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SOUTHCENTRAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING
PUBLIC MEETING
VOLUME I

BP Energy Center Conference Room
October 12, 2022
9:00 a.m.

COUNCIL MEMBERS PRESENT:

- Greg Encelewski, Chairman
- Donna Claus
- Ed Holsten
- Andrew McLaughlin
- Michael Opheim
- Hope Roberts
- Diane Selanoff
- Gloria Stickwan
- Angela Totemoff
- Donna Wilson
- Dennis Zadra

Regional Council Coordinator, Jessica Gill

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1 P R O C E E D I N G S

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(Anchorage, Alaska - 10/12/2022)

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(On record)

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CHAIRMAN ENCELEWSKI: Good morning
8 everyone.

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10

(Pause)

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12

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CHAIRMAN ENCELEWSKI: Could people here
that, good morning. We're at that time to get started.
It's so great we're all here in person and I'm going to
get everyone to get settled in here a little bit. But,
Tina, how are you looking, you're good.

17

18

REPORTER: I'm good.

19

20

21

CHAIRMAN ENCELEWSKI: You could hear
me, I pushed the right button this time.

22

23

REPORTER: You did.

24

25

26

27

28

CHAIRMAN ENCELEWSKI: Okay. Well,
we'll go ahead and get started here. We'll start out
with the invocation and, Gloria, I understand you was
going to do an invocation.

29

30

(Invocation)

31

32

33

34

35

36

CHAIRMAN ENCELEWSKI: Thank you,
Gloria. Well, I'm officially calling the meeting to
order, I got 9:02. Jessica, do you want to do a roll
call to establish a quorum. I don't know where Hope is
yet.

37

38

39

40

41

MS. GILL: Sure. So for the record my
name is Jessica Gill, Council Coordinator for the
Southcentral Regional Advisory Council. And we'll do a
call to order here -- or, sorry, roll call.

42

43

All right.

44

45

Edward Holsten.

46

47

MR. HOLSTEN: Present.

48

49

MS. GILL: Thank you.

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Michael Opheim.

2

3

MR. OPHEIM: Here.

4

5

MS. GILL: Thank you.

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7

Greg Encelewski.

8

9

CHAIRMAN ENCELEWSKI: Here.

10

11

MS. GILL: Great.

12

13

Diane Selanoff.

14

15

MS. SELANOFF: Here.

16

17

MS. GILL: Great.

18

19

Dennis Zadra.

20

21

MR. ZADRA: Here.

22

23

MS. GILL: Thank you.

24

25

Gloria Stickwan.

26

27

MS. STICKWAN: Here.

28

29

MS. GILL: Angela Totemoff.

30

31

MS. TOTEMOFF: Good morning, here.

32

33

MS. GILL: Good morning.

34

35

Donna Claus.

36

37

CHAIRMAN ENCELEWSKI: Is she on the

38

phone?

39

40

MS. GILL: She should be on the phone.

41

42

REPORTER: Donna, are you on the phone?

43

44

(No comments)

45

46

REPORTER: Is anybody on the phone?

47

48

(No comments)

49

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1 REPORTER: Hum. So why don't you just
2 continue to go and maybe I'll dial back in again.

3
4 MS. GILL: Okay, thank you.

5
6 Andrew McLaughlin.

7
8 MR. MCLAUGHLIN: Here.

9
10 MS. GILL: Great, thank you.

11
12 Donna Wilson, she's on the phone too.

13
14 Hope Roberts.

15
16 (No comments)

17
18 MS. GILL: Heath Kocan.

19
20 (No comments)

21
22 MS. GILL: And Michael Rego -- he's
23 absent. Yes, Tina.

24
25 REPORTER: I'm going to go ahead and
26 hang this phone up and redial it.

27
28 MS. GILL: Okay.

29
30 REPORTER: Just in case, because no
31 one's talking, but go ahead and go Greg. Hope was
32 going to be here, right.

33
34 MS. GILL: Yes.

