

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Fairbanks, Alaska
9 October 19, 2007
10 9:00 o'clock a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

14
15 Sue Entsminger, Chairman
16 Richard Carroll
17 Mathew Frenzl
18 James Nathaniel, Sr.
19 Virgil Umphenour
20 Amy Wright

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27 Regional Council Coordinator, Vince Mathews

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P R O C E E D I N G S

(Fairbanks, Alaska - 10/19/2007)

(On record)

MADAME CHAIR ENTSMINGER: We're going to get started here.

(Laughter)

REPORTER: Oh, sorry.

(Laughter)

REPORTER: Go ahead.

MADAME CHAIR ENTSMINGER: We'll test it again.

REPORTER: Yeah, there we go.

MADAME CHAIR ENTSMINGER: We're going to get started with reports and everything and when Virgil shows up we'll have a quorum, so I'd like to call the meeting to order and welcome everybody. And I'd like to introduce, just briefly, we have a new member Mathew from Delta.

MR. FRENZL: Frenzl, yes.

MADAME CHAIR ENTSMINGER: It's like Entsminger, it's hard to say.

MADAME CHAIR ENTSMINGER: And also I want to -- I'm going to call him an elder today.

(Laughter)

MADAME CHAIR ENTSMINGER: Have him give the opening prayer. And also we would like to -- I'll let you ask for the moment of silence.

MR. CARROLL: All right. Could we stand and have a moment of silence in honor of our past Chief, David Salmon, traditional chief of the Interior, Doyon Tanana Chiefs region.

Thank you.

1 (Moment of Silence)
2
3 (Prayer)
4
5 MADAME CHAIR ENTSMINGER: Thank you,
6 Richard. Okay, I'm probably not the best in Robert's
7 Rules, and I'll do the best for us here. Now, it's
8 going to be a roll call and that goes to Vince, but do
9 you want to hold that off.
10
11 MR. MATHEWS: I think we want to hold
12 that so we can do that when Virgil arrives and we can
13 move forward with, you know, reports.
14
15 MADAME CHAIR ENTSMINGER: Reports.
16
17 MR. MATHEWS: And I do have a few
18 housekeeping items.
19
20 MADAME CHAIR ENTSMINGER: Okay, we can
21 just go around the table for those who don't know all
22 the members right now that are present, just say your
23 name and we'll go through this when Virgil gets here.
24
25 MR. CARROLL: Richard Carroll, Jr.,
26 from Ft. Yukon, glad to be here.
27
28 MADAME CHAIR ENTSMINGER: And I'm the
29 Chair from the Mentasta area.
30
31 MR. NATHANIEL: James Nathaniel from
32 Chalkyitsik.
33
34 MR. FRENZL: Mathew Frenzl from Delta.
35
36 MS. WRIGHT: Amy Wright from Tok.
37
38 MADAME CHAIR ENTSMINGER: Okay, thank
39 you. So now we have an introduction of agency Staff
40 and honored guests, do you want to do that now.
41
42 MR. MATHEWS: Sure, I'll attempt to do
43 that. For Staff that are here, when you get to the
44 mic, it's best for the record and for everyone else to,
45 you know, say I'm so and so from whatever department
46 and agency. I'll try to capture you all here, I'm sure
47 I'll miss one or two names, and I apologize ahead of
48 time.
49
50 Russ Holder is here, Federal in-season

1 manager, Fish and Wildlife Service.

2

3 Pippa Kerner.

4

5 MS. KENNER: Kenner.

6

7 MR. MATHEWS: Is the recent hirer as
8 the Staff anthropologist with the Office of Subsistence
9 Management out of Anchorage.

10

11 Fred Bue with the Alaska Department of
12 Fish and Game is the fall in-season manager for the
13 State.

14

15 Kristin Mull is with the Bureau of Land
16 Management, and I don't know her title. She's here on
17 a topic that you guys brought up at your last meeting.

18

19 Next to her is Becca Robbins and she's
20 with Yukon River Fisheries Drainage Association and
21 she's here in particular to talk to you about topics
22 that you had in the past on fisheries.

23

24 As always, Terry Haynes with the Alaska
25 Department of Fish and Game, Wildlife Division.

26

27 Next to him is Amy Craver who is the --
28 I think her title is anthropologist with Denali
29 National Park but she's your key liaison with the
30 Denali Subsistence Resource Commission. And for,
31 Mathew, we'll talk more about commissions, you need to
32 talk to Sue about the relationship with commissions,
33 it's an important relationship.

34

35 Brandy Berkbigler with the Tanana
36 Chiefs Conference. She's a regular at your meeting,
37 she's a fish biologist for Tanana Chiefs.

38

39 Mike Smith is around somewhere, I don't
40 see him in the room, he is the wildlife and parks
41 director for Tanana Chiefs.

42

43 Dani Evenson, Alaska Department of Fish
44 and Game. She'll be providing you valuable information
45 today.

46

47 Next to her is George Pappas who is the
48 liaison for the Subsistence Program of the Alaska
49 Department of Fish and Game, again a person you all
50 need to know so you can interface with the liaison part.

1 Next to him is Connie Friend with the
2 Tetlin National Wildlife Refuge.

3
4 Then there's Barbara Cellarius the
5 anthropologist with Wrangell-St. Elias, and she's the
6 one that works closely with the Wrangell-St. Elias
7 Subsistence Resource Commission. It's a valuable
8 thing, she's bringing information on that.

9
10 In front is -- I'll introduce him the
11 way I know him, he's the Chief of the village of
12 Beaver, which is Paul Williams. He's also Refuge Staff
13 for the Yukon Flats National Wildlife Refuge.

14
15 And then next is Tom Kron who's with
16 the Office of Subsistence Management out of Anchorage.

17
18 I'm Vince Mathews, the regional
19 coordinator for Eastern and Eastern Interior. And I
20 think this is the first time I didn't make a mistake.
21 Anyways I think that's all the -- oh, the gentleman in
22 the back, I don't know.

23
24 MR. DUBEY: I'm Bob Dubey, Yukon River
25 Drainage Fisheries Association. Recently came in as
26 their fisheries biologist.

27
28 MR. MATHEWS: Okay. When he gets up to
29 the mic we'll repeat that.

30
31 MADAME CHAIR ENTSMINGER: You got Fred
32 Bue, right?

33
34 MR. MATHEWS: Yes, I had Fred on there.
35 There'll be other Staff coming and going, as you know
36 this meeting's been rescheduled so people are trying to
37 jump on flights, and, et cetera. So there are other
38 Staff.

39
40 Andy Bassich will be coming in
41 hopefully if the weather allows him out of Eagle around
42 noon. And other than that, as you know, Virgil is
43 delayed, possibly because of roads.

44
45 And with that if you would like I can
46 go to housekeeping.

47
48 MADAME CHAIR ENTSMINGER: Good idea.

49
50 MR. MATHEWS: Okay. I always do this

1 and people laugh but it's part of what we have to do is
2 safety. Obviously you entered the room, if there's an
3 incident you can go out the door, the double door that
4 you came in and there's a door behind me. This is a
5 hotel, I already talked to them about their safety
6 procedures but just in case you need something I have a
7 First Aid kit here present and there's other staff that
8 are trained in First Aid and CPR, hopefully we never
9 have to use that.

10

11 Lunch. There is no restaurant here.
12 So there's a lot of vehicles in the room here, that's
13 an option, or we can explore placing orders and have
14 somebody run for it, so that may be something we do
15 later in the meeting. The same with dinner, I do have
16 a vehicle that I can drive and take you wherever you
17 need to go. We weren't able to get a place that had a
18 restaurant associated with it due to AFN.

19

20 Okay. The other thing is there's a
21 whole bunch of meeting materials, and for the public
22 that have not attended the meeting, each of the Council
23 members gets a notebook like this and in there is all
24 the materials that could not get into their meeting
25 booklet, which there are extra ones back there. When
26 you have handouts you need to give them to myself or
27 Salena here because we need to have an official but we
28 need to make sure all the Council members get a copy
29 and key Staff, so don't hand them out to the Council
30 members, please give them to one of us two.

31

32 I don't think I'll go through all this
33 material that's in there, there's quite a bit in there,
34 and I'll try to reference it when needed when they come
35 up.

36

37 And then since we're in Fairbanks, you
38 can add new stuff to it. If you put your name on it
39 and let me know what it is I can mail it to you if you
40 don't want to haul it back on the plane or in your car.

41

42

43 Finally, it's that time of year for
44 applications, and I will pass these around but the key
45 people's seats that are up, it's the 2000 seats, which
46 is Bill Glanz.....

47

48 MADAME CHAIR ENTSMINGER: 2000, you
49 just said 2000.

50

1 MR. MATHEWS: 2008.
2
3 MADAME CHAIR ENTSMINGER: Yeah.
4
5 MR. MATHEWS: Bill Glanz, Amy Wright,
6 Andy Bassich are the three seats that are up, so
7 definitely you need to get an application, the due date
8 is January 11th. For incumbents I'll be hounding you
9 several times on that, but it would be nice if you took
10 it and filled it out, even here if you would like and
11 then go from there.
12
13 That's all I have Madame Chair. So
14 I'll pass these around. For the remaining copies they
15 can be set out there and if you know of people that are
16 interested it'd be great. The more we have apply the
17 better we off we are.
18
19 That's all I have, thank you.
20
21 MADAME CHAIR ENTSMINGER: Thank you,
22 Vince. Vince, are the ones that are up in '07, is that
23 out?
24
25 MR. MATHEWS: No, the appointments for
26 2007 are still pending. Last I heard they're still
27 being worked out in Washington, D.C. That's not
28 abnormal, sometimes we get the announcements in
29 November. And they won't start serving until what we
30 call the winter meeting, which is February/March.
31
32 MADAME CHAIR ENTSMINGER: Thank you.
33 Okay, does anyone have any questions of Vince.
34
35 (No comments)
36
37 MADAME CHAIR ENTSMINGER: All right.
38 Now, we're up to the Chair's report and I'm going to
39 wing this because I didn't prepare something.
40
41 I went to the Federal Board meeting for
42 our Council. Amy's been there. It's quite a process
43 actually how they take up proposals and everything.
44 But there's 10 Regional Councils and it's set up like
45 this but it's huge. The Board members are across the
46 front and then there's five Councils on each side. And
47 they take up proposals by region. So you end up
48 sitting there through each region and, you know,
49 sometimes you wonder, hum, maybe there's more things I
50 should be doing. But actually it's quite the learning

1 process because sometimes something does affect you
2 from another region and you have the opportunity to
3 speak so it's kind of neat and I'm going to be
4 encouraging more than just the Chair to go to Federal
5 Board meetings. Richard.

6

7 (Laughter)

8

9 MADAME CHAIR ENTSMINGER: he's already
10 been alerted. Because I think, and sometimes,
11 specially these fisheries issues on the Yukon that
12 somebody from the Yukon may have a lot more input than
13 myself, or the experience for those types of things.

14

15 So I will report, at that meeting,
16 Vince probably can give you a better synopsis of what
17 happened, I think we have in our paperwork that you've
18 sent us. But the one thing that really interested me
19 was our proposal for wolves to lengthen that season in
20 May and I ended up feeling a little, for us in this
21 region, a little distraught, because they -- the Staff
22 had come up with something saying, oh, this is looked
23 at as wolf control. Now, if I'm saying this in the
24 wrong manner, sorry. But it come across to me that we
25 were just wanting to lengthen the season which is
26 already open in the State's season anyway and then I
27 told them that I'd take back to my Council, that I
28 don't think we would look at -- we would be somewhat
29 offended and I would hope that you guys agree, that
30 we're looking at one month season lengthened that's
31 already lengthened in the State, is just making it a
32 parallel season, that we would be offended that you'd
33 call it wolf control.

34

35 So, you know, some of the highlights
36 that I remember from the meeting.

37

38 And if you guys have any questions, we
39 can look at what passed and didn't pass.

40

41 Then I attended an SPC meeting for the
42 Wrangell-St. Elias for us there. And, unfortunately
43 they didn't have a quorum, they were one shy, but we
44 went through reports. And I think one of the
45 interesting things was this new thing coming out on
46 invasive plants. There was a report on invasive plants
47 that was very interesting. I thought dandelion might
48 be one of the worst ones and it's not, it's not as bad
49 as this vine that they talked about. And Amy and I
50 spoke of this and she has it in her.....

1 MS. WRIGHT: In my yard.
2
3 MADAME CHAIR ENTSMINGER:in her
4 horse yard.
5
6 MS. WRIGHT: Uh-huh.
7
8 MADAME CHAIR ENTSMINGER: Yeah. But
9 let's see then there was a firewood permit issue
10 brought up. Wrangell-St. Elias does not -- has not
11 required us to have a collecting permit for firewood
12 and now they're thinking they should do that. And the
13 reason being is that somebody cut some logs or trees in
14 a stream that the fishery's guy thinks would create
15 habitat for fish to go up the stream and, therefore,
16 they don't want to see us cut firewood like that. So
17 there's -- you know, and as a user you get kind of
18 like, hey, I don't really appreciate you -- for, what,
19 since Wrangell-St. Elias was in there, since 1980, now
20 we got to get a firewood permit to cut firewood, so
21 just things like that. And they didn't really say that
22 they were going to do it or not do it so maybe Barbara
23 can tell us a little bit more about that in her report.
24
25 So now, Vince, should we go through
26 this concerns now or wait until Virgil gets here?
27
28 MR. MATHEWS: Well, I think it would be
29 best to wait.
30
31 MADAME CHAIR ENTSMINGER: Okay.
32
33 MR. MATHEWS: The reason I say that is
34 it's easier on all of us to understand everyone's
35 concerns so Virgil can add or subtract to it.
36
37 MADAME CHAIR ENTSMINGER: Okay.
38
39 MR. MATHEWS: Mathew has read over the
40 book and I have talked about, so I think he's up to
41 speed on the proposals you just addressed, but if
42 there's questions on that we can do that.
43
44 MADAME CHAIR ENTSMINGER: Okay.
45
46 (Teleconference connects)
47
48 MR. MATHEWS: It sounds like.....
49
50 MADAME CHAIR ENTSMINGER: It looks like

1 we can't do anything then until we get Virgil in here
2 and go up to the fisheries issues, am I right here,
3 Subsistence Fisheries Post-Season review and I have a
4 feeling Virgil would want to hear about this.

5
6 MR. MATHEWS: Yes. And just for the
7 record, who joined us on line?

8
9 MR. RIVARD: Rivard.

10
11 MR. MATHEWS: Okay. Don Rivard just
12 joined on line for the record.

13
14 Don, we moved ahead. When I talked to
15 you earlier we were going to -- anyway, we moved ahead
16 just to do housekeeping stuff and preliminary stuff to
17 wait for when Virgil arrives and then there'll be a
18 quorum. So right now we've just completed the Chair's
19 report and that's all.

20
21 MADAME CHAIR ENTSMINGER: Well, I'm
22 looking at the agenda wondering what else we can cover
23 without Virgil because I know he's going to want to
24 hear some of these fisheries reports.

25
26 MR. MATHEWS: Yes, we could probably do
27 Staff reports. And I failed to point out one thing, I
28 put in your pile of materials, the new operations
29 manual for you. for Mathew it's in a question and
30 answer format, this is your bible and it will help you
31 quite a bit and obviously if you have any questions get
32 a hold of myself or other Staff.

33
34 I suppose we could move into agency
35 reports.

36
37 MADAME CHAIR ENTSMINGER: Vince, I saw
38 Barbara raise her hand.

39
40 MR. MATHEWS: Yeah, maybe Barbara
41 could.....

42
43 MADAME CHAIR ENTSMINGER: Did you have
44 a time.....

45
46 MS. CELLARIUS: Well, I was going to
47 say I could do the Park Service agency report.

48
49 MR. MATHEWS: Okay.

50

1 MADAME CHAIR ENTSMINGER: Will you be
2 here for the meeting?

3
4 MS. CELLARIUS: I'm going to be here
5 the whole meeting.

6
7 MADAME CHAIR ENTSMINGER: Yeah, okay,
8 well, there's -- let's see, what were you going to
9 suggest Vince.

10
11 MR. MATHEWS: Well, Tom was mentioning
12 agency reports. I don't know if you meant the fish
13 reports if you meant the general reports.

14
15 MR. KRON: Well, Item No. 9 for
16 example.

17
18 MR. MATHEWS: Oh, yes, that would work.
19 And, again, we could go over them again. What he's
20 talking about is, as you know, the Office of
21 Subsistence Management has various agency reports and
22 if I got this correctly, and Tom can correct me, I
23 don't think there's any action items there, it's mainly
24 informational and update.

25
26 MR. KRON: Yep.

27
28 MADAME CHAIR ENTSMINGER: Okay.

29
30 MR. MATHEWS: So Virgil would not be,
31 you know, missing, and he already has it in the
32 booklet. So that would be an option, that would be
33 Item No. 9 on the agenda.

34
35 MADAME CHAIR ENTSMINGER: Well, let's
36 go ahead on that one and the first one on the agenda
37 would be the status of Closure Policy, is that Steve
38 Klein or is that Tom Kron.

39
40 MR. KRON: Yes, Steve -- Madame Chair,
41 Steve Klein was not able to attend, he's taking his son
42 to college to get him started, so it's an important
43 job, so I'm sitting in for him.

44
45 MADAME CHAIR ENTSMINGER: Okay.

46
47 MR. KRON: Madame Chair. Members of
48 the Council. The Status of Closure Policy information
49 is in your Council books on Page 139. And also in the
50 packet that Vince passed out, the green folder, is an

1 actual copy of what we got back from Secretary Dirk
2 Kempthorne on August 29th, you know, details of the
3 closure policy. I'll give you a quick update.

4
5 The Federal Subsistence Board was
6 directed by the Secretary in October 2005 to draft a
7 policy. All 10 Regional Councils reviewed a draft of
8 this policy in their winter 2006 meetings. Revisions
9 were made to the draft policy based on comments from
10 the public, the Councils, the State of Alaska and the
11 Solicitor's Office.

12
13 On August 25th, the Federal Subsistence
14 Board took more public comments and tasked a
15 subcommittee of the Board to continue working on the
16 draft policy. In late August 2007, the Board received
17 notice from the Secretary that the policy had been
18 approved. Copies, again, were included in the green
19 folder that you have in front of you with a cover
20 letter from the Secretary.

21
22 Decisions regarding whether or not to
23 implement closures or restrictions are controlled by
24 title VIII of ANILCA. The Board will implement
25 closures or restrictions on Federally managed lands and
26 waters only in accordance with certain statutory
27 specified criteria. For instance:

28
29 When fish and wildlife populations are
30 insufficient to sustain taking for all
31 uses, taking for non-subsistence uses
32 may be reduced or prohibited.

33
34 When fish and wildlife population are
35 insufficient to sustain takings for all
36 subsistence uses, the resources shall
37 be apportioned between Federally-
38 qualified subsistence users according
39 to the criteria set forth in ANILCA,
40 Section .804.

41
42 In the worst case situation where fish
43 and wildlife populations are
44 insufficient to sustain takings for any
45 uses, all takings must be prohibited.

46
47 Each closure shall be subject to Board
48 review at least every three years to ensure that a
49 closure does not remain in place any longer than
50 necessary.

1 So, again, that's the overview, but a
2 copy of the actual policy is in yellow there in your
3 folder, and you can look at that during the meeting and
4 ask questions, you know, now or later, whatever your
5 choice.

6
7 Thank you, Madame Chair, that concludes
8 my report.

9
10 MADAME CHAIR ENTSMINGER: Thank you.
11 Tom. Let the record reflect that Virgil has arrived
12 and we do have a quorum.

13
14 But we want to continue. On this
15 report, does anyone have any questions.

16
17 (No comments)

18
19 MADAME CHAIR ENTSMINGER: No questions.
20 I probably have a hundred but I can't think of them
21 right now, so we'll look at this.....

22
23 MR. KRON: Okay.

24
25 MADAME CHAIR ENTSMINGER:and
26 probably talk about if anything comes up in anyone's
27 mind.

28
29 Thank you, Tom.

30
31 Actually before you leave.....

32
33 MR. KRON: Okay.

34
35 MADAME CHAIR ENTSMINGER:this is
36 the policy now, to my understanding, when the Federal
37 Subsistence Board would close Federal lands to anyone
38 -- to everyone if it's open to everyone, it's just
39 policy, how does it differ from what we've done before,
40 in short.

41
42 MR. KRON: Madame Chair. I don't think
43 it differs. You'll recall that we did closure reviews
44 here a couple years back and basically the thing that
45 this policy does is it says that we will periodically
46 do reviews of the closure areas. So basically based on
47 proposals and some of which probably are going to come
48 from Staff, if we don't get them from the public or the
49 Department, we will be reviewing closures that the
50 Federal Subsistence Board has put in place just to

1 reaffirm that they're needed or, you know, if the
2 decision is to remove them. So we're going to be
3 diligent in doing that.

4
5 That, I think, is the most significant
6 aspect associated with this.

7
8 Thank you, Madame Chair.

9
10 MADAME CHAIR ENTSMINGER: And what was
11 the timeframe?

12
13 MR. KRON: The intent is to do it as
14 needed but we're looking at every three years.

15
16 MADAME CHAIR ENTSMINGER: Okay. Okay,
17 thanks Tom.

18
19 MR. KRON: Thanks.

20
21 MADAME CHAIR ENTSMINGER: All right, we
22 might as well go through the agenda as it's written.
23 Yes, I see your hand.

24
25 MR. MATHEWS: Yes, just to get it on
26 the record the Council members that are present here,
27 there are six of them. The ones that are absent, and
28 Andy will be arriving, Andy Bassich should be arriving
29 at noon, assuming weather lifts. Bill Glanz had a
30 medical situation and could not attend. Gerald is not
31 present. Donald Woodruff, which he's made it clear to
32 the Council several meetings back, this is a difficult
33 time for him to get to meetings and he had to get to
34 his trapping cabin or either be iced in or iced out.
35 So the four that are not present are Andy, Bill, Gerald
36 and Donald, so you have a quorum of six.

37
38 And that's it, Madame Chair, so that
39 would bring you back up to review and adoption -- oh,
40 Council member concerns, excuse me.

41
42 Thank you.

43
44 MADAME CHAIR ENTSMINGER: So we covered
45 No. 2 roll call, correct.

46
47 MR. MATHEWS: Yes.

48
49 MADAME CHAIR ENTSMINGER: Okay.

50

1 MR. MATHEWS: Yes we did.
2
3 MADAME CHAIR ENTSMINGER: Okay. Now,
4 Council members, we're on No. 4 Regional Council
5 members concerns.
6
7 Richard, would you like to start.
8
9 MR. CARROLL: Yes. Well.....
10
11 MADAME CHAIR ENTSMINGER: Push your
12 button first.
13
14 MR. CARROLL: Well, I don't have a lot
15 of concerns right now. Actually I thought we had a
16 fairly decent salmon run up the river, I mean it took
17 us longer to catch our normal amount of salmon but I
18 thought everybody that I talked to was satisfied. I
19 understand there was some law enforcements in the Yukon
20 Flats and so that's good, that's something that we
21 wanted to see is increase the law enforcement.
22
23 I haven't heard anything, we were
24 concerned about the Dalton Highway Corridor and the
25 hunting up there and the trespassing that's been going
26 on up there, so I haven't heard actually what was
27 stepped up, but I think they -- I think something
28 happened.
29
30 But that's it for me.
31
32 MADAME CHAIR ENTSMINGER: Okay, we'll
33 probably get a report on some of that later on in the
34 meeting.
35
36 Virgil.
37
38 MR. UMPHENOUR: Thank you, Madame
39 Chair. Well, my concern is still the age structure of
40 the Yukon River king salmon and the sustainability of
41 them.
42
43 Since our last meeting the Fairbanks
44 Advisory Committee submitted a petition to the Board of
45 Fisheries, which was rejected, saying that they had
46 just reviewed it and so then they submitted an agenda
47 change request which was heard about 10 days ago or so.
48 I attended that meeting and when we get to our
49 proposal, which is the same exact thing, I'll present
50 to all the Council members and the Staff the submission

1 that I presented at that time.

2

3 The Department of Fish and Game, this
4 last week on the 10th, I believe the 10th of October,
5 came to the Fairbanks Advisory Committee meeting and
6 presented their 2007 Preliminary Yukon River Summer
7 Season Summary, I assume they're going to do that at
8 this meeting. I see Mr. Bue here so he's probably
9 going to do that and so when he does that I'll address
10 some issues that are obvious there.

11

12 But that's still my concern is the age
13 structure of the king salmon on the Yukon River.

14

15 And then the lack of management of
16 predators in places like the Yukon Flats.

17

18 Thank you, Madame Chair.

19

20 MADAME CHAIR ENTSMINGER: Thank you,
21 Virgil. We know he's very passionate about the age
22 structure of the fish.

23

24 I will go ahead and address mine and
25 continue down the line here.

26

27 I guess I would just like to say that
28 some of my main concerns is the management of wildlife
29 in Alaska, having these two systems and sometimes
30 having them be so complicated that the user has a
31 difficult time knowing what they can and can't do in
32 the field. And if there's a way to make that simple,
33 I'd really love to see us be working in that light.

34

35 And then I'd reiterate the issue of
36 predators and how we can work that together actually
37 with Federal system and the State system to make more
38 use of wildlife for subsistence use.

39

40 And that's it from me and we'll go over
41 to James.

42

43 MR. NATHANIEL: Thank you, Madame
44 Chair. I don't have very much concern at this time.

45

46 But in our district we still have a
47 problem with moose population. And hardly anyone got
48 moose this fall in our community. And, you know,
49 during David Salmon's funeral, they had a potlatch up
50 there and there was no meat in town, no meat in the

1 community so they had to get moose from here,
2 Fairbanks, that's how bad it was. And I contacted the
3 Yukon Flats Advisory Committee to see if we could come
4 up with something about our moose population in Yukon
5 Flats. It's pretty bad when no one gets meat or moose.

6
7 So that's a concern that people have in
8 my area, lack of meat.

9
10 I don't know if I should bring this up
11 now or -- it's a concern that my people have in my
12 area, during the funeral a lot of people came and went
13 and I talked to a lot of people from Ft. Yukon, the
14 past Chief, I guess you guys know Nancy James, people
15 like that and they said, how come they transferred this
16 meeting over here instead of Ft. Yukon. A lot of
17 concerns I get from the people and I could not answer
18 them directly, I didn't know why, and they should have
19 postponed the meeting and still be held in Ft. Yukon.
20 That's the kind of concern that people have, I had to
21 bring it up.

22
23 So I guess with that, I guess I don't
24 have any other concern. But I tell you my freezer is
25 empty right now, no fish, no meat. So that's how bad
26 it is.

27
28 Thank you.

29
30 MADAME CHAIR ENTSMINGER: I'd say
31 that's pretty bad. We're going to cover that, I want
32 to make sure we talk about that concern.

33
34 MR. NATHANIEL: Okay.

35
36 MADAME CHAIR ENTSMINGER: Okay. Go
37 ahead.

38
39 MR. FRENZL: Thanks. Our area isn't
40 really known for too much of a subsistence area.
41 Sporthunting. We do have a sizeable silver salmon run
42 but really our concerns are more directly related to
43 maintaining a rural policy in our area. To me, that's
44 probably a major concern, of course, that's not going
45 to be addressed for quite a while down the road, but
46 that, to us is a big issue in Delta.

47
48 And I also want to work with the
49 members here and get more familiar with the procedures
50 and what not and so that's a concern, personally, but

1 our area, at this point, doesn't have a lot of major
2 concerns.

3

4 MADAME CHAIR ENTSMINGER: Thank you,
5 Mathew. Amy.

6

7 MS. WRIGHT: There's not a lot going on
8 around the Tok area for fishing concerns. But I have
9 been contacted and have contacted numerous people who
10 consistently fish on the Yukon and it's been becoming
11 pretty clear, to me, that the fishermen are really
12 getting tired of carrying the burden of maintaining the
13 stock. It seems like they're the ones that are always
14 asked to give concessions and they don't feel like
15 enough's being done out at sea, whatever we can
16 actually do on that, I have no idea. As for the
17 illegal take and the wanton waste and the bycatch is
18 things that need to be addressed as opposed to asking
19 someone who catches 50 fish a year to change the way
20 they live.

21

22 So that's the concerns that I've been
23 hearing.

24

25 Thank you.

26

27 MADAME CHAIR ENTSMINGER: Thank you,
28 Amy.

29

30 I might actually ask -- or include
31 another concern. My husband is on the AC for the Upper
32 Tanana Fortymile and they just had a meeting Wednesday
33 night. There's quite a big concern over the caribou up
34 there and how it's been managed because of 1,400 people
35 coming up the highway all at one time and the quota for
36 the caribou being 290 and 240 be taken in one day when
37 they're hitting the highway like that. So I bet we're
38 going to hear about that at some point when wildlife
39 comes up.

40

41 Okay. I think that covers the
42 concerns. And, Vince, is it possible for you to put on
43 the record something to answer James' concern about the
44 Ft. Yukon meeting being postponed.

45

46 MR. MATHEWS: Yes. Yes, you can.

47

48 MADAME CHAIR ENTSMINGER: Uh-huh.

49 Okay, go ahead.

50

1 MR. MATHEWS: Okay. I'll try to keep
2 this concise because it will sound confusing. I did
3 share this with James. I've left messages with Nancy
4 James in Ft. Yukon and I did consult with Ft. Yukon
5 Staff.
6

7 But the window for the meeting that we
8 have for this fall is November 1st and to pull off the
9 meeting that would have allowed it to be in Ft. Yukon
10 would have placed us in AFN week and I already knew
11 that we could not meet a quorum that week. So the
12 following week, all the Staff that's here on the
13 Federal side would be in Galena for the Western
14 Interior meeting. So the only option that was left was
15 to meet here in Fairbanks at this time, right before
16 AFN. I know that doesn't meet the needs for Ft. Yukon,
17 to have a face to face meeting. I did talk to their
18 Staff up there and faxed them up the teleconference
19 number so they could participate by teleconference,
20 but, again, I know very well that's not as productive
21 as a face to face. But with the structure time and AFN
22 and other Council meetings there was no other option.
23

24 James and I have talked and he
25 indicated, well, why not meet later than that. We
26 can't. The Board meets in December, the Staff
27 Committee meets in November so there was really no
28 other time available to pull this meeting off unless
29 the Council did not want to share its recommendations
30 on pending fishery proposals, which I know you would
31 not want to do.
32

33 So that, hopefully, is clear, without
34 having a calendar in front of you to lay that all out.
35

36 MADAME CHAIR ENTSMINGER: Thank you,
37 Vince. Vince, would it be a short and sweet letter to
38 request of you to send that to Ft. Yukon.
39

40 MR. MATHEWS: Yes, I can do that. And
41 I've conveyed that in different ways through Staff, but
42 I can do that, yes.
43

44 MADAME CHAIR ENTSMINGER: I think it'd
45 be real appropriate to explain to them the parameters
46 that the Council is in and we actually would like to
47 express our condolences to the loss of their Chief.
48

49 Okay, I've become blind as a bat close
50 here so I've got to take these on and off a lot. Now,

1 we can review and adopt the agenda with a quorum.

2

3 Is there any changes to the agenda, as
4 is.

5

6 (No comments)

7

8 MADAME CHAIR ENTSMINGER: If not I'm
9 going to ask you to approve them as they are with no
10 objections.

11

12 (No objections)

13

14 MADAME CHAIR ENTSMINGER: Okay, so
15 we're going to go down this as is unless something
16 earth shaking happens in the meantime.

17

18 Now, I'm going to ask you to look at
19 the minutes, we've got to approve the minutes from the
20 Arctic Village meeting and it's in the book, Page 19.
21 Do you need to review them, have you reviewed them --
22 no -- no, let's take a minute. Let's see there were
23 only four of us that were there.

24

25 (Pause)

26

27 MADAME CHAIR ENTSMINGER: Go ahead,
28 Virgil.

29

30 MR. UMPHENOUR: I've reviewed the
31 minutes and they look fairly accurate to me, I don't
32 have any corrections or additions to the minutes.

33

34 MADAME CHAIR ENTSMINGER: Now, is that
35 a motion to approve.

36

37 MR. UMPHENOUR: Well, I move to accept
38 the minutes.

39

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

42

43 MR. CARROLL: Second.

44

45 MADAME CHAIR ENTSMINGER: Okay. Anyone
46 opposed.

47

48 (No objections)

49

50 MADAME CHAIR ENTSMINGER: Will that

1 work.

2

3 (Council nods affirmatively)

4

5 MADAME CHAIR ENTSMINGER: Thank you.

6 Okay, the minutes are approved with no objections.

7

8 Now, we're going into fisheries issues,
9 Subsistence Fisheries Post-Season Review, No. 1 is the
10 Yukon River. I don't know who is giving us that, Russ,
11 that's Russ, okay, go ahead.

12

13 MR. MATHEWS: While Russ is getting up
14 there, for Staff that are not familiar with our agenda,
15 there is an opportunity to present agency reports that
16 are related to pending fishery proposals prior to them
17 taking up the proposals. But if you just have a
18 general report, this would not be the time to do that,
19 unless you have concurrence from the Chair. Just so
20 you know. And for other Staff, the computer is set up
21 and all that, we may need a break when that gets to
22 that stage for presentations to make sure it all works.

23

24 Thank you.

25

26 MADAME CHAIR ENTSMINGER: Yeah, I'd
27 like to take a two or three minute break right now and
28 then we'll come back.

29

30 (Off record)

31

32 (On record)

33

34 MADAME CHAIR ENTSMINGER: We're going
35 to try to get back in order here.

36

37 (Pause)

38

39 MADAME CHAIR ENTSMINGER: We're going
40 to call this meeting back to order.

41

42 Okay, while Virgil's walking up I'd
43 like you to go ahead there Russ.

44

45 MR. HOLDER: Thank you, Madame Chair.
46 Good morning Council. My name is Russ Holder, and I'm
47 the Yukon River Federal fisheries manager with Fish and
48 Wildlife Service. And I've provided you with a handout
49 which is entitled the Overview of the 2007 Yukon River
50 Salmon Season and in order to provide consistency for

1 the three Councils that we're sharing information with
2 I'm going to go ahead and read that into the record.

