16 this, that if we were to catch the high end of our  
17 guideline harvest level in the upper Yukon,  
18 commercially we're only allowed about 6,000 king salmon  
19 a year. Your bycatch figures in your presentation for  
20 last year was 0 to 15,000 of what would have returned,  
21 your AEG I believe you call it or something. But  
22 whenever Becka the girl from YRDFA calculated it out  
23 she figured it was about 23,000 that potentially would  
24 have returned to the Yukon. The whole commercial  
25 allocation for the upper Yukon is only about 6,000  
26 fish.

27  
28 And then I want to point out that the  
29 Nushagak River sport fishery in Bristol Bay is worth --  
30 well, when I was on the Board of Fishery say 10 years  
31 ago.....

32  
33 MADAM CHAIR ENTSMINGER: Is this  
34 related to our region?

35  
36 MR. UMPHENOUR: This relates totally to  
37 what we're talking about, so please don't interrupt or  
38 you'll make it longer.

39  
40 (Laughter)

41  
42 MADAM CHAIR ENTSMINGER: Okay.

43  
44 MR. UMPHENOUR: Okay. We're talking  
45 economics. Their sport fishery was worth about \$150  
46 million 10 years ago. Their allocation for king salmon  
47 for the Nushagak River is only 5,000 king salmon. So  
48 your bycatch there in what you just calculated out is  
49 over double what their total allocation is for a  
50 \$150 million fishery now. You say, well, under these

1 different options they would lose, Duncan said, in one  
2 option the 22 percent would be 100 to 200 million. I'm  
3 saying that's big bucks. Well, whenever they don't get  
4 to fish king salmon in the Nushagak River, that's big  
5 bucks to those guys too.

6  
7 To the guys in Nenana that haven't got  
8 to fish for king salmon for three years in a row  
9 period, the bucks might not be so big but they haven't  
10 got to commercial fish period. I had a big discussion  
11 with Robin Samuelson. He called me up last week and I  
12 believe he's pushing the low preferred alternative,  
13 which you guys just spoke about a while ago, Duncan,  
14 where you were saying you want to -- you know, when  
15 there's low abundance out there, we don't want them  
16 fishing right up to the cap. I totally agree with  
17 that.

18  
19 MR. FIELDS: Yeah.

20  
21 MR. UMPHENOUR: I'll tell you what my  
22 opinion is. I would like to naturally have the cap as  
23 low as possible. I know that if it's too low, it's  
24 not going to pass, but I would like it as low as  
25 possible and some way to hold their feet to the fire to  
26 not go up to the cap in periods of low abundance.

27  
28 If you look at your bycatch numbers  
29 that are on Page 2 there, you can see that that kind of  
30 correlates to run failures on the Yukon. The high  
31 bycatches went up in '96, '97, '98. '99, 2000, 2001,  
32 it went way down. Well, '99, 2000 were two super low  
33 years. 2000 was the lowest return ever recorded in the  
34 Yukon River of both chinook and chum salmon, both. And  
35 2001 was a very low year. So those kind of correlate  
36 because they're catching immature fish that are not  
37 headed to the river that year.

38  
39 So those kind of correlate and so  
40 that's what I think would be in the best interest of  
41 conservation for all of Western Alaska chinook and it  
42 addresses the economic viability of our commercial  
43 fisheries, our sport fisheries and then the Canadians,  
44 on their Indian food fishery this year, they  
45 voluntarily agreed to only take half of what their  
46 needs would be and it was really pitiful.

47  
48 We have a teleconference once a week  
49 and the last couple of teleconferences this summer in  
50 August after the Canadian villages were finished

1 fishing and they were on the teleconference. To hear  
2 some villages say we only got seven chinook salmon for  
3 the whole village this year for food, that is just  
4 absolutely heartbreaking to hear those kind of things  
5 that happened this year with the Canadians and the  
6 sacrifices they made.

7  
8 So I don't have a lot of sympathy for  
9 the economic part of it because the trawl fleet is so  
10 diversified, they have so many other fisheries they  
11 participate in, codfish, crab, sole, all kinds of other  
12 stuff as well. So they need to just tighten up their  
13 belt and be more conservation minded.

14  
15 MADAM CHAIR ENTSMINGER: That's a good  
16 point.

17  
18 MR. UMPHENOUR: Thank you. But I would  
19 like to take a break. We haven't had a break this  
20 morning.

21  
22 MADAM CHAIR ENTSMINGER: He needs a  
23 smoke, so we better take a break. And he went seven  
24 minutes.

25  
26 (Off record)

27  
28 (On record)

29  
30 MADAM CHAIR ENTSMINGER: We've been  
31 through a lot in the last 24 hours. I want to make a  
32 point that there's some local people here that would  
33 like to come in and say a few words. You guys can just  
34 stay there.

35  
36 MR. MERRIGAN: Just one thing in  
37 response to Virgil though. The Council has to look at  
38 all the laws and that benefits to the nation, but when  
39 we're talking economics up here, we're talking strictly  
40 on the financial incentives to keep those guys from  
41 hitting the cap at low abundance. We're not comparing  
42 the economics of in-river fisheries to the pollock  
43 fishery. We're looking at net benefits to the nation  
44 and that means subsistence as well and the value of  
45 chinook in the river fisheries. We're not comparing  
46 these guys make more, therefore these guys -- we're not  
47 looking at it that way.

48  
49 When we're talking about economics,  
50 we're talking how do we keep the pollock fishery. What

1 works for them. Well, they're commercial fishermen.  
2 What works for them is to have an economic price for  
3 them to not catch -- if they do catch chinook, they're  
4 going to be penalized for it. So that's where the  
5 economics comes in. I just want to make that clear. I  
6 know it gets muddled up and I know it's got more value  
7 than just the cash to the economy. It's got a lot of  
8 other value and I'm sure I'm going to hear a lot about  
9 that.

10  
11 MADAM CHAIR ENTSMINGER: Gerry, I  
12 appreciate you saying that, but I think, too, knowing  
13 that the Council -- does the Council have any people  
14 like are speaking here or is it mostly commercial  
15 interest?

16  
17 MR. MERRIGAN: The makeup of the  
18 Council is the regional administrator of the National  
19 Marine Fisheries Service, a representative from  
20 Washington Department of Fisheries and Wildlife, a  
21 representative of Oregon Department of Fisheries and  
22 Wildlife.

23  
24 MADAM CHAIR ENTSMINGER: Government,  
25 government, government.

26  
27 MR. FIELDS: State Department of Fish  
28 and Game.

29  
30 MR. MERRIGAN: Yeah, the commissioner  
31 of Fish and Game. Going down the line, we have myself  
32 as an Alaska appointment as a commercial fisherman and  
33 Duncan and Sam Cotten, both of which -- we all have  
34 salmon backgrounds. We have Eric Olson as our  
35 chairman. He was a Bristol Bay driftnetter and he's  
36 from Dillingham, so I'm sure he'll be looking out for  
37 Nushagak. I've got Ed Dersham who's served a long time  
38 on the Board of Fish with Mr. Umphenour as vice chair  
39 and chair. I forget how many, nine years, Ed was on  
40 there. Then there's representatives from the  
41 processing sector from Washington.

42  
43 MADAM CHAIR ENTSMINGER: But all is  
44 commercial interest is what I'm getting at.

45  
46 MR. MERRIGAN: I'd say Ed Dersham is a  
47 charter operator.

48  
49 MADAM CHAIR ENTSMINGER: It's  
50 commercial interest.

1 MR. MERRIGAN: And agencies. Like I  
2 said, there's four agencies sitting up there as well.

3  
4 MADAM CHAIR ENTSMINGER: Yeah, but it  
5 just comes to our point that we would probably -- if we  
6 had something to say, we would be saying there probably  
7 needs to be another interest on there besides the  
8 commercial interest. Just a point, okay. We don't  
9 need to discuss it.

10  
11 MR. MERRIGAN: Well, I think Eric Olson  
12 from Western Alaska also as a CDQ representative I  
13 think brings a little bit more to the table than  
14 strictly commercial interest. I like to think all of  
15 us do.

16  
17 MADAM CHAIR ENTSMINGER: But CDQ groups  
18 you pointed out -- and I hate to go through this, but I  
19 think it's important that we bring this all out. You  
20 said that they own 10 percent of the pollock fishery,  
21 so that equates to a common ordinary mind that that's  
22 commercial interest. But I don't want to argue it,  
23 okay. It's just points that we're making.

24  
25 Victor wanted to join in.

26  
27 MR. LORD: Yeah, my name is Victor  
28 Lord. I'm a lifetime fisherman. I also do commercial  
29 but when I grew up in fish camp, my folks raised me in  
30 fish camp back in the '60s, and I caught a lot of fish  
31 for dogs and ate fish all my life, smoked fish, and  
32 then in the '70s we had a chance to have a commercial  
33 license and all we ever did make was enough to  
34 grubstake our traplines and continue on through the  
35 winter. It was a livelihood. There's been some times  
36 it's been impossible because there was no fish. When  
37 there's something going on and then you ruin your  
38 market and the people won't come and buy your fish.  
39 The fish went somewhere. I don't know where they went.

40  
41 Anyway, I want to thank you guys once  
42 again for coming to our town. I think this dialogue  
43 we're having is well overdue. It should have happened  
44 10 years, maybe more, before. I'm glad to hear there's  
45 no more chum-suckers. Right here in Nenana we live and  
46 eat fish. I've been on the Fish and Game Advisory  
47 Board for years and we've never met (indiscernible)  
48 people and I'm glad. It's kind of stark over here in  
49 Nenana. Anyway, yeah, we just totally depend on fish.  
50

1                   Like Chief said last night, who just  
2 walked in the building, he was saying right now people  
3 are gathering wood right now or otherwise they'd be  
4 here, so I'm trying to represent them best I can.  
5 Every Native person and a lot of non-Native persons in  
6 this town depend on that fish. When the king salmon  
7 are gone, it hurts all of us. Our families come to us  
8 and they bring us gas and we give them king salmon, we  
9 give them fish, we barter back and forth. That's how  
10 you got to do it.

11  
12                   I'm glad you explained the money  
13 situation there a little bit because as I was sitting  
14 there listening back there I was getting a little mad.  
15 Jeez, we're talking about lucky to get two, three  
16 thousand dollars for all year and I was hearing  
17 millions of dollars. I actually ran a fish plant over  
18 here, but it's all shut down now.

19  
20                   There was another guy here last night  
21 named Charlie Stevens. He was talking about his  
22 frustrations. He couldn't afford to open up his plant.  
23 Those plants used to employ the high school students  
24 around here. They used to work and make a little  
25 money. It was all legit. Everything was good and it  
26 actually kept the people more healthy. You know,  
27 because idle hands is not good. You've got those kids  
28 working, you've got men on the river hustling away, but  
29 when that don't happen, it's not good socially. It's  
30 not good. So we do have a big issue up here on the  
31 river system. I've been to Rampart, on the Yukon and  
32 it's the same way all over those places. When we get a  
33 little bit of fishing, it keeps the people more  
34 healthy. I think that's the number one thing. If  
35 people are busy, they're healthy and happy.

36  
37                   Yeah, I've had some issues with North  
38 Pacific Fisheries, but we haven't communicated, so this  
39 is a start. Thank you.

40  
41                   MADAM CHAIR ENTSMINGER: Thanks,  
42 Victor. That's good information. The knock down you  
43 mentioned, the pollock fishery and how it's an  
44 industry, well here's an industry that's shut down.  
45 That's a very good point. I think we need to address  
46 that at these next meetings.

47  
48                   MR. LORD: If you don't mind, I'll  
49 disappear and defer to the Chief.  
50

1 MADAM CHAIR ENTSMINGER: Go ahead,  
2 Mitch.

3  
4 MR. DEMIENTIEFF: Yeah, I was  
5 explaining to the RAC yesterday that my brother and I  
6 served well over a quarter of a century in this  
7 process. Maybe longer, but I don't want to admit to  
8 how many years. But one of the biggest things that we  
9 have seen and have tried to do is develop a bond with  
10 the Management Council. It's been really frustrating  
11 for us that we haven't been able to do that. To see  
12 your effort to be here -- by the way, my name is Mitch  
13 Demientieff. I'm the chief here.

14  
15 To see that after all these years that  
16 we're finally -- you know, you can't have this hand  
17 managing -- you know, the left hand don't know what the  
18 right hand is doing. We all have to work together if  
19 we're going to keep the runs healthy and they haven't  
20 been. So, while this is a start at providing the  
21 contact, I just remind you that this is only a start.  
22 If we don't keep a relationship up between these hard  
23 working people, the people in the village, we aren't  
24 going to go anywhere. We have to keep an open  
25 dialogue. We have to work together. Like I said, the  
26 left hand has to know what the right hand is doing. If  
27 we don't manage cooperatively, then we're not ever  
28 going to get anywhere.

29  
30 Because we all -- what do they call  
31 that, Virgil, we're the  
32  
33 terminal stream?