35
36 CHAIRMAN ENCELEWSKI: I got a
37 cheatsheet here and I want to make sure I'm using it
38 right -- I got three of them now, I'm going to get the
39 updated version. But, anyway, we did establish the
40 quorum. And, welcome everyone, it is really great to
41 be in person, we've done the last couple of meetings
42 and they've been very tumultuous and kind of tough
43 trying to hear everyone and a lot of people and it's
44 kind of hard to get everyone's opinion and get what's
45 really going on and be able to look at each other.

46
47 So it's great to see everyone.

48
49 We're going to do some introductions

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1 here. Generally what we do is we go around the room
2 and I'll let everyone in the audience here and good to
3 see you, Dave, and you're going to talk to us in a
4 little bit. But, anyway, we'll let everyone introduce
5 themselves and then we'll introduce our Council members
6 and we'll talk.

7

8 Do you want to start Dave, do you want
9 to go ahead and just introduce in case someone don't
10 know you and then we'll go on around the room.

11

12 MR. SCHMID: Sure. I sat in the front
13 row here and I scared everyone away.

14

15 (Laughter)

16

17 MR. SCHMID: Good morning. It is great
18 to be with you all here in person today. Mr. Chair,
19 you're right it has been very difficult doing these
20 meetings telephonically. But I serve as the Regional
21 Forester with the Forest Service, USDA, here in Alaska.
22 I am a member of the Federal Subsistence Board. I did
23 spend most of my career here in Alaska living in rural
24 Alaska, also practicing a subsistence lifestyle, much
25 of that in Prince William Sound, Cordova and in
26 Southeast on Prince of Wales Island. So it's just a
27 pleasure to be with you here today and listen in. It's
28 important to me to hear directly from the RACs as we go
29 into some of the deliberations here with the Board and
30 be able to convey that and so I'm here to listen and
31 learn.

32

33 Thank you, Mr. Chair.

34

35 CHAIRMAN ENCELEWSKI: Alrighty, well,
36 thank you.

37

38 Barbara, you want to start on your side
39 and we'll go around.

40

41 MS. CELLARIUS: Do you want me to stand
42 up?

43

44 CHAIRMAN ENCELEWSKI: Sure.

45

46 MS. CELLARIUS: I'm Barbara Cellarius,
47 I'm the Cultural Anthropologist and Subsistence
48 Coordinator for Wrangell-St. Elias National Park and
49 Preserve.

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1 MS. COHEN: Hello, good morning. My
2 name is Amber Cohen, I'm the new Cultural
3 Anthropologist at Wrangell-St. Elias National Park and
4 Preserve working with Barbara on subsistence issues.
5 Nice to be here.

6
7 MS. JOCHUM: Good morning, Mr. Chair.
8 Members of the Council. Kim Jochum. I work for the
9 National Park Service at the Regional Subsistence
10 Program so I work with all Parks in the region and I'm
11 a Staff Committee members.

12
13 MR. ESKELIN: Mr. Chair. Council
14 members. Todd Eskelin. I'm the Wildlife Biologist in
15 Kenai National Wildlife Refuge and work with the Refuge
16 Manager managing subsistence on the Kenai.

17
18 MR. PAPPAS: Good day members. George
19 Pappas, Office of Subsistence Management, State
20 Subsistence Liaison. I sit on the Boards of Fish and
21 Game as a Federal Advisor. Nice to see everyone.

22
23 MR. LIND: Good morning, Chairman.
24 Council members. My name is Orville Lind. I'm the
25 Native Liaison for the Office of Subsistence
26 Management. Good to be here. Good to see you.

27
28 Quyana.

29
30 MS. LAVINE: Good morning everybody.
31 Members of the Council. Mr. Chair. My name is Robbin
32 LaVine and I'm the Subsistence Policy Coordinator of
33 the Office of Subsistence Management. And as the --
34 this is my second in-person meeting. I am so thrilled
35 to be here and see you all, and I'm also very mindful
36 that there are people who are also trying to
37 participate on the phone and so I might suggest the
38 remainder of us introduce ourselves by stepping up to
39 the microphone so that the people on the phone feel
40 like they're participating.