3

4 In summary the summer season was
5 difficult to manage due to chinook salmon run size
6 returning significantly less than expected and the
7 above average abundance of summer chum salmon returning
8 earlier than normal. The fall chum salmon run was late
9 and not as strong as projected, while the coho salmon
10 run was early and above average in run strength.
11 Managers have heard that subsistence fishers had to
12 work harder than usual to achieve subsistence harvest
13 goals for chinook salmon and in some cases may have not
14 achieved their goals. Overall 2007 was a challenging
15 fishing season in terms of managing for escapement
16 objectives, providing preferential subsistence
17 opportunities and for ADF&G to provide commercial and
18 other harvest opportunities.

19

20 Fish and Wildlife Service Staff worked
21 cooperatively with Alaska Department of Fish and Game
22 Staff to develop the pre-season and in-season
23 management approaches which were distributed in May as
24 the golden colored information sheet entitled the 2007
25 Yukon River Salmon Fisheries, and I'm holding up a copy
26 for you here. If you haven't received one, I have this
27 one that you can take a look at. This sheet was mailed
28 by Fish and Game to all Yukon River subsistence
29 households and commercial fishing permit holders.
30 Managers entered the season anticipating that the four
31 primary Yukon River salmon runs would return with
32 sufficient abundance to meet escapement objectives,
33 provide for normal subsistence harvest and provide for
34 additional harvest opportunities. The chinook salmon
35 run was anticipated to be average to below average and
36 similar to the 2006 run. The summer chum, fall chum
37 and coho salmon runs were anticipated to be average to
38 above average.

39

40 Run strength assessment of the in-
41 season abundance of chinook and summer chum salmon was
42 based on the lower River test fishery, Pilot Station
43 sonar and subsistence fishermen catch reports. The
44 summer season began with near average ice break up in
45 the lower river, low water levels and low fish
46 abundance.

47

48 The first pulse of chinook salmon was
49 observed in the Fish and Game lower river test nets
50 projects on June 14th to 17th, with subsequent chinook

1 salmon pulses occurring on June 20th through 24th and
2 June 27th through 28th. Chinook salmon entry timing
3 was about one day later than average and finished with
4 a below average catch per unit effort as measured by
5 the Fish and Game lower river test net project. The
6 preliminary end of season Pilot Station sonar estimate
7 was approximately 125,000 fish, chinook salmon, as
8 compared to the 2006 passage of 169,000.

9
10 Summer chum salmon run strength was
11 above average and improved over the abundance
12 experienced from 1997 to 2004 but not as strong as the
13 2000 and 2006 runs. The 2007 in-season passage of 1.7
14 million fish was greater than the average of 1.5 summer
15 chum salmon.

16
17 Most subsistence salmon fishermen
18 delayed their fishing effort due to high gas prices and
19 low fish numbers early in the season. The windowed
20 subsistence salmon fishing scheduled was initiated on
21 May 28th in District 1 and was implemented
22 chronologically up river as the run progressed up
23 stream. Subsistence salmon in-season harvest
24 information collected by both Fish and Wildlife Service
25 and Fish and Game indicated that most fishermen were
26 able to obtain their subsistence harvest goals except
27 for some fishers in the Koyukuk River drainage if they
28 started fishing prior to or during the first pulse of
29 fish. However the below average chinook salmon run and
30 atypical decrease in abundance during the middle of the
31 run made catch rates poorer than average and increased
32 the amount of time needed to catch fish. Many
33 fishermen reported fishing one to two weeks more than
34 average. The high water temperatures in the upper
35 portion of the drainage made checking nets and wheels
36 more often an important factor and fishermen commented
37 this increased the effort and time spent fishing.
38 Combined with high gas prices, subsistence fishing for
39 chinook salmon was challenging this year with many
40 fishermen commenting that they anticipated making their
41 immediate family subsistence salmon harvest goals,
42 however many families commented that their harvests
43 were not enough to share with extended family like they
44 normally would.

45
46 The subsistence salmon fishing schedule
47 was liberalized in the lower river districts to 7 days
48 per week, 24 hours per day fishing beginning in
49 District 1 on June 18th when 33 percent of the run had
50 passed. Subsistence fishing time was liberalized up

1 river with similar chronological timing. Additional
2 liberalizations to the subsistence salmon fishing
3 schedule were provided in District 4 to address
4 difficulties local fishermen described harvesting their
5 subsistence chinook salmon including the Federal drift
6 gillnet fishery in Subdistricts 4-B and 4-C.

7
8 In December of 2004 the Federal
9 Subsistence Board adopted a regulation that provided
10 Federally-qualified subsistence fishermen the
11 opportunity to use drift gillnets no more than 150 feet
12 long and no more than 35 meshes deep to harvest chinook
13 salmon in Subdistricts 4-B and 4-C. In 2007 a total of
14 12 permits were issued by Koyukuk Nowitna National
15 Wildlife Refuge Complex Staff to rural residents,
16 mostly from Galena. Of the seven permittees who have
17 reported their fishing activity three reported fishing
18 with 13 chinook salmon in 18.5 hours of fishing. It
19 appears there remains some interest in this fishing
20 opportunity but Subdistricts 4-B and 4-C fishermen have
21 not reported finding productive drifting spots within
22 Federal public waters.

23
24 Based on the pre-season outlook and the
25 management strategy utilized in 2006 a short early
26 commercial period was opened in District 2 on June
27 15th. This period was intended to foster commercial
28 market interest. The next commercial period targeting
29 chinook salmon was in District 1 on June 18th, two days
30 after the first quarter point at the lower Yukon test
31 fishery.

32
33 Due to less than expected chinook
34 salmon abundance during the middle portion of the run
35 chinook salmon directed commercial fishing was
36 discontinued after June 26th. In total approximately
37 33,600 chinook salmon and 196,200 summer chum salmon
38 were harvested in commercial periods in the Alaska
39 portion of the drainage.

40
41 Post-season evaluation of the chinook
42 and summer chum salmon escapement numbers confirmed
43 that most Alaskan escapement goals were achieved,
44 although the passage of chinook salmon into Canada was
45 less than expected. Based on the panel established
46 escapement goal and the harvest sharing arrangements
47 contained in the U.S./Canada/Yukon River Agreement, it
48 was expected that the total border passage for 2007
49 would be at least 45,500 chinook salmon as measured by
50 the mark/recapture program. However, there was a

1 shortfall in the return to Canada with the projected
2 Canadian border passage estimate of 23,000 fish as of
3 August 30th. The Canadian aboriginal fishery proceeded
4 normally, although the commercial and domestic
5 fisheries were not allowed in 2007 due to the low run
6 strength.

7
8 Shifting to the fall season. The 2007
9 fall season had an unusually late entry of fall chum
10 salmon and an in-season run size well below the
11 preseason projection of one million fish. Based on
12 sonar cumulative passage estimates, historical average
13 run timing, preliminary genetic information and
14 Mountain Village test fishery catches, the 2007 fall
15 chum salmon run was estimated to be between 600,000 to
16 700,000 fish as of September 1. The fish entered in
17 three significant pulses on August 6th through 8th,
18 August 12th through 13th, and August 24th through the
19 26th. Post-season the 2007 fall chum run size appears
20 to have been near the pre-season projection based on up
21 river assessment project information. The coho salmon
22 run began early and it appears that the run size was
23 above average for the season.

24
25 The outlook for 2008 will be prepared
26 by Fish and Game after escapement information and age
27 composition analysis are completed over the next
28 several months.

29
30 Page 3 of your handout identifies the
31 salmon assessment projects coordinated by the Fairbanks
32 Fish and Wildlife Field Office, their 2007 counts and
33 how those counts compare to historical information.

34
35 Page 4 graphically displays the delay
36 in chinook salmon harvest timing and potential unmet
37 harvest goals for both lower Yukon villagers in the
38 upper figure and upper Yukon villagers in the bottom
39 figure as documented by the Fish and Wildlife Service
40 in-season catch interview project.

41
42 This concludes my presentation. And,
43 Dani Evenson, with the Alaska Department of Fish and
44 Game has additional information to provide you
45 regarding the 2007 salmon season.

46
47 Thank you.

48
49 MADAME CHAIR ENTSMINGER: Thank you,
50 Russ. Council members, do you want to ask questions

1 now or hear the next report, since it's related.

2

3

Go ahead, Richard.

4

5

MR. CARROLL: I have a comment and/or possibly a question. The village of Venetie, I understand they got a good run of king salmon, went up the Chandalar River, I see it's not mentioned on here on the sonar camp on the Chandalar and the chinook salmon.

10

11

But, you know, we were talking about it back there and wondering what's going on, it's been increasing every year the last four or five years there's more and more king salmon running up that river, and is water temperature a factor on that, I mean they caught so much king salmon up there in Venetie that nobody had to come down to the Yukon and fish is what I heard. They're pretty happy with what they did right there, and that's good for them. But I'm just, you know.....

21

22

(Cell phone ringing)

23

24

MADAME CHAIR ENTSMINGER: Turn them

25 off.

26

27

MR. CARROLL:I think we should get some numbers there just to see what's happening.

28

29

That's all I got.

30

31

MADAME CHAIR ENTSMINGER: Russ.

32

33

MR. HOLDER: Madame Chair. Richard. The Fish and Wildlife Service did operate and is continuing to operate the sonar counting project there on Chandalar River for fall chum salmon. For two previous years and maybe three we did attempt to and we did count earlier in the season to try to capture what chinook salmon were going up the Chandalar River, but the problem was actually getting -- the counts -- we were able to count what was going past but we weren't sure if it was chum salmon or chinook salmon and we weren't able to find a good way to do the species apportionment to identify how many were chum and how many were chinook salmon. So we did discontinue that and didn't operate it here in 2007. But I am encourage to hear that the folks up there did see more chinook salmon than they had in the past because that, as my

34

35

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37

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46

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49

50

1 report indicated, that necessarily wasn't the case in
2 quite a few cases on some of the tributary streams.

3

4 MADAME CHAIR ENTSMINGER: Any other
5 questions.

6

7 (No comments)

8

9 MADAME CHAIR ENTSMINGER: Will we have
10 more later or where are we at?

11

12 MS. WRIGHT: We'll listen to her.

13

14 MADAME CHAIR ENTSMINGER: Okay. We're
15 going to listen to the next report and then we're
16 probably going to -- okay, she was smiling away there
17 so I could tell she was happy about something, go
18 ahead.

19

20 MS. EVENSON: Good morning. My name is
21 Dani Evenson. I'm the area research biologist for the
22 summer season for the Yukon for the Commercial
23 Fisheries Division of the Alaska Department of Fish and
24 Game. The presentation I'm giving today is on behalf
25 of the regional and area managers Dan Bergstrom and
26 Steve Hayes, who could not be here with us this
27 morning.

28

29 Starting with the 2007 pre-season
30 outlook and strategy -- well, first of all, before I
31 begin, does everybody have a copy of the season
32 summary.

33

34 (Council nods affirmatively)

35

36 MS. EVENSON: Yukon River chinook
37 salmon returned primarily as age five and age six fish.
38 In 2006 the five year old component was above average,
39 which suggests a higher return than normal of six year
40 old fish in 2007. In the previous two years, that is,
41 2005 and 2006 runs, were near average indicating good
42 production from the poor runs of 2000 and 2001. So
43 assuming a lower than normal return of five year olds
44 and a higher proportion of six year old fish, the 2007
45 run was expected to be average to below average and
46 similar in abundance to the 2006 run. It was
47 anticipated the run would provide for escapements,
48 support a normal subsistence harvest and a below
49 average commercial harvest. The 2007 pre-season
50 outlook projected a commercial harvest of approximately

1 30,000 to 60,000 chinook salmon and this range of
2 commercial catch is below the 10 year average of
3 approximately 53,000 chinook salmon. The summer chum
4 salmon runs have exhibited steady improvements since
5 2001 with harvestable surpluses in each of the last
6 five years. The 2007 run outlook was for an average to
7 above average run, which would provide for escapement,
8 support a normal subsistence harvest and a surplus for
9 commercial harvest. The commercial harvest in Alaska
10 was projected to be from 500,000 to 900,000 summer chum
11 salmon depending on salmon market conditions.

12
13 For the 2007 season summary. This
14 year's chinook run was estimated to be slightly later
15 than average and not as strong overall as anticipated.
16 The summer chum run appeared near average both in run
17 strength and run timing. The lower Yukon test fishery
18 finished on July 15th with a cumulative catch per unit
19 effort of 19.16 for chinook salmon. This is below the
20 average season total from 1989 to 2006 for chinook
21 salmon of 22.99. The first quarter point, mid-point
22 and third-quarter point were on June 16th, June 22nd
23 and June 28th respectively. The Pilot Station sonar
24 project cumulative passage estimate from May 31st to
25 August 8th was 125,300 chinook salmon and 19 percent
26 below the average of 154,000. The first quarter point,
27 mid-point and third-quarter point were on June 19th,
28 June 24th and July 1st respectively.

29
30 Similar to the management strategy
31 utilized in 2006, the Department scheduled a short
32 early commercial period based on the pre-season
33 projection. The opening was intended to foster early
34 commercial interest. The first commercial fishing
35 period in the lower river occurred in District Y2 on
36 Friday June 15th for three hours with unrestricted mesh
37 size gillnets. The commercial harvest was
38 approximately 2,100 chinook and 150 summer chum salmon.
39 The Department's test nets observed the first and
40 largest pulse of chinook salmon from June 14th to June
41 17th. The Department delayed opening the next
42 commercial period targeting chinook salmon until June
43 18th in District 1. During the second pulse from June
44 20th to June 24th it appeared that chinook salmon were
45 entering the river at a slow, steady rate rather than a
46 typical pulse pattern and the run was not as strong
47 overall as anticipated.

48
49 And you can see that in Figure 2.
50

1 A strong first pulse followed by a
2 weaker pulse is unusual. During poor runs in 1998 and
3 2000 test fishing cumulative CPUE, catch per unit
4 effort and Pilot Station sonar estimates were lower
5 than average throughout the run. Due to the
6 uncertainty about the chinook salmon run strength after
7 the second pulse was observed, management of the
8 commercial fishery was conservative in order to meet
9 escapement and subsistence needs and Canadian border
10 passage obligations. After June 25th no additional
11 unrestricted commercial periods targeting chinook
12 salmon were allowed in lower river districts. A total
13 of 23,000 chinook were taken during unrestricted mesh
14 size openings in Districts 1 through 3. Three
15 commercial periods directed at chinook were allowed in
16 Subdistricts 5-B and 5-C with a total harvest of 1,241
17 chinook salmon.

18
19 In 2007 there was market interest for
20 summer chum salmon. Based on the projected near
21 average run estimate for summer chum, the Department
22 initiated short commercial periods restricted to six
23 inch maximum mesh size in the lower districts directed
24 at chum salmon beginning in District 2 with a two hour
25 commercial period on June 19th. Because of the
26 uncertainty about the chinook salmon run strength only
27 restricted mesh openings were allowed after June 26th.
28 Additionally the Department attempted to schedule chum
29 directed commercial periods when chinook abundance was
30 low. Approximately 9,000 chinook were incidentally
31 harvested in these restricted periods which were
32 approximately 70 percent males. Additionally, three
33 commercial periods were established in Subdistricts 4-A
34 and seven periods were established in District 6, all
35 of which were directed at summer chum salmon.

36
37 The preliminary season harvest total
38 for all districts was 33,600 chinook and 198,200 summer
39 chum salmon. This range of commercial catch for
40 chinook salmon is below the 10 year average of
41 approximately 48,250.

42
43 All spawning escapement goals were met
44 in Alaska for both chinook and summer chum salmon. For
45 chinook the goals were met on the Chena River and on
46 the Salcha River on July 22nd. And the Department
47 conducted aerial surveys of the Andreafsky, Anvik,
48 Nulato and Gisasa Rivers from July 22nd to July 24th
49 and all of these index rivers met or exceeded their
50 sustainable escapement goals. The Eagle sonar

1 cumulative estimated passage was 41,182 chinook salmon.

2

3 So in summary it appears that the 2007
4 Yukon River chinook salmon run was approximately 60 to
5 70,000 fish less than projected pre-season. It is
6 noteworthy that the chinook runs in the Kuskokwim and
7 Nushagak Rivers were approximately 100,000 fish less
8 than projected pre-season in 2007. The cause of this
9 discrepancy is unknown.

10

11 Preliminary post-season analysis
12 indicates summer chum escapements were generally good
13 in the East Fork Andreafsky and the Anvik Rivers and in
14 the Koyukuk River drainage. That's in Table 3.
15 Escapement goals were met in the Andreafsky River with
16 approximately 70,000 fish. And in the Anvik River with
17 approximately 460,000 chum salmon. The drainage-wide
18 optimum escapement objective for the Yukon River, which
19 is based on Pilot Station sonar project with 600,000
20 summer chum was also exceeded with 1.73 million summer
21 chum salmon.

22

23 Canadian fisheries. In 2007, based on
24 the projected total U.S. catch of Canadian origin
25 chinook salmon and the harvest sharing arrangements in
26 the Canada/U.S./Yukon River salmon agreement it was
27 expected that the total border escapement would at
28 least be 45,500 chinook salmon as measured by the
29 mark/recapture program and the Canadian allowable
30 chinook harvest would be approximately 12,500 fish.
31 However, there was a shortfall in the run into Canada.
32 The final mark/recapture estimate is 23,000 chinook
33 salmon. Because of the low run strength the Canadian
34 commercial and domestic fisheries were not allowed in
35 2007 for chinook salmon. The daily catch limit and the
36 recreational fishery was reduced and subsequently
37 closed. No restrictions were placed on the First
38 Nations fishery.

39

40 In summary all indicators suggested
41 that the chinook run was below average and not as
42 strong as the 2006 run. Despite lower than anticipated
43 run strength the 2007 chinook salmon run appeared to
44 provide adequate subsistence harvest although fishers
45 have had to work harder to meet their needs.
46 Biological and sustainable escapement goals have been
47 met in the U.S., however, the chinook salmon run fell
48 short of the Canadian border passage and spawning
49 escapement goal.

50

1 Summer chum run timing was near average
2 with a season total run estimate of 1.73 million past
3 Pilot Station sonar. The summer chum run provided for
4 escapement and subsistence uses and a moderate
5 commercial harvest.

6

7 Thank you.

8

9 MADAME CHAIR ENTSMINGER: Thank you,
10 Dani. Are we ready for questions.

11

12 MS. WRIGHT: I am.

13

14 MADAME CHAIR ENTSMINGER: Go ahead,
15 Amy.

16

17 MS. WRIGHT: Okay, obviously there's a
18 lot of information and a lot of numbers.....

19

20 MS. EVENSON: Right.

21

22 MS. WRIGHT:and, you know, here
23 trying to figure it out. But it sounds to me like
24 basically the run was off to a slow start right from
25 the get go, for the chinook, is that correct, so how
26 does one decide to have a commercial opening? I want
27 to know how that procedure happens?

28

29 MS. EVENSON: Well, we -- in 2006 the
30 run timing was late and in 2007 we thought we were
31 observing a similar pattern that we were in 2006. And
32 the first pulse in 2007 was quite strong so we thought
33 we had a healthy run. The six year olds were
34 anticipated to be above average and we were seeing
35 above average six year olds so we thought, initially,
36 all the indicators were pointing towards a good run.
37 And the indicators that we use in-season, we talked to
38 early season, the subsistence folks and see how the
39 harvest is going there, we have the lower Yukon test
40 fishery, we have Pilot Station sonar and we have the
41 Marshall test fishery and we look at all of those and
42 we compare them to historic estimates.

43

44 MS. WRIGHT: Okay, thank you.

45

46 MADAME CHAIR ENTSMINGER: Virgil.

47

48 MR. UMPHENOUR: Thank you, Madame
49 Chair. I notice that on Page 1, down at the bottom you
50 talk about the range of commercial catches below the 10

1 1997 to 2006, not including the low return years of
2 2000, 2001 average of approximately 53,000 chinook
3 salmon, why don't you go to the previous 10 year
4 average of what it used to be, why are they just doing
5 the last 10 years now?
6

7 MS. EVENSON: One of the reasons we do
8 that is salmon runs are strongly tied to recent trends
9 and we believe that there's been a shift in the salmon
10 production. So in the '80s we had very, very high
11 production so it's a more useful index to compare in
12 recent runs. We have, in the past, used both of those,
13 what it was in the '80s and what it was in the '90s,
14 but recent runs give you a better idea of what's going
15 on.
16

17 MR. UMPHENOUR: Thank you. If you flip
18 the page over and on summer chum, you're saying that
19 the run size on summer chum is above average, somewhere
20 I thought I heard that and they predicted a harvest of
21 500,000 to 900,000 summer chum, anyway, if the summer
22 chum was 1.7 million and they're saying that that's
23 above average, that's above average for what, I mean
24 for what years are you -- is it the same thing as with
25 the chinook that you're counting just the last 10 years
26 and ignoring what happened prior to that because.....
27

28 MS. EVENSON: Well.....
29

30 MR. UMPHENOUR:I know that that's
31 not above average over what it was in the '80s because
32 they caught that many commercially in '88, for
33 instance.
34

35 MS. EVENSON: Well, the 1.73 million is
36 indexed off of Pilot Station Sonar so that would just
37 be the years -- compared to the years of operation in
38 Pilot Station which is 1995 and then 1997 to the
39 present time. And summer chum runs, at least since the
40 mid-'90s have been in a state of flux, so average is
41 probably not even the best indicator. One of the
42 things we've seen some incredible fluctuations in the
43 run from, you know, recently it was 4.3 million in 2006
44 and before we've had runs below one million so that is
45 a recent average.
46

47 Thank you.
48

49 MR. UMPHENOUR: Thank you. Now, we get
50 to Page 3 and on Page 3 you say the Pilot Station sonar

1 project preliminary cumulative passage was 125,300
2 chinook salmon and that was as counted with the DIDSON
3 Sonar with both sonars, I'm assuming and then my
4 question is, this was the third year that this method
5 was used, is that not correct?

6

7 MS. EVENSON: I believe so.

8

9 MR. UMPHENOUR: Okay. So my question
10 is, using the older method, prior to DIDSON. what would
11 the count have been?

12

13 MS. EVENSON: We haven't estimated it
14 that way. The DIDSON has been used because we had some
15 near shore problems with the sonar. It is a really
16 dynamic -- the river is very dynamic in that area so we
17 see slugs of sediment appear and disappear and in the
18 past couple years we notice that a cut-bank developed,
19 sonar is conical in shape and so if you have a river
20 bottom that drops off sharply you're going to miss fish
21 so we put that DIDSON in to estimate for that near
22 shore, however, that cut-bank seems to be resolving
23 itself and the bottom profile is more conducive for the
24 regular sonar so actually less fish last year were
25 counted near shore using the DIDSON.

26

27 MR. UMPHENOUR: Okay, so that leads me
28 to this question. When they first started using the
29 DIDSON, the Department stated that the DIDSON counted
30 approximately 30 percent more chinook salmon than if
31 the -- approximately 30 percent more chinook salmon
32 were counted than if it had not been used and so my
33 question is, for this past year with this number of
34 125,300 chinook salmon, does the Department plan to do
35 an analysis to see how many more chinook salmon were
36 counted or how many less it would have been if they
37 were not using the DIDSON?

38

39 MADAME CHAIR ENTSMINGER: This sounds
40 like this is going to another person.

41

42 MS. EVENSON: Well.....

43

44 MADAME CHAIR ENTSMINGER: Now, Virgil,
45 I'm going to ask you, do you want that question
46 answered now.

47

48 MS. EVENSON: That might be a question
49 for our sonar folks.

50

1 MR. UMPHENOUR: Are the sonar folks
2 going to be at the meeting?
3
4 MS. EVENSON: No, not today.
5
6 MR. UMPHENOUR: Thank you. Then.....
7
8 MADAME CHAIR ENTSMINGER: Does Fred
9 have us something to enlighten us.
10
11 MR. BUE: Ms. Chairman. For the record
12 my name is Fred Bue with Fish and Game.
13
14 I don't have a direct answer to Virgil.
15 But the idea with the DIDSON was to fill in the gaps as
16 the bottom profile moved, there were shadows where we
17 could not count fish with our traditional sonar unit
18 and so as the profile moved it undulated through there,
19 the DIDSON was to take up that spot where we were
20 counting into that shadow because they could direct it
21 into that specific spot and it was added to that number
22 in their -- when they're counting fish, they have a
23 recorder that counts and plots fish throughout this
24 distance and they can tell relative distance and so
25 they can pick out which portion is the DIDSON sonar and
26 which part is the traditional sonar and so they can
27 tell that they're not double-counting. So as that
28 shadow increases or decreases they're watching that in-
29 season and they compensate for that as they go. So
30 this season, as I understand it, they had less of a
31 shadow during the summer portion, again in the fall we
32 had another issue with it. But during the summer they
33 were able to watch that and make sure that they were
34 not double-counting, and that's what happened three
35 years ago, I believe, was that shadow and that
36 contributed to a lot of fish moving through that area
37 that year and so that's why that year was 30 percent.
38 Every year is going to be different from my
39 understanding.
40
41 MADAME CHAIR ENTSMINGER: Virgil, can I
42 ask you a question. I feel like you're getting to a
43 point, can you tell me what that is.
44
45 MR. UMPHENOUR: My point is and when I
46 get a little further here I can make the point more
47 clear, my point is that the methodology of counting
48 fish is constantly improving and so with the old
49 methodology or older methodologies we're not as
50 efficient as the newer ones and more modern ones, the

1 advancements in science and so they're counting more
2 fish than they used to count, however, all the
3 management plans are based and our salmon treaty with
4 Canada, on the older methods of counting fish. And so
5 what, you know, in the past seemed like the appropriate
6 passage numbers, when a lot of fish weren't getting
7 counted, if you compare the newer numbers that are more
8 accurate that count more fish and you don't make some
9 type of an allowance for the advancements in science
10 counting more -- the higher percentage of the fish,
11 then it artificially, when you look at these numbers,
12 makes the run look better than what it really is.

13

14 So all these old harvest numbers like,
15 you know, the average for the last 10 years.....

16

17 MADAME CHAIR ENTSMINGER: Yeah, I hear
18 you.

19

20 MR. UMPHENOUR:being lower and
21 not mentioning what happened prior to that when it
22 didn't count as many fish, it's artificially making the
23 fish runs look biologically better than what they
24 really are.

25

26 That's the point that I'm getting at.

27

28 MADAME CHAIR ENTSMINGER: Okay. This
29 is something that I thought about when you started
30 asking the questions and I would like the Council to
31 think about this. I even wrote it down, suggesting
32 that maybe the Department don't live on 10 year -- you
33 can have your 10 year average from the past 10 years
34 but I think there should be an overall average, you
35 know, for the -- it makes more sense to me, I just feel
36 like I'm a logical, sensible person, but if we leave
37 out, you know, like a 30 year or 50 year average, I
38 think it's a component that's missing.

39

40 And I'd like to ask the Council
41 members, are we -- I don't want to -- you know, I don't
42 want to go crazy on this but that's something that came
43 to my mind.

44

45 MR. UMPHENOUR: Well, Madame Chair.

46

47 MADAME CHAIR ENTSMINGER: Virgil.

48

49 MR. UMPHENOUR: I get one opportunity
50 to question the Staff and we'll cover this in much

1 greater detail when we get to our proposal to the
2 Federal Board. But I just want to go on record as
3 stating that the history of commercial fisheries
4 management throughout the world is the ostrich system,
5 we bury our head in the sand and ignore the facts. And
6 so to me, to use this type of data to manage is a
7 recipe for disaster.

8

9 And that's my point. I could, you
10 know, spend a lot of time on this.....

11

12 MADAME CHAIR ENTSMINGER: Yeah.

13

14 MR. UMPHENOUR:I just want to
15 point out one last little dab here while we're at it.

16

17 And that is, there have not been
18 commercial fisheries with smaller mesh gear in the
19 recent past, it's only until this year and so I just
20 want to -- because the age composition of the chinook
21 salmon is my issue and it's.....

22

23 MADAME CHAIR ENTSMINGER: Okay.

24

25 MR. UMPHENOUR:this Council's
26 issue. Go to Page 4, the very bottom and then the very
27 top of Page 5 and they give what the composition, age
28 composition was of the chinook salmon harvested with
29 unrestricted mesh gear and the age structure harvested
30 with six inch or smaller mesh gear and our issue is
31 that there's not enough six and seven year olds getting
32 to the spawning grounds. And this just does nothing
33 but validate the selectivity of the unrestricted mesh
34 gear.

35

36 And so I'll just read these into the
37 record.

38

39 The weighted chinook salmon age
40 composition from six unrestricted commercial fishing
41 periods in District 1 and 2. And then I'll do each age
42 and then it has it at the top of the next page from 15
43 restricted six inch mesh or smaller size. Okay, we'll
44 do the age four first.

45

46 Age 4. Large mesh unrestricted gear 3
47 percent of the harvest.

48

49 6 inch and smaller, 25.3 percent of the
50 harvest

1 really like to find out if anyone else has any further
2 questions.

3

4 MR. UMPHENOUR: Just one final
5 question.

6

7 MADAME CHAIR ENTSMINGER: I see two
8 hands. Mike has his hand up, is it inappropriate.

9

10 MR. UMPHENOUR: Well, Mike can go
11 first.

12

13 MADAME CHAIR ENTSMINGER: I'm not sure
14 here, Vince, you're going to have to help me out on
15 procedure.

16

17 MR. MATHEWS: Well, Madame Chair, at
18 this time you're just getting agency reports, you're
19 just openly discussing the situation from different
20 viewpoints. So it's your call to have him come up.

21

22 MADAME CHAIR ENTSMINGER: Yeah, and,
23 Mike, you had a question.

24

25 MR. SMITH: Well, I was just
26 trying.....

27

28 REPORTER: Mike. Mike. Mike.

29

30 MR. SMITH:to get a handle.....

31

32 REPORTER: Mike, come on up.

33

34 MADAME CHAIR ENTSMINGER: Okay, Mike,
35 you've got to make it official.

36

37 MR. SMITH: I was just trying to get an
38 understanding as to Virgil's question and where he was
39 going with that.

40

41 If I could just real briefly, what
42 historical average of a five year old class would
43 be.....

44

45 MADAME CHAIR ENTSMINGER: In?

46

47 MR. SMITH:as a percentage,
48 somewhere around maybe 30 percent or 35 percent or
49 something like that?

50

1 MS. EVENSON: Probably closer to --
2 well, typically six year olds, and I'm talking from
3 the lower river from our test fishery and unrestricted,
4 which are both large mesh gear. The six year olds by
5 and large dominate the run. We have seen, you know, in
6 recent history probably around 60 percent in the six
7 year olds and that does fluctuate, 40 -- you know 35 to
8 40 percent in the five year olds.

9
10 MR. SMITH: You know, so a good way to
11 look at that and think about that is if you have
12 100,000 fish, this year we got about 16,000 five year
13 olds whereas in the past we got 30,000 or 35,000 and
14 that's a good way to look at what Virgil was talking
15 about.

16
17 Thank you.

18
19 MADAME CHAIR ENTSMINGER: No, thank
20 you, Mike. Again, I think we're going to get into this
21 in a discussion of our proposals, right, Virgil.

22
23 MR. UMPHENOUR: Right.

24
25 MADAME CHAIR ENTSMINGER: Yeah, Okay.

26
27 MR. UMPHENOUR: We'll get into this in
28 more depth when we discuss our proposals.

29
30 MADAME CHAIR ENTSMINGER: Right. And
31 I'm just curious, is the next report -- further
32 questions of these two, and I'd like you both to stay
33 there, yeah, because the next report is Fred.

34
35 MR. BUE: Yeah. Ms. Chairman, I did
36 have some additional information on the fall season.
37 There was quite a bit of discussion and focus on the
38 summer and if you'd like I can try and make this brief.
39 I have a lot of notes but I'll chop it out.

40
41 MADAME CHAIR ENTSMINGER: If that's
42 okay with the Council members. And do you feel all of
43 that will come up as we discuss the proposals?

44
45 MR. BUE: I suspect very little will
46 come up.

47
48 MADAME CHAIR ENTSMINGER: Okay.

49
50 MR. BUE: Most of the proposals are

1 oriented towards chinook salmon.

2

3 MADAME CHAIR ENTSMINGER: Let's go
4 through your notes then that you had jotted down you'd
5 like to share with us.

6

7 MR. BUE: Okay. As Russ had mentioned,
8 the fall chum salmon season project was for a run a
9 size near 900 to 1.2 million fish, in-season our run
10 size estimated between 600,000 to 700,000 fish and that
11 was due, primarily to the extremely late run timing at
12 the Pilot sonar counts. With a run size estimate lower
13 than what we had anticipated we backed down to a more
14 conservative management approach in-season.

15

16 However, post-season escapement project
17 information indicates that overall run abundance was
18 likely near that one million fish that we had earlier
19 projected. And in part this may be due to fish
20 entering the river with that late timing after Pilot
21 Station had been removed from the water. Their usual
22 shut down is August 31st.

23

24 Normally we think of -- or often an
25 unusually late run indicates a weak run, this year it
26 seems like the late run was just a late run. It
27 continued and continued on past most of our projects
28 were out of the water. Now, it appears that the run
29 was near our pre-season projection.

30

31 And also just a note for the coho run,
32 as Russ said, it began entering the river early. It
33 was strong but then it dropped off early and overall
34 run size for coho was above average.

35

36 A little bit amount our management for
37 the fall season. Going into the season based on our
38 summer chum performance, often times we look at the
39 summer chum and see how that performed close to the
40 projection and use that as an indicator of how the fall
41 run will come in.

42

43 Summer run was closer to expectation so
44 at that point we thought, well, there's still a chance
45 that the fall run would be similar to our -- well,
46 early we thought it'd be close to our projections so we
47 just stayed on the same subsistence fishing season we
48 carried over from the summer season into the start of
49 the fall season. In-season we became concerned that
50 the fall chum run was weak, it as not consistent with

1 the summer chum performance or for that matter runs in
2 Norton Sound and Kotzebue, Kuskokwim.