34  
35 MR. UMPHENOUR: (Nods affirmatively)

36  
37 MR. DEMIENTIEFF: We're the ones that  
38 breed those fish that go out and make the ocean run  
39 fish. We have to work together. We've patched things  
40 up pretty well with the Lower Yukon, but to have us not  
41 address the issues that are going on farther out, then  
42 we're not going to get anywhere.

43  
44 And people that depend on that fishery  
45 out in the ocean, they're dependent on that income  
46 stream, and people down the river are dependent on it,  
47 but we up here are just as dependent on it for our  
48 source of our livelihood and for us to be without king  
49 salmon this winter. And Virgil up here, he employs a  
50 bunch of people from the villages that have had to come

1 in for jobs and for him to have to put those people out  
2 of work, for other people to have to do without, it  
3 really doesn't make any sense.

4

5                   So whatever we can do to bridge the  
6 communication gap has to be done because we need to  
7 work together, we need to understand each other. We've  
8 made attempts in the past, but to see you in the  
9 trenches, I mean you don't know how much it means to  
10 me. We go testify at Management Council meetings and  
11 we have those big appearances, but these people  
12 represent the real people. They represent the people  
13 who are the rank and file and the ones that are most  
14 affected by decisions that the Management Council  
15 makes.

16

17                   So I just want to commend you for being  
18 here, but let's not let this be a one night fling or  
19 one day fling. Can we establish a relationship and  
20 that's the question I want to ask right now while I'm  
21 sitting here.

22

23                   MR. MERRIGAN: I know coming to a  
24 Council meeting is full of acronyms and a lot of guys  
25 wearing ties and you're trying to figure out who the  
26 heck they are up there. Heck, you had to give an award  
27 to Andy just for showing up and bearing with our  
28 meetings and he deserves an award because they're  
29 tedious meetings.

30

31                   The outreach is kind of a new thing for  
32 us. It's somewhat budget-restrained too. It's not  
33 cheap to travel in Alaska. But I think the message  
34 you're getting, maybe if we solve the chinook issue  
35 right, maybe we won't have to be seeing each other too  
36 much. It would be a good thing in some ways that we've  
37 got something we can stand on, but if we don't, then  
38 we'll have to have ongoing dialogue. Then we also have  
39 to deal with chum following up on this. We'll try to  
40 keep our outreach going, but we are going to be subject  
41 to funds like everybody else as well.

42

43                   Another issue we'll be dealing with  
44 tomorrow is closing the Arctic and now we have to deal  
45 with the Chukchi Sea and Beaufort Sea issues and trying  
46 to do some outreach there in those more remote areas.  
47 It's not so much right now when we close that area,  
48 it's if we want to reopen it, then we have to do a  
49 consultation process as well. So we are looking at  
50 more outreach within limits as well.

1 DR. STRAM: Can I just add, we have a  
2 broad outreach plan for the Council. These have been  
3 kind of ad hoc because of the nature of the projects,  
4 both the Arctic as well as the salmon, that we've been  
5 trying to do this in sort of an ad hoc fashion to the  
6 extent we can immediately, but the Council also has a  
7 broader outreach plan we're trying to pursue that would  
8 cover all projects and that's something the Council's  
9 reviewing in December. Any comments you want to  
10 provide to the Council and particularly with respect to  
11 that, that's exactly the kind of stuff that we're  
12 trying to bring back. It should not just be project  
13 limited, but it should also include this broader  
14 outreach.

15  
16 MR. FIELDS: Just to add in that  
17 regard, this is an issue that's been very active in the  
18 Council agenda for at least a year, Mitch. Eric Olson,  
19 the Chairman, is appointing a community and tribal  
20 outreach committee, so we're going to have a standing  
21 committee of the Council that's going to be focused on  
22 these kinds of communications, as well as  
23 implementation of our outreach plan. So we're actively  
24 involved in a project to try to bridge the  
25 communication gap you're talking about.

26  
27 MR. DEMIENTIEFF: I know a little bit  
28 about the Federal system as well as the State system.  
29 We are getting more and more limited resources. It's  
30 just a matter of us trying to find a way to maximize  
31 the utilization of our resources. There's a creative  
32 way to do that. The Council has limited resources, the  
33 Federal system has limited resources and I know your  
34 Council does, but if we can work cooperatively together  
35 -- but I mean this kind of a thing where you're coming  
36 before our distinguished representatives, it just --  
37 you know, that's getting there. We're talking where we  
38 can cooperatively work together.

39  
40 That's all I'm saying, is that there is  
41 a way to get it done. We can all pool our limited  
42 resources to try and make something happen. Even  
43 tribally and some of our other organizations can use  
44 limited resources to get people to forums where we can  
45 work together and that's kind of what I'm really  
46 looking for.

47  
48 I know it's something that I've been  
49 advocating for how many years, but we can pool our  
50 resources and make it happen. In my home town, for

1 this to happen, that you would come before these  
2 distinguished representatives of ours, it's just  
3 totally incredible to me. It just kind of fulfills one  
4 of the things that I think really can help us build  
5 back our fisheries.

6

7 I'll just leave you with that. I  
8 really don't have any other comments other than that.

9

10

11 MADAM CHAIR ENTSMINGER: Thanks, Mitch.  
12 The people from Nenana that are here, if you have  
13 anything as we're going through this process that you  
14 really feel you want to say, just raise your hand and  
15 we'll get you up. Ted has raised his hand. He'd like  
16 to speak.

17

18 MR. SUCKLING: Welcome, you guys. It's  
19 a real pleasure to see you guys here. I'm Ted  
20 Suckling. I've lived here all my life, Tanana, Manley.  
21 Fished since '74 with a fishwheel, nets sometimes.  
22 Anyway, I'd like to make a little analogy with that  
23 bycatch, where the pollock fishery is kind of raping  
24 the thing and it seems like there's something they  
25 could do with the millions of dollars that they're  
26 making. It's like the passenger pigeon, it could go  
27 that way or like the buffalo where they're almost wiped  
28 out but they're coming back. That's kind of where we  
29 are with the salmon and we've got to be able to get  
30 those things back.

31

32 If we can work with the North Pacific  
33 Fisheries, it would be wonderful. We can't do a whole  
34 lot from in here, but at least you can hear our needs  
35 and I don't know what your needs are from us, but we've  
36 got to be able to work together.

37

38 And next week, like I told Diana,  
39 there's a YRDFA meeting and I'm on the Board as an  
40 alternate and so I'm inviting you guys to come to that  
41 meeting next week. It's the 20th, 21st and 22nd,  
42 Monday through Wednesday.

43

44 There's another analogy I'd like to  
45 make. YRDFA came about because upriver and downriver  
46 was fighting all the time and so we got this  
47 organization together and I've been in it five years  
48 now I think. 1990 was when it was originated. Between  
49 downriver and upriver, we've got a dialogue going now.

50

1                                   And so if we got the North Pacific  
2 Fisheries, there's six districts on the Yukon River, Y1  
3 through Y6. Tanana River is Y6 and then Y5 ends at  
4 the Canadian border, and we just included Canada on the  
5 Board as a non-voting member and that will probably  
6 change one of these days, but they're included in our  
7 dialogue because those poor people up there, the fish  
8 are just not getting there.

9  
10                                   So this is really a historic moment  
11 that you guys are here and I really thank you. That's  
12 all.

13  
14                                   MADAM CHAIR ENTSMINGER: Okay. Again,  
15 any time you guys want to add just raise your hand.  
16 Bill and I spoke at break and he had an issue he was  
17 going to bring up.

18  
19                                   MR. GLANZ: Yes. I was concerned about  
20 the bycatch going to Washington. Is there any reason  
21 we can't have that come to Alaska? As a punitive  
22 damage, have the fleet pay for the shipping of it or  
23 Alaska Air National Guard would be more than happy to  
24 donate a C-130 to bring it up here or whatever could be  
25 done.

26  
27                                   MADAM CHAIR ENTSMINGER: Or stop before  
28 they head to Washington because they're out here.

29  
30                                   DR. STRAM: You're talking about the  
31 food bank? There's nothing that would preclude the  
32 food bank donations from coming solely to Alaska. It's  
33 only been that it's a voluntary program that's been  
34 landed in Washington. I think being here and  
35 communicating these concerns to Council members as well  
36 as us documenting them and raising them is the first  
37 step.

38  
39                                   MR. GLANZ: I wouldn't want to make it  
40 voluntary. I'd want to make it mandatory. That's what  
41 I'm stating.

42  
43                                   MR. MERRIGAN: I think they do have a  
44 process for who qualifies for the food bank, is to make  
45 sure it's all above board and I don't know if there's  
46 any particular regulation about where it goes, but it's  
47 just who can do it. They didn't want to encourage  
48 bycatch by having it go to a food bank, so they have to  
49 go through a regular auditing process and all those  
50 kind of things.

1 MADAM CHAIR ENTSMINGER: Yeah, they're  
2 not getting rewarded by giving it to a food bank.  
3  
4 MR. MERRIGAN: No. That's why they  
5 don't make it just put out to whoever wants it. It has  
6 to go through a process of who gets it. So I was  
7 trying to keep it still as a disincentive on that part.  
8 I don't know all the regs of the food banks, but they  
9 have to be approved on that.  
10  
11 MADAM CHAIR ENTSMINGER: Gerry, that's  
12 nuts and bolts and I guess we're not real concerned  
13 about nuts and bolts, okay.  
14  
15 MR. MERRIGAN: Just where it ends up.  
16  
17 MADAM CHAIR ENTSMINGER: We just want  
18 you to know that from our perspective if 12,000 fish  
19 are going to Washington food bank when these poor guys  
20 don't even have a fish upriver, that's just wrong. It  
21 doesn't sound right. So we are making that point. We  
22 don't need to know the nuts and bolts of how you go  
23 about it.  
24  
25 MR. MERRIGAN: Unfortunately I'm a nuts  
26 and bolts person and I see a lot of times we have good  
27 intents of the Council and we can't get there because  
28 of existing regulations and it's hard.  
29  
30 MADAM CHAIR ENTSMINGER: So what you're  
31 saying is the suggestion could be a problem, but you  
32 can tell us about that later, I guess.  
33  
34 MR. MERRIGAN: We can figure it out.  
35 It's just that a boat can't pull up and drop them off.  
36 It has to go through an approved food bank.  
37  
38 MADAM CHAIR ENTSMINGER: If it's  
39 government manipulated, I can guarantee you it probably  
40 can.  
41  
42 Go ahead, Mitch.  
43  
44 MR. DEMIENTIEFF: This is an argument  
45 that I've heard before and I'm not expressing any  
46 opposition to this idea, but is that the solution?  
47  
48 MADAM CHAIR ENTSMINGER: No.  
49  
50 MR. DEMIENTIEFF: That's where we have

1 to draw the line. People on the river have a certain  
2 amount of satisfaction in terms of going out and  
3 harvesting and taking care of the resource. It's a  
4 certain amount of something that we do every year  
5 providing we have a fish or two to catch. And I  
6 believe in what you're saying in terms of maximum  
7 utilization of the resource and to get that resource to  
8 the people where it would normally have done for that  
9 activity. But it does not substitute. That's the  
10 whole point.

11

MADAM CHAIR ENTSMINGER: Right.

12

13  
14 MR. DEMIENTIEFF: It does not  
15 substitute for what we normally do. If you go around  
16 town, you'll see smoke houses, you'll see people's  
17 freezers. It gives us a level of pride up and down the  
18 river for being able to process, to harvest and process  
19 that product.

20

MADAM CHAIR ENTSMINGER: Right.

21

22  
23 MR. DEMIENTIEFF: While I believe in  
24 maximum utilization for where that fish was intended,  
25 and I'm not arguing your point, but I know that is not  
26 the answer.

27

28 MR. GLANZ: I know that, Mitch. What  
29 I'm saying is there has to be a line in the sand. Like  
30 you said, a maximum utilization of the resource. I  
31 don't mean to make a handout for anybody, I just mean  
32 to utilize that bycatch instead of putting it back in  
33 the sea to feed the crabs. That's all I was concerned  
34 about.

35

36 MR. DEMIENTIEFF: Yeah, I understand  
37 where you're coming from and I'm not disagreeing with  
38 that, especially in a year like this year.

39

40 MR. GLANZ: Especially this year.

41

42 MADAM CHAIR ENTSMINGER: Because we  
43 need to attack the problem and not this bycatch being  
44 so huge and that's what we should be focusing on. This  
45 was just a point that we made because it came up.

46

47 MR. DEMIENTIEFF: It's an agreeable  
48 point, but I'm just saying.....

49

50 MADAM CHAIR ENTSMINGER: Not to get off

1 track, uh-huh.

2

3 MR. DEMIENTIEFF: .....that is a  
4 certain amount of level that people have and the  
5 training of our young people and it's the satisfaction  
6 of our older people and the people that are doing the  
7 work.