41
42 REPORTER: Thank you.

43
44 MS. LAVINE: But I'll tell you all on
45 the phone, it is so good to be here.

46
47 MR. MCKEE: Good morning, everyone. My
48 name is Chris McKee. I'm the Statewide Subsistence
49 Coordinator for the Bureau of Land Management. Nice to
50

0007

1 be here.

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MS. KLEIN: Good morning, Mr. Chair. Members of the Council. My name is Jill Klein and I'm the Regional Subsistence Coordinator for the U.S. Fish and Wildlife Service based here in Anchorage out of the Regional Office and also an InterAgency Staff Committee member.

MR. SIMON: Good morning, Council members and Staff. My name is Jim Simon. I'm a consultant with the Ahtna InterTribal Resource Commission. And I believe we have four more Ahtna InterTribal Resource Commission Staff trying to find the room. Thank you.

MS. KEATING: Good morning, Mr. Chair. Members of the Council. I'm Jackie Keating. I'm the Research Lead for the Southcentral Region for the Division of Subsistence at the Alaska Department of Fish and Game. Great to see everybody in person.

MR. EGELHOFF: Good morning. My name is Jake Egelhoff (ph). Recently started as a Subsistence Resource Specialist with the Alaska Fish and Game. I'm glad to be here as well.

MS. FLOREY: Hi. I'm Victoria Florey. I am a Subsistence Program Analyst for the National Park Service here in the Regional Office in Anchorage. Nice to see everybody.

MS. KETRON: Good morning. I'm Caroline Ketron. I'm the Anthropologist and Subsistence Coordinator for the Bureau of Land Management in Glennallen.

MS. MCDONALD: Good morning. I am the Wildlife Biologist at Bureau of Land Management in Glennallen.

REPORTER: What's your name?

MS. MCDONALD: Oh, I'm sorry, Leanne McDonald.

REPORTER: Thanks.

MR. PICHE: Nice to see everyone. My

0008

1 name is Matt Piche. I am the Fish Biologist for the
2 Native Village of Eyak in Cordova.

3

4 MR. SARAFIN: Good morning. Dave
5 Sarafin. I'm the Fisheries Management Biologist at
6 Wrangell-St. Elias National Park and Preserve and long
7 time resident of Tazlina.

8

9 MS. PATTON: Good morning. Eva Patton
10 at the National Park Service Regional Office,
11 Subsistence Program Manager. Recently over to the Park
12 Service from OSM so good to see everyone again. Good
13 morning.

14

15 MR. GORZE: Good morning. I'm Dan
16 Gorze, I'm the Fisheries Biologist with Ahtna
17 InterTribal Resource Commission in Glennallen.

18

19 MR. SPILINEK: Good morning. I'm
20 Sterling Spilinek, Wildlife Biologist, Ahtna
21 InterTribal Resource Commission.

22

23 MS. THAMM: Good morning. I'm Heather
24 Thamm with the Chugach National Forest, one of the
25 Subsistence Coordinators.

26

27 MR. RISDAHL: Good morning, Mr.
28 Chairman and members of the Council. I am Greg
29 Risdahl. I am the Subsistence Program Lead for the
30 USDA Forest Service and the InterAgency Staff Committee
31 member. Thank you. Good to be here.

32

33 MR. UBELAKER: Good morning. Brian
34 Ubelaker, Wildlife Biologist with Office of Subsistence
35 Management.

36

37 MR. FOLEY: Mr. Chair. Members of the
38 Council. Good morning. My name is Kevin Foley, I'm a
39 Fish Biologist with the Office of Subsistence
40 Management. It's good to see everyone.

41

42 MR. KOLLER: Good morning members of
43 the Council. Mr. Chair. My name is Justin Koller. I
44 am your new Fisheries Biologist for the Office of
45 Subsistence Management. Before this I was down working
46 with the Southeast Council for about 10 years. So I'm
47 familiar with the Program and hopefully that'll go a
48 long way in helping you all conduct your business here
49 today so thank you.