3

4 There was also concern that we have
5 this developing genetics, mixed stock analysis project
6 that indicated a lot of the first half of the fall run
7 may include over 100,000 summer chum which would be
8 contributing to the Pilot Station sonar so that's a new
9 project, we didn't really know how to use it but
10 potentially you could theorize pulling 100,000 fish out
11 of that fall run estimate to that date so we were
12 uncertain of our run at that time.

13

14 Because the fall run appeared to be
15 well below expectations the early portion was allowed
16 to pass through the lower river with no commercial
17 removal so it would provide for up river subsistence
18 uses and escapements.

19

20 After that first pulse passed, both
21 fall chum and coho runs indicated there were surpluses
22 available for commercial harvest so therefore we
23 started fishing on the fall chum, the second pulse with
24 a schedule of four periods per week.

25

26 At the time the projected surplus of
27 fall chum was marginal according to the fall chum
28 management plan. However the coho management plan did
29 allow harvest of fall chum while pursuing the abundant
30 coho run. They're both overlapping and there was some
31 allowance and according to the coho plan to take some
32 fall chum when we're prosecuting that fishery.

33

34 There were 16 commercial periods in the
35 lower river districts with the season being extended
36 for six additional periods. Part of that was after the
37 sonar had come out of the water, however, what was
38 unusual in the lower river we didn't catch very many
39 fish during those extended periods, that's inconsistent
40 with what we saw in the up river projects, that there
41 was a big strong showing of fish in the late portion of
42 the run, but in the lower river we did commercial fish
43 with quite a bit of gear out there so using that as an
44 index it didn't look like there was a lot of fish.

45

46 Moving up river, District 4, was not
47 open for commercial fishing due to lack of market
48 interest there, however, subsistence fishing was open
49 five days a week and was later relaxed to seven days a
50 week.

1 Subdistricts 5-B and 5-C, well, a small
2 market interest there, we did have one commercial
3 period open early in the fall season to target a small
4 amount of fall chum when the quality was really good.
5 There was also market interest later in the run so we
6 did have a late period in Subdistrict 5-B. There was
7 difficulty with these small fisheries, getting a lot of
8 the paperwork and coordinating the fishermen, we
9 extended the season, we extended the period but there
10 was no commercial harvest during that season extension.
11 Also in 5-A, B and C, the subsistence was open
12 concurrent with commercial periods and later on after
13 October 1st, we went to seven days a week fishing
14 there.

15
16 In the Tanana River Subdistricts 6-A,
17 6-B, and 6-C we did commercial fish. The season
18 started late. The fishermen were trying to -- part of
19 the market is a roe fishery and in a roe fishery the
20 carcass is used locally for subsistence uses and so
21 they can capitalize on that fishery better when the
22 temperature is cooled off. It was better for
23 preserving fish for their subsistence use and then they
24 could extract the roe for the commercial market. That
25 season opened late. They did fish on a regular
26 schedule and it was concurrent with subsistence
27 periods. And the season there was also extended for
28 three periods beyond the normal closure date.

29
30 For escapement the exceptionally late
31 fall run timing was the primary reason for conservative
32 management in the lower river commercial fishery. The
33 Department is reviewing project data to determine why
34 the in-season assessment of the fall chum run is so
35 different than the post-season assessment. Salmon are
36 still being counted. The Delta River will be counting
37 until the first week of December. There's fish in
38 there now. Fish seem to be starting to build up there,
39 just now, people from other places don't think about
40 fish now but our last commercial period in Tanana was
41 October 10th so it was just last week.

42
43 The Delta, as I said the Delta
44 Clearwater river is the only stream with an established
45 coho salmon escapement goal. We haven't had -- we've
46 had some surveys but not a peak count yet. Although
47 fishermen reports that indicate coho are starting to
48 get there, and so we assume the coho run there should
49 be adequate for their escapement.

50

1 Overall, three of the five rivers
2 monitored made their escapement goals with the overall
3 Yukon River well above its escapement goal range. I'd
4 like to say that part of that is we probably made more
5 than that -- it seems like the Sheenjek River, it seems
6 like there's more fish running on the opposite bank
7 that hadn't been counted in the past. For whatever
8 reason the water levels or something, maybe it has to
9 do with the late timing of the run but it looked like a
10 significant portion of the run was moving on the
11 opposite bank. Our DIDSON sonar, when we put that into
12 the water and started counting over there, we do count
13 a total number of fish above the goal for purposes of
14 the escapement goal though we say we did not make it on
15 the Sheenjek based on -- that biological escapement
16 goal is based just the one bank count.

17
18 Also looking at the timing of those
19 runs, those projects are pulled out of the water while
20 we're still passing eight to 10,000 fish a day, same
21 with the Canadian border, there was still a big passage
22 of fish, daily passage and theoretically there's more
23 fish coming that we're not going to count there.

24
25 And I think that concludes my talk
26 here.

27
28 Oh, I guess I should also point out
29 that I handed out this. It's still early, as I said,
30 we're still counting fish but this is just some
31 information, packet information to give you an idea
32 where we're at for your reference this is a subsistence
33 meeting. If you turn to Page 4 it may give you some
34 historical perspective on how our -- the upper chart
35 there is the subsistence harvest, and that will give
36 you a relative perspective on where we think we are at
37 this point. Right now we do have our harvest is
38 significantly less than it was in the mid-80s but at
39 the same time we have quite a bit of fishing
40 opportunity, I think people's lifestyles and things
41 have changed, partly rebounding from the poor years
42 there. But that's essentially how it's happened. You
43 can see the chart below there, those are the
44 corresponding years with commercial harvest where we
45 essentially closed the fishery, much of it and now
46 we're trying to rebuild back off of that, those poor
47 years.

48
49 The next page on Page 5 and to give you
50 the historical perspective, we reconstructed the run

1 there, adding our harvest escapement and going back in
2 time trying to piece together as much as we can. This
3 shows you, of course, 2007, where we think we are at
4 this point, our total run size. The bar is 2002, 2003,
5 they're white, those are the primary parent years we're
6 coming off of. So you can see we're adding to that,
7 we've come quite a ways on that.

8
9 I guess also as a historical
10 perspective is that, to us, it doesn't appear that that
11 crash in early 2000 was due to the poor escapements, we
12 did have good escapement years, '94, '95, '96 that
13 produced those poor returns, so it wasn't overfishing
14 in those years that led to that downturn, it was
15 something else. And, now, for whatever reason we had
16 exceptionally low escapements that produced near record
17 runs so just to give you a perspective, that some of
18 these things change beyond our control.

19
20 Thank you, Ms. Chairman.

21
22 MADAME CHAIR ENTSMINGER: Thank you,
23 Fred. It sounds like a poker game at times. Okay, any
24 questions of Fred.

25
26 Virgil.

27
28 MR. UMPHENOUR: Just one question,
29 Fred, have you guys started counting the Toklat River
30 fish yet and if so what have you found?

31
32 MR. BUE: Ms. Chairman. Virgil. The
33 Toklat River is one of those projects that we no longer
34 count. We go out, we did a foot survey, we collected
35 some vertebrae samples for age. But our concern with
36 the Toklat River is that we would go out there and it
37 was just a snap shot, what was there. As you know, we
38 didn't really know what the timing was, a lot of times
39 it was just when water cleared we could see fish. And
40 it wasn't like the Delta River where we know those fish
41 are in that area for better than two months and we
42 count them and we look at the mortality, live to dead
43 fish and we can reconstruct the timing curve there and
44 try to estimate what's on the ground. But a lot of
45 times at the Delta or at the Toklat, even in my
46 experience, I've been out there, I've counted 30,000
47 fish and the next day a wall of ice would come down and
48 scour it out and three days later when that passed,
49 there were very few fish in the flood plane so it was
50 difficult for me to have confidence in the counts

1 there.

2

3

4 What we have done since then is with
5 the Western Alaska Disaster grant money we had been
6 doing some tagging. We went to a tagging estimate on
7 the Tanana River and part of that was one we did the
8 Upper Tanana and we broke it out to the Kantishna. The
9 Kantishna, it seems like the tag estimates there are
10 quite a few fish, the timing is better. If you look at
11 Table, I think it's Table 6, it's Page 16, it has our
12 escapement counts for the fall run. And you can see
13 there's Kantishna, Toklat River tagging estimate, 2007,
14 we're looking at about 70,000 fall chum into the
15 Kantishna River. And there is some overlap between
16 when we did Toklat counts and the Kantishna tagging
17 estimates but I don't feel very confident in relating
18 one to the other. But we think that the Kantishna was
19 probably, the tagging estimate was probably a better
20 check on what was actually moving up there.

21

MR. UMPHENOUR: Thank you.

22

23

MADAME CHAIR ENTSMINGER: Anyone else.

24 Questions.

25

26

(No comments)

27

28

MADAME CHAIR ENTSMINGER: There's a lot
29 of thinking going on here, I think there might be a few
30 questions. While they're thinking I had a couple.

31

32

I'm looking at this report and on these
33 averages, on the graphs, or the only graph I'm looking
34 at at the moment, there's these black lines with
35 average, is that the 10 year average, the past 10 year
36 average or is that the history of the fishery? Do you
37 see that on No. 14.

38

39

MR. BUE: Yes, Ms. Chairman, in the
40 bottom, in the footnote it says that's the Pilot
41 Station sonar average and that represents the years '95
42 and 1997 through 2000, 2002, 2001, I can't remember
43 what happened that year.

44

45

MS. EVENSON: We had a poor sonar count
46 year, we had some problems with the sonar.

47

48

MR. BUE: And so those are the years
49 that represented the average.

50

1 MADAME CHAIR ENTSMINGER: I guess I
2 should read on, uh. I guess I would like to see --
3 when I hear averages, it seems to me it'd be more
4 important to see like an overall average maybe, I mean
5 if you want to do a 10 year average, just say 10 year
6 average or whatever you're doing here and then another
7 average that's -- I'm sure it takes a lot more
8 paperwork, I don't like computers as much as anyone.
9

10 MS. EVENSON: If I might respond to
11 that Madame Chair. The Pilot Station sonar was
12 instituted, it was implemented in 1995 so in that one
13 we're only going to have a 10 year average and then in
14 some of them we do show what the averages are through
15 time, in blocks of time, what it looked like in the
16 '70s, what it looked like in the '80s, the '90s and
17 recently and where it's applicable and maybe we need to
18 get more in the habit of showing it for more things so
19 it's clearer. But I think by and large we've all
20 recognized particularly with respect to chinook that
21 the run has decreased from what we saw in the '70s and
22 '80s so I think that's why we look at recent.....
23

24 MADAME CHAIR ENTSMINGER: Okay, I have
25 two others and then I'm going to let Virgil ask his
26 question. And now I am -- these are just suggestions
27 because I feel like when I look at these reports I
28 should glean some information that I understand and so
29 in your report, Russ, you stated that just a sentence,
30 that there's a shortfall in Canada, but then I find out
31 that they're still traveling through there and it's
32 probably a higher number, and you probably said it.
33

34 MR. HOLDER: No, ma'am, mixing species.
35 What I was referring to in the shortfall would be
36 chinook, and what Fred was referring to for the passage
37 into Canada at this point in time is still the fall
38 chum salmon.
39

40 MADAME CHAIR ENTSMINGER: Okay, I've
41 really got to get my head straight now. Okay, well,
42 then I have.....
43

44 REPORTER: Sue. Sue.
45

46 MADAME CHAIR ENTSMINGER:one
47 other question.
48

49 REPORTER: Thank you.
50

1 MADAME CHAIR ENTSMINGER: Can you
2 explain just briefly, it might not be brief, but how it
3 works between the Federal -- are you out there just
4 watching or are you guys working together and is it
5 both subsistence and commercial, I'm a little -- not
6 clear on that in my mind. And I see the Council
7 members agreeing.

8
9 Go ahead.

10
11 MR. HOLDER: Madame Chair, I'll take a
12 stab at that. As far as with the Fish and Game,
13 basically has been managing, you know, the State's
14 fisheries resources since statehood but with the
15 inconsistency between the State and Federal subsistence
16 law, Federal fisheries management participation began
17 basically in 2001 and the practical application of the
18 coordination between the two agencies, in the summer
19 season both myself and Staff members are in Emmonak
20 communicating daily with the State ADF&G Staff
21 regarding potential management decisions. There is an
22 MOU, memorandum of understanding between the two
23 agencies on how to conduct business. It did take
24 several years of ironing things out but we worked hard
25 to come to a consensus and an appropriate way to
26 conduct business and basically the bottom line is that
27 in-season we do discuss potential management actions
28 before they actually go out to the public and try to
29 ensure that the picture, the assessment of what the run
30 is actually looking like, that both management agencies
31 have a similar picture and idea of how to proceed.

32
33 MADAME CHAIR ENTSMINGER: Thank you for
34 the short version, yeah, because I'm sure it's pretty
35 complicated, am I correct?

36
37 MR. HOLDER: Yes, ma'am.

38
39 MADAME CHAIR ENTSMINGER: Yes, uh-huh.
40 I will note that since I'm the Chair I am supposed to
41 get a fax and I don't have electricity where I live so
42 the phone rings and it's ringing and ringing and
43 ringing and trying to send me faxes all the time, I
44 need an alternate and we'll talk about that later.

45
46 Okay, it's your turn Virgil.

47
48 MR. UMPHENOUR: Okay. They used to --
49 and Russ knows the history of this better than me, but
50 they used to run a sonar, I don't know when it started,

1 in the '80s, and then in 1993 somehow they -- the sonar
2 malfunctioned in the fall season and then the State got
3 sued over the malfunctioning sonar and then they
4 decided to improve the sonar and it must be '94 or '96,
5 one or the other, and then they counted in '95 and
6 decided to modify it some more in '96 and that's why
7 you don't count '96, but anyway the sonar was used in
8 the '80s, maybe Russ could give us a little more of a
9 history on the sonar so everyone understands it.
10 Because what Dani just said is they're only counting
11 sonar numbers in '95 and then skip and go to '97 and
12 then skip again and then '98, '99 and then start using
13 sonar again in 2000 but anyway maybe Russ could give a
14 little bit of history so the Council members could
15 understand this sonar business.

16

17 But I know that the management plans
18 were based on sonars prior to '95 when you're -- that's
19 the only thing you're counting now.

20

21 Thank you.

22

23 MR. HOLDER: Madame Chair. Virgil.
24 I'm not sure that I can give a much better historical
25 description than what Virgil has provided. But what I
26 will attempt to do is characterize how the agencies are
27 viewing and trying to use the sonar.

28

29 It is a tool and we believe that with
30 chinook salmon it's providing an index number hat has
31 to be interpreted in light of subsistence information,
32 the test fish information down below, the subsistence
33 harvest information that people are providing. We
34 believe that the prior, I think to this past few years
35 that we were getting a better assessment number with
36 summer chum and fall chum numbers, but what the Council
37 members need to appreciate is that with chinook salmon
38 an average run size of being around 200,000 in
39 comparison to a summer chum run coming in 1.5 million
40 up to more than 4 million, that it's like a needle in a
41 haystack in trying to assess the passage, even though
42 the importance to the subsistence fishermen up river is
43 extremely more important for the chinook salmon than
44 summer chum salmon. And fall chum, I think as we're
45 seeing this year, we're trying to interpret the number
46 that we were getting from Pilot Station in light of the
47 fact of the up river assessment project numbers that
48 we're getting. The Pilot Station is an extremely
49 challenging site for the Department to count fish as
50 they're passing. I believe they are trying to do the

1 best job that they can. I believe beginning to utilize
2 the DIDSON sonar in shore to improve the accuracy of
3 the number of fish that we're looking at is an
4 improvement. You indicated, I believe, Virgil, I
5 believe it was 1996 when the sonar didn't operate, one
6 of the primary reasons, because of the expense of the
7 equipment that it wasn't run, in whichever particular
8 year that was, was to purchase improved equipment for
9 the site at that point in time, there was -- you know,
10 do you continue to run it with the old methodology and
11 keep getting, say, poorer numbers than you could get if
12 you didn't run it one year and improved the equipment
13 for into the future.

14

15 And so I would describe Pilot Station
16 as the project that we love to hate. We need an
17 abundance estimate to try to make the decisions that
18 we're making. Test fish is much less of a broader
19 picture of the -- it can give us a decent picture of
20 the timing but it's very difficult to try to get a
21 picture of the abundance, although we do try in some
22 ways to use it and in tests -- and in anticipation of
23 what is going to be going past Pilot.

24

25 So managers have to use it as another
26 tool to interpret what is going up river and even
27 though the management plans are based in large parts on
28 the numbers, we have to use the best information we can
29 to interpret the Pilot numbers that we're getting and I
30 believe the Department will still need to continue to
31 look at ways to improve that project, especially in
32 light of what we're beginning to see with the tributary
33 projects up river that we believe are giving us a
34 somewhat better picture of the escapements into these
35 systems, especially with fall chum salmon with the
36 coverage that we're receiving.

37

38 I'm not sure if Dani or Fred would like
39 to add anything additional for Virgil's question there.

40

41 MADAME CHAIR ENTSMINGER: Go ahead.

42

43 MR. BUE: Yeah, I don't have much to
44 add, but to say that it is an important tool for summer
45 chum and fall chum. We do have management plans that
46 are based on Pilot sonar essentially and Pilot does
47 seem to work much better for those species. We do have
48 management plans that are useful for in-season
49 management. But like Russ says, there's a lot of
50 different indicators for chinook salmon as they move

1 into the river. And just recently we're actually --
2 where we're using Pilot for management, we're relying
3 on it a little bit more, but traditionally it's been
4 the test fishing at Emmonak that's been a big indicator
5 and also the fishery itself has been an index of what's
6 coming in and then the subsistence harvest reports are
7 giving us an idea of the timing and relative abundance,
8 whether or not it means a lot, most often it's within
9 the season and not so much from year to year.

10

11 MADAME CHAIR ENTSMINGER: Okay. That
12 is all the reports -- oh, this one, I was looking at
13 that thinking that's not the same thing she reported
14 on.

15

16 While we're changing modes, I wanted to
17 -- this is housekeeping, Virgil, who would be better to
18 receive faxes than myself, I am really not a Yukon
19 person so -- Vince.

20

21 MR. MATHEWS: Well, we usually send
22 them to what are called your Coordinating Fishery
23 Committee members, which are Virgil and Richard. And
24 Virgil is definitely getting all these -- I assume
25 getting all this information in-season as it progresses
26 and Richard I would have to double-check with. But
27 that's what we have on the list.

28

29 MADAME CHAIR ENTSMINGER: Okay.

30

31 MR. MATHEWS: We may need to double-
32 check that, but it would be the CFC members.

33

34 MADAME CHAIR ENTSMINGER: So Richard's
35 also receiving a fax?

36

37 MR. CARROLL: No.

38

39 MADAME CHAIR ENTSMINGER: He's not.

40

41 MR. MATHEWS: He's not, so we need to
42 correct that for the next season.

43

44 MADAME CHAIR ENTSMINGER: Are you
45 interested in receiving so you know?

46

47 MR. CARROLL: Yeah, it'd be nice to
48 keep abreast of this.

49

50 MR. MATHEWS: Okay, well, just to let

1 you know Richard it's not one or two faxes.
2
3 MADAME CHAIR ENTSMINGER: Oh, yeah.
4
5 (Laughter)
6
7 MADAME CHAIR ENTSMINGER: The phone
8 rings a lot.
9
10 (Laughter)
11
12 MADAME CHAIR ENTSMINGER: And there's
13 never a fax to answer it.
14
15 (Laughter)
16
17 MADAME CHAIR ENTSMINGER: And I would
18 like, whoever's got my number, it's still ringing, it's
19 2833 and I don't even have a fax on that line.
20
21 MR. MATHEWS: Well, I thought we
22 corrected that through different communications, I'll
23 make a note to correct that.
24
25 MADAME CHAIR ENTSMINGER: Okay.
26
27 MR. MATHEWS: What you don't understand
28 is that she can't take faxes unless she turns on the
29 power.
30
31 MADAME CHAIR ENTSMINGER: Right.
32
33 MR. MATHEWS: It's not that she doesn't
34 want to get the faxes it's just.....
35
36 MADAME CHAIR ENTSMINGER: And I'm not
37 home to get them, they don't come through, the phone
38 just keeps ringing so and then when I do answer it, I
39 hear a fax tone and I can't answer it.
40
41 But actually, Vince, I do have a fax
42 that works but it isn't that number, and it won't
43 answer either unless I'm home, it's a different number.
44
45 MR. MATHEWS: All right.
46
47 MADAME CHAIR ENTSMINGER: Go ahead.
48
49 MR. DUBOIS: Good morning, Madame
50 Chair, members of the Council. My name is Larry

1 Dubois, I was the sampling coordinator for the mesh
2 size study. Can everybody see that okay.

3

4 (Council nods affirmatively)

5

6 MR. DUBOIS: I'll be presenting an
7 overview of the project and some results. The study is
8 a cooperative effort between Alaska Department of Fish
9 and Game and Yukon Delta Fisheries Development
10 Association.

11

12 The project was initially conceived in
13 response to proposals that have come before the Board
14 of Fisheries and the Federal Subsistence Board to
15 restrict gillnet mesh size. Existing data do not
16 adequately address the effects of the proposed mesh
17 size changes such as a maximum mesh size regulation on
18 gillnets catch composition.

19

20 The goal of this project was to get
21 catch composition from 7, 7.5 and 8 inch stretch mesh
22 gillnets from a test fishery in District 1 near
23 Emmonak. In particular the effects of mesh size on the
24 age, sex, length, weight and girth, abbreviated ASLWG
25 of chinook salmon and the number of incidentally caught
26 non-target species such as summer chum salmon. A third
27 objective of this study is the markability of the catch
28 from each of the three mesh sizes. This information
29 may provide insight for management strategies and
30 regulations to sustain chinook salmon while continuing
31 to maintain subsistence and commercial fisheries.

32

33 The study began June 15th with four
34 fishermen and two alternates to collect harvest and
35 sampling data using the three different mesh sizes.
36 Fishermen were provided all three gillnets and a
37 technician to assist them. The test fishery occurred
38 in two sites, near Big Eddy, that are heavily used
39 during the commercial fishery, one on the north bank
40 and one on the south bank. We planned for 10 days of
41 fishing with two shifts each day, morning and
42 afternoon. During each shift all three nets were
43 fished by each fisherman. To reduce variability in
44 location and fishing times, fishermen were rotated
45 between sites and shifts, also the order in which the
46 nets were fished was rotated daily. Each net was
47 fished for 30 minutes, however, when it became apparent
48 catch rates were lower than expected, nets were fished
49 for 40 minutes.

50

1 MADAME CHAIR ENTSMINGER: Excuse me,
2 before you go on, is there a written report?

3
4 MR. DUBOIS: No.

5
6 MADAME CHAIR ENTSMINGER: Okay, that's
7 all I need to know.

8
9 MR. DUBOIS: Technicians were hired to
10 be on each boat to assist with fishing and record data.

11
12 As the drift gillnets were checked,
13 each chinook salmon was tagged with a colored floy tag,
14 one tag for each mesh size. When fishermen returned to
15 the dock with their catch, the chinook were lined up in
16 rows according to mesh size.

17
18 Locally hired technicians sampled
19 chinook for age, sex, length, weight and girth. Chum
20 salmon were not sampled, however, catch per unit effort
21 information was collected from both chum and chinook.
22 In this picture she is examining a scale for quality.
23 And if you look right there, right there, and right
24 there, that's the floy tags that we use for keeping
25 track of the mesh size.

26
27 Girth was measured just in front of the
28 dorsal fin while the fish was hanging from a weighing
29 scale. The sex of the fish that were sold was
30 estimated from external characteristics. Fish that
31 were not sold were cut to determine sex and distributed
32 to local residents.

33
34 Here's an image of the lower
35 Yukon/Delta area. Emmonak is the red circle where the
36 project was based. The drift area was located here.

37
38 I will include results from the drift
39 study and District 1 commercial harvest. Everything
40 above this white line and down stream is in District 1,
41 it would be everything right here, so when I'm talking
42 about District 1, that's anything that's caught in that
43 area. I will also include results from the lower Yukon
44 test fishery or LYTF. These locations are shown in
45 yellow. Middle Mouth is right here and Big Eddy is
46 right there.

47
48 There are three primary mouths of the
49 river, the South Mouth, the Middle Mouth and the North
50 Mouth.

1 The typical entry pattern for the
2 chinook run is to enter the South Mouth in the early
3 part of the run and enter the Middle and North Mouths
4 in greater abundance as the run progresses.

5
6 In 2007 there was unusual entry
7 pattern, chinook salmon did not predominately enter the
8 South Mouth in the early or middle part of the run,
9 this affected the catch rates during the study because
10 Big Eddy and the drift sites were in the South Mouth
11 channel.

12
13 This table shows 456 chinook salmon and
14 605 summer chum salmon were caught in the study. The
15 7.5 mesh caught the most chinook and the 7 inch mesh
16 caught the most chum. The recommended goal for
17 statistical analysis was 400 chinook per mesh size or
18 1,200 total for the season. The chinook catch was well
19 shy of the sample goal, slightly more than one-third of
20 the goal was achieved.

21
22 Reasons for the low catch was partly
23 due to the low chinook run size and the unusual entry
24 pattern of chinook in 2007.

25
26 These charts show the daily sample size
27 by mesh for chinook, the top chart, and chum the bottom
28 chart. The blue columns are the 7 inch mesh and the
29 yellow is the 7.5 and the red is the 8 inch.

30
31 On June 28th right there had the
32 highest catches for both chinook and chum. More than a
33 third of the chinook and more than a quarter of the
34 chum were caught on this day. Overall during the 12
35 days the study was conducted, 120 separate drifts were
36 made representing a cumulative mean fishing time of 71
37 hours.

38
39 This chart shows the chum to chinook
40 ratio from the mesh size study and the District 1
41 commercial harvest in 2007. Again, the blue, the
42 yellow and the red are from the mesh size study. The
43 white bar here on the left is from the six inch or less
44 restricted mesh commercial harvest and the last bar on
45 the right is from the unrestricted mesh harvest. The
46 ratio from the mesh size study ranged from two in the 7
47 inch mesh in the 0.8 in the 7.5 inch mesh. The ratio
48 was slightly less in the restricted harvest and -- or
49 excuse me, slightly less in the unrestricted harvest
50 and much greater here in the restricted commercial

1 harvest. The chum to chinook ratio can vary
2 substantially within a season and among seasons
3 depending upon the relative abundance and timing of the
4 runs. The ratio typically increases during the season
5 as chum salmon predominate. For example, the
6 restricted commercial harvest ratio increased seven
7 fold through the season.

8

9 This chart shows age and sex percentage
10 by mesh size. The mesh size increases along the X axis
11 from left to right.

12

13 Besides the mesh size study, other
14 projects included are the 6 inch or less restricted
15 commercial harvest on the left, the 8.6 inch SGN, which
16 is the lower Yukon test fisheries set gillnets from Big
17 Eddy and Middle Mouth and the unrestricted commercial
18 harvest. The white column is females and the blue,
19 yellow, red and grey columns are Age 4, Age 5, Age 6
20 and Age 7. All the ages by mesh size sum to 100
21 percent.

22

23 The percentage of Age 6 fish, the red
24 columns, generally increases with mesh size, and the
25 Age 5 fish, the yellow columns generally decreases with
26 mesh size. The percentage of females is increasing
27 among the first four data sets here.

28

29 Also I might add the commercial harvest
30 samples were not cut to verify sex. And the test
31 fisheries include verified fish that were cut and
32 unverified fish.

33

34 This chart shows the average length and
35 girth from the mesh size study and other comparable
36 data. The Y axis is in millimeters from zero to 900.
37 The columns shown with increasing mesh size again from
38 left to right. Lengths were from the restricted
39 commercial harvest, the three mesh size study, the 8.6
40 set gillnet and then the unrestricted commercial
41 harvest. Only four data sets were available for the
42 girth because this was not collected from the
43 commercial harvest. You can see the average length
44 and average girth generally increasing with mesh size.

45

46 The largest fish measured in the mesh
47 size study was 1,040 millimeters. Now, mean lengths
48 don't show much information about length distribution
49 by mesh. Length frequency histogram (ph) shows greater
50 detail.

1 So these show the lengths of chinook
2 salmon by location and gear grouped in 25 milliammeter
3 bins. The axis label is the upper bound of the bin.
4 For example, this 800 right here, includes all lengths
5 from 776 to 800 millimeters and the Y axis is number of
6 fish. The left three charts show the length frequency
7 from the 7, 7.5 and 8 inch drift gillnet mesh study.
8 The 850 bin was the most frequent in all. Fifteen
9 percent of all the fish sampled in the study were
10 between 826 and 850 millimeters. The right three
11 charts show the restricted and unrestricted commercial
12 harvest and the 8.5 set gillnet. The abundance harvest
13 and historical percentage of large fish is of interest
14 to research, management and users of the resource, I'm
15 defining large fish as those with a length greater than
16 900 millimeters, therefore large fish are in the length
17 bins 925 millimeters and above shown here.

18
19 So looking at these larger fish in
20 greater detail, this chart shows the percentage of
21 large fish from commercial periods, the mesh size study
22 and the 8.5 set gillnet. From left to right the mesh
23 size increases. The first six values here, P4 through
24 P10 are from the 6 inch or less restricted commercial
25 harvest. The P stands for period as P4 is Period 4.
26 The average for these six periods was the lowest
27 overall at about five percent. The next three values
28 were from the mesh size study and the overall average
29 about 6.2 percent. The second highest percentage of
30 large fish was from the 8.5 set gillnet at 12.5 percent
31 and as expected the unrestricted commercial harvest had
32 the highest percentage of large fish. The last three
33 values, P1 through P5, are from this harvest, the
34 average is about 21.8 percent.

35
36 So what about the small fish.

37
38 This chart's identical to the last one
39 except the percentage of small chinook is shown. I
40 define small chinook is those less than 655 millimeters
41 because that value is used by Pilot Station sonar. As
42 expected the percentage is greatest in the 6 inch or
43 less restricted commercial harvest with an average of
44 about 35 percent. The smallest percentage was in the
45 unrestricted commercial harvest, these last three
46 values average about three percent. And the mesh size
47 -- the small fish in the mesh size study range from
48 about 8.5 to 3.6 percent. It does show a decrease with
49 larger mesh here.

50

1 So a little more about the females
2 here. This shows the females by mesh size and the
3 commercial harvest permit.

4
5 The percentage of females does appear
6 to increase through the season with the restricted
7 commercial harvest, these periods 4 through 10. As
8 noted the percentage of females increases with
9 increasing mesh size in the mesh size study, these
10 three values here.

11
12 This shows the average weight from the
13 mesh study and other comparable data. The Y axis is in
14 pounds from zero to 25. Average weights from the first
15 and the last data sets, the commercial harvests were
16 calculated from batch weights. The four data sets in
17 the middle, the three mesh size study and the 8.5 inch
18 set gillnet were from individual fish weights. And the
19 average weight generally increases with mesh size. The
20 largest fish weighed in the mesh size study was about
21 42.5 pounds.

22
23 This is the first year of a three year
24 study. We plan on continuing this study in 2008 and
25 2009. It's important to have a minimum of three years
26 of data as the percentage by age can vary widely
27 between years.

28
29 For example, in 2006 the percentage of
30 Age 6 chinook salmon in the unrestricted harvest was 50
31 percent, in 2007 it was 82 percent.

32
33 That concludes my presentation. Do you
34 have any questions.

35
36 MADAME CHAIR ENTSMINGER: Council
37 members. Did I see any hands besides Virgil's.

38
39 (Laughter)

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

43
44 MR. UMPHENOUR: Okay, I recently
45 obtained or I got to look at it a little bit and I have
46 some experts from it. There was a report to the Board
47 of Fisheries; I'll just read it:

48
49 Alaska Department of Fish and Game,
50 Division of Commercial Fisheries,

1 Review of Gillnet Mesh Selectivity
2 Studies as Related to the Chinook
3 Salmon Fisheries of Cook Inlet Alaska.
4 Report to the Alaska Board of
5 Fisheries, January 1981.
6

7 And so my question is this, have you
8 reviewed this study and have you reviewed the one done
9 on the Taku River (ph) in '76 and '77?
10

11 MS. EVENSON: Yes, I reviewed both of
12 those studies.
13

14 MR. UMPHENOUR: Do you think maybe
15 we're trying to reinvent the wheel here?
16

17 MS. EVENSON: I think each situation is
18 different. And I think what you're getting at is, is
19 are nets selective, do we think that mesh size is
20 selective and we know that nets are designed to catch a
21 certain size fish. Now, how that relates to the Yukon
22 is the question. And the history, you have to take
23 into account, the history of each fishery, to look into
24 that question.
25

26 MR. UMPHENOUR: Thank you, Madame
27 Chair.
28

29 MADAME CHAIR ENTSMINGER: Go ahead. Do
30 you have something to add?
31

32 MR. DUBOIS: No, I don't.
33

34 MADAME CHAIR ENTSMINGER: Oh, okay, it
35 looked like you did.
36

37 I have a quick question, and it's just
38 my observation after going through your report. Is it
39 -- you know, smaller fish is going to get through the
40 large net, is there any studies that show that they
41 make it or don't make it, saying they might touch the
42 gillnet and you might end up with some fish dying?
43

44 MS. EVENSON: We don't have any studies
45 in particular that show that small fish get caught, are
46 you talking about tangle, I'm guessing, or fall
47 back.....
48

49 MADAME CHAIR ENTSMINGER: No, I'm
50 saying, and this might not even be material, but say,

1 in herring, for instance, if they actually touch the
2 gillnet or something, they might be scarred and they
3 might end up dead anyway so I'm curious if there's any
4 studies on salmon if you have a larger mesh size and
5 the smaller ones aren't being caught and went through
6 and maybe ended up dead.