8

9 MADAM CHAIR ENTSMINGER: Uh-huh.

10

11 MR. DEMIENTIEFF: And you can't  
12 compensate for that. You just absolutely cannot  
13 compensate for your lifestyle because we're going to do  
14 it.

15

16 MR. GLANZ: If I had my way, Mitch, it  
17 would be zero bycatch, but it's not going to happen in  
18 our lifetime probably.

19

20 MADAM CHAIR ENTSMINGER: Andy -- oh,  
21 I'm sorry, Mitch.

22

23 MR. DEMIENTIEFF: But it is a middle  
24 ground that we should explore as opposed to, like you  
25 say, dumping it back in and feeding the crabs. What  
26 the heck, we've got crabby people up here too.

27

28 (Laughter)

29

30 MADAM CHAIR ENTSMINGER: That's what I  
31 love about you, Mitch. Thank you.

32

33 Andy wants to get us back on track, I  
34 believe.

35

36 MR. BASSICH: Thank you. I have a  
37 couple of quick points I want to make and then I have  
38 kind of a take home message that I'd like for you to  
39 hear and maybe that will also get us a little more back  
40 on track on making recommendations to these folks.

41

42 ` The first point I want to make, I just  
43 want to elaborate a little bit on what Virgil spoke on  
44 earlier as far as the upriver and Canada. This year  
45 they had no fisheries and basically they had an  
46 aboriginal fisheries take of under 4,000 fish for the  
47 entire Yukon Territory. Those people are hurting up  
48 there and they're my neighbors. I see them a lot and  
49 they are very distressed about what's happening. They  
50 are extremely conservation-minded and they are bearing

1 the brunt of this more than any other entity along the  
2 Yukon River. We need to do something about that. It's  
3 our responsibility not only through the Treaty but as  
4 neighbors on the Yukon River to share this resource.  
5 So we need to make better attempts at that and that  
6 carries all the way out to the marine environment.

7  
8                   One of the things in Kodiak when I was  
9 there watching the EIS report and trying to digest all  
10 that and I'm not a mathematician, but one of the things  
11 that struck me that kind of sent up a red flag was when  
12 they started doing the stock composition breakdowns on  
13 the Yukon River and I believe this was Dr. Seeb's  
14 report. It was showing Western stocks and there was a  
15 breakdown in the upper river and then the middle river  
16 and there was a very large discrepancy to what we know  
17 is the abundance or the breakdown genetically of our  
18 stocks. We know that Canadian stocks constitute  
19 approximately 50 percent of the Yukon River stocks.  
20 Yet, when they looked at the bycatch, there was a  
21 tremendous discrepancy there between that and that kind  
22 of sent up a red flag to me that maybe the numbers that  
23 are being received for those calculations, the base  
24 numbers, would be off.

25  
26                   I wonder if you can explain a little  
27 bit about how that's done and if there's any kind of a  
28 compensation put in there for that because if your raw  
29 data is on the low side bias, it could very  
30 dramatically affect what your percentages would be  
31 later on. It may, in fact, show that we would have a  
32 much higher percentage of Yukon River or Western  
33 Alaskan stocks than what's being shown in the genetics.

34  
35                   And on top of that I'd like to make a  
36 recommendation to the Council that I'd really like to  
37 see industry foot the bill for increased genetic  
38 studies and more on in-season reporting of genetics. I  
39 think they have the money and resource and I think it's  
40 their responsibility that they contribute strongly to  
41 the genetic sampling in their bycatch.

42  
43                   If you could just briefly -- I don't  
44 need a lot, but I just wondered what your thoughts are  
45 and how you would compensate for that. Then I do have  
46 a few more questions.

47  
48                   DR. STRAM: Just to respond to the  
49 first part with respect to the genetics and we have  
50 been working actually with ADF&G and with the biologist

1 for each of the river systems as well and they also  
2 were concerned that the Steve Templin study gave such a  
3 low percentage of the upper and middle Yukon. They can  
4 resolve those two separately genetically, but when you  
5 get to the coastal area, it's lower Yukon, Kuskokwim  
6 and Bristol Bay that are all aggregated.

7  
8 So what we chose to do in terms of this  
9 analysis is rather than -- I mean there's many reasons  
10 why it could be that. It could be that in the bycatch  
11 the upper Yukon fish just aren't being caught as much.  
12 It doesn't mean they're not as much a part of the run,  
13 it just could be a proportion of the bycatch that we're  
14 just not getting as much from the upper Yukon by  
15 spacial variability or anything like that.

16  
17 So what we did is we took them and we  
18 re-aggregated it all so that we would be consistent  
19 with previous studies by Meyers where she found about -  
20 - you know, obviously by different analyses, by scale  
21 pattern analysis, she found about 56 percent Western  
22 Alaska.

23  
24 If you re-aggregate, take the coastal  
25 Western Alaska group, which is how they did the lower  
26 rivers genetically and then you add in the middle Yukon  
27 and the upper Yukon, what you end up with is about 54  
28 percent of the bycatch coming from that aggregate river  
29 system. So that was consistent with Meyers results of  
30 56 percent, so we took the most recent study, re-  
31 aggregated it and then broke it out based on her  
32 percentages to the Yukon, the Kuskokwim and the Bristol  
33 Bay, Nushagak.

34  
35 We could have done it differently. We  
36 could have said here's our best guess at bycatch to the  
37 upper Yukon, but given the concerns that were raised to  
38 us from the area management biologist that were  
39 assessing the river, we chose not to try to say that we  
40 had any confidence in our ability to predict the  
41 bycatch to the upper Yukon. We just tried to look at  
42 the river system as a whole.

43  
44 MR. BASSICH: Okay.

45  
46 MR. MERRIGAN: On the last point, we  
47 got a letter at the Council meeting on UAF with the  
48 Pollock Conservation Co-op. They're putting out  
49 research funds for not just genetics but it's also  
50 salmon ecology of the Bering Sea proposals, requests

1 for proposals to look at feeding and migration  
2 behavior, climate and water temperature and plankton,  
3 to try to figure out why pollock and salmon are  
4 coinciding and how they can avoid that.

5  
6 Also technology and methods to monitor  
7 salmon returning to natal rivers and to identify stream  
8 of origin, so there is something from UAF that came out  
9 like October 17th. Industry also has been working on  
10 the same thing with water temperature, trying to figure  
11 out -- putting on their nets and the units are getting  
12 kind of smashed so far. They're trying to record  
13 temperatures to figure out the correlations between  
14 salmon encounters and temperature. I think something  
15 shifted there.

16  
17 The other part they're working on,  
18 they've been working on in cooperative research, is the  
19 salmon excluders in the nets themselves. Salmon can  
20 swim obviously upstream better than pollock can, so  
21 they have these kind of portals in the net and with  
22 videos we've seen of it working. Unfortunately this  
23 year when they were out testing it was so low abundance  
24 they couldn't find salmon to even test it on. So  
25 they're working in a variety of fashions. In terms of  
26 the DNA, there is this output.

27  
28 I also sit on the North Pacific  
29 Research Board and we give out a lot of money for a  
30 variety of salmon and groundfish research and our  
31 proposal cycle -- I think some of this genetic work on  
32 chum came out of the NPRB when Dr. White had put that  
33 proposal in years ago. There's a lot of work going on  
34 in the Bering Sea all together. It's called Bering Sea  
35 Integrative Ecosystem Research.

36  
37 I guess one thing, to make a point, is  
38 that the Bering Sea is changing. We're having a down  
39 turn in the big picture, what they called the gadids,  
40 the cod and pollock populations have been trending down  
41 and all the flatfish populations are trending up. Even  
42 though the temperature kind of peaked five years ago  
43 and it's going down, we're in this Pacific decadal  
44 oscillation. So there could be more factors than just  
45 the pollock fishery on chinook.

46  
47 So even if you went to a hard cap of 20  
48 it doesn't guarantee ocean survival. There's changes  
49 happening out there. You would think if the  
50 temperature is going back down that chinook patterns

1 should go back the way they were to more southerly  
2 distributions or whatever, but that's not what's  
3 happening.

4  
5                   There are large-scale studies going on  
6 in the Bering Sea and when they say integrated  
7 ecosystem research, they're talking from the plankton  
8 level on up, all the way up to all the various trophic  
9 levels of the higher fishes and they've got research  
10 cruises with the Healy going on. It's a five-year  
11 giant project. So there's ongoing research and there's  
12 short-term research going on the genetic ID work on  
13 stock of origin as you referred to as well.

14  
15                   I think there's some penalty money from  
16 the people that had high bycatch rates in the rolling  
17 hot spot closures. What was the disposition of that?

18  
19                   DR. STRAM: It is intended to go  
20 towards research.

21  
22                   MR. MERRIGAN: Thank you.

23  
24                   MR. BASSICH: Thank you. Was the  
25 effort of the fleet consistent this fall season with  
26 previous years? When we look at the bycatches being  
27 lower this year and I'm just wondering if some of the  
28 economic problems that they might be having with fuel  
29 or what have you, I'm wondering if maybe the effort of  
30 the fleet wasn't quite consistent with previous years  
31 too, which would equate to smaller bycatch.

32  
33                   MR. FIELDS: I think it's mostly  
34 anecdotal based on conversations at our recent Council  
35 meeting. There were some additional areas that this  
36 rolling hot spot closure identified and the fleet moved  
37 out of those areas. I think there's just a higher  
38 consciousness and more communication between individual  
39 vessels in the fleet. So there hasn't been a wholesale  
40 change in fishing patterns, but I think there's been  
41 some subtle changes that have had some impact.

42  
43                   The other thing though, as everyone  
44 just said, the chinook don't seem to be as available  
45 this year as they were in the prior season. So I think  
46 both of those together is what accounts for that low  
47 bycatch rate.

48  
49                   MR. BASSICH: Finally, maybe this will  
50 get us on track for a few more things. The final point

1 I wanted to make is that when you give us these  
2 calculations and you give us these percentages of  
3 catches and numbers and everything, you're dealing with  
4 millions of metric tons, millions of pounds and tens of  
5 thousands or hundreds of thousands of fish. One thing  
6 that I just want to get on the record is that when you  
7 translate those numbers and percentages to what their  
8 impacts are on the in-river fisheries, it has a much  
9 greater effect, you know, when you tell us that you're  
10 only catching 2 percent salmon in your bycatch, that  
11 sounds pretty darn low. But when 2 percent equates to  
12 almost 40 percent of our entire in-river run or almost  
13 better than 50 percent of our border passage, those are  
14 huge, huge numbers.

15  
16 So I just wanted to make that point  
17 because that is something that sometimes, there again,  
18 as Duncan said, losing the forest for the trees, but  
19 it's a really important factor to keep in mind when we  
20 start looking and playing with numbers. You can do a  
21 lot with statistics and that's a real easy one.

22  
23 As far as getting us on track for  
24 recommendations, what limited knowledge I have of  
25 what's going on and, believe me, this is an incredible  
26 learning curve for me. I'm not a statistician or don't  
27 have the background, but I'm feeling like we need to  
28 put on a fairly low hard cap. We need to set up a hard  
29 cap that's well within the range of the last 15 or 20  
30 years.

31  
32 When I think about management of  
33 especially fisheries, they tend to cycle quite a bit.  
34 There's a lot of oscillation in salmon abundance and  
35 it's not just five and 10 years. Sometimes it's 15,  
36 20, 30 years and maybe even 100 year oscillations. So  
37 I think what you're doing here is trying to come up  
38 with a solution that's going to be long-term and I  
39 think that's the prudent thing to do in any type of  
40 management. So I think we need to stay with a fairly  
41 low hard cap to account for times when abundance is low  
42 and also for times when abundance is high to protect  
43 these salmon.

44  
45 So I'm recommending for myself anyway,  
46 my point of view is somewhere in the 25,000 to 35,000  
47 fish in number. When I look back at some of the  
48 numbers, that seems to be somewhere in the average. It  
49 might be a little bit on the low side, but it seems to  
50 be somewhere in that average range of bycatch over the

1 last 20 years or so.

2

3                   On top of that and maybe more important  
4 than that for the short term is I would really like to  
5 see the industry come up with some pretty severe  
6 economic penalties for dirty boat fishing and I would  
7 like to see that put on individual vessels. I really  
8 like the idea of the industry policing themselves, but  
9 I don't think the whole industry should have to pay the  
10 price for one or two bad guys. I mean we see that  
11 everywhere in the world. There are people that have a  
12 good conscience that are trying to do the right thing  
13 and they shouldn't be penalized for that.

14

15                   So if a system can be put in place that  
16 the boats that are fishing inefficiently that are dirty  
17 that consistently don't adhere to good guidelines and  
18 just good moral ethics in fishing, penalize them  
19 severely. If they can't deal with it economically,  
20 they're out of business and all the better for all  
21 fisheries.