50

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1 MR. ROBERTS: Good morning, Mr. Chair.
2 Members of the Council. I'm Jason Roberts, I'm an
3 Anthropologist with the Office of Subsistence
4 Management.

5
6 MR. SCHRAMM: Good morning. Jeff
7 Schramm. I'm the Forest Supervisor on the Chugach
8 National Forest. I'm a little late. I went to the
9 Daycare first and they didn't let me in.

10
11 (Laughter)

12
13 MR. SCHRAMM: Thanks for all you do.

14
15 MR. AYERS: Good morning, Mr. Chair.
16 Members of the Council. Scott Ayers back at OSM again.
17 I am the Fisheries Division Supervisor. And I'm
18 looking forward to a great meeting today and tomorrow.
19 Thank you.

20
21 MS. PERRY: Good morning, Council
22 members. My name is DeAnna Perry, as some of you know.
23 This meeting is a little bitter sweet for me. I am the
24 outgoing Coordinator for the Southcentral Regional
25 Advisory Council. Just wanted to take a moment to
26 thank you all for all that you've done, years before I
27 came on board, I know how hard you work, I know what a
28 commitment this is, your time, your personal time, and
29 I just wanted to say how honored I've been to serve as
30 your Coordinator for the last couple of years. So
31 looking forward to today's meeting. Love seeing all the
32 smiling faces and bodies in the room so let's have a
33 great meeting. And, again, I thank you, humbly. I am
34 so thrilled and thankful that I've been able to serve
35 as your Coordinator, so thank you.

36
37 CHAIRMAN ENCELEWSKI: And you've done
38 an awesome job, too, thank you.

39
40 REPORTER: Do you want these people on
41 the line?

42
43 CHAIRMAN ENCELEWSKI: Please, if you
44 got them.

45
46 REPORTER: Okay. Folks on the line do
47 you want to introduce yourself -- how do you want to
48 start it, with.....

49
50

0010

1 CHAIRMAN ENCELEWSKI: However, I'll let
2 you sort it out.

3
4 (Laughter)

5
6 REPORTER: Thanks.

7
8 (Laughter)

9
10 REPORTER: Go ahead, who's first.
11 You'll need to unmute yourself.

12
13 MS. BRUMMER: This is Christine
14 Brummer. I'm the Fish and Wildlife Coordinator with
15 the Chugach Regional Resources Commission, or CRRC.

16
17 MS. WESSELS: This is Katya Wessels and
18 I am the Council Coordination Division Supervisor with
19 OSM. Good morning everyone.

20
21 MR. GATES: Hello. This is Ken Gates,
22 Senior Fish Biologist down in Soldotna with the Kenai
23 Fish and Wildlife Field Office.

24
25 (Cell phone ringing)

26
27 MR. NAMITZ: Good morning. My name is
28 Steve Namitz, I'm the District Ranger here in Cordova
29 with the Chugach National Forest.

30
31 , thank you. Jessica, we do have a quorum. I guess
32 we'll keep moving. I'll give her a minute to dial in
33 there.

34
35 MS. CRAVER: Good morning. This is Amy
36 Craver, Subsistence Coordinator for Denali National
37 Park.

38
39 MS. KLEVINS: Good morning. This is
40 Laura Klevins (ph), Fisheries Biologist for Chickaloon
41 Native Village and with me I have Andrea James,
42 Fisheries Technician. Glad to be here, thank you.

43
44 MR. KING: This is Mark King with the
45 Native Village of Eyak, Subsistence Program.

46
47 MS. MARTIN: Good morning. This is
48 Kathryn Martin, Senior Vice President for Ahtna, Inc.

49
50

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1 REPORTER: Anyone else online.