7

8 MS. EVENSON: That is a concern and it
9 is something that we're trying to look into as much as
10 we can with this study and we've added in a qualitative
11 component on what we call drop out rates, so as they
12 pull in the nets, because these are shorter drifts, as
13 they pull in the nets we ask them to look at what's
14 falling out of the net, you know, that they haven't
15 been able to get into the boat, and are they smaller --
16 you know, look like they're smaller fish or larger
17 fish. Because the concern also goes the opposite
18 direction with larger fish hitting smaller nets as
19 well. So that is something we're looking into.

20

21 MADAME CHAIR ENTSMINGER: In looking at
22 it, have you determined that it's worse one way or the
23 other, if it's worse -- if large fish are entangled and
24 end up dead, versus smaller fish going through, have
25 you determined one way or the other if one is worse
26 than the other for loss of fish?

27

28 MS. EVENSON: Not at this time.

29

30 MR. DUBOIS: Yeah, that'd be kind of a
31 difficult study because if the small fish are going
32 through the net, how do you know what got away?

33

34 MADAME CHAIR ENTSMINGER: I know, I
35 know, I know, I'm just curious.

36

37 MR. DUBOIS: But as Dani said we are
38 keeping track of the drop outs. And one thing with the
39 driftnets, is they're not quite as selective as the
40 setnets because, you know, you're moving a net through
41 the water and depending on the skill of the fisherman,
42 when they see a fish that's in the net, I mean they can
43 retrieve the net quickly and catch that fish. Also the
44 -- you know, the largest fish we caught was in the 7.5
45 inch -- or excuse me, was in the 7 inch mesh. It was
46 also caught at the very bottom in the lead line where
47 the hanging was.

48

49 MADAME CHAIR ENTSMINGER: So it was
50 entangled?

1 MR. DUBOIS: Right.
2
3 MADAME CHAIR ENTSMINGER: Yeah. Not
4 really gilled but entangled.
5
6 MR. DUBOIS: Yeah.
7
8 MADAME CHAIR ENTSMINGER: Vince, is it
9 heartburning.
10
11 MR. MATHEWS: Western Interior's been
12 real interested in this mesh study, will this same
13 report be given to Western Interior, and my secondary
14 question, was this same report given to the Yukon
15 Kuskokwim Delta Advisory Committee -- the Delta
16 Regional -- the Regional Council YK.
17
18 MADAME CHAIR ENTSMINGER: A senior
19 moment.
20
21 MS. EVENSON: Yes. Madame Chair.
22 Vince. This same presentation will be given to the
23 Western Interior to answer your first question. And a
24 similar presentation was given at the YK-Delta RAC
25 meeting, however, there have been some additional
26 slides added as we've had additional time to analyze
27 this information.
28
29 Thank you.
30
31 MADAME CHAIR ENTSMINGER: Go ahead,
32 Virgil.
33
34 MR. UMPHENOUR: Was one given to the
35 Norton Sound RAC?
36
37 MS. EVENSON: No.
38
39 MADAME CHAIR ENTSMINGER: Is there a
40 Norton Sound RAC?
41
42 MR. UMPHENOUR: Well, the Norton Sound
43 RAC addressed this issue and voted.....
44
45 MADAME CHAIR ENTSMINGER: Seward Penn.
46
47 MR. UMPHENOUR: Yes, the one in Norton
48 Sound, they addressed it, isn't that correct, Vince?
49
50 MR. MATHEWS: Yes. Through the Chair,

1 yes, the Seward Penn, so everyone's clear on that, we
2 call it the Seward Peninsula Regional Advisory Council
3 did take up the proposals that you will take up. They
4 have a crossover C&T, positive customary and
5 traditional use determination for chinook.

6

7 MR. UMPHENOUR: But no presentation was
8 given to them on mesh selectivity then by the State?

9

10 MS. EVENSON: No, no presentation was
11 given. I was not aware of the necessity to give one.
12 We certainly would have been open to giving one if it
13 was requested of us.

14

15 MADAME CHAIR ENTSMINGER: That's
16 probably because of the crossover, right, Vince.

17

18 MR. MATHEWS: Well, as everyone knows,
19 pretty much it's been three Councils on the Yukon, but
20 with this crossover C&T Seward Penn was allowed to
21 comment on these proposals. It's Stebbins, I think the
22 anthropologist can correct me, if that's the community
23 that has a positive customary and traditional use
24 determination for the Yukon River.

25

26 MADAME CHAIR ENTSMINGER: Now we know,
27 right, yeah, okay.

28

29 Could someone get the lights, Vince
30 looks like a shadow to me.

31

32 Thank you.

33

34 Richard. Any of the other Council
35 members have any further questions.

36

37 (No comments)

38

39 MADAME CHAIR ENTSMINGER: Okay.
40 Looking at our agenda, I see other timely organization,
41 agency reports relating to fisheries. Do we have any.

42

43 MR. UMPHENOUR: Ask the BLM about the
44 Tozitna Weir.

45

46 MADAME CHAIR ENTSMINGER: Virgil wants
47 to know if the BLM has a report on the Susitna Weir.

48

49 MR. UMPHENOUR: Tozitna.

50

1 MADAME CHAIR ENTSMINGER: Did you say
2 -- oh, I said it wrong, I'm sorry, what is it, the.....
3
4 MR. UMPHENOUR: The Tozitna.
5
6 MADAME CHAIR ENTSMINGER: The Tozitna,
7 and I said Susitna, my apologies.
8
9 MS. MULL: Madame Chair. My name is
10 Kristin Mull and I'm the fisheries biologist for
11 Eastern Interior at the BLM Field Office here in
12 Fairbanks. I was planning to give a report on the
13 Tozitna Weir at the end of the day tomorrow because
14 it's not related to fisheries proposals, but I could do
15 that now if you'd like.
16
17 MADAME CHAIR ENTSMINGER: Virgil, do
18 you have to have it now?
19
20 MR. UMPHENOUR: I don't have to have it
21 now but it's going to tell, I suspect, I don't know,
22 but it's going to tell composition by age and size of
23 what fish got sampled at the weir, I assume.
24
25 MS. MULL: I don't have the age
26 composition data but I do have male/female ratios.
27
28 MADAME CHAIR ENTSMINGER: Do we feel
29 that's relevant.
30
31 MR. UMPHENOUR: We can get it
32 later.....
33
34 MADAME CHAIR ENTSMINGER: I'm open.
35
36 MR. UMPHENOUR:it doesn't make
37 any difference to me. It's up to Kristin.
38
39 MADAME CHAIR ENTSMINGER: If it's
40 relevant to these proposals, let's hear it. Do you
41 feel it's relevant.
42
43 MR. UMPHENOUR: Well, if she's prepared
44 to do it now, that would be fine, if not we can get it
45 later.
46
47 MS. MULL: Sure, I'll go ahead.
48
49 MADAME CHAIR ENTSMINGER: Thank you.
50

1 MS. MULL: So the Tozitna River Weir is
2 run by the Central Yukon Field Office at BLM, and it
3 was operational from June 23rd to August 6th this year.

4
5 The first summer chum and chinook
6 salmon passed through the weir on July 3rd. The total
7 chinook salmon escapement this year was 494 fish and of
8 those 53 percent, or 263 fish were sampled. The
9 estimated sex ratio was 23 percent female.

10
11 This escapement was below the seven
12 year average of 1,541 fish and was the lowest
13 escapement on record since 2001 which is the first year
14 the weir was operated.

15
16 The summer chum escapement was 14,147
17 fish, 793 of these were sampled and 36 percent were
18 female.

19
20 It was estimated that the 2007 summer
21 chum escapement was near the seven year average of
22 20,000 based on a daily escapement of 8 percent of the
23 cumulative escapement on the last day of counting.
24 Annual flooding forced the closure of the weir on
25 August 6th.

26
27 And that's all I have on the Tozitna
28 River Weir.

29
30 MADAME CHAIR ENTSMINGER: Is that a
31 report that you -- do we have that report, copy of?

32
33 MR. MATHEWS: No, it's not in your book
34 and I think Kristin has it in written form but I'm not
35 sure.

36
37 MADAME CHAIR ENTSMINGER: It will
38 probably help people if we have that, yeah.

39
40 MS. MULL: Okay.

41
42 MR. UMPHENOUR: I have a question. Do
43 you know when the age structure and size structure of
44 the fish sampled will be available?

45
46 MS. MULL: I don't happen to know. I
47 can call Jason Post who runs this project and maybe he
48 can give me an answer today.

49
50 MADAME CHAIR ENTSMINGER: I see someone

1 that might have the answer.

2

3 MR. DUBOIS: Madame Chair. Fish and
4 Game ages all the samples from the Yukon and currently
5 we're aging fall chum and finishing up on the chinook
6 so, you know, as these data sets come in we'll get them
7 aged and get the information back to the project
8 leaders so I would estimate within a month we should
9 have the Tozitna data available. Okay.

10

11 MR. UMPHENOUR: Thank you. Because I'm
12 going to want that when we go to the Federal
13 Subsistence Board meeting.

14

15 MADAME CHAIR ENTSMINGER: Okay. Are
16 there any other timely organizational agency reports
17 relating to fisheries.

18

19 And now I see drainage-wide consensus
20 building options, yes, Vince.

21

22 MR. MATHEWS: Yes, Madame Chair, as
23 many of you know this agenda is generated months in
24 advance. This was put down here based on your annual
25 report as well as other things. I apologize, this may
26 not be the best time to bring it up, it might be better
27 after you go through your proposals, to seriously look
28 at ways of looking at better communication and looking
29 at options to build consensus on the river. Tension on
30 the river is extremely high and obviously in my
31 assessment it's also very high between the Councils.
32 So it might be -- it's your call, either to talk about
33 different options on consensus building now or wait
34 until after you review your proposals.

35

36 MADAME CHAIR ENTSMINGER: I think we'll
37 wait until after. But, Vince, do you see a better
38 place for that, unless the Council members have
39 something they want to go on this.

40

41 (No comments)

42

43 MR. MATHEWS: Well, it would be right
44 after you deal with Proposal 17 and before you get into
45 the Resource Monitoring Program. I don't think it will
46 take a lot of time, but it's just something we need to
47 start working on.

48

49 MADAME CHAIR ENTSMINGER: Yeah, okay, I
50 think that's great to talk about that. So you're in

1 charge to make sure we don't forget that because it's
2 not on my list unless I put it there and the Council
3 members are also in charge, don't let us forget.

4

5 All right, we're pushing on to noon
6 here, we're up to taking up these proposals, do you
7 guys want to break for lunch now and start on those
8 after -- my watch is a little fast, what time is it?

9

10 MR. UMPHENOUR: About 10 minutes 'til.

11

12 MADAME CHAIR ENTSMINGER: 10 'til, I'm
13 about five fast, so it's 10 'til, do you want an hour
14 or an hour and 10, let's be back at 1:00.

15

16 MR. UMPHENOUR: There's no place to eat
17 here.

18

19 MADAME CHAIR ENTSMINGER: I know we've
20 got to travel to eat so how much time do you guys need,
21 say an hour and what do you think.

22

23 MR. UMPHENOUR: 1.30.

24

25 MADAME CHAIR ENTSMINGER: Virgil's
26 suggesting 1:30, how about 1:20, does that sound good,
27 all right, then we'll start at 1:30.

28

29 All right, we're adjourned or whatever
30 you call it, until 1:20.

31

32 (Off record)

33

34 (On record)

35

36 MADAME CHAIR ENTSMINGER: Let's see
37 now, this works.

38

39 (Pause)

40

41 MADAME CHAIR ENTSMINGER: So what
42 happens here, Vince, if somebody comes on line then
43 we're going to hear a beep.

44

45 MR. MATHEWS: Yes, and that's where I
46 may get your attention or if you hear it we need to
47 find out who's on line just for the record.

48

49 MADAME CHAIR ENTSMINGER: Okay.

50

1 MR. MATHEWS: I'll just make a beep.
2
3 MADAME CHAIR ENTSMINGER: Okay, we're
4 all here. Coming back after lunch at a mere 15 or 20
5 minutes late, it's okay. I believe the way we're going
6 to handle this, we're now at the proposals, there's
7 only two before us but I have a feeling they're going
8 to take some time. And we need a motion to accept and
9 a second, correct.
10
11 MR. MATHEWS: There's two ways of doing
12 it, it's up to you. You can make a motion to adopt the
13 proposal as written or make a motion to adopt the Staff
14 recommendation. Either way you need to make it clear
15 to us which one you're making a motion on because we've
16 discovered in other meetings the motion is.....
17
18 MADAME CHAIR ENTSMINGER: It gets
19 confusing.
20
21 MR. MATHEWS: Yeah.
22
23 MADAME CHAIR ENTSMINGER: Uh-huh.
24
25 MR. MATHEWS: So whoever just makes the
26 motion just says.....
27
28 MADAME CHAIR ENTSMINGER: It might be
29 easier on our brains to go with it as written because I
30 know we get so confused sometimes, do you guys
31 understand that, it gets confusing, you got to pull up
32 the rein and get our heads in the right direction.
33
34 So I'll accept a motion.
35
36 MR. UMPHENOUR: Move to adopt Proposal
37 08-13.
38
39 MR. CARROLL: Second.
40
41 MADAME CHAIR ENTSMINGER: Okay, we have
42 a motion on the floor and a second. Now, we're going
43 to call for discussion, so I think the first thing, I
44 believe, will be, let me get my things in order here.
45
46 MR. UMPHENOUR: There's a cheat sheet
47 right there.
48
49 MADAME CHAIR ENTSMINGER: Yes, my cheat
50 sheet is in two places, now we're going to have an

1 introduction of the proposal; is that correct.

2

3 MR. KRON: Madame Chair. Tom Kron,
4 again, I'm the information resources and administration
5 chief and currently also acting as the Wildlife
6 Division chief for the Office of Subsistence
7 Management, U.S. Fish and Wildlife Service.

8

9 MADAME CHAIR ENTSMINGER: Okay.

10

11 MR. KRON: The Staff analysis for.....

12

13 MADAME CHAIR ENTSMINGER: One minute,
14 does that mean someone else is on line.

15

16 MR. MATHEWS: Yes.

17

18 MADAME CHAIR ENTSMINGER: So we need to
19 identify who's on line, please.

20

21 MR. RIVARD: Hi, this is Don Rivard.

22

23 MR. DEMATTEO: This is Pete DeMatteo.

24

25 MADAME CHAIR ENTSMINGER: Okay, we've
26 got two of you on line and thank you for being with us.
27 Okay, now Tom Kron is on and giving the presentation.

28

29 MR. KRON: Madame Chair. Members of
30 the Council. The Staff analysis for Fish Proposals 13
31 and 14 can be found on starting on Page 33. The
32 preliminary OSM conclusion is on Page 45 and then
33 following that is a substantial amount of additional
34 supplemental information for you. I'll be providing a
35 short overview of the analysis, but, again all of that
36 information is before you in your Council books.

37

38 As you know, Proposal FP08-13 was
39 submitted by your Council, the Eastern Interior Council
40 and requests that all gillnets with greater than 6 inch
41 mesh be restricted to no more than 35 meshes in depth
42 in Federal public waters in the Yukon River drainage.

43

44 Fish Proposal FP08-14 was also
45 submitted by your Council. It requests that the
46 maximum gillnet mesh size be restricted to 7.5 inch
47 stretch mesh for subsistence and commercial salmon
48 fishing in Federal waters of the Yukon River drainage.

49

50 Longtime Yukon River fishers,

1 particularly from the upper river cite declining fish
2 size, decreasing occurrence of 50 pound plus chinook
3 salmon, extrapolation of age eight chinook salmon and
4 loss of age 7 chinook salmon, decreasing percentage of
5 female chinook salmon and more slender fish. Although
6 these views are not unanimous, fishermen are concerned
7 about genetic impacts to chinook salmon, long-term
8 effects to subsistence users and loss of subsistence
9 lifestyles.

10

11 A variety of net depths are being
12 utilized by fishermen on the Yukon River with deeper
13 mesh nets used for deeper fishing sites to increase
14 harvest effectiveness. Most of the commercial fishing
15 and over half of the subsistence harvest takes place on
16 Federal public waters on the Yukon River drainage. The
17 Federal Subsistence Board does have authority to close
18 Federal public waters to Federally-qualified and/or
19 non-Federally-qualified users for the conservation of
20 healthy populations of fish and wildlife resources and
21 also has the authority to impose methods, means, time
22 and harvest restrictions on all users fishing in
23 Federal public waters when we're addressing
24 conservation of healthy populations of fish and
25 wildlife resources.

26

27 This is the third year that the Eastern
28 Interior Council submitted at least one proposal to the
29 Federal Subsistence Board to limit net depth and/or
30 mesh size to address its continuing concern with the
31 declining average size of returning adult Yukon River
32 chinook salmon. Over the past two years the Federal
33 Subsistence Board has taken active steps to address the
34 issue outside the regulatory process, including
35 recommending and endorsing the formation of and
36 providing support for the YRDFA led salmon size working
37 group.

38

39 Chinook salmon grow larger with age and
40 females are generally larger than males of the same
41 age, from Age 5 on. There's reliable documented
42 evidence from adequate long-term data that Pacific
43 salmon in general and Yukon River chinook salmon in
44 particular are decreasing in size and some possible
45 causes of the decline relate to harvest methods.

46

47 Many fish harvest methods are size
48 selective and disproportionately harvest larger fish.
49 Larger size is linked to older age at maturity and
50 higher fecundity, harvesting larger fish can reduce

1 population productivity. Size selected fishing is not
2 the only factor that affects long-term size trends in
3 fish populations, environmental factors such as climate
4 change, ocean conditions, density of fish competing for
5 resource in the marine environment and other factors
6 may also cause or contribute to size declines.
7 Distinguishing the causes or cause of declining size of
8 fish populations is very difficult. However, it's
9 important to note that we have very limited control
10 over any of these environmental factors. We can expect
11 that environmental factors will change from year to
12 year. Size selected fishing is a potentially powerful
13 agent of evolutionary change in fish populations.

14
15 In chinook salmon length and age at
16 maturity and growth rate are all heritable
17 characteristics, that is to say that they are linked to
18 genetics. Age and size are tightly genetically linked.

19
20 The vulnerability of chinook salmon to
21 size selective fishing is very complex. Size selective
22 harvest may reduce fish size and age at maturity over a
23 matter of decades.

24
25 Existing analysis document a decrease
26 in the mean weight of chinook salmon in commercial
27 harvest. A reduction in the prevalence of the largest
28 fish and the apparent near disappearance of Age 8 fish
29 and also a decline in the percentage of Age 7 chinook
30 salmon in the Yukon River.

31
32 Dr. Jeff Bromaghin evaluated gillnet
33 catch data from the lower Yukon River collected from
34 1990 to 2003 in conjunction with the Pilot Station
35 sonar study. His results were based on a data set of
36 7,261 chinook salmon. He found that that gillnets
37 tend to have a peak efficiency for salmon with a length
38 equal to approximately 3.8 times the stretch mesh size,
39 however, any size mesh can catch a fish of nearly any
40 size.

41
42 Gillnets with larger mesh size, 6.5 and
43 7.5 and 8.5 inch mesh caught the most chinook salmon
44 with 7.5 inch mesh having the greatest catch.
45 Selectivity curves based on data from Pilot Station
46 sonar project on the Yukon River showed that the larger
47 mesh gillnets tend to catch longer chinook salmon,
48 although each mesh size captures a wide range of sizes.

49
50 6.5 inch mesh gillnets were most

1 effective in capturing 25 inch long chinook salmon.
2 7.5 inch mesh gillnets were most effective in catching
3 29.8 inch long chinook salmon, and 8.5 inch mesh
4 gillnets were most effective in capturing 32.6 inch
5 long chinook salmon.

6
7 There is evidence that large mesh
8 gillnets are highly selective for female chinook
9 salmon. In 2004 8.5 inch mesh gillnets used at the Big
10 Eddy Test Fish Project captured 59 percent females
11 whereas 7.5 inch gillnets captured 42 percent females.

12
13
14 The Federal Subsistence Board, through
15 the Office of Subsistence Management continues to
16 provide funding to the ADF&G and other organizations
17 for studies and research projects for the Yukon region.

18
19 The declining salmon size issue has
20 been identified as a priority.

21
22 Additionally, the U.S./Canada Salmon
23 Joint Technical Committee and the Arctic Yukon
24 Kuskokwim Sustainable Salmon Initiative are or will be
25 investigating the declining salmon size issue.

26
27 Many fishers have expressed that the
28 larger, stronger fish migrate in the deeper waters and
29 therefore nets of deeper mesh harvest more of these
30 larger fish. The scientific literature is sparse on
31 the connection between mesh depth and harvest of large
32 fish, however, there are a few studies that show
33 chinook salmon migration trends.

34
35 Adoption of these two proposals would
36 follow recognized principles of fish and wildlife
37 conservation by providing measures to conserve and
38 possibly restore large size fish in the Yukon River.
39 These proposals would standardize gillnet mesh size and
40 depth specifications throughout the Federal waters of
41 the Yukon River where most of the commercial fishing
42 and over half of the subsistence harvest takes place.
43 The use of 7.5 inch mesh gillnets, no more than 35
44 meshes in depth would likely result in fewer of the
45 largest and older age female chinook salmon being
46 harvested with the expectation that more of these fish
47 would reach the spawning grounds to reproduce and pass
48 on to their offspring desirable genetic traits.

49
50 Female sex ratios would likely increase

1 as well, particularly in Yukon River tributaries where
2 sex ratios are often two males to one female with a
3 likely corresponding increase in fecundity and
4 productivity.

5
6 The numbers of age seven and age eight
7 chinook salmon would likely increase preserving genetic
8 integrity increasing population resiliency, which would
9 fulfill the intent of the State of Alaska's sustainable
10 salmon fisheries policy by affording protection to all
11 age classes. Chinook salmon is the only fish species
12 listed as a stock of concern by the ADF&G in the Yukon
13 River. Stabilizing Yukon River chinook salmon stocks
14 and preventing a further decrease in their average size
15 is consistent with sound management principles and the
16 conservation of healthy fish populations.

17
18 Adoption of these proposals would
19 restrict all users, both Federally-qualified and non-
20 Federally-qualified in Federal public waters.

21
22 The Board has the authority to close
23 Federal public waters to Federally-qualified and/or
24 non-Federally-qualified users for the conservation of
25 healthy populations of fish and wildlife resources. It
26 also has the authority to impose method, means, time
27 and harvest restrictions on those users for these
28 reasons.

29
30 If adopted, the proposals would likely
31 pose an additional financial burden on some, if not all
32 affected users, since they would either have to buy new
33 nets and/or modify existing gillnets to 35 meshes deep.
34 The burden is mitigated, somewhat by the proposed phase
35 in period

36
37 Madame Chair. OSM's preliminary
38 conclusion is to support Proposal FP08-13 with
39 modifications to include wording that the:

40
41 The nets will be fished from the
42 surface of the water to no more than 35
43 meshes deep in the water column, and

44
45 The regulations will apply to both
46 subsistence and commercial gillnets in
47 Federal public waters.

48
49 The rationale here is to basically, you
50 know, have wording that would hopefully keep fishing

1 from the surface and not sinking gillnets, which is an
2 option, there are issues around that and they're
3 addressed in other fisheries around the state.

4

5 As to Proposal FP08-14, OSM's
6 preliminary conclusion is to support that.

7

8 As to justification. The Office of
9 Subsistence Management feels that there is reliable
10 documented evidence that the average size of returning
11 adult Yukon River chinook salmon is declining. While
12 there may be several factors contributing to the
13 decline, restricting gillnet size to 7.5 inches and 35
14 meshes deep are appropriate actions the Federal
15 Subsistence Board can take to at least slow down, if
16 not stop the trend. These restrictions would likely
17 result in more of the larger fish, especially the older
18 aged female chinook salmon reaching the spawning
19 grounds to reproduce and pass on desirable genetic
20 traits of size and fecundity with potential benefits on
21 increased fecundity and productivity. Female sex
22 ratios would likely increase particularly on the Yukon
23 River and the number of age seven and eight chinook
24 salmon would likely increase preserving genetic
25 integrity increasing population resiliency.
26 Stabilizing Yukon River chinook salmon stocks and
27 preventing a further decrease in their average size is
28 consistent with sound management principles and
29 conservation of healthy fish stocks.

30

31 There have been ever increasing
32 concerns about size selectivity and fishing methods
33 over recent years. Over time we've learned more and
34 more about this issue.

35

36 A basic issue here is that large mesh
37 nets tend to catch more large chinook salmon, I'm sure
38 this isn't a surprise to the fishermen. Another basic
39 issue here is that chinook salmon size and age are
40 heritable, that is to say that larger and older chinook
41 salmon tend to produce more larger and older chinook
42 salmon, there's a genetic relationship here.

43

44 If we continue to catch a
45 disproportionately high percentage of the large chinook
46 salmon from the Yukon River we can expect that the size
47 and age of Yukon River chinook salmon will continue to
48 decline.

49

50 The Office of Subsistence Management

1 feels that support of these proposals is the right
2 action to take right now.

3

4 We also recognize that there may be
5 other alternative management measures that could be
6 effective in accomplishing the intent of conserving
7 more of the larger chinook salmon for passage up river
8 to the spawning grounds of the Yukon River drainage
9 and we're willing to hear those, that input and would
10 encourage the Council to consider that input as well as
11 they deliberate on this issue.

12

13 Thank you, Madame Chair. I'd be happy
14 to answer any questions.

15

16 MADAME CHAIR ENTSMINGER: Thank you.
17 You read through that and we were having a hard time
18 following, I could tell, any questions.

19

20 Amy.

21

22 MS. WRIGHT: On Page 42 it says that
23 the 7.5 inch mesh had the greatest catch of all for the
24 -- down at the bottom there at the second bullet, is
25 that correct?

26

27 MR. KRON: That's correct and that's
28 from Dr. Bromaghin's evaluation of the Pilot Station
29 data.

30

31 MS. WRIGHT: Okay. So basically what
32 they're saying was the 7.5 was actually more efficient
33 at catching the chinook than the 8.5, is that what I'm
34 getting out of this?

35

36 MR. KRON: Madame Chair. The 7.5 was
37 catching more fish but, again, as you use larger mesh
38 you caught larger fish.

39

40 Thank you, Madame Chair.

41

42 MS. WRIGHT: Okay, thanks.

43

44 MADAME CHAIR ENTSMINGER: Do we have
45 any other questions.

46

47 MS. WRIGHT: Yes.

48

49 MADAME CHAIR ENTSMINGER: You do, go
50 ahead.

1 MS. WRIGHT: Okay, another question
2 was, in the past, the fishermen already went from 60
3 mesh depth to 45 mesh depth, is that correct?

4
5 MR. KRON: Madame Chair, that is
6 correct. That occurred in the mid-1990s and there was
7 an increasing trend in gillnet mesh depth and the
8 Alaska Board of Fisheries at that point adopted a
9 regulation to make the change that is currently in the
10 regs relative to mesh depth and that was phased in over
11 a period of time but, again, that occurred in the 1990s
12 and was done by the Alaska Board of Fisheries.

13
14 Thank you, Madame Chair.

15
16 MS. WRIGHT: So did that -- has there
17 been any evidence that that has helped the larger fish
18 that supposedly travel deeper come through or are they
19 -- or did that really not make much of a difference.

20
21 MR. KRON: Madame Chair. I think that
22 would probably a question for ADF&G.

23
24 MS. WRIGHT: Oh, sorry.

25
26 MR. KRON: The intent at that time and
27 I happen to be working for the Alaska Department of
28 Fish and Game and was the AYK regional supervisor when
29 that was done but the intent at that time was to
30 prevent people from fishing deeper and deeper nets, the
31 thinking was to try to stabilize, to not allow people
32 to fish deeper nets than they had been. They tried to
33 set a limit where they thought there weren't too many
34 people that were fishing nets deeper than that, so they
35 were just trying to prevent further changes in the
36 fishery.

37
38 MS. WRIGHT: Okay, thanks.

39
40 MR. KRON: Thank you, Madame Chair.

41
42 MADAME CHAIR ENTSMINGER: Yes, I also
43 want to help Mathew out just a bit, you see this thing
44 here, Mathew.

45
46 MR. FRENZL: I do see that.

47
48 MADAME CHAIR ENTSMINGER: This is kind
49 of the format we go through these proposals. And it
50 seems like you want to ask questions and get further

1 along but we'll go through this process and then we'll
2 deliberate so if you have any questions regarding his
3 report, anyone else.

4
5 (No comments)

6
7 MADAME CHAIR ENTSMINGER: You're awful
8 quiet Virgil.

9
10 (Laughter)

11
12 MR. UMPHENOUR: Thank you. No, I'd
13 like to compliment the Office of Subsistence Management
14 for a very in-depth report to us. Thank you.

15
16 MADAME CHAIR ENTSMINGER: Very good.
17 Anyone else have any further questions on this report.

18
19 (No comments)

20
21 MADAME CHAIR ENTSMINGER: Because I
22 have a feeling we'll be going back and forth after all
23 these reports in and then we're going to end up --
24 everybody's going to get to hammer at them again. So
25 the next one is the agency comments, ADF&G.

26
27 MR. PAPPAS: Good afternoon. For the
28 record my name is George Pappas, I work for the
29 Department of Fish and Game. I'm on the subsistence
30 liaison team and I represent the Commercial Fisheries
31 and Sportfisheries Divisions.

32
33 I'll be reading into the record the
34 Department of Fish and Game's preliminary comments
35 which you can find on Page 72 of your Regional Advisory
36 Council book. And, Madame Chair, if I speak a little
37 bit too fast please give me a holler, I get ramped up
38 sometimes, I apologize.

39
40 MADAME CHAIR ENTSMINGER: It's
41 contagious.

42
43 (Laughter)

44
45 MR. PAPPAS: FP08-13 would limit all
46 gillnets with stretch mesh size of greater than six
47 inches to a maximum depth of 35 meshes for all users,
48 including subsistence and commercial in the waters of
49 the Yukon River where Federal subsistence regulations
50 apply.

1 FP08-14 would restrict all gillnets
2 fished in waters where Federal regulations apply to a
3 maximum of 7.5 inch stretch mesh size phased in over a
4 three year period for subsistence fishers and a one
5 year period for commercial fishers.

6
7 Proposals similar to FP08-13 were
8 submitted to the Federal Subsistence Board twice in a
9 form of FP05-03 and FP06-04 and the Board took no
10 action or opposed these proposals.

11
12 Proposals to restrict either gillnet
13 mesh size or depth were submitted to the -- submitted
14 at the Alaska Board of Fisheries February 2007
15 regulatory for the AYK region were not adopted. Both
16 Federal and State proposals were thoroughly reviewed in
17 an open and public process.

18
19 The stated intent of both proposals is
20 to reduce the catch of large female chinook salmon in
21 the Yukon River gillnet fisheries, if either proposal
22 is adopted the gear restrictions would apply only to
23 participants in the Federal subsistence fisheries on
24 the Yukon River. The Federal subsistence users would
25 potentially be required to fish longer hours to harvest
26 the same number of fish with less efficient nets and
27 would need to purchase new nets. Those who could not
28 afford new nets would have to significantly --
29 significant -- would have the significant additional
30 fuel cost to travel to waters where Federal regulations
31 do not apply or they may not be able to meet their
32 subsistence needs. Gear used under State regulated
33 subsistence and commercial fisheries would not be
34 affected unless the Federal Board seeks to close waters
35 where the Federal government claims jurisdiction to
36 non-Federally eligible participants creating a
37 conflicting patchwork of waters under State and Federal
38 regulations.

39
40 Upper Yukon Federal subsistence use of
41 fishwheels would not be affected. Adoption of these
42 proposals could reallocate the harvest of larger
43 chinook salmon from gillnet users to fishwheel
44 operators.

45
46 The Department recommends to oppose
47 both of the proposals or defer for two years when the
48 Alaska Board of Fisheries reviews the results of a
49 three year study mesh size studies. Until those
50 studies are complete there's little hard information or

1 specific data upon which to judge the potential effect
2 of the proposals. If it is determined that the gear
3 change is necessary in the future the State would
4 support a riverwide approach and a thorough review of
5 the data, options and specific management objections
6 with the public to gain their input and concurrence.
7 Making a change in only Federal regulations would be
8 costly to subsistence users, apply only in some areas
9 and may not have the desired effects. Making a gear
10 change now may mean subsistence users would have to
11 change gear again, depending upon the results of the
12 mesh size studies which can be an unnecessary hardship
13 for most.

14

15 If a modification in gillnet gear is
16 necessary, the State would also work through the Yukon
17 River Panel to make the changes in Canadian fisheries.

18

19 Some of the public and one Regional
20 Advisory Council has expressed concerns that the deeper
21 nets or nets with larger net size may take more of the
22 larger female fish. To help address this issue the
23 public needs to see a thorough summary of results of
24 current studies regarding fish size and gear and status
25 reports for the projects in progress. Existing data
26 does not adequately address the effects of the proposed
27 mesh size and depth changes on gillnet catch
28 composition. For instance while data exists for
29 various mesh sizes from the Pilot Station sonar
30 project, commercial fishermen typically hang or fish
31 their nets differently. Thus catch composition from
32 the Pilot Station nets is not directly transferable to
33 expected catch compositions in the lower Yukon River
34 commercial fishery.

35

36 A decline in the proportion of seven
37 year old chinook salmon was observed in the commercial
38 harvest in the mid-80s and this proportion has remained
39 low but stable since the mid-90s. An analysis of
40 chinook salmon age, sex and length from selected
41 tributaries by the U.S. Fish and Wildlife Service
42 Office of Subsistence Management concluded that there
43 has been a small decrease in large spawning fish in the
44 four out of seven tributaries evaluated. No clear time
45 trends were found in proportions of either female or
46 older chinook salmon or for the length at age of
47 chinook salmon. At this time it is not possible to
48 determine whether size selectivity harvest or variation
49 in the environment or a combination of these factors is
50 the cause of these trends. Other studies are under way

1 to determine trends in size or age of fish.