22

23                   Then the last point I wanted to make is  
24 this pollock fleet impacts the entire west coast of the  
25 United States, from Alaska all the way down to Oregon.  
26 It affects a lot of families, a lot of individual small  
27 cultural areas, a lot of livelihoods. I really don't  
28 feel that these people who live in these areas all up  
29 and down the West Coast and into the Interior of Alaska  
30 and Canada should be bearing the burden economically so  
31 that they can make an extra 20 percent on their profit  
32 margins or whatever. It's not our responsibility to  
33 make sure that they stay in business out there.

34

35                   You know, when I was in Kodiak and I  
36 hear some of these people talking that they're only  
37 making \$300,000 this year and I'm a guy who's living on  
38 under \$20,000, it kills me to hear people say that  
39 we're not willing to share or we're not willing to cut  
40 back a little bit because I'm not going to be able to  
41 buy my new boat or my wife a new diamond ring or  
42 something like that. You know, we have people in the  
43 upper river that are literally not able to feed  
44 families in their traditional methods.

45

46                   What you touched on very briefly I want  
47 to touch on, Mitch. That is the entire value of  
48 subsistence to me is that the livelihood, the practice  
49 of going out and harvesting salmon, harvesting moose  
50 and taking care of it myself, that's what I do. That's

1 my life. Excuse me. When I hear people talk about  
2 what I saw on Kodiak, man, it kills me. I have a hard  
3 time with that. That's all.

4

5 MADAM CHAIR ENTSMINGER: Thank you,  
6 Andy. I really appreciate what you're saying. That's  
7 the hard part about the job we have here. We're here  
8 to represent the people in our region and sometimes it  
9 affects you in a way that you're seeing right now.

10

11 Mitch, did you want to add something.

12

13 MR. DEMIENTIEFF: Yeah. I just wanted  
14 to commend the studies that are going on. I mean  
15 there's a lot of -- people can call it global warming  
16 or whatever they want to, but 30-plus years ago my  
17 friend was fishing with me from Barrow and then he went  
18 back home and he told me the story that he caught a  
19 strange fish up where they were fishing for whitefish.  
20 His elder father, God rest his soul, didn't know what  
21 it was and his son told him, oh, that's a dog salmon,  
22 summer chum. Somehow it wandered up to Barrow. The  
23 last time I was in Barrow there were people that had  
24 freezers full of kings, big, nice-looking kings. Now  
25 where are those kings coming from? So I'm just giving  
26 you a little tip-off as far as that's concerned. They  
27 never got those until the last few years.

28

29 Certainly I don't fault them one little  
30 bit if they're up there. I was there. I'm going to go  
31 and catch them. But we need to find out where those  
32 fish are coming from. That may also be another factor.  
33 They never had king runs up there, never.

34

35 MADAM CHAIR ENTSMINGER: Thanks, Mitch.  
36 I want to bring us back to trying to come up with our  
37 recommendations. What I've heard so far is lowest cap  
38 possible from Andy and Virgil. Andy even went so far  
39 to say -- I know we had in a letter to you 20,000.

40

41 MR. MATHEWS: It's in your packet.

42

43 MADAM CHAIR ENTSMINGER: There's a list  
44 of letters. The next to the last letter. Anyway,  
45 Andy's suggestion is 25 to 30,000 hard cap with severe  
46 penalties I wrote down. I'm trying to cover  
47 everything. As your Chair, I'm trying to write down  
48 things and make sure we don't miss anything. Andy  
49 noted industry should flip the bill for this genetics  
50 study. We're just going to throw it out there right

1 now. We don't need to discuss if it can be done or  
2 not, okay.

3  
4 I wanted to bring out something that I  
5 spoke to these guys at break about. I'm just totally  
6 baffled that our government has a four-year process to  
7 make a regulation. I just can't believe it. I'm  
8 appalled by it. I was speaking with them at break and  
9 they said it's because of NEPA and all down the line.  
10 Well, that's just crazy. The best suggestion I heard  
11 was maybe we need to write a letter to Congress because  
12 there's environmental communities that make these  
13 things fall down that you have to go through all those  
14 hoops to make these regulations.

15  
16 All I'm saying is I think we need to  
17 make a comment to them and possibly to our congressman  
18 at how ridiculous this is becoming. When there's a  
19 conservation issue with a resource, it shouldn't take  
20 four years to make a change. It shouldn't have to be  
21 them wanting to police themselves. It's crazy. You're  
22 going to continue to have all kinds of problems if you  
23 can't come up with some system that can have some  
24 emergency closure or some emergency action other than  
25 four years.

26  
27 This cap. I have a question. What  
28 does the industry have to police these guys? Is there  
29 some type of enforcement if somebody is not abiding by  
30 the rules?

31  
32 MR. MERRIGAN: Do you mean what happens  
33 if the cap is reached enforcement, how to shut down the  
34 fishery?

35  
36 MADAM CHAIR ENTSMINGER: Yes.

37  
38 MR. MERRIGAN: Every week on the NMFS  
39 website there's an in-season management report that  
40 lists all the catch. They put out announcements and  
41 all these boats have a VMS unit on it. They're being  
42 tracked. And they have observers on board.

43  
44 MADAM CHAIR ENTSMINGER: Those boats  
45 are being tracked? So you know if they're actually  
46 fishing?

47  
48 MR. MERRIGAN: We know where their  
49 location is. Any boat that fishes any of the Steller  
50 sea lion prey species, cod, mackerel or pollock, has to

1 have a vessel monitoring system on board, a satellite  
2 tracking device.  
3  
4 MADAM CHAIR ENTSMINGER: Do you know if  
5 they're fishing, their nets are still in the water?  
6  
7 MR. MERRIGAN: They have observers on  
8 board. That's a closure. They will be shut down.  
9  
10 MADAM CHAIR ENTSMINGER: Okay.  
11  
12 MR. FIELDS: National Marine Fisheries  
13 has an entire division that are enforcement personnel  
14 trained for fisheries enforcement.  
15  
16 MADAM CHAIR ENTSMINGER: Okay.  
17  
18 MR. FIELDS: In addition, they work in  
19 cooperation with the U.S. Coast Guard and they have a  
20 number of trained individuals.  
21  
22 MADAM CHAIR ENTSMINGER: There might be  
23 more watched than we realize then.  
24  
25 MR. FIELDS: Yeah. A lot of large-  
26 scale watch. In terms of how often an individual  
27 vessel is boarded, I can't speak to that, but there's  
28 certainly an enforcement presence in the Bering Sea at  
29 all time, particularly starts at about the line between  
30 the United States and Russia.  
31  
32 MR. MERRIGAN: In the monitoring, we  
33 have lots of closed areas. We have 350,000 miles that  
34 are closed to bottom trawl in the Aleutians. There's  
35 Steller sea lion rings that are three miles for some  
36 gear, 10 miles for others, 20 miles for others. So  
37 there's lots of enforcement monitoring of all those  
38 regulations and in part because of those Steller sea  
39 lion rings is why they have the VMS units on board, to  
40 monitor closed area enforcement better than an on-scene  
41 person can.  
42  
43 MADAM CHAIR ENTSMINGER: Did you have  
44 something, Virgil?  
45  
46 MR. UMPHENOUR: Yes.  
47  
48 MADAM CHAIR ENTSMINGER: Virgil wants  
49 to finish this.  
50

1 MR. UMPHENOUR: Thank you, Madam Chair.  
2 Just a couple of quick questions. I'd like to  
3 determine on alternative four, they've got a high cap  
4 and a low cap. The high cap I say is totally  
5 unacceptable. It doesn't do nothing. So my question  
6 is how did someone come up with the 47,591 for the low  
7 cap?

8  
9 MADAM CHAIR ENTSMINGER: Because it was  
10 a 10 year average.

11  
12 MR. FIELDS: It's my understanding it  
13 was a 10-year average from the year 1997 through 2006.  
14 The average was 47,591.

15  
16 MR. UMPHENOUR: Thank you. As one of  
17 the negotiators of our Salmon Treaty with Canada, we  
18 negotiated it and signed it in 2001. So, in my  
19 opinion, what it says in the Salmon Treaty is that both  
20 parties will do everything they can basically to reduce  
21 all these marine bycatches and a whole bunch of other  
22 stuff, but that's one of the thing.

23  
24 So, in my opinion, anything after that  
25 treaty was signed should not be counted. If we do that  
26 and we look on Page 2 at those things -- well, it  
27 starts out over here where it says alternative 2 is  
28 range of hard caps 29,323. I think that one was  
29 probably the one for the three years prior?

30  
31 DR. STRAM: No. That is actually --  
32 the origin of the lowest number is the 10-year average  
33 prior to signing the Pacific Salmon Treaty, so that's  
34 '01 to 2001. It says if prior to the Yukon River Panel  
35 Agreement of the Pacific Salmon Treaty in 2002. So the  
36 origin of the 29,323 as an annual number is the average  
37 prior to that Panel Agreement going into place.

38  
39 MR. UMPHENOUR: So that would be the  
40 one that's basically in accordance with our agreement,  
41 our international treaty with the Canadians then.

42  
43 DR. STRAM: I can only tell you that's  
44 the origin of the number. It was just a range of  
45 numbers. The Council didn't feel that any range of  
46 numbers was not in accordance with the treaty, but in  
47 order to come up with a low end, that is why we came up  
48 with that number.

49  
50 MR. UMPHENOUR: Well, thank you. Madam

1 Chair. I would move that that's the one we support and  
2 my reasoning behind that is the one we support is  
3 anything that goes beyond 2001 should not be  
4 considered. That's when they had the really high  
5 bycatch and that was post signing of the treaty and our  
6 government agreed with the Canadian government that  
7 we're going to do everything in our power to reduce  
8 these bycatches in the marine environment. They  
9 increased, so we should focus our attention on one  
10 number or one thing.

11  
12 I move that we support the low one in  
13 Alternative 2 and put that in there instead.

14  
15 MADAM CHAIR ENTSMINGER: And the  
16 justification.

17  
18 MR. UMPHENOUR: And the justification  
19 is that's a 10-year average from the time the treaty  
20 was signed going back 10 years. It shouldn't be any  
21 higher than that in order to be in compliance with our  
22 treaty with Canada. That's the only one that would put  
23 us in compliance.

24  
25 MT. GLANZ: I'll second that.

26  
27 MADAM CHAIR ENTSMINGER: So we're  
28 handling one of our recommendations to them and that's  
29 for this hard cap we agree that it should be there.  
30 Any discussion on the motion. Does everyone understand  
31 the motion. Go ahead.

32  
33 MR. BASSICH: Just for information. Is  
34 the Council looking at a range or are they looking for  
35 a hard number? I know we talk about years of high  
36 salmon abundance and low salmon abundance and I know on  
37 the Yukon River for escapement we always have a range  
38 and it seems like most management schemes tend to have  
39 ranges to try and account for high and low abundance.  
40 I'm just trying to get a feel for what the Council's  
41 methodology is for setting these.

42  
43 DR. STRAM: Madam Chair. Mr. Bassich.  
44 We're looking at a range of numbers, but the number  
45 that would be selected would be a single number. We  
46 don't really have the ability to manage over a range,  
47 particularly when you confer specific quotas down to  
48 the sector level.

49  
50 MR. BASSICH: Thank you very much.

1 With that I would be in agreement with Virgil. When I  
2 was looking at the numbers that I was going forth with  
3 a little earlier, 25,000 to 35,000, I was under the  
4 assumption they would be working in a range.

5  
6 MADAM CHAIR ENTSMINGER: So we're  
7 discussing that and I was just looking at their  
8 preliminary preferred alternative. They had an or in  
9 there. We wouldn't do this or business. We would just  
10 have number 2 hard cap with that figure. Is that what  
11 I'm hearing from everybody. Okay. Any other  
12 discussion.

13  
14 MR. BASSICH: Yes. And in addition  
15 with this motion I would like to put in that industry  
16 would also impose penalties, as I stated earlier,  
17 police themselves and penalize dirty fishermen.

18  
19 MADAM CHAIR ENTSMINGER: Andy, we  
20 probably should just give them this recommendation from  
21 our Council and then handle that in a second motion.

22  
23 MR. BASSICH: That's fine.

24  
25 MR. CARROLL: May I speak to the motion,  
26 Madam Chair.

27  
28 MADAM CHAIR ENTSMINGER: Yes, you may.

29  
30 MR. CARROLL: The hard cap of 29,323 is  
31 the only legal number you can come up with to be in  
32 compliance with the international treaty. That's  
33 common sense right there. I can't see any other number  
34 being injected into a cap except that one. I'm  
35 definitely in favor of it.

36  
37 MADAM CHAIR ENTSMINGER: Any other  
38 discussion.

39  
40 MR. BASSICH: Question.

41  
42 MADAM CHAIR ENTSMINGER: The question  
43 has been called for. All in favor of the hard cap  
44 being 29,323 as our recommendation to the North Pacific  
45 Fishery Management Council. All in favor say aye.

46  
47 IN UNISON: Aye.

48  
49 MADAM CHAIR ENTSMINGER: Anyone  
50 opposed.