2

3 (No comments)

4

5 REPORTER: Go ahead, Greg.

6

7 CHAIRMAN ENCELEWSKI: You didn't have
8 the ones we're missing on there.

9

10 REPORTERS: RAC members -- are there
11 any RAC members online. Who are you looking for?

12

13 MS. GILL: Donna Claus.

14

15 REPORTER: Donna Claus.

16

17 MS. GILL: Donna Wilson.

18

19 REPORTER: Or Donna Wilson.

20

21 MS. CLAUS: Yes, Donna Claus here.

22

23 REPORTER: Great.

24

25 MS. CLAUS: On the -- yeah, I'm here.

26

27 REPORTER: Okay, great.

28

29 MS. GILL: And also looking for Heath
30 Kocan.

31

32 REPORTER: Or Heath Kocan, are you
33 online.

34

35 (No comments)

36

37 REPORTER: Go ahead, Greg.

38

39 CHAIRMAN ENCELEWSKI: Okay. Well, we
40 got one. Well, thank you all. Jessica, I'm going to
41 ask you, and I'm sure DeAnna told you this, that you
42 get to speak before I get too deep into it here for any
43 details we might need to know, any housekeeping things,
44 you might want to remind them -- and I'll have the RAC
45 members, they're actually going to give a report and so
46 each one could kind of introduce where they're from and
47 they'll give their report as we move down the agenda.
48 I think I'll do it that way.

49

50

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1 But if you got anything you want to do
2 before I get started on business here, please inform us
3 where the exists are and whatever we got to do. And
4 more coffee. Because we only got a splash. We are
5 going to keep this meeting pretty quiet if we don't get
6 rounded up. Okay, thank you.

7
8 MS. GILL: All right. Well, first
9 things first, the coffee is around the corner. If you
10 walk down that little hallway there's some coffee
11 there, and there's also some coffee downstairs. A
12 little carafe in both locations and I think it should
13 be refilled throughout the day.

14
15 All right.

16
17 For the record my name is Jessica Gill,
18 I'm the Office of Subsistence Management Southcentral
19 Regional Advisory Council Coordinator. I'd like to
20 welcome everyone to the fall meeting of the
21 Southcentral RAC. I know everyone's like pretty
22 excited to be back in person so that's -- and me
23 included. So as DeAnna mentioned I'm the new Council
24 Coordinator for the Team so I'm excited to work with
25 everyone on the Council and everyone in the region as
26 well.

27
28 So according to the CDC the Covid level
29 is low here, that means we can just have a meeting,
30 which is great.

31
32 For those in person, make sure -- for
33 those members that are attending in person make sure
34 you sign in at the desk in the back there. And then
35 please try to sign in each day of the meeting as it
36 helps with our administrative record.

37
38 All right, and for those on the
39 telephone, please keep yourself on mute. If you don't
40 have a mute button press star, six to mute and unmute
41 yourself. I think most people are kind of familiar
42 with it right now but just in case and please don't
43 place this call on hold, and if you leave or have a bad
44 connection just like hang up and call back in.

45
46 All right. So this is a regulatory
47 meeting of the Council and we will be discussing and
48 deliberating fisheries proposals. The proposal
49 presentation procedure can be found on Page 36 of your
50

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1 meeting book. There will be an opportunity for public
2 comment during each proposal. If you would like to
3 testify please fill out a testifier form found at the
4 back table there and deliver it to me. Please be
5 courteous and respectful of all of our interactions.
6 Please wait to speak until you've been recognized by
7 the Chair and when recognized don't forget to hit the
8 microphone on the table or unmute yourself on the
9 phone. Make sure to identify yourself so we can
10 capture names for the administrative record. And the
11 meeting is being recorded by a court reporter so we do
12 need to have those for the transcript -- the names for
13 the transcript.