2

3 Currently the State is working with the
4 Yukon Delta Fisheries Development Association on a
5 comparative mesh size study. The goal of this project
6 is to gain information about catch composition from 7,
7 7.5 and 8 inch stretch mesh gillnets from a test
8 fishery in Districts Y1 in Emmonak. Of particular
9 interest is the effect of the mesh size on the size of
10 chinook salmon caught and the number of incidentally
11 caught non-target species such as summer chum and the
12 marketability of the catch from these three mesh sizes.
13 This information may provide insight into ways to
14 implement management strategies and regulations to
15 sustain Yukon River chinook salmon while continuing to
16 maintain subsistence, commercial and sport fisheries.

17

18 The U.S./Canada Joint Technical
19 Committee has directed a subcommittee to address this
20 issue. The U.S./Canada Joint Technical Committee
21 salmon size subcommittee compiled relevant literature
22 and existing analysis pertaining to these trends and
23 potential cause of these trends and their potential
24 causes of size trends in the Yukon River chinook salmon
25 populations report. This informational summary was
26 divided into six sections:

27

28 History of the Alaska Yukon River
29 chinook salmon harvest and fisheries
30 sampling;

31

32 History of the Canadian and Yukon River
33 chinook salmon harvest;

34

35 Summary of prior age, sex and size
36 investigations;

37

38 Summary of Yukon River gillnet
39 selectivity;

40

41 Traits and potential effects of
42 selective fisheries; and

43

44 And ocean influences on salmon size.

45

46 The evidence that Yukon River chinook
47 salmon have undergone phenotypic alterations over time
48 is limited but suggestive. Analysis, document a
49 decrease in the weight of commercial harvest, a
50 reduction in the prevalence of the largest fish and the

1 apparent near disappearance of age eight fish, though
2 age eight fish were never a large component of the run,
3 typically less than one percent.

4
5 Whether the changes observed within the
6 Yukon River chinook salmon have resulted from
7 environmental or fishery induced selected pressures or
8 a combination of both is difficult to determine with
9 certainty. The Department is committed to continue
10 monitoring of size and age trends in the Yukon River
11 chinook salmon populations and will use this summary
12 report as a means to develop hypothesis for further
13 study.

14
15 Although poor runs occurred from 1998
16 to 2000 the Yukon River chinook salmon stocks have not
17 -- are not classified as either a conservation concerns
18 or a management concerns. The Yukon River chinook
19 salmon stock is currently classified as a yield
20 concern. In all years, except for the very poor
21 chinook salmon run in 2000, there has been reasonable
22 opportunity for subsistence fishers to meet amounts
23 necessary for subsistence. A majority of the Yukon
24 River drainage escapement goals have been met or
25 exceeded since 2000, specifically the agreed to
26 escapement objective for the Canadian main stem has
27 been met every year since 2000, with 2001, 2003 and
28 2005 being the three highest spawning escapement
29 estimates on record. Escapement goals in the Chena and
30 Salcha Rivers have been met or exceeded annually since
31 2000 with the escapement levels twice that of the upper
32 end of the goal in the Chena River in 2003 and in the
33 Salcha River in 2003 and 2004.

34
35 The 2006 salmon chinook salmon
36 escapement in Salcha was 10,400, the upper end of the
37 goal being 6,500, and the 2007 chinook salmon
38 escapements were within the spawning escapement goal
39 ranges in the Chena and Salcha Rivers. Although
40 commercial average weights have decreased there is no
41 evidence that the size at age of chinook salmon has
42 changed and the age class composition of the brood year
43 return has remained relatively stable since the mid-
44 1980s. The exploitation rates on the Canadian origin
45 stock by Alaska fishers has gone from an average of
46 about 74 percent and 70 percent in the 80s and 90s
47 respectively to an average of about 47 percent from
48 2001 through 2006.

49
50 Although the subsistence harvest levels

1 continue to remain stable near 50,000 chinook salmon
2 annually commercial harvests have decreased over 60
3 percent from an average of 100,000 annually, from '89
4 to '98, to the recent five year average, 2002 through
5 2006 [sic] of nearly 40,000 fish. This has been
6 dramatic -- this has been a dramatic decrease but does
7 not totally reflect run size.

8

9 Harvests had been foregone in a number
10 of recent years because of conservation management --
11 conservative management since 2000. Record escapements
12 were recorded for the Canadian main stem stock in 2001,
13 2003 and escapement goals in the Tanana River have been
14 exceeded in most years since 2000.

15

16 The Department is planning to develop
17 escapement goals based on five year old and older
18 chinook salmon during the next two years. These
19 escapement goals will be more directly related to older
20 fish and aimed at assisting in sustaining chinook
21 salmon runs.

22

23 For the opportunity provided by the
24 State, salmon may be harvested under the State
25 regulations for the majority of the Yukon water shed,
26 including a liberal subsistence fishery. Gear types
27 include -- excuse me, gear types allowed are gillnets,
28 beach seines, hook and line attached to rod and pole,
29 handline and fishwheels. Although all gear types are
30 not used or allowed in all portions of the Yukon River
31 drainage, drift and set gillnets and fishwheels harvest
32 is the majority of the fish taken for subsistence uses.
33 Under State regulations the subsistence is the priority
34 consumptive use, therefore, State subsistence fishing
35 opportunities is directly linked to abundance and is
36 not restricted unless the run size is inadequate to
37 meet escapement needs. When Yukon River salmon run
38 size is below average, the State subsistence fishing
39 periods may be conducted based on a schedule
40 implemented chronologically throughout the Alaska
41 portion of the drainage, which is consistent with
42 migratory timing as the salmon run progresses up
43 stream. Federal regulations under special actions to
44 the -- excuse me -- Federal regulations under special
45 actions to restrict the Federally-eligible users have
46 been rare and duplicated -- and duplicate the State in-
47 season actions necessary to meet the escapement goals
48 except for where State and Federal regulations differ
49 in Subdistricts B-4 and 4-C. Amounts reasonably
50 necessary for subsistence chinook as determined by the

1 Alaska Board of Fisheries have been met in the Yukon
2 River drainage eight of the last 10 years.

3

4 As for jurisdiction issues:

5

6 Maps are needed showing the specific
7 boundaries and areas where Federal regulations are
8 claimed to apply and the justification for claiming
9 those boundaries.

10

11 A large percentage of the lands along
12 the Yukon River are State or private lands where
13 Federal subsistence users cannot use gear types illegal
14 under State regulations.

15

16 The Federal Board has no authority to
17 adopt gillnet mesh size regulations that would apply to
18 State commercial and subsistence fisheries.

19

20 And that concludes my presentation,
21 thank you.

22

23 MADAME CHAIR ENTSMINGER: That was very
24 fast. We probably need to catch up a little bit. I
25 have a thousand questions but I want to start with the
26 Council members and Virgil's swinging his pencil very
27 fast here so Virgil's first.

28

29 MR. UMPHENOUR: Thank you, Madame
30 Chair. Early in your report under impact on
31 subsistence users you say those who could not afford
32 new nets would have the significant additional fuel
33 cost to travel to waters where Federal regulations do
34 not apply. How much would it cost for new nets, I know
35 exactly what it costs, I'm wondering if the Department
36 -- the Department didn't put what it would cost, I
37 would like to know why.

38

39 MS. EVENSON: Yeah, we just ordered
40 some meshes -- some nets for the mesh size study and
41 they were about 1,200 apiece including shipping to the
42 lower river.

43

44 MR. UMPHENOUR: Thank you. I checked
45 with Donaldson and if you're going to change mesh size
46 really the only thing you need is the mesh and for 300
47 feet long, 50 fathoms, for the mesh only, 35 meshes
48 deep, it's \$300 at Donaldson's and maybe \$20 to ship it
49 and just a little bit of work to change them over.

50

1 And then later on in the same paragraph
2 I'd like to know why this sentence says what it says:

3
4 Upper Yukon Federal subsistence harvest
5 of fishwheels would not be affected.
6 Adoption of these proposals could
7 reallocate the harvest of larger
8 chinook salmon from gillnet users to
9 fishwheel operators.

10
11 MS. EVENSON: Yes.

12
13 MADAME CHAIR ENTSMINGER: Okay, we got
14 a new face here.

15
16 MS. EVENSON: Sorry, for the record my
17 name is Dani Evenson, I'm the area research biologist
18 for the summer season, Alaska Department of Fish and
19 Game.

20
21 And that statement was in there to
22 describe if the fish are allowed to pass through in the
23 lower river because the mesh size is smaller and the
24 goal is passing larger fish up river than fishwheels
25 will have a larger opportunity of getting those fish.

26
27 MR. UMPHENOUR: So in other words the
28 Department's admitted this might pass larger fish up
29 the river?

30
31 (Laughter)

32
33 MR. EVENSON: The Department will admit
34 that it -- yes, this might pass larger fish up river
35 and it also is admitting that maybe fishwheels would
36 catch some of those larger fish.

37
38 MR. UMPHENOUR: Thank you. My next
39 question, this is two proposals we're addressing here.
40 13 is to reduce the depth of all nets larger than six
41 inch mesh to 35 meshes, so here's this mesh study going
42 on with the Department and the wolf that's guarding the
43 caribou or the fox that's guarding the hen house, one
44 or the other, the Lower Yukon CDQ group and they're
45 doing mesh size studies with three sizes of nets, but I
46 don't see anything about depth, how deep are these nets
47 that they're using?

48
49 MS. EVENSON: Yes, nets are 45 meshes
50 deep, the study was designed to be as comparable as we

1 could be with the commercial fishery while controlling
2 for variability.

3

4 MR. UMPHENOUR: Why aren't they 35
5 meshes deep like the proposal says and like YRDFA
6 promised four years ago to study, that was never done.
7 And I might.....

8

9 MADAME CHAIR ENTSMINGER: Is that
10 question hers, or was that.....

11

12 MR. UMPHENOUR: Okay, that's my
13 question, why are they not 35 meshes deep like the
14 proposal if they're intended to address the proposal,
15 why are they 45 meshes and not 35 because the proposal
16 is 35 meshes, not 45, so what good is that going to do
17 in the future?

18

19 MS. EVENSON: The idea is to address
20 the situation as it is now. And if you introduce 35
21 meshes deep and the mesh size change, how can you tell
22 what part of it is -- what part of the variability in
23 those two things is attributable to the change in mesh
24 size and what would be attributable to the mesh depth.

25

26 MR. UMPHENOUR: What depths are the
27 Department's test nets, the large mesh nets?

28

29 MS. EVENSON: I believe the test nets
30 are 28 meshes deep.

31

32 MR. UMPHENOUR: Thank you. Why is it
33 that when you do a presentation like the one given to
34 us to try to get us to vote no on our own proposal, why
35 was it that when you gave the catch statistics of the
36 various mesh sizes that you didn't state that the
37 Department's nets were only 28 meshes deep while the
38 commercial fishermen fishing the same size mesh were 45
39 meshes deep?

40

41 MADAME CHAIR ENTSMINGER: And I don't
42 think he's being confrontational, right?

43

44 MR. UMPHENOUR: That's not
45 confrontational, that is using inflection in my voice
46 so they fully understand the question.

47

48 MS. EVENSON: I think this presentation
49 was just designed as a season summary and we're still
50 working through the details of it and adding statistics

1 into it and that is something that we can take under
2 advisement and put into our next presentation. It was
3 not meant to be disingenuous.

4
5 MR. UMPHENOUR: Thank you. Because
6 that's leaving out, part -- to me, as a person that has
7 studied fish -- has been a student of fishing politics
8 for many, many years and a regulator for eight years,
9 to me, that is a super important part of the picture
10 being left out and it causes the public that's not
11 really knowledgeable to compare -- here we are
12 comparing nets that are 28 meshes deep with nets that
13 are 45 meshes deep and the same mesh, you know, like
14 whether it was 7 inch or 6.5, 7 -- 7, 7.5 and 8 or
15 whatever you have and thinking that we're getting an
16 accurate comparison, we're not because our first
17 proposal -- we have two proposals here, the first one
18 is the depth of the nets, which is an issue, and then
19 the second one is the size of the mesh; we have two
20 separate issues but they're all thrown together and
21 here we are getting reports and one RAC has already
22 received the report and voted against it and the report
23 did not make it clear, that when they're comparing this
24 data between test fisheries run by the Department and
25 the test fisheries run by Yukon Delta, whatever the
26 heck they call themselves, the CDQ group, the
27 commercial fishing group in the lower Yukon, that
28 they're nets are almost twice as deep as the ones by
29 the Department and you're comparing the two as if it's
30 apples and apples, when it's really apples and
31 grapefruit.

32
33 That's.....

34
35 MADAME CHAIR ENTSMINGER: Okay, Virgil.

36
37 MR. UMPHENOUR: Okay, I'm not being
38 confrontational I just want to go through the rest of
39 their report and ask them.....

40
41 MADAME CHAIR ENTSMINGER: And I think
42 you make a valid point and I think that's why we see in
43 some of these graphs, where you see an average and even
44 though it says, oh, yeah, this is these years, but a
45 lot of times your brain says the average should be
46 overall, not just a piece of it, and now you're saying
47 -- and I think everybody here on the Council would
48 agree that some of that stuff is very relative to a
49 study and I see a lot of things I'd like to hear about
50 over here.

1 Do we have -- oh, no, we don't have
2 anything.

3
4 (Laughter)

5
6 MADAME CHAIR ENTSMINGER: Do we have
7 something to add here?

8
9 MS. EVENSON: I guess I could add that
10 we just put in the test fishery data that Virgil is
11 referring to sort of an afterthought so people could
12 see what it looks like in different areas. The setnet
13 comparison isn't really a fair comparison because it's
14 setnet and all the other data points are from a gillnet
15 fishery and this stuff was added in right before this
16 RAC meeting and it was not given in the Yukon Delta and
17 so, you know, given the strength of Virgil's feelings
18 towards that that is something that maybe we can remove
19 in the future so we'll take under advisement.

20
21 MR. UMPHENOUR: Thank you. But I know
22 that you're going to give a presentation next week to
23 the Western RAC and so I would appreciate it if they
24 understand the depth of the nets when you present that.

25
26 I just have a few more things I want to
27 comment on in your report, or ask questions about.

28
29 MADAME CHAIR ENTSMINGER: Well, that's
30 okay -- well, did you want to respond.

31
32 MR. PAPPAS: Madame Chair. Council
33 member Umphenour. We will take that under advisement
34 as a policy to make sure that's identified and we'll
35 work with the OSM to make sure that their reviews and
36 presentations also follow along these policy lines.

37
38 Thank you.

39
40 MADAME CHAIR ENTSMINGER: Now, I would
41 like to give every Council member an opportunity to ask
42 something else, so did you have something else.

43
44 MR. UMPHENOUR: I have a couple of
45 questions because I took notes on this as we went
46 through because there's a couple of things that I don't
47 think are accurate.

48
49 MADAME CHAIR ENTSMINGER: Okay.

50

1 MR. UMPHENOUR: So my next question is
2 on conservation issues, it says escapement goals in the
3 Chena and Salcha Rivers have been met or exceeded
4 annually since 2000. In 2006 and 2007 there was no
5 commercial fishery directed at king salmon in the
6 Tanana River. Why was that left out that that's how
7 you met escapement on the Chena River the last two
8 years, '06 and '07.

9
10 MS. EVENSON: That also has to do with
11 a temporal component and the runs were late in both
12 2006 and 2007 into the Chena and Salcha River. That is
13 one location where we can manage based on escapement
14 goals, and so in this -- in both the years you're
15 questioning they're years when we didn't have many fish
16 in the Chena and Salcha at the times when we were
17 making that decision, we did, indeed, meet the goal but
18 we didn't meet the goal until late in the game.

19
20 MR. UMPHENOUR: He's got his hand up.

21
22 MADAME CHAIR ENTSMINGER: Oh, I'm
23 sorry.

24
25 MR. PAPPAS: Madame Chair. Council
26 member Umphenour. As you'll see in the top of our
27 document there it does say draft, it does say
28 preliminary and we will take your points under
29 consideration and incorporate this to ensure that the
30 Federal Subsistence Board has all the cards in front of
31 them when it does come in front of the Federal
32 Subsistence Board, sir.

33
34 MADAME CHAIR ENTSMINGER: That's great
35 to hear.

36
37 MR. UMPHENOUR: That's all I have right
38 now, I'll yield the floor to the other Council members.

39
40 Madame Chair.

41
42 MADAME CHAIR ENTSMINGER: You're
43 wonderful, Virgil, thank you.

44
45 (Laughter)

46
47 MADAME CHAIR ENTSMINGER: Now, I know
48 you Council members have some more questions.

49
50 (No comments)

1 MADAME CHAIR ENTSMINGER: No.
2
3 (No comments)
4
5 MADAME CHAIR ENTSMINGER: None.
6
7 (No comments)
8
9 MADAME CHAIR ENTSMINGER: All right, my
10 brain must be thinking because I have several. I was
11 just going to tease you, Virgil, you were going to get
12 them all in the fishwheels, but there's a couple things
13 I wrote down here that I want to clearly understand.
14
15 This is in your report on 74 regarding
16 the escapement to Canada. Is it at all possible from
17 this -- let's see it says 74 percent and 70 percent in
18 '80s and '90s respectively to an average of 47 percent
19 escapement from '01 to '06. This is the Canadian
20 escapement, right?
21
22 MS. EVENSON: That would be the
23 exploitation rate.
24
25 MADAME CHAIR ENTSMINGER: Boy, I just
26 don't have this fish thing in my head, do I. So can
27 you give me -- where is our escapement -- what's
28 escaping into Canada, I just want to know if that's
29 average on the long haul?
30
31 MS. EVENSON: The Canadian escapement
32 is determined by a mark and recapture project operated
33 by the Canadian Department of Fisheries and Oceans, and
34 they use fishwheels and they mark the fish and that
35 project, for some reason has been highly variable and
36 suspected to be biased low. With that being said, your
37 goals into Canada are developed based on that and aside
38 from this year we have had some very high escapements
39 into Canada since 2000 -- 2001 had high escapements,
40 2003 and we also had good escapements in 2005, they
41 were some of the highest we've had on record into
42 Canada. And recently the Department has implemented a
43 new project called Eagle sonar where we've had a lot of
44 success in enumerating the chinook running into Canada
45 and we're hoping to move in the direction making that
46 the gold standard for counting the fish and what Eagle
47 Sonar has shown is almost double what we see in the
48 mark/recapture estimate. So we're working now through
49 the Joint Technical Committee, the Yukon -- the
50 U.S./Canada/Yukon River Panel to figure out how to

1 relate those two estimates and come up with a new
2 escapement goal based on those.

3

4 MADAME CHAIR ENTSMINGER: I guess what
5 I'd like to go on further, in my mind, I'm not a
6 biologist by any shape or form, but if we're seeing a
7 little age problem in the fishery and if -- I guess I
8 didn't see enough information from what's happening in
9 Canada that it's that far up stream that maybe the big
10 fish are the ones that go up there and if we don't have
11 a real handle on -- I mean I'm asking, is that -- am I
12 foreseeing something that you know about or am I just
13 thinking like a logical, sensible person that does
14 nothing.

15

16 MS. EVENSON: Well, it's interesting.
17 It's one of those places where information does not
18 equal -- or data does not equal information so we have
19 the estimates from that border passage since 1982 and
20 we also have age composition from that that's taken
21 from the fishwheel and we use that to reconstruct the
22 run and it's the one place in the Yukon where we have
23 somewhat of a handle up until recently, somewhat of a
24 handle on the numbers coming in so we -- 50 percent of
25 the production on average is what is attributable to
26 Canadian origin and so we reconstruct that part of the
27 run and look at the trends there.

28

29 So that's where we have our age
30 composition information from. And from that we can do
31 brood tables and look at other metrics like recruits
32 per spawner.

33

34 MADAME CHAIR ENTSMINGER: Are there
35 bigger fish going to Canada is what I'm wondering?

36

37 MS. EVENSON: Oh, that's what you're
38 after?

39

40 MADAME CHAIR ENTSMINGER: Yeah. Are
41 the fish that are bigger, are they the ones that end up
42 in Canada?

43

44 MS. EVENSON: It is believed that the
45 larger fish travel longer distances.

46

47 MADAME CHAIR ENTSMINGER: Oh.

48

49 MS. EVENSON: It is -- the data that we
50 do have on the Chena and Salcha Rivers and for some of

1 the Canadian Rivers is that they are larger fish than
2 some of the lower river tributaries such as the Anvik
3 and the Andreafsky.

4

5 MADAME CHAIR ENTSMINGER: So you see
6 what I'm thinking, a big picture to me, that might be
7 simplistic and this age structure of fish, I mean if
8 you don't have a clear handle of what's going on over
9 there that maybe that might be where some of the
10 problem might be. I don't know.

11

12 MS. WRIGHT: I got a question.

13

14 MADAME CHAIR ENTSMINGER: Amy.

15

16 MS. WRIGHT: On those charts that you
17 guys were showing a little while ago, I'm guessing I've
18 got the right people this time, the size six, seven,
19 eight and commercial, it looked to me like straight
20 across the board it was six year olds that were the
21 most caught fish, is this correct?

22

23 MS. EVENSON: That is correct for 2007.
24 One of the things, we have the study going on for three
25 years because even though six year olds tend to
26 dominate the run, things come back each year at
27 different run strengths. So we might see, for example,
28 last year we saw a really high number of five year olds
29 that was approaching 50 percent, it was in the upper
30 40s and so if we ran all those meshes in the river
31 where there's a lot of five year olds we might see a
32 different breakdown.

33

34 MS. WRIGHT: That's what I was going
35 to, is they're moving in groups, they're age groups,
36 right, that are coming back and so like this year it
37 just happened to be, there's a lot of six year olds
38 returning, is that what we're getting?

39

40 MS. EVENSON: Correct.

41

42 MS. WRIGHT: Thanks.

43

44 MADAME CHAIR ENTSMINGER: Amy, I'd like
45 you to continue that question a little more, you're
46 getting to a point and that point is?

47

48 MS. WRIGHT: Well, in my line of
49 thought is that the fish obviously come back in waves
50 of age groups so if the six inch all the way through 10

1 inch meshes are catching the majority of six year olds
2 regardless of what size they are, that just means that
3 that's the year that they're coming back, it doesn't
4 necessarily mean that the six year olds are the
5 biggest, it just means that they're six year olds. In
6 my mind. I might have that wrong.

7

8 MADAME CHAIR ENTSMINGER: If the fish
9 guru doesn't agree he'll tell us, right, okay. Do I
10 have any more questions here of the Council members.

11

12 MR. FRENZL: I've got a question.

13

14 MADAME CHAIR ENTSMINGER: Go ahead,
15 Matthew.

16

17 MR. FRENZL: The Department
18 recommendation, it says three year mesh size studies
19 and the very last there's a footnote that says, data
20 should be available next year, where are the studies
21 referenced, what studies are you referring to?

22

23 MADAME CHAIR ENTSMINGER: What page is
24 it?

25

26 MR. FRENZL: Page 72.

27

28 MADAME CHAIR ENTSMINGER: Yes, under
29 Department recommendation.

30

31 MS. EVENSON: Right the other study is
32 by Dr. Bromaghin of the Fish and Wildlife Service, he
33 got some funding out of the AYKSSI funding source to do
34 a stochastic modeling project and it's looking at
35 potential long-term effects of large mesh gillnet
36 fisheries on the Yukon River with AYKSSI. So that
37 study and this study, we're hoping will shed some light
38 on this issue in the near future.

39

40 MR. FRENZL: Okay. So the data should
41 be available in another year, a different study?

42

43 MS. EVENSON: Correct.

44

45 MR. FRENZL: Okay.

46

47 MADAME CHAIR ENTSMINGER: Lots of
48 studies. Does that answer.....

49

50 MR. FRENZL: Yeah.

1 MADAME CHAIR ENTSMINGER: Okay.
2 Council members any other questions. I'm sorry but I
3 have several more.
4
5 MR. UMPHENOUR: Just one.
6
7 MADAME CHAIR ENTSMINGER: Just one,
8 okay.
9
10 MR. UMPHENOUR: Is the Department doing
11 any kind of fecundity analysis along with this mesh
12 study they're doing?
13
14 MS. EVENSON: Not along with the mesh
15 study but in cooperation with the Fish and Wildlife
16 Service, Dr. Bromaghin, again, and myself, along with
17 Tom McClain of OSM have submitted a proposal for AYKSSI
18 funding just this Monday to look at fecundity at the
19 mouth and to look at three things, we're going to take
20 genetic samples with them and see if fecundity, one,
21 has -- is different, that is the number of eggs per
22 female is different and this is length adjusted
23 fecundity for different stocks. If there's a
24 relationship between how far fish migrate and ovarian
25 investment. And also to compare that data set to the
26 most recently collected data set from 2005 from the
27 Tanana River.
28
29 MR. UMPHENOUR: Thank you. A follow
30 up, if I may.
31
32 MADAME CHAIR ENTSMINGER: Yeah. Why
33 don't you describe, for those of us who don't know, I
34 hope I'm not the only one.
35
36 MR. UMPHENOUR: Fecundity is the number
37 of eggs.....
38
39 MADAME CHAIR ENTSMINGER: Okay.
40
41 MR. UMPHENOUR:the female has in
42 them.
43
44 MADAME CHAIR ENTSMINGER: Okay.
45
46 MR. UMPHENOUR: Okay.
47
48 MADAME CHAIR ENTSMINGER: Am I the only
49 one.
50

1 MR. FRENZL: Could you say that again,
2 please, I didn't hear what that was.
3
4 MADAME CHAIR ENTSMINGER: Fecundity,
5 what does it mean?
6
7 MR. FRENZL: Yeah.
8
9 MR. UMPHENOUR: Okay. Fecundity in
10 salmon is the number of eggs that a female carries, how
11 many eggs she has that she's going to lay, that's what
12 fecundity means.
13
14 MADAME CHAIR ENTSMINGER: And that must
15 vary.
16
17 MR. UMPHENOUR: So I have a question
18 based on that. You're going to do this all in Y1 so
19 are you going to use genetics to determine where the
20 fish are going or are you going to sample some place
21 else like say the Tanana River or the Rapids or some
22 other place.
23
24 MS. EVENSON: In this study we're going
25 to just do it in Y1 out of the test fishery and out of
26 the comparative mesh size study so we want an area
27 where we can get a broad representation of the
28 different stocks that enter the Yukon, so the mouth
29 seems to be the most reasonable place to do that and
30 get a handle on length adjusted fecundity. And the
31 reason I say length adjusted is that obviously the
32 number of eggs per female is going to change by the
33 size of the fish. So if we can standardize across it
34 by the length and then look at stock specific
35 differences.
36
37 MADAME CHAIR ENTSMINGER: So when you
38 say in the mouth, you mean up river of the three
39 mouths?
40
41 MS. EVENSON: Correct.
42
43 MADAME CHAIR ENTSMINGER: Okay. It
44 sounds like we have more information or.....
45
46 MR. UMPHENOUR: Well, I'm still not
47 clear on this. You're only going to do it in Y1 from
48 the test fisheries but you're not going to use GSI to
49 figure out where the fish are going, I mean are you
50 going to try to figure out where the fish are going?

1 MS. EVENSON: Correct. I.....
2
3 MADAME CHAIR ENTSMINGER: GSI.
4
5 MS. EVENSON:should have used
6 that.
7
8 MR. UMPHENOUR: Genetic stock
9 identification.
10
11 MS. EVENSON: GSI stands for.....
12
13 MADAME CHAIR ENTSMINGER: Okay.
14
15 MS. EVENSON:genetic stock
16 identification. And we now have a fairly developed
17 chinook baseline so we can take these samples of
18 chinook and figure out where they're going. And Jeff
19 Bromaghin has written an algorithm to do individual
20 assignment of fish, to assign a particular fish to a
21 particular location that it will be going to.
22
23 MADAME CHAIR ENTSMINGER: Isn't fish
24 fun.
25
26 (Laughter)
27
28 MADAME CHAIR ENTSMINGER: Virgil, did
29 that help you?
30
31 MR. UMPHENOUR: That answered my
32 question and when we get to deliberate I'll explain it.
33
34 MADAME CHAIR ENTSMINGER: Okay. Did it
35 bring up other questions from other Council members.
36
37 (No comments)
38
39 MADAME CHAIR ENTSMINGER: Unfortunately
40 I have several other ones to ask.
41
42 These maps, I would like to know the
43 jurisdiction over Federal versus State. I'm hearing
44 the, I don't' want to say, never mind I was going to
45 call you something else there, Tom, the OSM saying that
46 we do have jurisdiction and to do both the commercial
47 and the subsistence so I don't think I've ever heard
48 that before, not me, I don't recall anyway, and now
49 we're saying boundaries, so I guess do we know, does
50 the State agree on these boundaries, I don't understand

1 what's going on here for boundaries, for how we can
2 suddenly.....

3

4 MR. PAPPAS: Madame Chair. From our
5 Staff comments, this is a -- it's almost a standardized
6 response with the statewide issues with the Federal
7 Staff analysis, the way some of the maps are drawn up
8 you'll see in some other parts of the Federal Staff
9 analysis here, that it says Federally-managed
10 waters.....

11

12 MADAME CHAIR ENTSMINGER: Can I
13 interrupt for a second.

14

15 MR. PAPPAS: Yes.

16

17 MADAME CHAIR ENTSMINGER: I just heard
18 a beep, did someone else join us on the teleconference?

19

20 (No comments)

21

22 MADAME CHAIR ENTSMINGER: I heard a
23 meek voice, you might have to speak louder.

24

25 MR. SULLIVAN: Yes, this is Ted
26 Sullivan from Ft. Yukon, Natural Resource.

27

28 MADAME CHAIR ENTSMINGER: Natural
29 Resource being State DNR or what?

30

31 MR. SULLIVAN: With the tribe.

32

33 MADAME CHAIR ENTSMINGER: Okay. All
34 right, I'm sorry. Welcome. What's the first name
35 again?

36

37 MR. SULLIVAN: Ted.

38

39 MADAME CHAIR ENTSMINGER: Okay, welcome
40 Ted.

41

42 We were discussing Proposal 08-13 and
43 we have Fish and Game here so if you have any questions
44 you can certainly ask. Actually there'll be an
45 opportunity for you to do so later here.

46

47 MR. SULLIVAN: All right.

48

49 MADAME CHAIR ENTSMINGER: All right,
50 now, continue.

1 MR. PAPPAS: Madame Chair. George
2 Pappas, for the record again. If you have Page 83 of
3 your RAC book, this particular map has been seen many
4 times. An example, it says, Federally-managed waters,
5 it's actually for Federal subsistence priority. There
6 are a lot more to the waters than -- that's just an
7 example of the types of maps the Department's been
8 challenging, basically for many years, and most of our
9 proposals do have the comment in it, wanting more
10 specific maps with the justifications for Federal water
11 rights. Some of the issues, I believe, might be in
12 litigation right now.

13
14 And to summarize, I believe both
15 Department's of Law for the State and Federal
16 government have differing opinions and interpretations
17 of the current regulations.

18
19 MADAME CHAIR ENTSMINGER: So is it
20 possible that a subsistence user or -- I have to
21 apologize because I don't understand all this Yukon
22 fish stuff and I'm trying to. For somebody that wants
23 to just stick there net in there and go fishing, that
24 when they cross these boundaries they're going to have
25 two different regulations?

26
27 MR. RIVARD: Madame Chair, this is Don
28 Rivard.

29
30 MADAME CHAIR ENTSMINGER: Yes, go
31 ahead, Don.

32
33 MR. RIVARD: A couple of things. One,
34 is that maps were provided, I think Tom Kron brought a
35 couple of wall maps that show the different Federal
36 units along the Yukon River, I don't know if those are
37 hanging up in the room or not.

38
39 MR. MATHEWS: No, Don.

40
41 MR. RIVARD: Okay, well, those would
42 help you. There's a claim by the State that it would
43 cause a lot of patchwork in regulations but there would
44 just be a few areas that would not be under Federal
45 regulations if these two proposals were passed.

46
47 And then, you're right, Madame Chair,
48 that if these two proposals are passed, or even one of
49 them that there would be differing Federal and State
50 regulations regarding subsistence harvest -- commercial

1 harvest.

2

3 MADAME CHAIR ENTSMINGER: Okay, that is
4 of interest to me. Tom.

5

6 MR. KRON: Madame Chair. Just for
7 further clarification, we do have maps here, we were
8 resistant to put pins or tape on brand new walls here.

9

10 MADAME CHAIR ENTSMINGER: That's a
11 good.....

12

13 MR. KRON: But we do have maps to show
14 you. There is a smaller version of the map that Don is
15 referring to on Page 37 in your Council books.

16

17 MADAME CHAIR ENTSMINGER: 37?

18

19 MR. KRON: Yeah.

20

21 MADAME CHAIR ENTSMINGER: What's this
22 83, is it the same one?

23

24 MR. KRON: A different reference. But,
25 again, if you look on Page 37 and maybe Russ can help
26 me out here as well, but basically Federal jurisdiction
27 is within the exterior boundaries of the conservation
28 system units.

29

30 So, for example, Federal jurisdiction
31 extends just below Holy Cross down to the mouth, that
32 encompasses the majority of the State managed
33 commercial fishery. Federal jurisdiction also includes
34 the -- if you move up river to the Innoko National
35 Wildlife Refuge, both the waters -- it basically
36 includes the river from the lower extreme on the south
37 to the upper extreme on the north, both sides of the
38 river all the way across the river, that's the Federal
39 position. And, again, if you work up through all the
40 different, the Koyukuk, the Nowitna, Yukon Flats, Yukon
41 Charley, the various conservation system units, that is
42 the approach that the Federal government has been
43 taking since 2000 for fisheries management.