1 (No opposing votes)

2

3 MADAM CHAIR ENTSMINGER: It's  
4 unanimous. Virgil wants to ask you a question now that  
5 we've passed this regarding it. Go ahead, Virgil.

6

7 MR. UMPHENOUR: Mr. Fields, I know  
8 you're an attorney. You go to court occasionally.  
9 Would you feel comfortable going to court defending  
10 what we just passed knowing that -- do you agree with  
11 myself and with Richard here that when you read the  
12 Pacific Salmon Treaty, the Yukon River Annex, would you  
13 feel comfortable going to court and defending this cap?  
14 This is kind of an off the wall question to ask you, I  
15 know that, but I'm just asking you anyway because  
16 sometimes I ask off the wall things.

17

18 MR. FIELDS: Thanks, Virgil. A  
19 difficult question. I don't have the administrative  
20 law expertise in that treaty to answer that question as  
21 an attorney, so I won't do that. I will say that as a  
22 Council member we've had advice through the State  
23 Department and others that says that the Council is not  
24 constrained by the treaty to choose a number higher  
25 than this. So the interpretation of the treaty is that  
26 we're not constrained by the treaty in terms of this  
27 particular number.

28

29 I will say also as a Council member  
30 that this number was within the range of the numbers we  
31 looked at in the analysis. So I think it's completely  
32 appropriate for your Advisory Committee to recommend  
33 this number to the Council. But the information we've  
34 received as a Council, at least that I'm aware of,  
35 Diana, is that the Pacific Salmon Treaty doesn't  
36 constrain us to choose a number beyond this. Is that  
37 correct?

38

39 DR. STRAM: That's correct. We have a  
40 State Department seat on the Council, but we've also  
41 worked with the State Department in trying to  
42 understand the range of all alternatives.

43

44 MADAM CHAIR ENTSMINGER: Okay. No  
45 more.

46

47 MR. UMPHENOUR: No more.

48

49 MADAM CHAIR ENTSMINGER: Okay. I'm  
50 entertaining a motion for handling our other subject.

1 Go ahead, Andy.

2

3 MR. BASSICH: Madam Chair. I would  
4 like to make a motion that this Council make a  
5 recommendation to the North Pacific Fishery Management  
6 Council that industry put in place economic penalties  
7 to individual vessels for operating high bycatch. Is  
8 that clear enough for everyone? I don't think we need  
9 to add too much more to that. I want to see the  
10 industry work to police itself and I think it is very  
11 prudent and logical that economic penalties are going  
12 to be the most effective. Thank you.

13

14 MADAM CHAIR ENTSMINGER: Before we vote  
15 on that, I don't need nuts and bolts, but is that  
16 something that you guys can handle, can deal with?

17

18 MR. MERRIGAN: It's consistent with our  
19 motion short of the word economic. We just said  
20 incentives. I guess your intent is to not fish to the  
21 cap in years of low abundance. It's similar.

22

23 MADAM CHAIR ENTSMINGER: I know.

24

25 MR. CARROLL: I'll second the motion  
26 that's on the floor.

27

28 MADAM CHAIR ENTSMINGER: Thank you.  
29 Now it's on the floor. Any more discussion.

30

31 MR. BASSICH: Madam Chair. I think  
32 we've discussed it fairly well and I'm willing to call  
33 the question already.

34

35 MADAM CHAIR ENTSMINGER: Is everyone  
36 ready for the question.

37

38 MR. BASSICH: Question.

39

40 MADAM CHAIR ENTSMINGER: All in favor  
41 say aye.

42

43 IN UNISON: Aye.

44

45 MADAM CHAIR ENTSMINGER: Anyone  
46 opposed.

47

48 (No opposing votes)

49

50 MADAM CHAIR ENTSMINGER: Andy, I just

1 want to make sure this is covered. You said industry  
2 foot the bill for a genetic study.

3

4 MR. BASSICH: Madam Chair. What I'm  
5 asking for is not study. What has been requested by  
6 ADF&G and Department of Fisheries and Oceans is better  
7 analysts of what is going on in the bycatch through the  
8 genetic work that they're doing out there. They catch  
9 these fish out there and my understanding is they're  
10 able to check the genetics of them right there on board  
11 ship, especially the processor ships. Then the effort  
12 in the long run, what would be nice would be for the  
13 industry to know what stocks they are affecting in  
14 their in-season fishing.

15

16 MADAM CHAIR ENTSMINGER: Did you want  
17 to make a motion?

18

19 MR. BASSICH: I don't think it hurts to  
20 have it as a motion, as a recommendation to the  
21 Council.

22

23 MADAM CHAIR ENTSMINGER: Do you want to  
24 do that.

25

26 MR. BASSICH: I'll make a quick attempt  
27 at it. I move that our Council recommend to the North  
28 Pacific Fishery Management Council that the pollock  
29 industry be required to fund genetic studies for  
30 bycatch of the pollock fleet for salmon.

31

32 MADAM CHAIR ENTSMINGER: We'll stick to  
33 salmon. Do I hear a second.

34

35 MR. UMPHENOUR: Second.

36

37 MADAM CHAIR ENTSMINGER: You look  
38 confused. Discussion.

39

40 MR. UMPHENOUR: Right, we're  
41 discussing, so I need to ask a question. Does the  
42 Council have the authority to do that?

43

44 MR. FIELDS: There's a number of  
45 tentacles around that issue in terms of Council  
46 authority. To simply say, industry, you will pay for  
47 research, no, but as we're doing with this current  
48 amendment package to provide an opportunity for the  
49 industry to step forward on their own volunteer, we can  
50 do that. So I think there's subtle ways to achieve the

1 goal within the Council authority, but the direct  
2 mandate would be outside Council authority.

3  
4 MADAM CHAIR ENTSMINGER: I look at it  
5 this way, Virgil. We can say what we want, so let's do  
6 that.

7  
8 MR. UMPHENOUR: I agree we can say what  
9 we want; however, you're going to catch more flies with  
10 honey.

11  
12 MADAM CHAIR ENTSMINGER: That works.

13  
14 MR. UMPHENOUR: But anyway, we have to  
15 be reasonable in what we ask for and what we do. We're  
16 basically asking these two Council members to carry our  
17 water for us before the entire Council. That's  
18 basically what we're doing in these motions and try to  
19 bring attention to our plight and our problems.

20  
21 MADAM CHAIR ENTSMINGER: Are you having  
22 heartburn you're telling me?

23  
24 MR. UMPHENOUR: No, I'm not having  
25 heartburn. What I'm saying is that we don't want to be  
26 over-demanding maybe is what I'm saying.

27  
28 MADAM CHAIR ENTSMINGER: I can't  
29 believe it.

30  
31 (Laughter)

32  
33 MR. UMPHENOUR: That's basically what  
34 I'm trying to say. We want them to help us with our  
35 problem is what we want to do, so what we're attempting  
36 to do is make motions to encourage the conservation of  
37 our chinook salmon, but we also want these two Council  
38 members that are here before us today to carry our  
39 water for us before the entire Council, so we're  
40 attempting to help them do that through these motions.

41  
42 MADAM CHAIR ENTSMINGER: What you're  
43 saying is you have a concern that this might lose our  
44 credibility?

45  
46 MR. UMPHENOUR: I have a concern that  
47 maybe some Council members don't want us telling them  
48 how to do their job. They want us to tell them what  
49 our problem is, what we would like, but they probably  
50 don't want us to tell them how to do their job. I

1 think Mr. Fields has something to say regarding this.

2

3 MR. FIELDS: Tracking that through, I  
4 think you're touching on some currents of discussion.  
5 In part of the economic incentive idea is that some  
6 portion of fees that are paid related to bycatch could  
7 be channeled into research and I think if you tied your  
8 request for industry-funded research to your idea of  
9 economic incentives, that's certainly part of the  
10 currency of discussion and I don't think that comes  
11 more as a demand in that context so much as if we're  
12 going to provide economic incentives perhaps one way to  
13 improve the overall fishery is to use some of what  
14 could be economic revenue for research. I think that's  
15 tracking your thought, Virgil.

16

17 MADAM CHAIR ENTSMINGER: Via penalties?

18

19 MR. FIELDS: Via penalties or voluntary  
20 industry payments or something like that.

21

22 MADAM CHAIR ENTSMINGER: Andy.

23

24 MR. BASSICH: Yeah, I guess maybe  
25 that's why I was originally trying to tie this in with  
26 my original motion. I guess maybe the thing to do in  
27 this motion is to amend it to say recommend to the  
28 industry that they contribute to genetic research.

29

30 MADAM CHAIR ENTSMINGER: In what means  
31 they can come up with?

32

33 MR. BASSICH: I think this whole thing  
34 is still in its infancy as far as developing what's  
35 going to happen here. Nobody knows what's going to  
36 happen. It's kind of a living process right now and I  
37 don't think anybody knows exactly where it's going to  
38 end up. I think just putting this now gets it into the  
39 discussion and what they can live with and what they  
40 can't will come out of that. But I think it's  
41 important to get it into the discussion and into the  
42 negotiations with the industry on how they're going to  
43 work through this. So that's my intent.

44

45 MADAM CHAIR ENTSMINGER: Okay. So are  
46 we meeting your intent if you amend it?

47

48 MR. BASSICH: Yes.

49

50 MADAM CHAIR ENTSMINGER: State the

1 amendment.

2

3 MR. BASSICH: The amendment would be  
4 instead of require would be to recommend to the  
5 industry.

6

7 MADAM CHAIR ENTSMINGER: Does the  
8 second concur.

9

10 MR. UMPHENOUR: Concur.

11

12 MADAM CHAIR ENTSMINGER: Now we have in  
13 front of us a recommendation to the Council that the  
14 industry -- I'm not going to be able to state this  
15 correctly. Do it for me.

16

17 MR. BASSICH: Are you asking me.....

18

19 MADAM CHAIR ENTSMINGER: Just repeat  
20 it, yeah.

21

22 MR. BASSICH: The motion would be that  
23 this Council is making a recommendation to the North  
24 Pacific Fishery Management Council to recommend to the  
25 industry that they help to contribute financially to  
26 the genetic research of the high sea fisheries on the  
27 chinook salmon.

28

29 MADAM CHAIR ENTSMINGER: I assume we're  
30 done discussing. Vince.

31

32 MR. MATHEWS: That's being taken as a  
33 friendly amendment by the second of the motion?

34

35 MADAM CHAIR ENTSMINGER: Yeah. You  
36 missed that.

37

38 MR. MATHEWS: Okay. Thank you.  
39 Because you mentioned amendment, which is a whole other  
40 voting process.

41

42 MADAM CHAIR ENTSMINGER: No, no. Okay.

43

44 MR. BASSICH: Question.

45

46 MADAM CHAIR ENTSMINGER: The question  
47 has been called for. All in favor.

48

49 IN UNISON: Aye.

50

1 MADAM CHAIR ENTSMINGER: Anyone  
2 opposed.

3  
4 (No opposing votes)

5  
6 MADAM CHAIR ENTSMINGER: Okay. The  
7 only other thing that I felt really strongly about was  
8 making this point that it's sad that our government has  
9 come down to a four-year process to accomplish  
10 something when there's a concern to change regulations.  
11 Is that something that the Council would want to hear  
12 from us?

13  
14 MR. MERRIGAN: There's an ongoing  
15 proposed rule right now. When they reauthorized  
16 Magnuson-Stevens Act the last year and it was  
17 Congress's intent that NEPA would be incorporated  
18 inside our process because we have public meetings and  
19 people can provide written comment, oral comment, and  
20 now there's a proposed rule on the implementation of  
21 NEPA in the process and that would be an appropriate  
22 place to make that comment, that you think the process  
23 should be incorporated into the Council process so it  
24 could be speeded up to the extent practical where  
25 you're still covering all the issues. You don't want  
26 to give the thing short shrift, but that's an active  
27 proposed rule right now. Did it close or is it still  
28 open?

29  
30 DR. STRAM: I'm not sure.

31  
32 MADAM CHAIR ENTSMINGER: Our Staff can  
33 probably help us out on that.

34  
35 MR. MATHEWS: I'm totally lost. I  
36 would need to know the deadlines of all those proposed  
37 rules and who it would go to, but obviously if there's  
38 time we can do that.

39  
40 MR. FIELDS: I think it would be  
41 addressed to the Executive Director of the North  
42 Pacific Council, Chris Oliver, to say you have great  
43 concern about what everyone has identified as a  
44 conservation concern and then the Council process. I  
45 think a number of those letters will enable him to then  
46 communicate with regard to the actual detail of the  
47 various competing congressional initiatives.

48  
49 So I would address it to Chris Oliver  
50 specific to concern and dismay over the timeline

1 necessary for the Council from identification of a  
2 problem until final recommendation.

3

4 MADAM CHAIR ENTSMINGER: Okay. I  
5 believe I need a motion from us on that. Since I'm the  
6 Chair, I can't do that.

7

8 MR. UMPHENOUR: So moved.

9

10 MADAM CHAIR ENTSMINGER: That works for  
11 me because I think we understand.

12 MR. BASSICH: Second.

13

14 MADAM CHAIR ENTSMINGER: I don't think  
15 we need great discussion on it unless you guys are  
16 against it. Go ahead.