14
15 There's also an opportunity to submit
16 written public testimony on the proposals. The first
17 opportunity was during the call for comments when the
18 proposal book came out and that comment period closed
19 on July 27th. Comments submitted during that timeframe
20 have been included in the proposal analysis you find in
21 your books. The second opportunity to provide written
22 public comment is ongoing. Any member can -- anyone can
23 submit a written public comment to
24 subsistence@fws.gov., before the proposal is read on
25 the record. Please clearly indicate what proposal you
26 are commenting on in the body of the email -- or sorry,
27 in the subject line of the email. And I think that's
28 -- if we have less than 10 comments I'll just read them
29 into the record, if there are more than 10 we'll have
30 to take a little recess and collate those.

31
32 All right. And at the beginning of
33 each day there's an opportunity to provide comment on
34 non-agenda items. The Chair will announce this
35 opportunity. This is not for testimony on proposals or
36 agency report information, just for non-agenda items.

37
38 All right. And one last thing, so the
39 washrooms are just across the stairs here and if in the
40 event of an emergency we go down the stairs and out the
41 -- out the front or side doors so towards the hotel for
42 those staying at the Residence Inn, towards the highway
43 for those that -- if people used that door, I guess.

44
45 All right. Well, I think -- I think
46 that's all I have. I'll turn it back to you, Greg.

47
48 CHAIRMAN ENCELEWSKI: All right, thank
49 you. Good job. Did I miss anyone, anyone else on the
50

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1 phone, anyone that we need to introduce. I know you
2 came in a minute late but it's okay, Hope's here and
3 we're going to let her talk when we come around, how's
4 that.

5

6 MS. ROBERTS: (Nods affirmatively)

7

8 CHAIRMAN ENCELEWSKI: Thank you. Okay.
9 We're going to go ahead and review and adopt our agenda
10 now. I've done the welcoming so I'm going to start
11 moving on to the business here. For the Council
12 members if you want to review and we'll take a look and
13 if we want to adopt the agenda as presented to us.

14

15 MS. STICKWAN: Mr. Chair.

16

17 CHAIRMAN ENCELEWSKI: Gloria.

18

19 MS. STICKWAN: I would like to add
20 something to the agenda.

21

22 CHAIRMAN ENCELEWSKI: Okay.

23

24 MS. STICKWAN: I'd like to add FCR23-
25 05. It's a Federal closure that was introduced to the
26 EIRAC, Eastern Interior, but not put on ours and it's a
27 fisheries that affects our area.

28

29 CHAIRMAN ENCELEWSKI: Okay.

30

31 MS. STICKWAN: So I want to add that.

32

33 CHAIRMAN ENCELEWSKI: Any objections,
34 any Council members, to add that to the agenda.

35

36 (No objections)

37

38 CHAIRMAN ENCELEWSKI: Where would you
39 like it, Gloria.

40

41 MS. STICKWAN: Probably after we get
42 done with all of our fisheries.

43

44 CHAIRMAN ENCELEWSKI: All of our
45 proposals?

46

47 MS. STICKWAN: Yeah.

48

49 CHAIRMAN ENCELEWSKI: Okay, hearing

50

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1 none, we'll add that to the agenda. Any other
2 additions, corrections for the agenda.

3

4 (No comments)

5

6 CHAIRMAN ENCELEWSKI: Going once.

7

8 MS. TOTEMOFF: Mr. Chair, this is
9 Angela.

10

11 CHAIRMAN ENCELEWSKI: Go ahead, Angela.

12

13 MS. TOTEMOFF: Do we have a copy of
14 that, 23-05?

15

16 MS. STICKWAN: No, we don't. No, it's
17 not in the book. It is part of our Federal proposals
18 and it was under the Eastern Interior RACs but it's an
19 area of proposal for our area that should have been in
20 our book.

21

22 MS. SELANOFF: Is it possible if we're
23 going to add it.....

24

25 REPORTER: Diane.

26

27 MS. SELANOFF: Sorry. Is it possible
28 to get a copy so we know what we're looking at?

29

30 MS. GILL: Mr. Chair. Of course, yeah,
31 we can provide a copy of those, not maybe like right
32 this second but today.