44

45 And, Russ, if you'd add, please.

46

47 MR. HOLDER: Madame Chair. Just for
48 additional information in a report for the 2001
49 management year, these different fishing districts had
50 the maps included and the GPS points for the north bank

1 and the south bank boundary markers included within
2 that report so as Tom described where the Federal
3 conservation system units are on the river, there's
4 also GPS locations for where those boundaries occur.
5
6 MADAME CHAIR ENTSMINGER: So currently
7 -- let me get this straight.
8
9 REPORTER: Sue. Sue.
10
11 MADAME CHAIR ENTSMINGER: If these GPS
12 locations.....
13
14 MS. WRIGHT: Turn on your mic.
15
16 MADAME CHAIR ENTSMINGER:are --
17 I'm sorry. I'm trying not to make a lot of noise. The
18 actual conservation unit is the boundary, is that what
19 you're saying.....
20
21 MR. HOLDER: That is correct.
22
23 MADAME CHAIR ENTSMINGER:on the
24 water, yeah.
25
26 MR. HOLDER: The -- that is correct.
27
28 MADAME CHAIR ENTSMINGER: Okay.
29
30 MR. HOLDER: And if the Federal
31 conservation system unit, like the Innoko National
32 Wildlife Refuge being on the south bank, currently the
33 way I understand the interpretation is that the Federal
34 waters extends across and down so even though the
35 Innoko National Wildlife Refuge is, say, on that south
36 bank, it includes the Yukon River drainage through that
37 entirety.
38
39 MADAME CHAIR ENTSMINGER: And what
40 about the Native land, what happens there?
41
42 MR. HOLDER: If it's within the upper
43 and lower boundary, it is treated as Federal waters for
44 management purposes.
45
46 MADAME CHAIR ENTSMINGER: Say that
47 again, if the.....
48
49 MR. HOLDER: If it is within the upper
50 and lower boundary of the Federal conservation system

1 unit, it is treated as Federal waters for management
2 purposes.
3
4 MR. KRON: For fish.
5
6 MR. HOLDER: For fish.
7
8 MADAME CHAIR ENTSMINGER: For fish,
9 right, thank you. That's important.
10
11 MR. KRON: It is.
12
13 MADAME CHAIR ENTSMINGER: Okay. So I
14 want to make sure, Richard, do you understand all this?
15
16 MR. CARROLL: Yes, I understand all
17 this.
18
19 (Laughter)
20
21 MADAME CHAIR ENTSMINGER: So I.....
22
23 (Laughter)
24
25 MADAME CHAIR ENTSMINGER: So I'm.....
26
27 MR. CARROLL: I understand it
28 perfectly. If you want me.....
29
30 REPORTER: Richard. Richard.
31
32 MADAME CHAIR ENTSMINGER: Turn your mic
33 on.
34
35 MR. CARROLL: If you want me to make a
36 comment, I mean I'm all for this proposal, if nobody
37 else wants to do something about it, I want to.
38
39 MADAME CHAIR ENTSMINGER: Uh-huh.
40
41 MR. CARROLL: I want to.
42
43 MADAME CHAIR ENTSMINGER: Uh-huh.
44
45 MR. CARROLL: Let us do something about
46 it. I'm tired of listening to people beating around
47 the bush and blaming each other. I see the comments in
48 here from down river, we should try something up there
49 first, you know, and.....
50

1 MADAME CHAIR ENTSMINGER: Uh-huh.
2
3 MR. CARROLL:they're -- this is
4 -- it's juvenile, it's immature.
5
6 MADAME CHAIR ENTSMINGER: So it's.....
7
8 MR. CARROLL: It's important to me and
9 it's important.....
10
11 MADAME CHAIR ENTSMINGER: I should have
12 -- yeah, and that's important to me.
13
14 MR. CARROLL:that we proposed
15 something here, we put something on the table to work
16 with.
17
18 MADAME CHAIR ENTSMINGER: Uh-huh.
19
20 MR. CARROLL: That's what I want.
21
22 MADAME CHAIR ENTSMINGER: Okay.
23
24 MR. CARROLL: I don't want to walk away
25 from here doing nothing.
26
27 MADAME CHAIR ENTSMINGER: I appreciate
28 that, thank you.
29
30 MR. CARROLL: Yep. And I understand
31 what's going on, yes.
32
33 MADAME CHAIR ENTSMINGER: Right.
34 Right. Well, it's hard for me because I don't know the
35 Yukon River and I'm just trying to understand it and
36 thank you for being patient with me on that.
37
38 Go ahead, Tom.
39
40 MR. KRON: Madame Chair. Tom Kron
41 again. Your proposals asked us to do something that we
42 hadn't, you know, hadn't addressed much in the past and
43 that was to assert authority over commercial fisheries
44 so we went to the solicitor's office and said, you
45 know, explained the situation to them and you heard me,
46 in my presentation say, that we have the authority for
47 conservation of healthy populations of fish and
48 wildlife resources, given that the Federal government
49 feels, under ANILCA, we have the authority to do, you
50 know, what you've asked for in these proposals on these

1 Federal waters that Russ and I just explained.
2
3 MADAME CHAIR ENTSMINGER: Uh-huh.
4
5 MR. KRON: But we can guess, we can
6 expect that others will view it differently.
7
8 MADAME CHAIR ENTSMINGER: Uh-huh.
9
10 MR. KRON: Thank you, Madame Chair.
11
12 MADAME CHAIR ENTSMINGER: And we're
13 going to deliberate Richard.....
14
15 MR. CARROLL: Uh-huh.
16
17 MADAME CHAIR ENTSMINGER:and we
18 can all get to say a lot more.....
19
20 MR. CARROLL: Yeah.
21
22 MADAME CHAIR ENTSMINGER:I just
23 want to -- I hope everybody -- do you understand all
24 these, I want to make sure everybody understand what
25 we're talking about.
26
27 (Council nods affirmatively)
28
29 MADAME CHAIR ENTSMINGER: Okay. So
30 don't call me the blonde, okay.
31
32 (Laughter)
33
34 MADAME CHAIR ENTSMINGER: She doesn't
35 understand, no.
36
37 (Laughter)
38
39 MADAME CHAIR ENTSMINGER: Okay. And if
40 it's okay, I would like to ask my couple last questions
41 here, if I can find where the heck we were.
42
43 I guess this sinking of gillnets,
44 that's something that -- now, I'm on Page 45 and I
45 think it looks like we're taking up both proposals at
46 once here anyway.
47
48 MR. UMPHENOUR: We are.
49
50 MADAME CHAIR ENTSMINGER: What?

1 MR. UMPHENOUR: We are.
2
3 MADAME CHAIR ENTSMINGER: Yeah, uh-huh.
4 So what you're saying is people can actually sink a
5 gillnet and then actually get deeper so maybe we -- and
6 that's what you were discussing earlier, okay, I'm not
7 going to go there then, I'm going to go there under
8 deliberation, I'm sorry.
9
10 Let me find my place, just give me a
11 second here.
12
13 (Pause)
14
15 MADAME CHAIR ENTSMINGER: I'm going to
16 ask it later. It's going to take me a minute, so,
17 okay, we're going to move on then.
18
19 Does anyone have any other questions of
20 Fish and Game.
21
22 (No comments)
23
24 MADAME CHAIR ENTSMINGER: Okay, it
25 looks like they're going to have a lot of stuff to move
26 around there because the next thing will be Federal
27 agencies and, Vince, how do we handle that, I'm having
28 a little memory lapse.
29
30 MR. MATHEWS: Well, we leave it open
31 there in case there was an agency that didn't agree
32 with what was presented earlier or had additional data
33 or whatever. I don't know of any Federal agencies,
34 Park Service, BLM or et cetera, that had additional to
35 share, if they do this would be the time.
36
37 (No comments)
38
39 MADAME CHAIR ENTSMINGER: Do I see any.
40
41 MR. MATHEWS: Their heads are shaking
42 negative.
43
44 MADAME CHAIR ENTSMINGER: There aren't
45 any blondes out there.
46
47 (Laughter)
48
49 MADAME CHAIR ENTSMINGER: Okay. Next
50 will be the Native, tribal, village for comments.

1 (No comments)
2
3 MADAME CHAIR ENTSMINGER: I'm in the
4 right place right.
5
6 MR. SULLIVAN: Excuse me.
7
8 MADAME CHAIR ENTSMINGER: Now, this
9 would be -- yes, this would be your chance to comment
10 on these proposals, Ted, from Ft. Yukon.
11
12 MR. SULLIVAN: I don't have no
13 comments.
14
15 MADAME CHAIR ENTSMINGER: Come on, come
16 up with something. Yeah, I'm sure that Mike Smith has
17 something.
18
19 MR. SMITH: I'm not sure I want to
20 comment on this one.
21
22 REPORTER: Mike. Mike.
23
24 MADAME CHAIR ENTSMINGER: You mean
25 you're not sure you're allowed to comment on this.
26
27 (Laughter)
28
29 MADAME CHAIR ENTSMINGER: Yeah, right.
30
31 MR. SMITH: Ms. Chairman. Mike Smith,
32 Tanana Chiefs Conference.
33
34 I think from our perspective a little
35 background is needed before we comment specifically.
36
37 Tanana Chiefs Conference has extreme
38 concerns about the future of the Yukon River king
39 salmon runs specifically. We think a number of factors
40 are coming into play here, both in the environment and
41 as far as our harvest strategies that are driving the
42 stocks down, and we feel that they're in dire jeopardy.
43
44 I think one of the issues has been
45 declining size of fish and so on and so forth. We
46 feel, and I think Virgil kind of hit it on the head,
47 earlier, in his comments, about are we reinventing the
48 wheel here on net selectivity and other issues
49 surrounding the size of Yukon River king salmon. I
50 think to a certain extent we are, when, in fact, the

1 three year study that is currently going to do, in my
2 perspective, is simply just add some numbers to what we
3 already know is happening and occurs.

4
5 I'm a little concerned that the report
6 will not be generated prior to the next Board of Fish
7 meeting, whereas we will, once again, be in a situation
8 where the Board of Fish will not be able to do
9 anything.

10
11 TCC has advocated in the past for
12 conservation proposals and we certainly feel that this
13 proposal is one of them.

14
15 We have, in the past, advocated for
16 these type of proposals that seek to conserve king
17 salmon and have always been thwarted by the fact that,
18 well, the State does one thing and then we'd be in
19 conflict with the State on their regulations. I think
20 that that is an inherent fact of what we're dealing
21 with here when we have a State and Federal system. I
22 don't think we should shy away from that. I think
23 often times that it might take the Federal Board to
24 take the initiative and compel and maybe pull along the
25 State Board as well. I don't think the State Board is
26 going to do anything until the Department tells them
27 that's what they should do, I don't think that's going
28 to happen for a few years yet.

29
30 The issue of jurisdictional lines, I
31 think you're right, Sue, there are some significant
32 areas, I don't think that's a significant issue though.
33 There are markers set up on the river, people know
34 where they're at, they know generally where the State
35 and Federal waters are, there's often Federal
36 regulations and State regulations in conflict with one
37 another all the time anyway. Currently driftnetting is
38 allowed down around Galena area under Federal but not
39 under State law so conflicts are not -- you know, are
40 not unheard of in this arena.

41
42 So I guess my feeling is that we
43 definitely, TCC has concerns. TCC feels there is a
44 decline in the size of salmon going on in the Yukon
45 River. TCC feels there is a decline in the percentage
46 of females, the percentage of females getting to the
47 spawning grounds. TCC also knows that the BSAI program
48 in the Bering Sea is projecting that they're saying
49 currently that there are no juvenile king salmon out in
50 the ocean, they're not catching any juvenile salmon in

1 their surveys, we know -- I sit on the North Pacific
2 Fisheries Management Council Bycatch Committee, we know
3 the bycatch this year is going to break 100,000 fish,
4 those fish are primarily five, six year old fish. All
5 those things are coming to affect our Yukon River king
6 salmon.

7
8 While some of the stuff may be
9 environmentally driven, which we often times hear from
10 the Department that, well, it might be the environment
11 driving this and that may be true, but, you know, we
12 don't have a lot of control over the environment, what
13 we do have control over is our harvest strategy and
14 what equipment we use to do that harvest, that's what
15 we have control on.

16
17 I am now concerned, of all the
18 proposals that have been submitted in the past few
19 years concerning the conservation and quality of Yukon
20 River king salmon, one of the things that we often
21 times hear is, well, we made our escapement goals and
22 you've heard that today, we made our escapement goals,
23 which would make you think everything's hunky-dory, but
24 the big thing that is not represented in that statement
25 is the quality of that escapement. Now, what Virgil
26 was doing in some of his comments, tried to address
27 that, you know, yeah, we can have enough fish, add
28 numbers on the spawning ground but if the quality of
29 that escapement is not worthwhile, then we're not doing
30 any good.

31
32 So, I mean I think we -- and now in
33 response to all the proposals that have come out in
34 regards to what has happened on the fishery, to the
35 Board of Fish, in regards to the special action request
36 that this -- Virgil knows about and TCC had some -- the
37 idea the Department wants to restructure their
38 escapement goals. Well, from a practical standpoint
39 what does that mean for -- I mean from my perspective
40 and my concerns about the continued viability of Yukon
41 River king salmon, what that means is one, we have to
42 come up with a strategy, a plan to develop escapement
43 goals based upon age structures. We have to figure out
44 a way to implement that in a practical sense from a
45 management point of view, which I'm not sure how
46 they're going to do that. In a mixed stock fishery
47 like the Yukon River it seems almost an impossible
48 task.

49
50 But then secondly, and what's more

1 distressing to me about that is then they would request
2 that we wait for a long period of time to see if those
3 efforts work. We implement the escapement goals, then
4 we have to let the brood years come back to see if
5 they're working and so on and so forth and so in
6 essence, in response to a lot of these conservation
7 concerns, the Department would simply have us wait for
8 another 10 or 15 years until their new escapement goals
9 have come up and then we can decide if they are good or
10 not.

11
12 So from my perspective I think, and
13 Tanana Chiefs perspective, conservation issues, we are
14 convinced that there is a conservation concern on Yukon
15 River king salmon. We're convinced that we don't
16 necessarily need to wait and reinvent a wheel, as
17 Virgil mentioned, before we start doing something about
18 it.

19
20 I think Virgil made a very good point.
21 On the one hand, the Department, depending on what
22 proposal you read, if you swap their responses to some
23 of those proposals they could go either way and I think
24 that that is a good example, when Virgil mentioned the
25 fact that, well, you're admitting then that small mesh
26 -- or this reduction in fish will let big fish go by
27 because the fishwheels might catch them, well, I think
28 that's a perfect example in my mind of word play the
29 Department uses in this arena. You hear it also during
30 the Department's comment that there is a study done on
31 fish size on the Yukon River, and in responses to the
32 special action requests to the Board of Fish, they had
33 mentioned that report, the Hyer's report that talks
34 about there was no basin-wide reduction in the size of
35 Yukon River king salmon. Well, what really frustrates
36 me is, is I have to play around what is, I consider a
37 word game, yeah, that report did say there was no
38 basin-wide reduction but it also said that four of the
39 seven tributaries did show significant reductions. The
40 Department never ever mentions that. Since the report
41 says no basin-wide, that is, we cannot show a decline
42 from Canada to the mouth of the Yukon River, therefore
43 there is no decline, but for the seven that we studied,
44 four did show significant declines, but we won't
45 comment on that because it's not a basin-wide decline.

46
47 Those are the type of things that I
48 think will get us into trouble down the long road.

49
50 One of the things that I think is

1 becoming very clear and I think will become more clear
2 -- excuse me -- I've got kind of a thing going on in my
3 throat here -- is we are facing a disaster. We
4 remember the disaster in 2000. For the life of me I'm
5 not sure why this year was not declared disaster. The
6 numbers, if you looked at the indexes that were coming
7 in during the beginning of the run this year were not
8 that much different from what was being projected back
9 in the 2000 year.

10

11 Having said that, we still probably --
12 we missed some, you know, 30 or 40,000 fish, I'm still
13 not sure why that's not a disaster either from our
14 projections.

15

16 Having said that, though, one of the
17 things that is most disturbing about that and I hope I
18 may be wrong on this, but I think the numbers are going
19 to come out at the -- when we talk about fishing next
20 spring, it's highly likely and the Department has
21 already indicated in some North Pacific Fishery
22 Management Council meetings that we're not likely to
23 have a commercial opening on the Yukon River next year.
24 If that is, in fact, the case, we're into another
25 disaster year. We're into people screaming and yelling
26 for economic disaster money, we get into that whole
27 scenario again, and I could -- you know, and then when
28 people come back to ask, well, what happened since the
29 last time you faced this disaster, what have you done,
30 well, we won't be able to show very much for our
31 efforts.

32

33 Having said that, TCC is in support of
34 conservation issues. We understand the complexity in
35 having two sets of regulations but we think that maybe
36 the Federal Board should take the lead on this issue
37 and their primary responsibility is conservation and
38 not to provide for the beneficial uses to all Alaskans.
39 So we think that maybe the Federal, agency and I want
40 to thank OSM for their presentation because to be quite
41 honest and fair to the State, I thought the Feds were
42 dragging their feet on this issue as well, I'm glad to
43 see that they finally have come around in support of
44 some of these conservation issues.

45

46 Having said that, I'll shut up now.

47

48 Thank you, Sue.

49

50 MADAME CHAIR ENTSMINGER: You'd

1 probably be better off if you didn't smoke your
2 cigarettes.

3

4 (Laughter)

5

6 MR. SMITH: Well, no, I just get so
7 frustrated I get choked up about these issues.....

8

9 (Laughter)

10

11 MR. SMITH:the frustration over
12 the last few years, I think, are cumulating and what I
13 see as a -- I think we have crashed. My opinion is the
14 Yukon River king salmon run has crashed and that we're
15 in dire straits and that we cannot afford to wait to do
16 anything constructive on trying to protect that run.

17

18 MADAME CHAIR ENTSMINGER: So what
19 you're saying is, after saying that big sentence of
20 100,000 fish on the bycatch, from what I wrote down,
21 you said we can't do anything about that?

22

23 MR. SMITH: No, Madame Chair, we are
24 and we are doing something about that. These
25 conservation issues that we have expressed or that I
26 have expressed here today I express in all sorts of
27 arenas. We express them at the Yukon River Panel, we
28 express them at the North Pacific Fisheries Management
29 Council, we express it at the manager's meetings, we
30 express it in every arena that we can. In that regard
31 I have, and do sit on a subcommittee of the North
32 Pacific Fisheries Management Council trying to
33 establish some rules and regulations on high seas
34 bycatch. We -- that was recently in front of the North
35 Pacific Fisheries Management Council. The
36 recommendations and actions on those recommendations
37 were postponed due to some new proposals that were
38 submitted having to do with the allocation of the
39 bycatch to near shore and off shore processors that the
40 State wanted us to consider.

41

42 So we are. We can address the high
43 seas issue but I'm not sure that.....

44

45 MADAME CHAIR ENTSMINGER: But we can't
46 necessarily get anything done.

47

48 MR. SMITH: Madame Chair. One of the
49 things I found amazing is to a large extent and I may
50 exaggerate on this just a little bit but we went to the

1 North Pacific Fisheries Management Council and to some
2 extent you tell those guys that, you know, they're
3 taking 100,000 of our fish and they kind of look at you
4 and kind of say, well, so, what's your point, and when
5 you're dealing with a half a billion dollar a year
6 industry that's kind of the perception that is often
7 times taken in that arena.

8
9 We think, however, that the science is
10 finally catching up with us. We have, in the past,
11 struggled in this arena without having any real
12 adequate science available to us. Because of the
13 concerns that have started to be expressed as long as
14 10 years ago some of that information is being
15 generated now, and that often times is the case. We,
16 often times make our case, and then we have to wait for
17 the data collection to catch up with us before anything
18 definitively happens. That happens with the North
19 Pacific Fisheries Management Council and to some extent
20 it's happening on the Yukon River in regards to king
21 salmon.

22
23 MADAME CHAIR ENTSMINGER: Vince.

24
25 MR. MATHEWS: Yes, you do have
26 opportunity, it didn't get on the agenda due to the
27 timing of putting the agenda together but the Yukon
28 River Fisheries Drainage Association will be bringing
29 material in front of you concerning the North Pacific
30 Fisheries Management Council's upcoming process, to
31 look at that and you can parallel or do similar to what
32 Western Interior has done, is written letters to the
33 Council expressing their concerns on it. So that's
34 coming up under agency reports later on the agenda.

35
36 MADAME CHAIR ENTSMINGER: Yeah.

37
38 MR. MATHEWS: So you do have
39 opportunity on that. I'm drawing a blank on when the
40 Council meets but it's coming up here in November or
41 December.

42
43 MADAME CHAIR ENTSMINGER: Well, the sad
44 thing for me.....

45
46 MR. MATHEWS: December.

47
48 MADAME CHAIR ENTSMINGER:as a
49 little peon in life, you don't have a lot of -- I
50 don't, and this Council may not have a lot of effect on

1 something that huge of an industry that's all I was
2 going to say.

3

4 MR. SMITH: Ms. Chairman. I would
5 respectfully disagree with that, I think.

6

7 MADAME CHAIR ENTSMINGER: Good.

8

9 MR. SMITH: I think one of the things
10 that during this current round of negotiations, I think
11 that became very important, during our deliberations
12 and our discussions was the simple fact that we finally
13 got, for example, the Yukon River Panel to submit a
14 letter expressing concern about the bycatch as a
15 result, through direct result of that. I would like to
16 think as a direct result of that effort there is now
17 openly, in discussions on the bycatch, the treaty
18 obligations that we have with Canada under the Yukon
19 River Treaty Panel, and that had never really been part
20 of the discussions and our responsibilities to fill
21 that obligation have never really been part of those
22 discussions in the past either. So I think in that
23 sense, at least, you know, the Yukon River Panel's
24 participation has really added some weight and if you
25 will, to our positions and it's helped us a lot in
26 convincing the Council.....

27

28 MADAME CHAIR ENTSMINGER: Well, that's
29 good to hear.

30

31 MR. SMITH:that, you know, we
32 have an obligation here that we need to fulfill.

33

34 MR. RIVARD: Madame Chair. This is Don
35 Rivard.

36

37 MADAME CHAIR ENTSMINGER: Yes, go
38 ahead, Don.

39

40 MR. RIVARD: I attended the most recent
41 North Pacific Fisheries Management Council, I guess
42 it's been about two weeks ago now and in informal talk
43 with one of the Council members, he thought it was a
44 very good idea that the Regional Advisory Councils
45 continue to let their views be known to their Council
46 and encouraged that that be done.

47

48 He didn't come out and say it on the
49 record but off the record, that that's a good thing for
50 the Regional Advisory Council to do, to keep the

1 pressure up.

2

3 MADAME CHAIR ENTSMINGER: Okay, thank
4 you. So that's something we need to have on our
5 agenda, and not overlook as we go through this.

6

7 Go ahead, Mike.

8

9 MR. SMITH: Thank you, Madame Chair.
10 If I might add to that, you know, I think that's
11 extremely correct. I think to a large extent what had
12 happened in the past in front of bodies like the North
13 Pacific Fisheries Management Council was we had a
14 relatively limited presence in the past. Once that
15 presence -- our presence there became known that there
16 are people on the Council who, by virtue of the fact,
17 that they didn't even know we were there, that didn't
18 even know we had these concerns weren't concerned about
19 issues affecting us. But I think once we have shown
20 that we -- that there are people out there concerned
21 about what's happening out there in the high seas, that
22 there are some contentious people on the Council who
23 cannot now in good conscious turn away from the issues
24 like, maybe they might have had in the past, when to a
25 large extent they were relying upon industry
26 representatives.

27

28 MADAME CHAIR ENTSMINGER: Good. That's
29 great information. Virgil, did you have something to
30 add, or a question.

31

32 MR. UMPHENOUR: Well, for the Council
33 members here that don't understand the make up of the
34 North Pacific Fisheries Management Council the voting
35 majority of them are large owners of vessels that fish
36 in the Bering Sea, so it's the fox guarding the hen
37 house again, they have a direct conflict of interest.
38 So any decision they make -- money talks and their main
39 concern is the greenback dollar. They have multi-
40 million dollar vessels that are out there bycatching
41 the king salmon and pitching them overboard and so it
42 takes a lot of pressure to get them to do anything. I
43 dealt with them for eight years when I was on the Board
44 of Fisheries and at one time they wanted to totally do
45 away with even having observers because the count, when
46 they did a whole haul count, that means when they haul
47 up 200,000 pounds of fish and dump it on the deck, that
48 they had to go through the entire thing to see what the
49 amount of salmon was and other things that they were
50 catching, crab or whatever else they were catching in

1 there, halibut, when they compared that to the sampling
2 method they were using they didn't really correlate so
3 they wanted to totally do away with it, well, the Board
4 of Fisheries was opposed to that and they didn't do
5 away with it, they still have to count the bycatch, but
6 they wanted to totally quit counting the bycatch
7 because the numbers didn't work out. But the way you
8 tell if the Council if they're lying about their
9 bycatch is if their -- these operators of these big
10 vessels, is if their lips are moving.

11

Thank you.

12

13

(Laughter)

14

15

16

17

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49

50

MR. SMITH: Madame Chair. If I might
just.....

MADAME CHAIR ENTSMINGER: I hope no
one's offended by that.

(Laughter)

MR. SMITH: I'll try to talk without
moving my lips.

(Laughter)

MR. SMITH: But, Madame Chair, I might
just add that, and some of you have probably seen it
recently in the newspaper Governor Palin had announced
that there is an appointment coming up to the North
Pacific Fisheries Management Council seat, in some
sense it's kind of a unique thing because I can't
hardly ever remember seeing a Governor going out to
that extent to try to find a candidate.

You know, most of -- you know, where
there's.....

MADAME CHAIR ENTSMINGER: Oh, wow.

MR. SMITH:ads in the newspapers
and things like that seeking nominations, part of that,
I know is that NOAA and NPFMC itself have indicated
that they need to have a terminal use fisherman on that
seat.

So if the Council did want to take some
action and maybe write a letter to the Governor

1 enforcing the idea that a terminal user needs to be
2 appointed to the North Pacific Fisheries Management
3 Council I think that would certainly be beneficial in
4 maybe some of the names that she submits forward for
5 consideration.

6

7 MADAME CHAIR ENTSMINGER: I jotted that
8 down, hopefully we don't forget that one, that's a good
9 idea.

10

11 All right, any other questions.

12

13 (No comments)

14

15 MADAME CHAIR ENTSMINGER: Now, we have
16 InterAgency Staff Committee comments. Go ahead.

17

18 MR. MATHEWS: Just for the record there
19 are two Staff Committee members here, Nancy Swanton
20 came in and Steve Kessler back there. And, again, this
21 is just to make sure you have a good record. They do
22 meet and review your booklet here to share any
23 questions or comments they had so it's up to them if
24 they have any or not. I don't think they have any.

25

26 (No comments)

27

28 MADAME CHAIR ENTSMINGER: Forest
29 Service might.

30

31 (Laughter)

32

33 MR. KESSLER: Thank you, Madame Chair.
34 Steve Kessler with InterAgency Staff Committee. And,
35 no, we do not have any specific comments for you. We
36 thought that the analysis that was presented in the
37 book to you did a good job of addressing the issues.

38

39 MADAME CHAIR ENTSMINGER: Okay, thank
40 you. Just for my own information, Sandy Rabinowitch is
41 also InterAgency Staff for Park Service, so this is a
42 new person to me.

43

44 MR. MATHEWS: Nancy can explain that
45 but it's fairly simple.

46

47 MADAME CHAIR ENTSMINGER: Okay.

48

49 MS. SWANTON: I'm Nancy Swanton. I am
50 with the National Park Service. I am one of two

1 InterAgency Staff Committee representatives. Sandy
2 Rabinowitch is the other representative, he focuses
3 primarily on the hunting issues.....

4

5 MADAME CHAIR ENTSMINGER: Okay.

6

7 MS. SWANTON:and I focus
8 primarily on the fishing issues and we share all the
9 other stuff.

10

11 MADAME CHAIR ENTSMINGER: Okay. I see
12 so many new faces, I like to know where they belong.
13 Thank you.

14

15 All right, so now we're up to Advisory
16 Committees.

17

18 (No comments)

19

20 MADAME CHAIR ENTSMINGER: Neighboring
21 Regional Councils.

22

23 (No comments)

24

25 MADAME CHAIR ENTSMINGER: Local Fish
26 and Game Advisory Committees and Park Service
27 Subsistence Resource Commissions. Any comments on
28 these two -- or this proposal is the only one really
29 before us, the first one.

30

31 MR. MATHEWS: Yes, Madame Chair, I can
32 cover those.

33

34 MADAME CHAIR ENTSMINGER: Okay.

35

36 MR. MATHEWS: Seward Peninsula, as we
37 mentioned earlier, has a positive customary and
38 traditional use determination for salmon in the Yukon
39 River so Seward Penn and the Yukon Kuskokwim Delta,
40 which you've worked with over the years, also took up
41 these proposals. If I get the numbers wrong, I'll
42 repeat them, meaning which proposal was talked about,
43 so for -- these are not broken out, well, we'll do them
44 twice then, and I apologize for that. Our analysis is
45 combined and the recommendations are -- some of them
46 are combined also.

47

48 For Seward Penn the motion was to
49 oppose Proposal 13 and 14 and it was
50 seconded and it passed unanimously.

1 Their justification is that the lower
2 Yukon fishermen have already made many
3 sacrifices to protect king salmon,
4 evidence isn't compelling yet and there
5 is no justification for this level of
6 action at this time. King salmon
7 subsistence and commercial fisheries
8 are very important to the people of the
9 lower Yukon. There is a concern about
10 the impact that high sea fisheries are
11 having on king salmon numbers, age and
12 size. There are significant impacts on
13 king salmon populations before the king
14 salmon reach the mouth of the Yukon
15 River.

16
17 The Yukon Kuskokwim Delta Regional
18 Council took this up and they opposed
19 the proposal. Their justification was
20 -- and it's pretty much parallel to the
21 one up above, but, anyway it's the
22 lower Yukon fishermen have already made
23 many sacrifices to protect king salmon,
24 evidence isn't compelling yet and there
25 is no justification for this level of
26 action at this time. King salmon
27 subsistence and commercial fisheries
28 are very important to the people of the
29 lower Yukon. There is a concern about
30 the impact that high sea fisheries are
31 having on king salmon numbers, age and
32 size. There are significant impacts on
33 the king salmon populations before the
34 king salmon reach the mouth of the
35 Yukon River.

36
37 So those have to be taken in context of
38 Proposals 13 and 14.

39
40 And there is one local advisory
41 committee, I believe, yes, that took this up, that is
42 the Lower Yukon -- let me preface that first. I have
43 not heard from the State, the Grayling, Anvik,
44 Shageluk, Holy Cross did meet, I haven't had a chance
45 to get data so if there's someone in the room that
46 attended that meeting, they may have taken up the
47 proposals.

48
49 The Koyukuk River Local Advisory
50 Committee met, and they mainly addressed wildlife

1 issues unless someone that was there, I've mainly been
2 talking to them on wildlife.

3

4 And then the middle Yukon Advisory
5 Committee will be meeting on October 29th.

6

7 But the lower Yukon did meet and the
8 lower Yukon Committee opposes the
9 proposal. The Eastern Interior region
10 should apply these regulations to their
11 region prior to requesting that they be
12 applied to other regions. Districts
13 Y1, Y2, Y3 only have commercial fishing
14 for their economic base. These
15 proposals will increase the animosity
16 between up river and down river users.
17 There needs to be a better
18 understanding of the uses of these
19 resources.

20

21 And for all present here, full copies
22 of the written comments are available if you'd like to
23 see them, what I'm providing is a summary, which is
24 found on Page 76.

25

26 So that's the Advisory Committees.

27

28 You have two -- well, Sue is on the
29 Commission for Wrangell, I don't know if Denali took up
30 these proposals but there's Staff here, if they did,
31 they could acknowledge that Denali took this up.

32

33 MADAME CHAIR ENTSMINGER: Wrangell
34 doesn't take up the Yukon.

35

36 (Laughter)

37

38 MADAME CHAIR ENTSMINGER: Yeah. But
39 Virgil has a -- wanted to report.

40

41 MR. UMPHENOUR: Right. The Fairbanks
42 Fish and Game Advisory Committee met on the 10th, Fred
43 Bue was there, and they took up these two proposals and
44 voted unanimously to support them. And the Federal
45 Subsistence Board will be receiving a letter of support
46 from them.

47

48 MADAME CHAIR ENTSMINGER: Thank you,
49 Virgil. I don't need to say anything, right, Vince,
50 just go ahead.

1 MR. MATHEWS: Yes, I can go on to the
2 summary of written comments.

3
4 MADAME CHAIR ENTSMINGER: Uh-huh.

5
6 MR. MATHEWS: Again, for new Council
7 members and that, you know, I read these into the
8 record, they're mainly read into the record, I know you
9 can see the same things on the pages, it is for the
10 record and for clarity.

11
12 There were some -- let's see I've got
13 to do some subtracting here -- for the written comments
14 from the public, there were five in opposition, one in
15 support. They're found on Page 76 and 77 of your book,
16 this is a summary again, full copies of the text are
17 available.

18
19 The Association of Village Council
20 Presidents opposes this proposal. They
21 are concerned with the recurrence of
22 proposals that are aimed at
23 handicapping the lower river fisheries
24 and their families. Present fisheries
25 are different from the past with their
26 commercial fishery, a fraction of what
27 it once was and their subsistence
28 fishery is hampered with scheduled
29 openings. The schedules do not waiver
30 because of weather, ill or absent
31 fishers or processors or equipment
32 breakdowns.

33
34 AVCP stands firm that the lower Yukon
35 River fishers have carried the brunt of
36 -- burden of conservation for years and
37 cannot afford any more restrictions.
38 Any further restrictions to subsistence
39 and/or commercial will have a negative
40 impact on the people of AVCP region
41 economically, culturally and socially.

42
43 So they oppose.

44
45 The Native Village of Alakanuk
46 Traditional Council also opposes this proposal. And
47 I'll read for both 13 and 14 because I think their
48 justification carries over.