17

18 (No comments)

19

20 MADAM CHAIR ENTSMINGER: Is anyone  
21 opposed to this avenue.

22

23 (No opposing votes)

24

25 MADAM CHAIR ENTSMINGER: Okay. I'm  
26 going to take that as unanimous affirm. A quick  
27 comment.

28

29 MR. BASSICH: I just wanted to say  
30 before we move on to other things in our agenda that I  
31 really appreciate the opportunity to have you here at  
32 our meeting and I feel this was a really productive way  
33 to work through this situation. I learned a lot from  
34 it. I hope a lot of people in the room learning a lot  
35 from it. I especially wanted to thank you for taking  
36 your own personal time to do this. I know you have  
37 incredibly busy schedules and an incredible workload  
38 dealing with the issues you deal with and to take the  
39 time to come out here and meet with us and eventually  
40 meet with the other RACs I see that as incredibly  
41 productive. It's a big sacrifice I know on your part,  
42 but this is, as you know, very near and dear to our  
43 hearts and I really appreciate that. So thank you.

44

45 MR. FIELDS: Thank you for those  
46 comments. I do think as you're drafting this letter  
47 capturing those would be a good thing and encouraging  
48 the Council's continued participation with the RACs and  
49 involvement in discussions in rural communities I think  
50 would be helpful.

1                   Madam Chair. If I might, I did have  
2 one more note relative to food banks. In your various  
3 motions, I don't know that you've addressed that food  
4 bank issue, but I also think having heard it from you  
5 it might be nice to formalize that communication from  
6 your board to the Council.

7  
8                   MADAM CHAIR ENTSMINGER: We sent a  
9 letter to you asking. Do we need to send it again?

10  
11                   MR. MATHEWS: That was not sent to the  
12 North Pacific Management Council. NMFS is who we  
13 recommended to send it to and that may not have been  
14 conveyed over to the North Pacific Fishery Management  
15 Council. It was copied to your Chair, but I don't know  
16 your process. We were recommended to go to Sue  
17 Salveson, assistant regional director of Sustainable  
18 Fisheries Division, Alaska Region.

19  
20                   MR. FIELDS: And that's certainly part  
21 of the Federal process and I wouldn't want you to  
22 repeat yourself. I just think in a general  
23 communication to the Council, which is what we've been  
24 talking about, mentioning that may provide a discussion  
25 point at the Council table if your body would want us  
26 to continue to consider alternatives to the current  
27 program.

28  
29                   MADAM CHAIR ENTSMINGER: We probably  
30 should at least give it as a recommendation.

31  
32                   DR. STRAM: I would also note that as  
33 we talked about in the beginning, while we would  
34 encourage you to formally send recommendations as well  
35 to the Council, we are cataloging information we  
36 receive and comments we receive at these meetings so  
37 that we can characterize it in a report to the Council.

38  
39                   MR. BASSICH: So are you saying it  
40 would be as effective to write a letter or would it be  
41 more appropriate to have a formal motion here as far as  
42 your communique? What's the biggest bang for the buck  
43 as far as how you respond to it?

44  
45                   DR. STRAM: I would honestly suggest  
46 you do both and that we'll catalog your motions as well  
47 as the general discussion and what we've heard from  
48 public comments as well from this meeting and all the  
49 other RACs and outreach meetings. I think to the  
50 extent that you can also provide a formal letter as

1 comment to the Council and NMFS, providing your  
2 comments, providing your motions, all of these things I  
3 think helps further the cause.

4  
5 MADAM CHAIR ENTSMINGER: Uh-huh. Go  
6 ahead, Andy.

7  
8 MR. BASSICH: Madam Chair. I guess I  
9 can attempt to make a motion for that. I move that our  
10 Council make a recommendation to the North Pacific  
11 Fishery Management Council in regards to the food bank,  
12 that it be modified or that a modification be put in  
13 place to include Western Alaska communities in the  
14 distribution process of that food bank.

15  
16 MR. GLANZ: I'll second that motion.

17  
18 MADAM CHAIR ENTSMINGER: It's moved and  
19 seconded. Anymore discussion on it. Virgil.

20  
21 MR. UMPHENOUR: It should be  
22 communities up the river that don't get any fish is  
23 what it should be. It doesn't need to go to coastal  
24 communities that get fish. So that's what I think and  
25 I think it should be more specific, the motion.

26  
27 MADAM CHAIR ENTSMINGER: So he's going  
28 to rephrase his motion.

29  
30 MR. BASSICH: Madam Chair. I guess in  
31 a form of an amendment to my own motion.....

32  
33 MADAM CHAIR ENTSMINGER: You just need  
34 a concurrence from the second.

35  
36 MR. BASSICH: .....that distribution to  
37 the middle and upper Yukon, including Canada, if that's  
38 possible.

39  
40 MADAM CHAIR ENTSMINGER: Does the  
41 second concur?

42  
43 MR. GLANZ: I'll concur with that.

44  
45 MR. BASSICH: Thank you, Virgil.

46  
47 MADAM CHAIR ENTSMINGER: Any other  
48 discussion.

49  
50 MR. UMPHENOUR: Question.

1 MADAM CHAIR ENTSMINGER: Question has  
2 been called for. All in favor.  
3  
4 IN UNISON: Aye.  
5  
6 MADAM CHAIR ENTSMINGER: Opposed.  
7  
8 (No opposing votes)  
9  
10 MADAM CHAIR ENTSMINGER: None opposed.  
11 I used to go to advisory committees that was held in  
12 the local roadhouse, which was a bar, and they said  
13 they go by Murphy's Law, so sometimes I'm not as formal  
14 as I should be and I apologize for that.  
15  
16 Have we covered everything with all the  
17 people here. I want to reiterate this great outreach  
18 program and I guess if there's ways that we can  
19 teleconference in that would be great too and send  
20 information our way as far as communication back and  
21 forth. You'd have to go through our coordinator, Vince  
22 Mathews. I think we requested that every time  
23 something is coming down we need to know about it.  
24  
25 Vince.  
26  
27 MR. MATHEWS: Before you close out on  
28 this, it's been your practice when you've been  
29 appreciative of people coming to your meeting to send a  
30 thank you letter. I don't know if you want to do that.  
31 If you do, I would need to know who we send it to.  
32  
33 MADAM CHAIR ENTSMINGER: That's why we  
34 have a coordinator. He helps us stay in line.  
35  
36 MR. FIELDS: Address the letter to Eric  
37 Olson, Chairman, North Pacific Fishery Management  
38 Council.  
39  
40 MR. MATHEWS: Thank you.  
41  
42 MADAM CHAIR ENTSMINGER: Thank you,  
43 Vince. Did you have some final comments?  
44  
45 MR. MERRIGAN: Actually I heard two  
46 nuts and bolts facts and I want to make sure I got  
47 straight. That was in Virgil's original thing. You  
48 said there has been no commercial fisheries for three  
49 years. I didn't catch what area.  
50

1 MR. UMPHENOUR: The area that you're  
2 sitting in right now, the Tanana River drainage. Also  
3 on the Canadian side there hasn't been either.

4  
5 MR. MERRIGAN: The second one was the  
6 number 4,000 fish in the Yukon Territory and that was  
7 for an IFF fishery?

8  
9 MR. BASSICH: That's what they call  
10 their aboriginal fisheries, which it's equivalent to  
11 our subsistence fisheries. They don't recognize their  
12 subsistence fisheries the same as us. It's basically  
13 their First Nations people and then they break it down  
14 to a household personal use fishery, which hasn't been  
15 met in many years. Their first group that gets it is  
16 their aboriginal fisheries, which is equivalent to our  
17 subsistence fisheries and then they have commercial.  
18 They have not had commercial opening in 3 or 4 years  
19 now.

20  
21 MADAM CHAIR ENTSMINGER: They also have  
22 commercial openings?

23  
24 MR. BASSICH: Yes. May I add to that,  
25 Gerry, they're usually allocated about 10 to 15,000  
26 chinook salmon a year and the way they break it up is  
27 they have that grouped into both aboriginal and  
28 commercial, they're grouped together, and then out of  
29 that grouping they allocate a certain amount to their  
30 aboriginal fisheries. So normally they would take  
31 somewhere in the 10 to 15,000 chinook salmon for their  
32 total allowable catch there of chinook and they  
33 voluntarily only took 4,000 fish out of it, which  
34 didn't even meet their aboriginal needs. It was kind  
35 of a token fisheries for their people.

36  
37 MADAM CHAIR ENTSMINGER: The one that  
38 Virgil was referring to, I believe the State looks at  
39 it as District 6. Virgil, did you have something  
40 immediate for right here?

41  
42 MR. UMPHENOUR: No, I would just like  
43 to thank the Council members Merrigan and Fields for  
44 coming and Ms. Stram.

45  
46 MADAM CHAIR ENTSMINGER: Vince.

47  
48 MR. MATHEWS: Mr. Merrigan, is that  
49 enough detail for you because I'm sure our Staff can  
50 give you a detail of the commercial fishery lack of

1 over the past years.

2

3 MADAM CHAIR ENTSMINGER: They have all  
4 that.

5

6 MR. MERRIGAN: We got an update letter  
7 from ADF&G on different run status other than Yukon as  
8 well as Yukon seasons, but these are facts that you  
9 guys were bringing up that I want to make sure I got  
10 straight. We got a status report at our last meeting  
11 from ADF&G, I think. What I was impressed with is that  
12 they were worried that the fishery was three days  
13 late. I didn't know the timing was that on the money.  
14 I was amazed at that comment. We're used to a little  
15 bit more slack in Southeast of run timing. Not that  
16 religiously followed by the fish. They don't seem to  
17 listen to us very much.

18

19 MADAM CHAIR ENTSMINGER: Yeah.

20

21 MR. MERRIGAN: I just want to thank the  
22 welcome we got here. I know it's a contentious issue  
23 for us. It's very complicated. It's the meeting of  
24 Hollywood and Vine of every possible fish law you could  
25 have. You know, Magnuson, ESA, two salmon treaties,  
26 Yukon and the Pacific Salmon Treaty. I've already  
27 caused one ferry blockade in my years of salmon  
28 treaties, so I don't want to cause another  
29 international salmon issue. And that was interpreting  
30 the words not to increase interceptions. The Canadian  
31 position at that time was a hard number and the U.S.  
32 position was if you were catching 10 percent of a run  
33 and the run size doubled and you were still catching 10  
34 percent, you were not out of compliance with the  
35 treaty. So that was the whole equity argument that led  
36 to the ferry blockade in Prince Rupert. So the U.S.  
37 position was if you still caught 10 percent you were in  
38 compliance. So there are different ways to -- and  
39 those revolved around the words not to increase  
40 interceptions, which is the same kind of -- you know,  
41 you should reduce bycatch in marine fisheries. So  
42 there's other ways of looking at that, but the idea is  
43 we don't have a good abundance estimate.

44

45 I was happy actually to come here to  
46 leave Southeast with 48 and rain yesterday, so kind of  
47 nice to come someplace where it's not raining. I don't  
48 have to wear a hat. It's good to get out to see where  
49 the fishery actually occurs. It's not like you can go  
50 some other place. This is it. That's the river. I

1 appreciate the welcome. I hope the king salmon  
2 abundance returns so you can continue to fight with the  
3 upper and lower river again like it should be, amongst  
4 yourselves.

5  
6 MADAM CHAIR ENTSMINGER: You mean get  
7 along.

8  
9 (Laughter)

10  
11 MR. FIELDS: I won't belabor the point,  
12 but it's wonderful to be here and see old friends and  
13 talk about fisheries. Thank you.

14  
15 MADAM CHAIR ENTSMINGER: Any other  
16 comments, guys.

17  
18 (No comments)

19  
20 MADAM CHAIR ENTSMINGER: Thank you very  
21 much.

22  
23 DR. STRAM: Thank you.

24  
25 MADAM CHAIR ENTSMINGER: We're going to  
26 move on to our business here. Do you guys want a  
27 break?

28  
29 MR. GLANZ: Let's finish it up.

30  
31 MADAM CHAIR ENTSMINGER: Let's finish  
32 it up. Okay. I see organization reports. Vince, what  
33 is this?

34  
35 MR. MATHEWS: That's just a tracking  
36 thing in case there was something that carried over  
37 from the day before. You don't have any agency  
38 reports. Oh, you do. I just saw a hand go up.

39  
40 MADAM CHAIR ENTSMINGER: Hi, Jason.  
41 YRDFA does have a report.

42  
43 MR. HALE: I know this is the end, so I  
44 will be painfully brief. I know you guys are probably  
45 ready to stop meeting at this point. You've been  
46 meeting for two days straight.

47  
48 Anyway, I just wanted to give a quick  
49 update on some of the projects YRDFA worked on on the  
50 river this summer that might be of interest. Hopefully

1 a less contentious and a happier note to close things  
2 out.