49
50 The Traditional Council opposes FP08-13

1 because areas of fishing across the
2 Yukon drainage are not the same.
3 Passage of this proposal will cause
4 even greater hardship for fishers that
5 rely on commercial fishing to sustain
6 their subsistence livelihood.
7

8 The Council also opposes 14 because
9 there is no hard data to support a
10 smaller net mesh size.
11

12 Their elders mention that by using
13 smaller mesh gear for harvesting
14 chinook will be hazardous, it will kill
15 bigger chinook salmon that they are
16 trying to save or let pass up river to
17 spawn.
18

19 More damage will be done with reducing
20 the mesh size for harvesting chinook
21 salmon.
22

23 And Sue can help me with the
24 pronunciation with the individual, it's Jack.....
25

26 MADAME CHAIR ENTSMINGER: Schultheis.
27

28 MR. MATHEWS:Schultheis of
29 Wasilla submitted a fairly long letter. A summary of
30 it, he opposes the proposals.
31

32 These proposals will have a profound
33 effect on the lives of people living on
34 the Yukon River. These proposals are
35 designed to place further restrictions
36 on traditional long established
37 commercial fisheries that thousands of
38 Native families depend on for their
39 livelihood and food.
40

41 These proposals are similar to previous
42 proposals rejected by the Alaska Board
43 of Fisheries based on current
44 scientific data and overwhelming public
45 testimony against them.
46

47 There is concern with how these
48 proposals were developed and allowed on
49 the Federal Subsistence Board's agenda.
50 False statements were given when the

1 Eastern Interior Regional Council
2 approved these proposals, and there is
3 a questionable procedure involved with
4 the development of these proposals.
5 These proposals should be stricken from
6 the Federal Subsistence Board agenda.
7

8 The next one is from Emmonak Tribal
9 Council. They also oppose this proposal.
10

11 The Eastern Interior Regional Council
12 should try this proposal out in their
13 region before recommending it for other
14 regions. The proposal is aimed at
15 fishers in Y1, Y2 and Y3 where the
16 Eastern Interior holds no authority,
17 nor do they have any direct experience
18 with these fishing districts.
19

20 The proposal will not be accepted by
21 the lower Yukon River communities
22 because it is based on unsound
23 research.
24

25 The proposal will increase animosity
26 between up river and down river
27 communities.
28

29 The Tribal Council opposes FP08-14. It
30 is easy for those that are not directly
31 dependent on commercial fishing to pick
32 on those who are dependent on
33 commercial fishing. Y1, Y2 and Y3
34 districts residents do not have other
35 exports, they only have salmon. This
36 proposal is based on unsound research
37 and will increase the animosity between
38 up river and down river fishers.
39

40 The last written comment in opposition
41 comes from John Thompson, Sr., of St. Mary's.
42

43 The Yukon River salmon migration is
44 like a pipeline with the end of the
45 pipe being an agreed upon escapement
46 between United States and Canada before
47 commercial fishing can begin. He
48 recommended that there should be one
49 proposal for the entire Yukon River
50 except for the Koyukuk River instead of

1 four proposals. With the entire river
2 having 36 hour opening for the first
3 year and then 42 hour drainage-wide for
4 the next year and then 48 for the
5 following year and so on and so on.
6

7 He wondered if there are different
8 proposals for parts of the river --
9 he's wondering if there are different
10 proposals for parts of the river, are
11 we trying to maintain the people or
12 maintain the fish. If we are to
13 maintain the fish then there should be
14 one proposal for uniform drainage-wide
15 fishing hours.
16

17 If people attack the net size and depth
18 then we should get rid of all
19 fishwheels and use only nets on the
20 same -- of the same net, mesh and
21 depth.
22

23 He encourages people to think it over
24 and work together.
25

26 There is one written comment in
27 support, that was from the Alaska Outdoor Council.
28

29 Yukon chinook salmon have had lower
30 return numbers and have been declining
31 in size for the last decade. Enough
32 data and anecdotal information has been
33 gathered to support Federal Subsistence
34 Board action on the conservation side
35 of this long going debate.
36

37 Section .815 of ANILCA clearly states a
38 mandate in Federally-controlled waters
39 for healthy populations of subsistence
40 resources. Whether or not genetic
41 viability of the species is being
42 threatened -- whether or not genetic
43 viability of the species is being
44 threatened by harvest of one size group
45 of chinook salmon need not be decided
46 by the Board at this time, but
47 declining returns should be addressed
48 from subsistence harvest conditions and
49 spawning beds throughout the Yukon
50 River drainage.

1 Madame Chair, to my knowledge that's
2 all the written comments. I have checked my voicemail,
3 there's none that have come in from voicemail.

4
5 And that's all, thank you.

6
7 MADAME CHAIR ENTSMINGER: Okay. It
8 looks like I got the cart ahead of the horse with this
9 motion but we have it on the floor and it's in the
10 positive and now it's our turn.

11
12 MR. UMPHENOUR: Public testimony.

13
14 MADAME CHAIR ENTSMINGER: Oh, yeah, did
15 I forget public testimony, I guess I assumed in my
16 mind, I didn't see anyone.

17
18 (No comments)

19
20 MADAME CHAIR ENTSMINGER: That's
21 probably why I did it, I don't think I recognize any
22 public testimony.

23
24 MR. MATHEWS: I don't know if the
25 gentleman, Ted, from Ft. Yukon, this is another
26 opportunity if you wanted to comment.

27
28 (No comments)

29
30 MADAME CHAIR ENTSMINGER: Ted, are you
31 still on in Ft. Yukon.

32
33 (No comments)

34
35 MADAME CHAIR ENTSMINGER: Maybe not.
36 Or he walked away from the mic if he is.

37
38 Okay, I apologize for passing over
39 that. And if there is any public testimony hiding out
40 there, they need to raise their hand or speak on that
41 mic and we will hear you, and I'll even listen as we
42 deliberate. So not a problem if anyone wants to do
43 that.

44
45 So now we're in, I guess, deliberation,
46 starting with Virgil.

47
48 MR. UMPHENOUR: Thank you, Madame
49 Chair. I'm handing out a two page piece of paper.
50 This is what I presented to the Board of Fisheries at

1 the work session on the 9th of the month, which was
2 about a week or so ago. I've got some -- I don't know
3 if there's enough there for everyone, there's a couple
4 more and two for Vince and Tina.

5
6 (Pause)

7
8 MR. UMPHENOUR: Okay, what this is is a
9 letter that I presented to the Board of Fisheries on
10 this issue because the Fairbanks Advisory Committee had
11 submitted a petition in February or March basically
12 it's the same thing as our Proposal 13 and 14, and then
13 the petition didn't get accepted and so they presented
14 an agenda change address, that was Agenda Change
15 Request No. 3 before the Board of Fisheries on the 9th,
16 I believe the 9th of this month -- it was the 9th of
17 this month. And the second page, if you look at it, I
18 want to kind of go through this because this is new
19 information that I got from a person that works for the
20 -- a biologist that works for the National Park
21 Service. I mentioned this earlier in the meeting and
22 said I'd bring it up at this time.

23
24 This is Alaska Department of Fish and
25 Game, Division of Commercial Fisheries, A Review of
26 Gillnet Mesh Selectivity Studies as Related to Chinook
27 Salmon Fishing of Cook Inlet, Alaska. Report to the
28 Alaska Board of Fisheries January 1981.

29
30 I just wanted to -- what this is, is
31 this is just some quotes out of that and I wanted to
32 just read a couple of them because I think they're
33 really pertinent and what I said about reinventing the
34 wheel, I think, is appropriate, because this report was
35 made to the Board of Fisheries, January, 26 years ago.
36 And as a result of this report gillnet fisheries in
37 Cook Inlet were restricted to no -- this is upper Cook
38 Inlet were restricted to no gillnets larger than six
39 inch mesh and so I'll just read a little bit about it
40 or what it says.

41
42 The second paragraph says:

43
44 Fishery biologists have long recognized
45 that actual mesh size utilized by
46 gillnet fisheries affects the result
47 and sex ratio of chinook salmon
48 populations on the spawning grounds.
49 Smaller mesh gillnets, 5.5 to 6 inch
50 tend to selectively capture smaller

1 chinook salmon which are primarily
2 males while larger 8.5 inch, 9 inch
3 tend to select for larger salmon which
4 are primarily female.

5
6 This effect can be quite pronounced.
7 Then they go on to discuss the Yukon
8 River.

9
10 In the Yukon River, the sex ratio of
11 chinook salmon sampled with 5.5 versus
12 8.5 inch gear has averaged 310 male to
13 100 female, 150/100 female respectively
14 during the years 1969 through 1979. It
15 can be estimated that the average
16 female chinook caught in 6 inch mesh
17 would have an average fecundity of
18 5,218 eggs whereas the average female
19 caught in 8.5 inch mesh would have an
20 average fecundity of 7,905 eggs, about
21 50 percent higher reproductive
22 potential.

23
24 And then they go in the next paragraph
25 and they're talking about the Susitna River, and I'm
26 just going to read the last sentence:

27
28 This two and a half fold difference in
29 potential egg deposition on the
30 spawning grounds poses serious
31 questions regarding the use of 8.5 inch
32 mesh and its effect on long-term
33 sustained yield for any significant
34 chinook salmon fishery.

35
36 I'm going to reread that, this was 26
37 and a half years ago this was presented to the Board of
38 Fisheries.

39
40 This two and one-half fold difference
41 in potential egg deposition on the
42 spawning grounds poses serious
43 questions regarding use of 8.5 inch
44 mesh and its effect on the long-term
45 sustained yield for any significant
46 chinook salmon fishery.

47
48 8.5 inch mesh is what the majority of
49 the fishers use in the lower Yukon, yet in the
50 Department's study they're not doing a study with 8.5

1 inch mesh and they're not doing a study with 35 mesh,
2 which is what our proposal is, they're doing a study
3 letting the commercial fishermen run the gear with 8
4 inch mesh, not 8.5 inch mesh and 45 meshes deep, not
5 the 35 meshes that our proposal is.

6
7 They're talking about fecundity in this
8 study from 1981. Two and a half fold fecundity 8.5
9 inch mesh versus 6 inch mesh. The Department did a
10 fecundity analysis in 1989 on the Tanana River and then
11 they did another one in 2005 on the Tanana River and in
12 District 5, which is the fish were caught in the rapids
13 that they counted the eggs in. Between 1989 and 2005
14 the fecundity or the number of the eggs in king salmon
15 in the Tanana River decreased by 24 percent. This is
16 the Department's own work. The number of eggs or the
17 fecundity of king salmon in District 5, I don't have
18 the report in front of me, but it is much lower in
19 District 5, the fecundity of the king salmon in 2005
20 than it was in the Tanana River.

21
22 I'll submit that to the Federal
23 Subsistence Board prior to the meeting, I'll make up a
24 submittal to give to them.

25
26 But anyway so that was a big issue in
27 1981 and we're facing the same issue on the Yukon River
28 26 years later and they, in this study in 1981 they
29 referred to analysis they did for 1969 through 1979 on
30 the Yukon River. That's a long time ago. We're just
31 doing the same thing over again, there's no need to do
32 the same thing over again.

33
34 MADAME CHAIR ENTSMINGER: Okay, Virgil,
35 can I ask you a question as you go through that?

36
37 MR. UMPHENOUR: Yeah, go ahead and ask
38 me a question.

39
40 MADAME CHAIR ENTSMINGER: This is
41 between us, I'm sorry, I'll try to keep track of that
42 mic, and if any questions come up and we need to ask
43 the Staff we will do so but, again, and this is for my
44 benefit, Richard, because I would like to see you,
45 somebody, like yourself go to that meeting and in event
46 that it be me I need to be up on things and I don't
47 feel like I am.

48
49 So what comes up to me in this thing is
50 we're talking about -- I might be changing the subject

1 here, so what you're saying, this smaller mesh is going
2 to catch less females and I wrote you the note and it
3 sounds like, because these large females are swimming
4 deeper and they're not going to get caught in the
5 depth, right?

6

7 MR. UMPHENOUR: It's two-fold. No. 1
8 they don't get caught in the smaller mesh net because
9 their head doesn't stick in it, that's why.

10

11 And No. 2.....

12

13 MADAME CHAIR ENTSMINGER: So what are
14 they doing when their head doesn't stick in it, what
15 are they really doing?

16

17 MR. UMPHENOUR: Okay, what they're
18 going to do is they're going to do one of two things,
19 they're either going to try to swim under the net or
20 around the net. If the net goes to the bottom they
21 can't swim under the net. And so.....

22

23 MADAME CHAIR ENTSMINGER: And they're
24 not damaged enough to not make it up stream?

25

26 MR. UMPHENOUR: Something that -- and
27 it's been brought up a lot by the lower Yukon people
28 that will say there's drop out, and then someone asked
29 a question, I don't know whether it was you or someone
30 else, earlier, about -- well, it was you.....

31

32 MADAME CHAIR ENTSMINGER: Yeah.

33

34 MR. UMPHENOUR:about the fish
35 getting damaged if they go through the net. In these
36 up river fisheries you see lots of net marked fish.
37 When I say net marked fish.....

38

39 MADAME CHAIR ENTSMINGER: Yeah.

40

41 MR. UMPHENOUR:I mean fish that
42 have got caught in nets and then they got out of the
43 net somehow and kept on going up the river and so
44 they've got net marks all over them, scars on them from
45 passing through the gillnets.

46

47 MADAME CHAIR ENTSMINGER: And they're
48 still fine.

49

50 MR. UMPHENOUR: And if you talk to the

1 people that run the test fishwheels such as Paul
2 Klineschmidt (ph) in Nenana that runs a test fishwheel
3 down there, he says he sees lots of net marked king
4 salmon.

5
6 MADAME CHAIR ENTSMINGER: Okay, I
7 gotcha.

8
9 MR. UMPHENOUR: And so they're either
10 going to go under the net or they try to go around the
11 net. But the deeper the net is then the less chance
12 they have to go underneath the net, but that's the
13 reason why we put in two proposals.

14
15 One addressing the depth of the net and
16 one addressing the size of the net so whether the fish
17 swim in it or not.

18
19 But I just wanted to point out this new
20 information that we didn't have before, which are parts
21 of this study done in 1981. But the Staff covered all
22 kinds of information in the Staff report to us and
23 their conclusion was that this could reverse the
24 problem that we have. No one knows whether it will
25 reverse it or not. But there's plenty of scientific
26 data out there and if you look at the -- in our book,
27 all the references that they cite, I mean there's so
28 many references it's unbelievable. Look on Page --
29 they start on Page 46, 47 and 48, some of these reports
30 and stuff I'm familiar with, some I'm not, but they go
31 back, they referenced Dr. Ricker who made up the Ricker
32 model, I mean one of the most famous salmon scientists
33 that's ever lived. He said the same thing and he said
34 it over 20 years ago as well.

35
36 I mean we don't need to reinvent the
37 wheel. We don't need to waste time. We need to take
38 action now.

39
40 We need to demonstrate -- the Board
41 needs to demonstrate moral courage like I said in my
42 letter, the last sentence I said, we don't need to
43 reinvent the wheel, the Board needs to demonstrate
44 moral courage and apply the precautionary principle.
45 The precautionary principle is in the Sustainable
46 Salmon Policy it simply says that if there's doubt that
47 you need to err on the side of conservation and use the
48 precautionary principle and be conservative and pass
49 regulations that are going to err on the side of the
50 fish.

1 What we're doing is we're feeling the
2 effects of when they first started really drift
3 gillnetting in the lower Yukon, you can ask Russ Holder
4 over there, it was in the '80s. They didn't really
5 start drift gillnetting, that was a set gillnet fishery
6 until the early '80s and then they started drift
7 gillnetting out in the main river channels and that's
8 when.....

9
10 MADAME CHAIR ENTSMINGER: '87.

11
12 MR. UMPHENOUR:they started
13 targeting.....

14
15 MR. HOLDER: In the '70s

16
17 MADAME CHAIR ENTSMINGER: In the '70s.

18
19 MR. UMPHENOUR: In the early '80s.

20
21 MADAME CHAIR ENTSMINGER: It went back
22 to the '70s.

23
24 MR. HOLDER: '70s.

25
26 MR. UMPHENOUR: Right. But I know who
27 taught them to do it, Paul Johnson, that's now on the
28 Board of Game and is one of my guides that works with
29 me, his father is one of the guys that pioneered that,
30 he's from St. Michael in the lower Yukon, the late
31 '70s, early '80s is when they started drift
32 gillnetting.

33
34 MADAME CHAIR ENTSMINGER: Okay, uh-huh.

35
36 MR. UMPHENOUR: And targeting these
37 larger deeper swimming fish, which are the older fish,
38 the eight year olds made up as high as three and half
39 percent of the commercial harvest one year in the early
40 '80s, they're extinct now. The seven year olds used to
41 make up over 20 percent. The Department, in their
42 report, I didn't criticize them on that or ask them
43 questions about it, but it says it's stabilized, it
44 hasn't stabilized it was kind of halfway stabilized
45 between five and seven percent of the harvest up until
46 the late '90s, now we're down to 2.1 percent of the
47 harvest. In their own report, that they just gave it
48 to us, in Y1 and Y2, they didn't say what it is in
49 District 5, they don't want to say what it is in
50 District 5. The commercial harvest in District 5 is

1 less than half a percent for seven year olds now.

2

3 The data that the Fairbanks AC
4 presented with their petition showed what it was
5 between 2003 and 2006, what's happened is there's a
6 graph and the graph is made up from all these Federal
7 projects. I took the one for the Gisasa River to show
8 to the Board of Fisheries, the five year old component
9 is going up, the six year old component on the spawning
10 grounds is going down, they've crossed. We're seeing
11 the effects of harvesting the older, larger fish. The
12 effects are the fecundity is much less on the younger
13 fish than it is on the older fish and we're just seeing
14 the effects of it.

15

16 The average fish caught in District 5
17 right now in the test fishery is only about 12, it's 12
18 pounds and something, that's all it is. And so we're
19 seeing the effects, long-term effects of selective
20 harvest with large mesh deep gillnets.

21

22 MADAME CHAIR ENTSMINGER: That makes a
23 lot of sense actually.

24

25 MR. UMPHENOUR: And so it's time to
26 put a stop to it and do something that's responsible
27 and that's demonstrate the moral courage which the
28 definition of moral courage, when I went to Infantry
29 Officer's Candidate School 42 -- 43 years ago, to
30 become a second lieutenant.....

31

32 MADAME CHAIR ENTSMINGER: 43 now.

33

34 MR. UMPHENOUR: Yeah. Moral courage
35 was nothing more than doing what is the right thing to
36 do to accomplish the mission no matter who gets mad at
37 you over doing it. That's all moral courage is and
38 that's what needs to happen in this case.

39

40 I'm done.

41

42 (Laughter)

43

44 MADAME CHAIR ENTSMINGER: I really like
45 moral courage to tell you the truth, I think Amy does,
46 too, and I think several others here do too.

47

48 Now, would anyone else have much to add
49 here and -- because we need to put things, as a
50 Council, all the members need to put things on the

1 record, pretty much why you vote the way you do so who
2 would like to add or do we need a break -- let's take a
3 10, 15 minute break and then think about that, and I
4 would like you to say a few things, please.

5
6 (Off record)

7
8 (On record)

9
10 MADAME CHAIR ENTSMINGER: All right,
11 we're now back in session.

12
13 (Pause)

14
15 MADAME CHAIR ENTSMINGER: Okay, Council
16 members I want to hear from all of you, so let's start
17 with Amy.

18
19 MS. WRIGHT: Sure, pick on me.

20
21 (Laughter)

22
23 MS. WRIGHT: Honestly I came to this
24 meeting, I was opposed to both proposals. I talked to
25 a lot of different fishermen, I think you'll notice
26 through the letters and public opinion and stuff that
27 pretty much nobody wants to change their ways, they
28 don't want to replace their nets, they feel like
29 they're being picked on. But after listening to an
30 awful lot of information and a lot of other opinions
31 here and I did actually like your last little comment
32 there, Virgil, I'm going to be really irritating a
33 whole bunch of my relatives but.....

34
35 (Laughter)

36
37 MS. WRIGHT:I'm going to have to
38 -- I think I'm probably going to have to support these
39 proposals.

40
41 I was pretty set against them when I
42 walked in the room but I think if we're actually
43 talking about the survival of the chinook itself, I
44 mean there's really not a whole lot else we can do
45 about it so I guess I would have to say that I've
46 changed my mind.

47
48 MR. SMITH: Your relative I've talked
49 to them already.

50

1 (Laughter)
2
3 MS. WRIGHT: Great.
4
5 MR. SMITH: He's okay with it.
6
7 (Laughter)
8
9 MS. WRIGHT: Uh-huh, he's not the only
10 one.
11
12 (Laughter)
13
14 MADAME CHAIR ENTSMINGER: That's what
15 makes these meetings very interesting. But I want to
16 ask you a couple of questions, Amy, and you guys, I
17 just want to see us, I don't like to see people
18 fighting and I don't like to see battles, I like to see
19 us try to come up with solutions and working together.
20 And you guys, you two weren't at the last meeting but
21 you get more with honey than you do sugar, or vinegar,
22 excuse me, I almost messed that up.
23
24 (Laughter)
25
26 MADAME CHAIR ENTSMINGER: But at any
27 rate, and I'm looking at right now the discussion and
28 justification, I just want to ask you, can you address,
29 say, you know, the concern, you know, elaborate just a
30 little bit more on why you changed your mind.
31
32 I'm looking at this.....
33
34 MS. WRIGHT: Well, you better give me
35 one then.
36
37 MADAME CHAIR ENTSMINGER: You have it
38 in front of you.
39
40 MS. WRIGHT: Okay.
41
42 MADAME CHAIR ENTSMINGER: Yeah, uh-huh.
43
44 MR. MATHEWS: Her name tag's on the
45 floor.
46
47 MS. WRIGHT: Yeah.
48
49 MADAME CHAIR ENTSMINGER: Oh, her's
50 fell to the floor, okay.

1 (Laughter)
2
3 MS. WRIGHT: Okay, what number are you
4 looking at?
5
6 MADAME CHAIR ENTSMINGER: It's No. 6,
7 discussion and justification.
8
9 MS. WRIGHT: Okay.
10
11 MADAME CHAIR ENTSMINGER: And I bet you
12 would agree that there's a conservation concern?
13
14 MS. WRIGHT: Yes, that's what changed
15 my mind.
16
17 MADAME CHAIR ENTSMINGER: Okay.
18
19 MR. SMITH: I do believe that there is
20 a conservation concern, especially after realizing that
21 these proposals have been being flung around for 20
22 plus years and nobody seems to take it seriously and
23 it's just obviously the chinook's in a decline.
24
25 MADAME CHAIR ENTSMINGER: Okay. And I
26 guess just for the record, you just need to elaborate
27 further, it's on a decline because -- I'm sorry, that's
28 the way government works. You believe it's on a
29 decline because.....
30
31 MS. WRIGHT: I believe it's on a
32 decline because of the information that was presented
33 to us by the OSM, and even actually ADF&G, there's a
34 couple of things in there that made me believe that
35 the.....
36
37 MADAME CHAIR ENTSMINGER: Could I ask
38 you which ones?
39
40 MS. WRIGHT: Probably the slide show is
41 -- I keep going back to the slide show in my head and I
42 would like to have it on paper, by the way, because
43 remembering all those little graphs is a little on the
44 rough side. But.....
45
46 MADAME CHAIR ENTSMINGER: That's the
47 size of the mesh, that slide show?
48
49 MS. WRIGHT: Yeah.
50

1 MADAME CHAIR ENTSMINGER: Okay. Okay.
2
3 MS. WRIGHT: And then the differential
4 between the depth, the mesh depths of their test nets
5 and what's actually being used, I didn't realize there
6 was a differential, like from the ones that are being
7 used are 45 and the ones they're using is 29, is that
8 what I understand?
9
10 MR. UMPHENOUR: 28.
11
12 MS. WRIGHT: 28. So that makes a big
13 difference in what you're catching and what you're
14 seeing, so that's it.
15
16 MADAME CHAIR ENTSMINGER: I'm doing
17 this for a reason, you guys, I'm not picking on you
18 so.....
19
20 MS. WRIGHT: No, I realize -- yeah --
21 yeah, you are.
22
23 (Laughter)
24
25 MS. WRIGHT: No.
26
27 MADAME CHAIR ENTSMINGER: Not yet.
28
29 MS. WRIGHT: It's okay. But, yeah, no,
30 like I said I was totally on the fishermen's side when
31 I walked in here but now I'm kind of on the fish's
32 side, I guess.
33
34 MADAME CHAIR ENTSMINGER: Uh-huh, okay.
35 And if it's okay with the Council members, I'm just
36 going to go around the table, so Mathew.
37
38 MR. FRENZL: You know I'm pretty new to
39 this whole thing so I don't have a lot of emotional
40 attachment to this issue so I came in mostly with a
41 fairly open mind, listen to the data presented this
42 morning and this afternoon. I do have a -- my wife is
43 from Southwest Alaska so she is one of the people
44 that's probably bitching and moaning about this, excuse
45 me, or would be if she were out there.
46
47 MADAME CHAIR ENTSMINGER: Right.
48
49 MR. FRENZL: However, looking at the
50 escapement, the size of the fish, and I think you did a

1 really good job, Virgil, telling me what a fish would
2 do it if got caught, I didn't know they did these type
3 of things, I'm not very -- that kind of convinced me
4 otherwise, I really came in probably supporting this,
5 but I think I'm going to certainly support it.

6
7 I certainly can understand why somebody
8 would -- it's emotional, like I mentioned, these
9 issues, I'm sure have been debated, I'm not sure how
10 much time Virgil or anybody else has been out there
11 trying to convince people of this, I assume it's been
12 quite a bit over the years, but, yeah, I'm in a
13 position now to say, yeah, I think it's a good idea.

14
15 If you want to ask some questions I'll
16 try to answer them, I guess.

17
18 MADAME CHAIR ENTSMINGER: Let me try
19 one just because it helps for all of us to know
20 where.....

21
22 REPORTER: Sue.

23
24 MADAME CHAIR ENTSMINGER:we're
25 at. So is your.....

26
27 REPORTER: Sue. Sue.

28
29 MADAME CHAIR ENTSMINGER:
30recommendation supported by.....

31
32 MS. WRIGHT: Your mic, Sue.

33
34 MADAME CHAIR ENTSMINGER: Oh, I blew it
35 again, sorry. Is your recommendation supported by
36 substantial evidence, including traditional and
37 ecological knowledge, so if you could just slightly
38 expound on that, maybe you did. You think you did.

39
40 MR. FRENZL: Well, I did a little bit.
41 But traditional ecological knowledge, I don't --
42 substantial evidence, no, I wouldn't say that.

43
44 MADAME CHAIR ENTSMINGER: So you.....

45
46 MR. FRENZL: I think it's.....

47
48 MADAME CHAIR ENTSMINGER:so your
49 support is not substantial evidence, is that what
50 you're saying?

1 MR. FRENZL: I'm not sure what I'm
2 saying.....
3
4 MADAME CHAIR ENTSMINGER: You got to
5 help me out there.
6
7 MR. FRENZL:you probably
8 shouldn't have asked that particular question but.....
9
10 MADAME CHAIR ENTSMINGER: Yeah, because
11 I'm trying to cover everything.
12
13 MR. FRENZL: Basically what I'm trying
14 to say is that, like I mentioned, I listened to the
15 presentations, the slide show, the information given,
16 looked at the comments here opposing this information
17 and a combination of those and other issues led me to
18 believe that the issue is very important and we need to
19 discuss it as, Mr. Carroll said from Ft. Yukon, and get
20 on with it, present it to the Board and hopefully
21 they'll realize what we're doing is to benefit the fish
22 in the entire river and drainage, and, hopefully it
23 will work out to the best.
24
25 MADAME CHAIR ENTSMINGER: Okay.
26
27 MR. FRENZL: Now, I'm not really
28 articulate in a lot of ways, I do have my opinions and
29 I try to express them in a way that doesn't sound too
30 uneducated, but sometimes I may come across that way
31 but I do think about these things deeply and the reason
32 I'm on the Board is for that reason, so I'm probably
33 better talking one to one but as a group, I just feel
34 that this is -- presenting this as a group, it's
35 something I want to try to clarify. I may not do that
36 very well but that's what I'm trying to do.
37
38 That's all.
39
40 MADAME CHAIR ENTSMINGER: That's why
41 they put us on here.
42
43 MR. FRENZL: Yeah.
44
45 MADAME CHAIR ENTSMINGER: Good job.
46
47 MR. FRENZL: But I did learn a lot
48 today. I don't have a lot of background in any of this
49 information and I appreciate the reports from the
50 Federal side and the State side, other people here, I

1 try to listen attentively and learn more and try to
2 make an educated opinion.

3
4 That's it.

5
6 MADAME CHAIR ENTSMINGER: I don't know
7 why I want to push that thing all the time.

8
9 REPORTER: Sue, you can just leave it
10 on.

11
12 MADAME CHAIR ENTSMINGER: I'm not to
13 push it, okay. Thank you, Mathew, I really do
14 appreciate that because I think for us, as users, a lot
15 of time it's hard for managers to understand how users
16 think.

17
18 MR. FRENZL: Yeah, I'm not sure how I
19 think, too, sometimes, so.....

20
21 MADAME CHAIR ENTSMINGER: Well, I think
22 we all go through that and it happens worse as you get
23 older.

24
25 Okay, James. James isn't feeling all
26 that well but he's going to do the best he can here.

27
28 MR. NATHANIEL: I really don't know
29 what to say on this, you know, this proposal is getting
30 very complicated for me sometimes and sometimes it's
31 hard to understand it.

32
33 On the other hand I know what you're
34 trying to get at but it's pretty hard for me to decide
35 on it or how to vote on it because in our area, you
36 know, especially in my village people hardly fish
37 around there and only place they fish is in Yukon
38 River, in Ft. Yukon, and that's not very many people
39 fishing because the law they have, with their fish net
40 and fishwheel. I understand -- I really don't know the
41 -- how they do this, I don't know.

42
43 I heard that they had to take out their
44 nets so many hours, stop their fishwheels so many
45 hours, I don't know about these rules, really, so I
46 have no comment. I have -- I don't know how to vote on
47 this proposal to tell you the truth. I really don't
48 know.

49
50 So I'll just leave it at that.

1 MADAME CHAIR ENTSMINGER: Okay. Well,
2 I want you to know, James, that you're not alone for
3 seeing how complicated it is.

4
5 MR. NATHANIEL: Yeah.

6
7 MADAME CHAIR ENTSMINGER: I don't fish
8 there so it makes it a little hard for me so that's why
9 I end up asking, probably what seems like stupid
10 questions to some, but it's hard -- you know, when you
11 have a job like this you want to try to give it your
12 best and be open minded like Mathew says, so I like to
13 hear from everybody on these issues. I like to hear
14 exactly how you feel. And I appreciate you sharing
15 that with us.

16
17 Sorry, Virgil, you're going last.

18
19 (Laughter)

20
21 MADAME CHAIR ENTSMINGER: Richard's
22 next.

23
24 MR. CARROLL: Okay. Well, discussion
25 with some of the local Yukon fishermen, and the name,
26 in the traditional language back home, king salmon is
27 called l'uk choo', that means it's a big fish, l'uk is
28 fish and choo' is big -- big fish, and they're pretty
29 rare these days.

30
31 It's not a very popular proposal, the
32 down river fishermen are complaining that they're
33 getting picked on, they're going to pay the price,
34 change their gear, we're going to hurt them; I don't
35 think we're going to hurt their subsistence, we're not
36 going to hurt their subsistence. They're just going to
37 have to get used to eating smaller fish like we've been
38 doing, that's it.

39
40 I don't think it's going to hurt any
41 subsistence needs or take away from anybody.

42
43 But what this proposal will do is it
44 will establish and keep the genetics of big fish in the
45 river and big fish breed big fish, that's what I've
46 been told.

47
48 And deep water fish, and I've heard it
49 all the time, I fished when I was in high school with
50 my older cousins, being the oldest son in my family, I

1 was the oldest son and there was 12 of us and so I
2 fished all the time. My dad never fished, you know, he
3 was working, but I fished and I fished with some good
4 people. And that's always been the saying, you want
5 big fish you fish in deep water, you go -- and we never
6 fished in deep water, because in the Yukon Flats there,
7 the water's too swift, it just wrecks your fishwheels
8 up, I mean that thing will be spinning every 40
9 seconds, it'll be popping around and fall apart so you
10 eventually you just can't fish in deep water because
11 our deep water's fast, we're talking 10, 12 mile an
12 hour just steady moving, you know, flat out moving. So
13 we fish in shallow water.

14
15 Right now, I don't think I've ever had
16 a fishwheel that dipped more than about four feet,
17 never, never.

18
19 MADAME CHAIR ENTSMINGER: Uh-huh.

20
21 MR. CARROLL: And a lot of times in the
22 fall time we're only dipping two and a half feet for
23 fall chum salmon. But in the month of July when the
24 salmon arrive up in the Yukon Flats maybe four feet,
25 that's it. The biggest wheels I ever had was seven by
26 eight baskets, you know, just they're small. And I
27 think the biggest wheel up in the Yukon Flats, I think
28 one guy dips about five feet, you can't fish deeper
29 than that up there, you just can't. The current will
30 destroy your fishwheel. And where there's that kind of
31 current there's debris.

32
33 And I don't think the comment made
34 about, yeah, let the big fish go by for the fishwheel
35 is not -- I just don't buy into that, it ain't going to
36 work that way because you can't fish in deep water up
37 there, you just can't do it. Ask anybody, ain't nobody
38 fishing in deep water, you'll never have a fishwheel in
39 the morning, it'll fall apart. Debris hits there and
40 stuff. Most of us fish in shallow waters. We build
41 huge weirs off from the beaches, way out, some of us
42 have two or three leads put in underneath the water,
43 maybe we fish out 30 feet from the beach, real flat
44 bottom. We fish in such shallow water in the falltime
45 that you got to use your lift on your boat to go up to
46 the fishwheel because sometimes your water's only about
47 that deep and you've dug a big hole there and all the
48 salmon go over there and sit in that hole until they
49 get scooped out. Old Indian trick.