3

4                   Jumping right in, we had another  
5 successful season of teleconferences. We had 14 calls,  
6 participation was up 37 percent over the five year  
7 average and busiest call had 114 lines taken up.  
8 Probably 150 to 200 people on the call. It lasted for  
9 a couple of hours. Normally they last about an hour.  
10 I understand from history whenever the run is bad there  
11 is more participation in the calls. So you might say  
12 the run wasn't so hot and that's why people were really  
13 interested in what was going on, especially as the fish  
14 enter the river, that end of June time, people are  
15 really calling in.

16

17                   Summaries of the call are available on  
18 the website yukonsalmon.org. We have summaries of  
19 every single call through this season and for the past  
20 five seasons. Just in case someone is interested.

21

22                   Also we had some great local hire  
23 programs this season, as always. We provided local  
24 hires on projects including the OSM funded Tozitna weir  
25 and in-season harvest interviewers funded by OSM, Fish  
26 and Game funded technicians all over the river,  
27 including post season subsistence harvest interview  
28 assistants in more than 30 communities and local hire  
29 in Emmonak that was funded through funding from Fish  
30 and Game, and the Yukon River Panel, so trying to  
31 continue that good work of keeping the people out on  
32 the river doing the work of the fishery since it's  
33 their fishery really.

34

35                   We did another educational exchange  
36 this year. Last year we took U.S. people to Canada.  
37 This year we took Canadians to the U.S. We had  
38 Canadians from Old Crow, Whitehorse, Pelly Crossing and  
39 Tezlin, a total of five people who traveled down to  
40 Fairbanks, Tanana, Emmonak, Pilot Station Sonar, and  
41 the rapids. It was very well met. They met a ton of  
42 people in each community, learned a lot and they shared  
43 a lot as well. So everywhere they went they were able  
44 to share the Canadian perspective on things. They  
45 ranged from 24 years old to 81 years old. We had  
46 commercial fishers, subsistence fishers, fish techs.  
47 So it was a good broad range of views. I think it was  
48 well received. When they got home, they really made an  
49 effort to share what they learned to try and get the  
50 whole river on one page. So whether it was a

1 presentation at a Gwich'in gathering, which did occur,  
2 or just sharing at Council meetings and First Nation  
3 areas. So hopefully that program will continue if the  
4 Yukon River Panel who funds it deems it necessary or  
5 worthwhile. But it went really well the year.

6  
7 I'll skip that one so we can get done  
8 faster. The annual meeting for YRDFA will be in Hooper  
9 Bay and if that doesn't work out, it will be Russian  
10 Mission and if that doesn't work out, it will be  
11 Scammon Bay. We're working with Hooper Bay right now  
12 just to finish securing our date. We normally have the  
13 meeting at the end of February. They've suggested mid-  
14 March and we're trying to figure which one would work  
15 best. There's so many meetings and you don't want to  
16 conflict with anyone else. We're sort of shifting the  
17 focus of this meeting to more of a meeting and  
18 symposium. It's so difficult and expensive to get  
19 people together, so let's do as much business as we can  
20 for everybody. That's a new focus we have for this  
21 meeting just to let you know.

22  
23 Lastly, since it seems appropriate,  
24 we're working on bycatch still. One big thing is going  
25 to be in the coming months with the big vote coming up  
26 kind of upping our communications with the tribal  
27 councils all up and down the river, telling them what  
28 the issues are, explaining what the options are and  
29 explaining how they can get involved. We found the  
30 best way to do that is simply sending mass faxes. We  
31 get huge response every time.

32  
33 We'll be sending out information such  
34 as what I had in the back of the room, a quick little  
35 handout that we update every few months that tell here  
36 are the numbers, here are the options, here's our  
37 recommendation.

38  
39 So that's what we have going on. If  
40 anybody has any questions on the bycatch, I'm sure they  
41 can talk to Becka who is on the blue phone over there  
42 or if they have questions about anything else just let  
43 me know. Outside of that, I've never been to a RAC  
44 meeting and it was pretty neat. You guys do good work  
45 and that's for letting me hang out.

46  
47 MADAM CHAIR ENTSMINGER: Go ahead,  
48 Andy.

49  
50 MR. BASSICH: Jason, is YRDFA now in

1 the process of formulating what areas they would like  
2 to identify as areas they would like to identify as  
3 areas they'd like to include in their symposium format  
4 for their annual meeting? Is that something you do  
5 interoffice or do you take recommendations from other  
6 entities for that?

7  
8 MR. HALE: I'd be more than happy to  
9 take recommendations, Andy. Actually, next week's  
10 meeting is when we're officially going to be talking  
11 about the symposium format with the Board and a fair  
12 number of current issues, including that big word  
13 conservation out there given the state of the runs.

14  
15 MR. BASSICH: Madam Chair. Actually  
16 I'd be prepared very quickly to give you a list of  
17 items I feel would be really important. I think one of  
18 the most important things that we would be able to  
19 bring to the people all up and down the river is to  
20 have Jeff Bromagin show up and give an explanation of  
21 the report that just came out on the work that he did  
22 this past summer. I think that's essential for  
23 building a foundation of understanding of the issue.

24  
25 The other thing that would also help  
26 build on the foundation for people on the issue is to  
27 have a geneticist come in and we need to find someone  
28 that would be very good at speaking at a very -- bring  
29 it down to the common man's understanding level.  
30 Genetics is incredibly complicated and very difficult  
31 even if you're a geneticist. The geneticist also needs  
32 to explain what the impacts are of the Bromagin studies  
33 and also touch hopefully on the importance of fecundity  
34 and genetics.

35  
36 If YRDFA could do that, I think that  
37 would go a long way towards starting some positive  
38 dialogue on this issue. Thank you. That's all I have.

39  
40 MR. HALE: Thanks, Andy. If anybody  
41 else has anything they'd like to see us consider  
42 talking about, you can let me know now or kind of  
43 ponder it and get back to me. We'd love to hear from  
44 you.

45  
46 MR. CARROLL: I've got something. I'd  
47 like to see something published. One of their mining  
48 dams broke loose early in the fall there. Just see  
49 what actually the testing -- just to reassure not only  
50 myself but probably a few other people downriver from

1 that mine, making sure the water is okay to drink  
2 still. I haven't seen anything in the newsletters  
3 about it.

4

5 MADAM CHAIR ENTSMINGER: Anyone else.  
6 Is Becka still online?

7

8 MR. HALE: I did tell her if she needed  
9 to communicate anything she could call my cell that I  
10 have in my pocket and I'd be happy to relay it for her.

11

12 MADAM CHAIR ENTSMINGER: Well, I wanted  
13 to thank her for being online.

14

15 MR. CARROLL: Madam Chair. Jason, the  
16 participation in the teleconferences, I don't know if  
17 you guys were told, but they were put on live over the  
18 air in the Yukon Flats there.

19

20 MR. HALE: Yeah, every single call the  
21 D.J. or whoever actually announced you're live on this  
22 radio station. I thought that was great. People could  
23 just turn on the radio and listen and go about their  
24 business. So that's another way to increase the  
25 audience and increase the sharing of knowledge and  
26 ideas. I think that's a huge success story project.

27

28 MADAM CHAIR ENTSMINGER: Yeah, that's  
29 giving me all kinds of ideas. Anything else for Jason.  
30 I did want to ask you, Richard, you're on  
31 teleconference, right, with YRDFA?

32

33 MR. CARROLL: No.

34

35 MADAM CHAIR ENTSMINGER: You're just  
36 listening to the radio.

37

38 MR. CARROLL: I got on a few times.  
39 Just didn't say anything. Listening in.

40

41 MR. HALE: In fairness, two thirds of  
42 the people who call in just call in and listen. If we  
43 have 90 people on the call, 30 people talk and the rest  
44 just use as an information source.

45

46 MADAM CHAIR ENTSMINGER: I like  
47 encouraging Richard to stay involved in this. Thank  
48 you and welcome and hope we see you again. Mitch  
49 wanted to speak with us.

50

1 MR. DEMIENTIEFF: I agree with him,  
2 that was painfully brief. I will be delightfully brief  
3 and I just want to thank all of you for being here and  
4 listening to us. I think you probably got the best  
5 information that our local community could provide you  
6 with regard to these issues. I thank you once again  
7 for being here. We hope you enjoyed your stay and  
8 we'll invite you back any time you want to come back.  
9 We try to be gracious hosts when we're having people  
10 in. So thank you once again.

11  
12 MADAM CHAIR ENTSMINGER: Thank you,  
13 Mitch. We appreciate everything you guys have done for  
14 us and hope we can stay in contact as we go down that  
15 road that we want to work together.

16  
17 I've got a couple things here.  
18 Regional Council appointments.

19  
20 MR. CARROLL: Is Mitch leaving the  
21 meeting?

22  
23 MADAM CHAIR ENTSMINGER: I think so.  
24 Mitch, are you leaving the meeting?

25  
26 MR. DEMIENTIEFF: Yeah, why, you're not  
27 done with me?

28  
29 MADAM CHAIR ENTSMINGER: Richard isn't  
30 done with you.

31  
32 MR. CARROLL: Mitch, I wanted us to  
33 really thank you for your hospitality here. We've had  
34 an enjoyable and good meeting. Before you leave, we  
35 just wanted to in person thank you.

36  
37 MR. DEMIENTIEFF: Okay. Thank you.  
38 I'll pass that along to my tribal council.

39  
40 MADAM CHAIR ENTSMINGER: Thanks,  
41 Richard.

42  
43 MR. DEMIENTIEFF: I'm sorry, I'd stay  
44 to the bitter end, but I'm also a multi-tasker. I've  
45 got to get on with things.

46  
47 MADAM CHAIR ENTSMINGER: Good to see  
48 you, Mitch.

49  
50 MR. MATHEWS: To help you through the

1 Regional Council business and following up on what's  
2 transpired, it's been your practice to send a letter of  
3 thanks to the home community. If we pull off a joint  
4 picture of you and I get Arctic Refuge to agree, I'll  
5 also create a picture of you in thanking the community  
6 that will be sent out.

7

8 Regional Council appointments. That's  
9 just a place keeper. There are no appointments that I  
10 know of.

11

12 Correspondence received and sent.  
13 That's on Page 65 for you to track.

14

15 Before we go to topics for the Chair, I  
16 did find out the TCC convention is the week that you're  
17 meeting. Does that mean you want to meet the week  
18 earlier, March 10th and 11th?

19

20 MADAM CHAIR ENTSMINGER: Yes.

21

22 MR. MATHEWS: March 10th and 11th.  
23 Finally, since it will get real rushed here, I need  
24 direction from Sue, Richard and Mr. Firmin and  
25 everybody except Virgil. We're an hour and a half late  
26 from departure, so do you need to stay in Fairbanks?  
27 If you do, then I need to get on the phone to get  
28 lodging for you. If you don't need lodging in  
29 Fairbanks, whoever you're driving with, your plane  
30 leaves at 3:55. Richard does not need lodging in  
31 Fairbanks. He wants to leave today. Mr. Firmin, do  
32 you want to try to get back today.

33

34 MR. FIRMIN: I'm going to be staying  
35 here until this evening.

36

37 MR. MATHEWS: In Nenana. So you would  
38 work on your plane reservation. So you don't need  
39 lodging then. Sue, do you need to?

40

41 MADAM CHAIR ENTSMINGER: I'm staying  
42 with friends in Fairbanks. I'll save the government a  
43 dime. So, no, I don't need any lodging.

44

45 MR. MATHEWS: Bill, you have to go up  
46 and over two passes.

47

48 MR. GLANZ: I'm going to have to stay.

49

50 MR. MATHEWS: With that, then the place

1 where Andy is staying is Alpine Inn.

2

3 MR. BASSICH: Actually I already have a  
4 room at the Westmark that I've been staying at. I'll  
5 save the government a dime, too. It's not costing me  
6 much to stay there.

7

8 MR. MATHEWS: Okay then. Mr. Glanz,  
9 I'll need to make a reservation or you'll become Andy.  
10 That's where you met before. I think that's all the  
11 logistics I needed and I apologize for pushing you on  
12 that.

13

14 There's topics for Chairs and Sue can  
15 talk about that.

16

17 MADAM CHAIR ENTSMINGER: I think I'm  
18 getting tired. Help me out.

19

20 MR. MATHEWS: That's the beginning of  
21 the meeting where all the Chairs bring up points and  
22 it's empowering you to bring up points from your full  
23 Council. You were the impetus of having that joint  
24 meeting of all 10 Chairs to discuss negotiating with  
25 the -- to work with the State in becoming in compliance  
26 and making this program more effective. You may want  
27 input from your Council members on that.