50

1 (Laughter)
2
3 MR. CARROLL: But that's true.....
4
5 MR. SMITH: Shssh, don't tell nobody.
6
7 (Laughter)
8
9 MR. CARROLL: But that's, yeah, I don't
10 -- that remark, whoever made it or wherever I heard it
11 from, I don't buy into that, that's not a true
12 statement.
13
14 But the l'uk choo', the big fish,
15 pretty rare you see tails up hanging over the side of
16 the buckets or over the side of the boat anymore, you
17 just don't see them. And I think our proposal is going
18 to address that and keep it there for the future.
19
20 And that's about all I got to say on
21 it.
22
23 MADAME CHAIR ENTSMINGER: Can I ask you
24 a couple questions.
25
26 MR. CARROLL: Sure.
27
28 MADAME CHAIR ENTSMINGER: Again, I
29 probably will ask some that are obvious, the answer,
30 but I don't know.
31
32 Is there a -- for subsistence do you
33 only use fishwheels up there?
34
35 MR. CARROLL: No. In the past I
36 probably -- in my parents generation before them they
37 had a lot of fish nets, and then I'd say through most
38 of the '70s nobody used gillnets. Now, they got --
39 now, you got more people fishing -- I count about 20
40 fishwheels and maybe about 30 gillnetters around Ft.
41 Yukon normally, normally. Most of the guys with
42 fishwheels, most of them support four or five families
43 and they're all partnered up on that.
44
45 The guys with the nets usually one or
46 two partners or one family, you know, just an evening
47 thing, you know, and they're not -- you can't buy
48 smoked salmon in Ft. Yukon. Nobody will sell it to you
49 even if they got it, you could give them \$50 a pound,
50 they ain't going to sell it to you, they just ain't

1 going to sell it. They smoke it, they make it but
2 that's just too precious for them, they put too much
3 into it.

4

5 MADAME CHAIR ENTSMINGER: Uh-huh.

6

7 MR. CARROLL: But we've got quite a few
8 fishermen and what else was I going to say.

9

10 MADAME CHAIR ENTSMINGER: I'm trying to
11 think for you.

12

13 MR. CARROLL: Okay.

14

15 MADAME CHAIR ENTSMINGER: Other methods
16 that they use for subsistence besides the gillnet and
17 then there's the.....

18

19 MR. CARROLL: Nobody's built a weir,
20 I'd like to someday, I hear they're pretty highly
21 illegal but I'll see if I can.....

22

23 (Laughter)

24

25 MR. CARROLL: The traditional way of
26 fishing before the European introduction of the fishing
27 wheel and the gillnets was either dipnetting from a
28 canoe or from the shoreline and I hear in a good run
29 that some of the older people get a dozen salmon a day.
30 But originally they built huge weirs out on the sand
31 bars, that's what attracted the early Native people to
32 the Yukon Flats, was the salmon, in the shallows there.
33 They'd drive a series of stakes down into the points of
34 the sand bars, down as far as you can, tie them all
35 together and eventually you got a big -- like a big
36 weir there and the salmon get behind it and eventually
37 they go into shallower and shallower water where you
38 can see them and you can spear them.

39

40 MADAME CHAIR ENTSMINGER: Uh-huh.

41

42 MR. CARROLL: That's -- of course, they
43 outlawed that years ago, obstructing traffic, I think,
44 was the rule.

45

46 (Laughter)

47

48 MADAME CHAIR ENTSMINGER: Turn here.

49

50 (Laughter)

1 MR. CARROLL: But that was the
2 traditional way up there and of course traps, but most
3 of the fish traps up there was not for salmon. Salmon
4 is, you know, I'm sure most of you have tried to hold
5 on to a live salmon, you can't hardly hold on to a six
6 pound one, you know, when they're alive, they're pretty
7 strong.

8
9 MADAME CHAIR ENTSMINGER: So, I.....

10
11 MR. CARROLL: A 40 pound one will throw
12 you back in the river.

13
14 (Laughter)

15
16 MADAME CHAIR ENTSMINGER: And have a
17 dead dipnetter, uh.

18
19 Now, on the Copper where I'm used to
20 fishing, the fishwheels are also for personal use but
21 there are -- and subsistence, but there are no
22 commercial but there is a commercial harvest for these
23 fishwheels in the Yukon, right?

24
25 MR. CARROLL: In Ft. Yukon there's one
26 commercial license in our village. I don't know about
27 Beaver or further down. I know there's one or two in
28 Circle City, the next village up from us and I don't
29 know what's in Eagle. But there's very little
30 commercial fishing done, I know that. My uncles had
31 one when they first -- in the '70s there and they never
32 really made a living on it because there's no real
33 market for fish, you know, there's too much fish in the
34 Chena River down here, Fish Creek and Anchorage and get
35 salmon, you know, right there.

36
37 But, no, there's no real commercial
38 activity, that's about it. Most of it's all
39 subsistence use, very, very high subsistence use.

40
41 MADAME CHAIR ENTSMINGER: And I'm going
42 to ask you one more thing just so it's on the record,
43 and just keep in mind, my concern, too, is for us to
44 figure out solutions that we don't -- like we're
45 accused of doing here in this comments from the lower
46 Yukon, is that, we're just driving a deeper wedge, and
47 can you address that at all, is there a way that we
48 don't drive a deeper wedge?

49
50 MR. CARROLL: Well, they say they got a

1 wedge, we got one too. For years the upper Yukon River
2 fishermen has paid the price for mismanagement on the
3 lower Yukon. How many years we've been shut down when
4 all of a sudden, oh, there's not enough fish coming in,
5 you guys got to quit fishing, that's hard to take
6 sometimes and we've done it, two or three years, I
7 remember we did a total shut down and that's when
8 almost everybody in the lower Yukon already got their
9 fish and now there ain't enough so upper Yukon people,
10 you can't fish now, well, where does that leave us, we
11 paid the price and we got by, nobody starved, you know,
12 but it's a hard price to pay and I think everybody's
13 got to pay something if we want to continue this salmon
14 fishery on the Yukon River.

15
16 I don't think there's no wedges.
17 That's a -- I don't know what that is.

18
19 MADAME CHAIR ENTSMINGER: Okay, we
20 won't go there.....

21
22 MR. CARROLL: Okay.

23
24 MADAME CHAIR ENTSMINGER:too much
25 further. I don't want to see that but it sounds
26 like.....

27
28 MR. CARROLL: No.

29
30 MADAME CHAIR ENTSMINGER:we've
31 actually -- they're suggesting that.

32
33 MR. CARROLL: Well, if they've got an
34 argument, we got one, too, that's it.....

35
36 MADAME CHAIR ENTSMINGER: Uh-huh.

37
38 MR. CARROLL:I just gave it to
39 you.

40
41 MADAME CHAIR ENTSMINGER: Uh-huh.

42
43 MR. CARROLL: And, you know, it might
44 happen again.

45
46 MADAME CHAIR ENTSMINGER: And back to
47 what did you call it?

48
49 MR. CARROLL: Yeah, we may have to do
50 it again.

1 MADAME CHAIR ENTSMINGER: Uh-huh.
2
3 MR. CARROLL: Okay, thank you, Madame
4 Chair.
5
6 MADAME CHAIR ENTSMINGER: You're
7 welcome. It sounds like a tri-Council might be in
8 order some day, uh.
9
10 (Laughter)
11
12 MADAME CHAIR ENTSMINGER: Again.
13 Because I went to one of those.
14
15 All right, Virgil is going to sum it up
16 in about two sentences.
17
18 (Laughter)
19
20 MR. UMPHENOUR: Thank you, Madame
21 Chair. There is a conservation concern and I'll just
22 point out a couple of real obvious things.
23
24 Our border commitment to Canada by
25 treaty between the two countries this year was 45,500
26 king salmon, using the method as agreed to in the
27 treaty between the two countries, only 23,000 king
28 salmon passed, just barely over 50 percent.
29
30 On the last teleconference that YRDFA
31 had, I sit in on as many of them as I can, representing
32 the RAC on the Fisheries Coordinating Committee, the
33 manager, Canadian manager said that one thing that he
34 noticed this year, more than he's ever noticed it in
35 the past was the number of female king salmon on their
36 reds, which is their nest, where they're laying their
37 eggs, being serviced by very small males. He said he's
38 never seen that many very small males servicing the
39 females on their reds.
40
41 That, to me, that is a real
42 conservation concern, two-fold conservation concern.
43
44 No. 1. Only half the border passage
45 agreement between the two countries was met, just
46 barely over half, 23,000 out of 45,500.
47
48 No. 2. And on top of that the ones
49 that did cross the border, these little guys got
50 counted as escapement, all those little guys that are

1 servicing those females are going to produce more
2 little guys coming back.

3
4 To me that really is a conservation
5 problem.

6
7 In District 5 this year in the test
8 fishery that's run by Stan Zaray and the kids camp
9 there where they count all the king salmon that get
10 caught, they weigh them, they measure how long they
11 are, they take scale samples, they sampled over 800
12 fish, king salmon this year, of those over 800 king
13 salmon they sampled they only had eight of them that
14 weighed 30 pounds or more, that's all, eight out of
15 over 800. That's pitiful. We do have a conservation
16 concern.

17
18 Our recommendation addresses passage of
19 the larger fish.

20
21 MADAME CHAIR ENTSMINGER: I think we've
22 agreed on that Virgil.

23
24 MR. UMPHENOUR: Right. I'm going down
25 the green sheet here.

26
27 MADAME CHAIR ENTSMINGER: I know.

28
29 MR. UMPHENOUR: Okay.

30
31 MADAME CHAIR ENTSMINGER: So you've
32 addressed the conservation concern.

33
34 MR. UMPHENOUR: As far as traditional
35 ecological knowledge, all the fishermen you talk to up
36 and down the river, and I see lots of them because I
37 travel all the way from Huslia to Fairbanks, on the
38 river, by boat, every year, every place, you talk to
39 the older people up in their 60s, 70s and even 80s,
40 like Steven Attla in Huslia, the old-timers, they'll
41 tell you they can't believe that there's no big fish
42 like there used to be. That's what they tell you.

43
44 As far as the restrictions goes, the
45 last thing, will the recommendation unnecessarily
46 restrict other users involved. Our proposal is to be
47 for subsistence users, is to phase in the mesh size
48 over a three year period. The life of a net is only
49 three to four years anyway, the mesh on it, if you use
50 it very mesh. So it could be phased in over a three

1 year period. I already checked with Donaldson's, \$300
2 for a 300 foot long net. In the upper Yukon you're not
3 allowed to use a net that's more than 150 feet in the
4 driftnet fishery and most up river subsistence user's
5 nets are only 60 feet long. It's \$300 for a 300 foot
6 net so the cost is not that much for the subsistence
7 users. And for a commercial user \$300 for a new net is
8 not a big deal. And so I don't feel that it
9 unnecessarily is going to be costly.

10

11 And as far as the restrictions goes
12 it's just like Richard said, and when I was on the
13 Board of Fisheries I just want to bring this up because
14 I think this is the appropriate time to do it. There
15 were times when the Board made decisions and some of
16 them were overruled by the Supreme Court even, and when
17 something like that happens and it gets remanded back
18 to the Board, there's a whole bunch of history that has
19 to be read by certain Board members, not all the Board
20 members have to do it, but a guy named Larry Ingle and
21 I like history and so we read a lot of history. I read
22 the history of when Hudson Stuck went back to
23 Washington, D.C., there's a book, you can get it out at
24 the University of Alaska in the History Department, and
25 he testified before the United States Congress White
26 Commission, it was Congressman White from, I think
27 Indiana, and he was the Chairman of the White
28 Commission, the Commerce Committee because the
29 Department of Commerce regulated the fur and fishery
30 industry in Alaska in territorial days. And so Hudson
31 Stuck and some of you may not know who he was, but he
32 was Archdeacon of the Episcopal Church and the first
33 person to climb Mt. Mckinley and he established a
34 mission first in Fairbanks, then up at Eagle, Nenana,
35 he had missions and he had orphanages all over, he
36 established the town of either Allakaket or Alatna, one
37 or the other, and the last place he lived was Ft.
38 Yukon. But anyways so I read this transcript of when
39 he went back there because of the big fish failure in
40 1919 and 1920, he went back to Washington, D. C., and
41 testified and all you have to do is change the names of
42 the people and they're saying the same thing, except
43 then it was the Carlyle Cannery people who decimated
44 the people along the Copper River with their cannery at
45 the mouth of the Copper River. All you have to change
46 the names of the people. But one really interesting
47 thing I found in there, was that the individual that
48 brought the fishwheel to Alaska had worked on the Army
49 Telegraph, which was built by General Mitchell, which
50 when he was the Second Lieutenant that started the Air

1 Force, the telegraph line went from Valdez, it went to
2 Eagle and then it went from Eagle, up over the
3 mountains, down the Goodpaster River, to the Tanana
4 River, down to the mouth of the Tanana, across the
5 Tanana there, that was before Fairbanks was ever here
6 because they started it in 1898 and then he built the
7 telegraph line to Kaltag, across to Unalakleet and then
8 down to Ft. St. Michael. A guy by the name of Carroll,
9 which is my partner sitting me's relative worked for
10 the telegraph line and he brought the first fishwheel
11 to Alaska.

12

13 Thank you, Madame Chair.

14

15 (Laughter)

16

17 MADAME CHAIR ENTSMINGER: Do you read
18 body English well.

19

20 Virgil, thank you for all of that
21 history. I wish I could remember all of that stuff,
22 it's pretty awesome.

23

24 So, now, I want to make this clear on
25 the record, we are talking about Proposals 13 and 14,
26 both of them or one of them.

27

28 MR. UMPHENOUR: Both of them.

29

30 MADAME CHAIR ENTSMINGER: The motion on
31 the floor was 13 and 14?

32

33 MR. UMPHENOUR: Just 13.

34

35 MADAME CHAIR ENTSMINGER: 13, that's
36 what I thought, too bad, so sad we didn't do them
37 together.

38

39 MR. UMPHENOUR: It's easy to do Madame
40 Chair.

41

42 MADAME CHAIR ENTSMINGER: Okay, I would
43 entertain that motion.

44

45 MR. UMPHENOUR: Okay, no, we just vote
46 on 13 and then all we do is reference all our previous
47 comments on 14.

48

49 MADAME CHAIR ENTSMINGER: Put that on
50 the record, please.

1 MR. UMPHENOUR: It is. Okay, Madame
2 Chair, the correct procedure would be to go ahead,
3 someone call the question on 13, and then put 14 on the
4 floor, the same as we did 13, just reference all our
5 comments on Proposal 13 and call the question on
6 Proposal 14.

7
8 MADAME CHAIR ENTSMINGER: Okay. I
9 would to summarize just summarize just a few of my own
10 comments if I could and we will do just that.

11
12 I'm, as you all know, of the Kiss
13 principle, keep it simple, silly, and sometimes things
14 get a little too complicated and James and I have a
15 hard time understanding what's going on.

16
17 But in this proposal, I just want to
18 put on the record that me, personally, this is Sue
19 Entsminger speaking, if there's a way to make
20 regulations easy on the user, that's what I want to
21 see. And sometimes I have some heartburn on
22 regulations that make it real difficult for the user to
23 understand where they can and can't do some things.

24
25 But I am, number 1, for the resource,
26 so that comes down to the conservation issue. And
27 probably I'm summarizing some things that Amy would
28 have said to help her change her mind there. But at
29 the same time I want to say that it's real important to
30 me, personally, to be able to sit down with the people
31 in the lower Yukon and say, hey, you know, this is why
32 we're doing this and somehow or another we need to
33 figure out how to make this all work because it's for
34 the resource, it's for everybody. And I'm sure if the
35 Canadians were here they'd have a lot to say right now,
36 too. And when we take our -- this goes to the Federal
37 Board, I'm sure that they're going to -- you can see
38 all the comments, what they're going to be dealing
39 with, I'd like to see us still maintain credibility,
40 that when we're there, we're truly concerned for the
41 conservation issue of it and it sounds clear to me -- I
42 found it very interesting that the Alaska Outdoor
43 Council supports this, and that's probably a little
44 unusual.

45
46 And then because I guess jurisdiction
47 wise, I'm a little bit complicated on that but I kind
48 of somewhat understand it now after I asked several
49 questions.

50

1 So I would like to now call for the
2 question because we were talking specifically to 13,
3 right.

4
5 MR. UMPHENOUR: 13.

6
7 MADAME CHAIR ENTSMINGER: Okay.

8
9 MR. UMPHENOUR: Sue.

10
11 MADAME CHAIR ENTSMINGER: And, Virgil's
12 going to clear me up here because evidently I got him
13 excited about something here.

14
15 MR. UMPHENOUR: There's one thing that
16 I forgot to mention, and that is that the Staff report
17 from the Office of Subsistence Management recommended a
18 little bit of a change to Proposal 13, which is kind of
19 an amendment, so I move to amend the language.....

20
21 MADAME CHAIR ENTSMINGER: Okay.

22
23 MR. UMPHENOUR:where it says may
24 not be more than 35 meshes in depth, now this is what
25 needs to be added in to make it clear so there's no
26 confusion with the public, and this is the amendment.

27
28 MADAME CHAIR ENTSMINGER: He's on Page
29 45.

30
31 MR. UMPHENOUR: I'm on Page 45. To
32 read the way it reads, the way they've written it:

33
34 The float line and floats of gillnets
35 must be floating on the surface of the
36 water while the net is fishing unless
37 natural conditions cause the net to
38 temporarily sink.

39
40 The top line of the net shall be tied
41 directly to the float line.

42
43 We need to amend it, our proposal, so
44 that it reads exactly like it does on A of Page 45.

45
46 MADAME CHAIR ENTSMINGER: So a better
47 way of phrasing your motion.....

48
49 MR. UMPHENOUR: It's a better way to
50 write it and that makes it clear so there's no

1 misunderstanding with the public, so we have a clear
2 regulation.
3
4 MADAME CHAIR ENTSMINGER: So in short
5 what you're doing you're going with this -- you're
6 making a motion to go with the Staff amendment, exactly
7 as written.
8
9 MR. MATHEWS: Is there a second to the
10 motion.
11
12 MADAME CHAIR ENTSMINGER: He's made the
13 motion for an amendment.
14
15 MR. UMPHENOUR: That's correct.
16
17 MR. SMITH: You guys are already in the
18 middle of a motion.
19
20 MR. CARROLL: We'll take care of the
21 first motion first.
22
23 MR. SMITH: You have to take care of
24 that first motion.....
25
26 MADAME CHAIR ENTSMINGER: Wait, let me
27 try to understand this correctly.
28
29 MR. UMPHENOUR: No, you have to vote on
30 the amendment is what you have to do.
31
32 MR. MATHEWS: The amendment.
33
34 MR. UMPHENOUR: I made a motion for an
35 amendment.
36
37 MR. CARROLL: I'll second the
38 amendment.
39
40 MADAME CHAIR ENTSMINGER: This is how
41 we've always done it so if we're out of Robert's Rules,
42 I'm.....
43
44 MR. MATHEWS: No, Madame Chair, you're
45 fully within it, it's a motion to amend.
46
47 MADAME CHAIR ENTSMINGER: That's right.
48
49 MR. MATHEWS: It's been seconded. If
50 that passes, then that goes to the main motion, if it

1 doesn't pass, the main motion stands as originally
2 stated.
3
4 MADAME CHAIR ENTSMINGER: You've seen
5 this a hundred times, Mike, I Just probably said it in
6 a Venus, not Mars.
7
8 (Laughter)
9
10 MADAME CHAIR ENTSMINGER: Okay.
11
12 MR. UMPHENOUR: Someone at that end has
13 to call for the question.
14
15 MR. CARROLL: Call for the question,
16 Madame Chair.
17
18 MADAME CHAIR ENTSMINGER: Can he.
19
20 MR. UMPHENOUR: Well, he seconded it
21 actually so someone.....
22
23 MADAME CHAIR ENTSMINGER: Okay, I need
24 someone that did not make the motion and second it.
25
26 MS. WRIGHT: Call the question.
27
28 MADAME CHAIR ENTSMINGER: Okay, Amy has
29 called for the question on the amendment to the main
30 motion. Am I speaking your language.
31
32 (Laughter)
33
34 MADAME CHAIR ENTSMINGER: Okay. And
35 then that is -- I don't say that, because we understand
36 it.
37
38 MR. MATHEWS: You can just reference
39 Page 45.
40
41 MADAME CHAIR ENTSMINGER: Page 45, the
42 language in A. Okay, does everyone understand this
43 motion.
44
45 (Council nods affirmatively)
46
47 MADAME CHAIR ENTSMINGER: Okay, the
48 question has been called for, if you do not -- if
49 you're not in favor of it will you please say aye.
50

1 (No aye votes)
2
3 MADAME CHAIR ENTSMINGER: Do I hear
4 anyone opposed to this motion.
5
6 (No comments)
7
8 MADAME CHAIR ENTSMINGER: I do not, so
9 I take that as a unanimous support of that amendment.
10 Now, we're on the amended motion -- am I doing this
11 right, okay, which is already on the floor.
12
13 Any more discussion.
14
15 (No comments)
16
17 MS. WRIGHT: Call for the question.
18
19 MADAME CHAIR ENTSMINGER: Okay. If
20 there's no more discussion then the motion is before us
21 as amended, and this time I'm going to ask you -- I
22 don't know, do we need a roll call, you guys, I need it
23 from you, or do you want -- let's see, is anyone
24 opposed to this motion -- and James this is going to be
25 hard for you because you felt like you didn't
26 understand it.
27
28 MR. NATHANIEL: Yes.
29
30 MADAME CHAIR ENTSMINGER: So go ahead,
31 Vince.
32
33 MR. MATHEWS: We always try to do
34 everything in the positive, so it'd be better to say
35 those in favor of the motion say aye, and those that
36 oppose the motion, you ask after that, to say aye.
37 When you bring it up in the negative it.....
38
39 MADAME CHAIR ENTSMINGER: Did I do
40 that.
41
42 MR. MATHEWS:it adds a little
43 grey hair to some of us.
44
45 MADAME CHAIR ENTSMINGER: Sorry.
46
47 (Laughter)
48
49 MADAME CHAIR ENTSMINGER: You can tell
50 it's getting to the end of the day, now would you

1 repeat that.

2

3 MR. MATHEWS: You would just ask for
4 those who support the proposal say aye or you can do a
5 roll call vote and then you go, are there any that
6 oppose, and then we tally it up and if it, you know,
7 goes the normal way.

8

9 MADAME CHAIR ENTSMINGER: Do we want a
10 roll call vote -- okay, everyone in favor of the
11 proposal -- or the motion as amended say aye.

12

13 IN UNISON: Aye.

14

15 MADAME CHAIR ENTSMINGER: So it sounds
16 like it's unanimous.

17

18 MR. SMITH: Well, you got to ask the
19 question, though, is there any objections.

20

21 MADAME CHAIR ENTSMINGER: Is there any
22 objection.

23

24 (No objections)

25

26 MADAME CHAIR ENTSMINGER: We'll get
27 there, uh.

28

29 Okay, and hearing no objection.....

30

31 MR. NATHANIEL: No objection.

32

33 MADAME CHAIR ENTSMINGER:okay,
34 next motion.

35

36 MR. UMPHENOUR: Move to adopt Proposal
37 No. FP08-14.

38

39 MR. RIVARD: Madame Chair, this is Don
40 Rivard.

41

42 MADAME CHAIR ENTSMINGER: Stop. Yes,
43 go ahead.

44

45 MR. RIVARD: It's my understanding and
46 I've been trying to follow this closely but I guess I'm
47 not doing as well as I think I should, is your Council
48 basically supporting the OSM preliminary conclusion to
49 modify 13?

50

1 MADAME CHAIR ENTSMINGER: That's right.
2
3 MR. RIVARD: Okay. So there was no
4 need, really to do all these other motions, just.....
5
6 MADAME CHAIR ENTSMINGER: Well, we
7 motioned it differently though.....
8
9 MR. SMITH: Yeah, we started the
10 process.....
11
12 REPORTER: Mike.
13
14 MADAME CHAIR ENTSMINGER: We started
15 the process before with a motion on the floor.
16
17 MR. RIVARD: Okay, but the intent is to
18 support Proposal 13 with modification as the OSM
19 preliminary conclusion as.....
20
21 MADAME CHAIR ENTSMINGER: Everybody
22 here understands it, yes.
23
24 MR. RIVARD: Okay.
25
26 MADAME CHAIR ENTSMINGER: Yes.
27
28 MR. RIVARD: I just wanted to make sure
29 I got that, okay. Thank you.
30
31 MADAME CHAIR ENTSMINGER: All right.
32 Virgil.
33
34 MR. UMPHENOUR: Okay, move to adopt
35 Proposal FP08-14.
36
37 MS. WRIGHT: Second.
38
39 MADAME CHAIR ENTSMINGER: Okay. I have
40 a motion on the floor to adopt, I'm just going to call
41 it 14, to simplify things.
42
43 MR. UMPHENOUR: May I speak to my
44 motion.
45
46 MADAME CHAIR ENTSMINGER: I have a
47 motion and a second and Virgil would like to speak to
48 the motion.
49
50 MR. UMPHENOUR: Thank you, Madame

1 Chair. I would like to reference all my previous
2 comments, the previous report from the Staff, from both
3 Staffs, the State and the Office of Subsistence
4 Management and all my previous comments, and I support
5 the proposal.

6

7 Madame Chair.

8

9 MADAME CHAIR ENTSMINGER: Okay, I don't
10 think we need any further on.....

11

12 MR. MATHEWS: I would understand from
13 all the discussions that have happened here as your
14 coordinator that based on your discussions on Proposal
15 13, that you thoroughly investigated and looked at
16 Proposal 14, and based on all that information you are
17 prepared to pass a motion as stated by Council member
18 Umphenour.

19

20 (Pause)

21

22 MADAME CHAIR ENTSMINGER: All in favor
23 of the motion say aye.

24

25 IN UNISON: Aye.

26

27 MADAME CHAIR ENTSMINGER: I'm going to
28 say aye. And do I hear any objections.

29

30 (No opposing votes)

31

32 MADAME CHAIR ENTSMINGER: Hearing none
33 it's passed unanimously.

34

35 Okay, next.

36

37 So.....

38

39 MR. MATHEWS: That brings us up to
40 Proposal 15 and 16, it might be easier, it's your
41 prerogative though to look at these jointly or you can
42 take them separately, as you did with 13 and 14.

43

44 MADAME CHAIR ENTSMINGER: As long as
45 they're closely related, what would the Council like to
46 do on this, together or separately.

47

48 MR. MATHEWS: I withdraw that, I forgot
49 which proposals we're talking about, it'd be best to
50 take them separately. One is asking the season to be

1 expanded, the other one is to eliminate it, so.....
2
3 MADAME CHAIR ENTSMINGER: Oh, yeah.
4
5 (Laughter)
6
7 MADAME CHAIR ENTSMINGER: You really
8 like that kiss principle.
9
10 MR. SMITH: It would be hard to do the
11 same (indiscernible - away from mic)
12
13 (Laughter)
14
15 MADAME CHAIR ENTSMINGER: So what we
16 did wrong is we probably shouldn't have made that
17 motion first.
18
19 MR. MATHEWS: No, you didn't do
20 anything wrong.
21
22 MADAME CHAIR ENTSMINGER: Okay.
23
24 MR. MATHEWS: It's the difficulty of
25 having -- not the difficulty, the challenge of having a
26 Staff recommendation and a proposal and then in the
27 past we didn't understand what the Council's, not just
28 this one, but other ones too, didn't understand when
29 you said, we move to adopt the proposal, I think many
30 Council members were thinking they were adopting the
31 proposal with the Staff analysis, not the original
32 proposal, so.....
33
34 MADAME CHAIR ENTSMINGER: Oh, I see,
35 yeah.
36
37 MR. MATHEWS: So you got it cleaner,
38 you can decide.....
39
40 MADAME CHAIR ENTSMINGER: Right.
41 Right. So Virgil do we need a motion now or just go
42 into.....
43
44 MR. UMPHENOUR: Madame Chair, it's 9
45 minutes until 5:00 and there's a fairly extensive Staff
46 analysis here and I don't think, unless you want to
47 stay here until 7:00 or 8:00 tonight, we have time to
48 do this, and so what would end up happening is we'd get
49 part way through it and then have to recess for the
50 evening and I suggest that we take it up first thing in

1 the morning, would be my recommendation. And the
2 Council members could have an opportunity to refresh
3 their memories and read through these two Staff
4 recommendations and things would probably move a little
5 faster in the morning than if we did it right now after
6 we've been at this all day.

7
8 MADAME CHAIR ENTSMINGER: Okay. Well,
9 I'm going to give you guys something else to think
10 about, I'm leaving at 3:00 tomorrow, I'm out of here,
11 I've got to catch a flight, I had some other
12 arrangements that I can't change, so if we go beyond
13 3:00 tomorrow we won't have a quorum so let's get a
14 synopsis of how we feel here. Do we want to start at
15 8:00 o'clock on Saturday morning.

16
17 MR. CARROLL: Do we have action items
18 -- do we have any action items after tomorrow
19 afternoon?

20
21 MADAME CHAIR ENTSMINGER: Oh, do we
22 have any action items, how does that work if there's no
23 action items, can they continue to give reports?

24
25 MR. MATHEWS: Yes, you can continue
26 without a quorum on reports and that so other Staff can
27 correct me, your only action items are your fishery
28 proposals, the Monitoring Program, the Draft 2008, and
29 then if, and then if -- which we can reprioritize if
30 you wanted to submit any proposals to the Board of Game
31 concerning the Copper River basin, Refuge, et cetera,
32 et cetera, but we could reprioritize the agenda to get
33 those action items on before you depart.

34
35 MADAME CHAIR ENTSMINGER: Then let's do
36 that.

37
38 MR. MATHEWS: And other Staff, I don't
39 know if I'm missing other action items. Tom may have
40 one.

41
42 MADAME CHAIR ENTSMINGER: I'm sorry, go
43 ahead, I was looking at my paper.

44
45 MR. KRON: Madame Chair. Another issue
46 that we were hoping to get Council input on is Item No.
47 8, the draft customary and traditional use policy, and,
48 again we're asking you if you have a recommendation
49 there so I would include that in the list of items that
50 would be good to address while you have a quorum.

1 Thank you, Madame Chair.
2
3 MADAME CHAIR ENTSMINGER: Yeah, I'd
4 like to hear from everyone now, action items in this
5 full agenda, I need to hear where they are. Vince, we
6 moved drainage-wide consensus building options.
7
8 MR. MATHEWS: Yes, we moved that to the
9 end of fisheries.
10
11 MADAME CHAIR ENTSMINGER: Would that be
12 an action item, it could be.
13
14 MR. MATHEWS: Well.....
15
16 MADAME CHAIR ENTSMINGER: No.
17
18 MR. SMITH: I hope.
19
20 (Laughter)
21
22 MADAME CHAIR ENTSMINGER: High hopes,
23 or you hope.
24
25 (Laughter)
26
27 MR. MATHEWS: Yes, it would be but I
28 think what it would be is it won't take that much time
29 is what I think it'll be.
30
31 MADAME CHAIR ENTSMINGER: So let's call
32 it an action item.
33
34 MR. MATHEWS: Right. Action items
35 would be proposals, followed by the draft customary and
36 traditional use policy, and I don't know, I'm just
37 going by your past meeting in Arctic Village, you
38 discussed a registration drawing permit for sheep
39 hunting, you agreed to allow the Copper Basin Advisory
40 Committee Refuge proposal, I don't know if you're going
41 to draft any other proposals for the Board of Game and
42 then there's the call for wildlife proposals on the
43 Federal side, but those you could submit individually,
44 if there are some.
45
46 MADAME CHAIR ENTSMINGER: Okay.
47
48 MR. MATHEWS: Annual report, there's
49 nothing, I mean just updates.
50

1 MADAME CHAIR ENTSMINGER: Why don't you
2 and I go over that afterwards.
3
4 MR. MATHEWS: Yeah. I don't see a lot
5 of action items other than the.....
6
7 MADAME CHAIR ENTSMINGER: Yeah.
8
9 MR. MATHEWS:fisheries proposals.
10
11 MADAME CHAIR ENTSMINGER: So does
12 anyone on teleconference see any action items other
13 than what we've discussed.
14
15 (No comments)
16
17 MADAME CHAIR ENTSMINGER: No. I hear
18 nothing. Okay, so Vince and I will go over that and
19 we'll make sure that we cover that before I have to
20 leave and.....
21
22 MR. MATHEWS: Madame Chair.
23
24 MADAME CHAIR ENTSMINGER: Vince.
25
26 MR. MATHEWS: I'm sorry, there is one,
27 I apologize it's up to you to decide if you want to
28 make it an action item, that's the motion from the
29 bycatch fishery committee for the North Pacific
30 Fisheries Management Council. Again, when you and I
31 get together and others can buttonhole us we can work
32 that out if need be.
33
34 MADAME CHAIR ENTSMINGER: Did you want
35 to come up and speak Becca.
36
37 MS. ROBBINS: No, that was what I was
38 going to say.
39
40 MADAME CHAIR ENTSMINGER: Just to make
41 sure, yeah, because I want that to be an action item.
42 Okay. All right, is anyone terribly opposed to 8:00
43 o'clock in the morning.
44
45 (No comments)
46
47 MADAME CHAIR ENTSMINGER: Okay, we'll
48 stop for the night and start at 8:00 in the morning --
49 did you say you were James?
50

1 MR. NATHANIEL: No.
2
3 MADAME CHAIR ENTSMINGER: Are you okay?
4
5 MR. NATHANIEL: No, it's fine.
6
7 MADAME CHAIR ENTSMINGER: Good.
8
9 MR. MATHEWS: Madame Chair.
10
11 MADAME CHAIR ENTSMINGER: Vince.
12
13 MR. MATHEWS: Madame Chair. The only
14 thing we have and I know it's difficult, but the agenda
15 has a 7:00 o'clock slot for people to testify, we just
16 need one Council member here and myself and the court
17 recorder if someone comes to testify on your agenda.
18 So if someone could be here at 7:00 o'clock, I have no
19 phone calls anybody's going to show up but out of
20 courtesy to the announcements in the agenda we need to
21 have somebody here.
22
23 MADAME CHAIR ENTSMINGER: Okay. We'll
24 figure that out, you and me, too, it'll probably be me.
25
26 (Off record)
27
28 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC do hereby certify:

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THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 26th day of October 2007.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08