28

29 MADAM CHAIR ENTSMINGER: That's a big  
30 issue, guys. We talked about there might be different  
31 avenues for the State and Federal to come into  
32 compliance that we haven't thought about. I think the  
33 Federal program was telling me that it has to go before  
34 the Council before the Council Chairs speak for any  
35 Council. At this point, since this meeting has gone so  
36 late, we could probably -- and this at the January  
37 meeting we're going to be discussing this. Help me  
38 out, Vince. Should we spend some time and have them  
39 give me ideas. That would be great. Otherwise we're  
40 going way over our meeting and this is a pretty heavy  
41 subject.

42

43 MR. MATHEWS: Correct. If you're  
44 talking about the meeting after the Board meeting,  
45 that's already pretty laid out and I believe you all  
46 got a letter on that on working together to have a more  
47 effective program under this dual management or looking  
48 at avenues for the State to get in compliance. That's  
49 pretty clear. If you guys want to talk to Sue about it,  
50 that would be great.

1                   The beginning part has turned into  
2 being very productive and effective dialogue between  
3 the Board and the Chairs, so Sue brought up different  
4 issues on that across the board. It would be a topic  
5 of better communication or interregional discussions,  
6 things like that.

7  
8                   So you could call her. That would be  
9 an option or get a hold of me and I can get it to her.  
10 It's just to give her topics at that time beyond what  
11 she has that the Council would like to get some kind of  
12 feeling from the 10 Chairs and the Board.

13  
14                   MR. BASSICH: Is that an appropriate  
15 place to address some of our concerns on public  
16 education? Having the Board put forth some time and  
17 money to put some people in the field and help develop  
18 some programs for that. I don't know if that would  
19 fast track it a little bit more or if that's  
20 appropriate, but it just seems like if that's a concern  
21 of ours, it might be a way to bring it to the attention  
22 of the Board and get some action a little quicker.

23  
24                   MR. MATHEWS: That would be a good  
25 opportunity to do that, but the Board doesn't take  
26 action on those items there. It's mainly discussion  
27 points. They may have the letter ahead of time, so  
28 it's basically building an outreach program on it. No,  
29 that would be an excellent topic. The Board might not  
30 be able to react to it, but the other Council Chairs  
31 may be able to say, yeah, we would like that or we've  
32 done this or have you thought of that concern.

33  
34                   MADAM CHAIR ENTSMINGER: I try to do a  
35 good job for you guys, but I'm telling you, we cover so  
36 many issues sometimes it's hard to remember things. I  
37 really count on Vince every now and then so I don't  
38 miss anything. If you have anything and I think I can  
39 bring that up as a Council Chair.

40  
41                   I just wanted to ask Richard, I'm  
42 really interested in seeing you get involved in this  
43 North Pacific Fishery Management Council, that meeting  
44 in Anchorage that they're having. Is that something  
45 you can attend?

46  
47                   MR. CARROLL: The one in April?

48  
49                   MADAM CHAIR ENTSMINGER: Yeah, that  
50 one.

1 MR. CARROLL: I can swing it at that  
2 time, yeah.

3  
4 MADAM CHAIR ENTSMINGER: Andy, do you  
5 go for YRDFA?

6  
7 MR. BASSICH: I think I could probably  
8 go representing the Yukon River Panel again. I think  
9 it will be more effective to have representation down  
10 in Seattle in the February meeting. I think if we had  
11 Rebecca on the line, she would probably make that  
12 recommendation. We heard from Mr. Fields that by the  
13 time we get to the April meeting they're pretty much  
14 going to have an idea what they want to do. So I think  
15 we'd have a much greater impact going down to Seattle  
16 and lobbying our points and concerns then, I will  
17 contact our Yukon River Panel. I'm pretty sure they  
18 will fund me through them to do that.

19  
20 When I testified in Kodiak, I told them  
21 I was representing primarily the Yukon River, but that  
22 I was also representing my AC and I was also a member  
23 of the Eastern RAC. So they acknowledged the fact that  
24 it's a small place and you wear many hats. But  
25 certainly the more people we have there the better.  
26 It's just like going to Board of Fish meetings. We're  
27 pretty outnumbered down there and the more  
28 representation you have, especially if you go to a  
29 place like Seattle where you have to travel so far,  
30 that really carries a lot of weight for them to see  
31 people making the effort to travel that far. Certainly  
32 from our RACs and other RACs, the more representation  
33 we get down there and the more consistent and uniform  
34 the message is, the better chance we have of making an  
35 impact.

36  
37 MADAM CHAIR ENTSMINGER: You know what  
38 that comes down to now, is the funding. Is there  
39 funding?

40  
41 MR. MATHEWS: I don't know if there's  
42 funding or not. And that's not your concern. Your  
43 concern is do you want to send a representative and if  
44 you do you put in the request and then it's analyzed.

45  
46 MADAM CHAIR ENTSMINGER: I just think  
47 Richard would do a really good job and it would be  
48 another face and you're from upper Yukon, so you live  
49 on the river and with the process for a while. I'd  
50 first of all ask if you're willing to go to some of

1 those meetings.

2

3 MR. CARROLL: In state I don't mind,  
4 Madam Chair. Traveling out of state I might not come  
5 back.

6

7 (Laughter)

8

9 MADAM CHAIR ENTSMINGER: I'll bet  
10 you'll come back.

11

12 MR. BASSICH: Just make sure the per  
13 diem is really small. He'll be back.

14

15 MR. CARROLL: Seriously, I'm just not a  
16 traveler, like going to Seattle or something. I'd have  
17 to have an escort.

18

19 MADAM CHAIR ENTSMINGER: You'd be  
20 scared, huh?

21

22 MR. BASSICH: Richard, I'm not very  
23 good looking, but I would escort you there.

24

25 (Laughter)

26

27 MR. BASSICH: I've been down to Seattle  
28 and testified before three or four years ago and I  
29 went with YRDFA at the time and we all kind of traveled  
30 together, stay at the same hotel, walk around the city  
31 together, eat together and talk to the members and like  
32 I said, we try to formulate a consistent message from  
33 us. So you're not just dumped in the middle of the  
34 city and left alone down there. I'm positive Rebecca  
35 will be there.

36

37 Just to make a comment on the record,  
38 for OSM to fund this not only our RAC but all the other  
39 RACs. This is an important issue and this is going to  
40 be a pretty key meeting and that's been told to me by  
41 Rebecca that we have to stay on top of this right now  
42 if we want to have any real impact. So it's money well  
43 spent. Considering how far we've gone along in this  
44 issue, it would be foolish to drop the ball right now.

45

46 MR. CARROLL: I just got a little  
47 frightened there, drop me off in the big city.

48

49 (Laughter)

50

1 MR. CARROLL: But if there was a group  
2 traveling and things are lined up. One question, do I  
3 need a passport when I come back?  
4  
5 (Laughter)  
6  
7 MADAM CHAIR ENTSMINGER: Let's hope you  
8 don't go through Canada. Okay. So I'm taking that as  
9 a yes, Richard.  
10  
11 MR. CARROLL: Yes. Yes.  
12  
13 MADAM CHAIR ENTSMINGER: I'm also  
14 taking that as a request. Does the Council agree that  
15 we would like to send him and the request to OSM.  
16  
17 (Council nods affirmatively)  
18  
19 MR. GLANZ: Yes.  
20  
21 MR. BASSICH: Yes.  
22  
23 MADAM CHAIR ENTSMINGER: I'm glad  
24 you're not afraid because I think you'll do a good job  
25 for the Council. Is there funding to send Council  
26 members to Board of Fish or Board of Game?  
27  
28 MR. MATHEWS: Which Board of Fish are  
29 you targeting? The Cordova meeting? We have to put in  
30 a request and see if that would go forward. Again,  
31 you're going cross regional just so you understand.  
32  
33 MADAM CHAIR ENTSMINGER: Council  
34 members, do we want to send somebody to this meeting?  
35  
36 MR. BASSICH: Virgil, can you enlighten  
37 us on what's happening with Board of Fish in the next  
38 six months?  
39  
40 MR. UMPHENOUR: Well, we've sent people  
41 to Board of Fish meetings before. Anyway, I would like  
42 to go to the Board of Fish meeting in Cordova to  
43 represent our RACs interests on the proposals that we  
44 discussed and voted on yesterday. I know if I don't go  
45 there that our issues are not going to get heard.  
46  
47 MADAM CHAIR ENTSMINGER: Are you going  
48 also as the chair of the AC?  
49  
50 MR. UMPHENOUR: If I go as the RAC

1 representative, I won't be going as the chair of the  
2 AC.

3

4 MADAM CHAIR ENTSMINGER: What's the  
5 wishes of the Council.

6

7 MR. BASSICH: Madam Chair. I think the  
8 Council should send Virgil down there. It's a very  
9 important time. It's also in conjunction with the  
10 Yukon River Panel that same week, but I'm going to make  
11 every attempt I can make to dip down there for a day to  
12 testify through the Yukon River Panel if the schedule  
13 will allow it. As I said, I think it's important right  
14 now.

15

16 MADAM CHAIR ENTSMINGER: Okay.

17

18 MR. UMPHENOUR: Madam Chair. With your  
19 indulgence, that hatchery proposal that the Fairbanks  
20 AC has that we had three years ago is a super important  
21 proposal for all of Western Alaska.

22

23 MADAM CHAIR ENTSMINGER: Okay.  
24 Everyone in agreement for asking for that request.

25

26 MR. GLANZ: Yes.

27

28 MR. CARROLL: Yes.

29

30 MR. FIRMIN: Yes.

31

32 (Council nods affirmatively)

33

34 MR. MATHEWS: I'll forward that request  
35 on and worth through your Chair on that. That's in  
36 November, correct?

37

38 MR. UMPHENOUR: It's the first week of  
39 December.

40

41 MADAM CHAIR ENTSMINGER: I believe I've  
42 covered everything except he told me to remind us he  
43 needs pictures of us. So if we could just stand for a  
44 picture after we adjourn. Anything else. Closing  
45 comments. Bill.

46

47 MR. GLANZ: Haven't we talked enough?  
48 I'm going to go ahead and pass my closing comment off.

49

50 MR. BASSICH: I'll be real brief. Just

1 a quick closing comment to thank the people here. It  
2 was nice to have a few people come in and testify  
3 before us from the local community. I really think  
4 it's great that Gerry and Duncan came. The room is  
5 kind of dwindling here. I want to also give my thanks  
6 to the Staff. I know everybody is out there working to  
7 try to do the things we ask them to do and that's what  
8 makes it all happen. We can sit up here and ask for  
9 all kinds of things, but if you don't follow through  
10 and do your jobs, then it's a moot point. So I do  
11 appreciate the efforts from the Staff to try and follow  
12 through on our recommendations and requests. That's  
13 it. Thank you, Madam Chair. By the way, I think you  
14 did a great job chairing the meeting, Sue.

15  
16 MADAM CHAIR ENTSMINGER: Thank you.

17  
18 MR. GLANZ: That's right, Sue. I have  
19 to thank you for doing a good job also. I'm sorry. I  
20 missed that.

21  
22 MADAM CHAIR ENTSMINGER: I really  
23 appreciate that. Thanks.

24  
25 MR. UMPHENOUR: I don't really have  
26 much to say except once in a while we have to have a  
27 little bit of fun and some laughter while we're having  
28 these meetings.

29  
30 MADAM CHAIR ENTSMINGER: At yours and  
31 my expense.

32  
33 MR. UMPHENOUR: Right. But I didn't  
34 really have much to say. Thank you.

35  
36 MR. FIRMIN: I've met a lot of good  
37 people here this time and enjoyed myself and learned  
38 quite a bit. I learned a lot more than I thought I  
39 knew before I got down here. I'm looking forward to  
40 our next meeting. Who knows, maybe by 2010 I'll be  
41 hollering at people like Virgil in the nicest way I  
42 know how.

43  
44 (Laughter)

45  
46 MADAM CHAIR ENTSMINGER: Go ahead,  
47 Richard.

48  
49 MR. CARROLL: I've enjoyed coming to  
50 Nenana and once again I want to thank the community.

1 It's been a real good productive meeting. Thank the  
2 Staff and those people challenging the drive down here  
3 from Fairbanks and you guys all have a safe trip home.

4

5 MADAM CHAIR ENTSMINGER: Thank you,  
6 Richard. I want to thank all the Council members here  
7 for all the work you put in. As you know, it takes  
8 from our normal lives and it's a pretty big commitment  
9 and sometimes it gets challenging and emotional, but I  
10 think we have to have some fun too and I think we did  
11 that.

12

13 I appreciate all you guys and  
14 appreciate everybody coming to the meeting and I look  
15 forward to seeing you at the next meeting and please  
16 don't be afraid to call me or go through Vince if you  
17 have anything because communication means a lot to me  
18 even after we leave these meetings.

19

20 MR. UMPHENOUR: Move to adjourn.

21

22 MR. BASSICH: Seconded.

23

24 MADAM CHAIR ENTSMINGER: All in favor.

25

26 IN UNISON: Aye.

27

28 MADAM CHAIR ENTSMINGER: Adjourned.

29

30 (Off record)

31

32 (END OF PROCEEDINGS)