33

34 CHAIRMAN ENCELEWSKI: Yeah, good point,
35 Angela. We generally like to know what's on there, or
36 see it ahead of time, but they'll get it in plenty of
37 time before we get to that last proposal so I'm hoping
38 we'll get. If it's okay with everyone we'll take it
39 up.

40

41 (Council nods affirmatively)

42

43 CHAIRMAN ENCELEWSKI: All right,
44 anything else.

45

46 MS. TOTEMOFF: I'd like to make a
47 motion to approve the October 12th and 13th agenda with
48 the addition of 23-05.

49

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1 MR. HOLSTEN: Second.

2

3 CHAIRMAN ENCELEWSKI: Thank you.

4 Seconded by Ed. Any other discussion.

5

6 (No comments)

7

8 CHAIRMAN ENCELEWSKI: Hearing none, all

9 in favor aye.

10

11 IN UNISON: Aye.

12

13 CHAIRMAN ENCELEWSKI: Any opposed. And

14 those online speak up.

15

16 (No opposing votes)

17

18 CHAIRMAN ENCELEWSKI: Thank you. Next
19 we have review and approval of the minutes and we've
20 had several minutes. We had a February 10th, regular
21 Council meeting, 2022, it's on Page 5 of the book, and
22 then we got a March 16th Joint Eastern Interior and our
23 RAC, so we have two sets of minutes here to take a look
24 at.

25

26 (Pause)

27

28 CHAIRMAN ENCELEWSKI: I'm sure you guys

29 all stayed up late reading them like I did.

30

31 (Laughter)

32

33 (Pause)

34

35 CHAIRMAN ENCELEWSKI: Andy.

36

37 MR. MCLAUGHLIN: Thank you, Mr. Chair.

38 Motion to approve February 10th meeting minutes.

39

40 MR. HOLSTEN: Second.

41

42 CHAIRMAN ENCELEWSKI: Motion to approve

43 the February 10th and a second. Any discussion.

44

45 (No comments)

46

47 CHAIRMAN ENCELEWSKI: Hearing none, all

48 in favor aye.

49

50

0017

1 IN UNISON: Aye.

2

3 CHAIRMAN ENCELEWSKI: Any opposed.

4

5 (No opposing votes)

6

7 CHAIRMAN ENCELEWSKI: Okay, February
8 10th minutes are approved.

9

10 Do you want to take a crack at the
11 March 16th minutes.

12

13 MS. GILL: Mr. Chair. So for the March
14 16th minutes, the Eastern Interior Regional Advisory
15 Council had no edits.

16

17 CHAIRMAN ENCELEWSKI: Okay, they had no
18 edits, thank you.

19

20 (Pause)

21

22 MS. TOTEMOFF: Mr. Chair, this is
23 Angela.

24

25 CHAIRMAN ENCELEWSKI: Go ahead, Angela.

26

27 MS. TOTEMOFF: I make a motion to
28 approve March 16th, 2022 meeting minutes -- joint
29 meeting minutes.

30

31 CHAIRMAN ENCELEWSKI: Thank you. Is
32 there a second.

33

34 MR. HOLSTEN: Second.

35

36 CHAIRMAN ENCELEWSKI: Seconded by Ed.
37 Any discussion.

38

39 (No comments)

40

41 CHAIRMAN ENCELEWSKI: Hearing none, all
42 in favor aye.

43

44 IN UNISON: Aye.

45

46 CHAIRMAN ENCELEWSKI: Any opposed.

47

48 (No opposing votes)

49

50

0018

1 MS. CLAUS: Aye.

2

3 CHAIRMAN ENCELEWSKI: Are you in favor,
4 on the phone.

5

6 REPORTER: Donna, are you in favor or
7 oppose?

8

9 MS. CLAUS: Oh, yeah, I already said
10 yea, yea.

11

12 REPORTER: Okay, thanks.

13

14 CHAIRMAN ENCELEWSKI: Okay, thank you.
15 Thank you. Very good. Alrighty. Reports, No. 7. We
16 have Council member reports and we're going to go --
17 the way I'm going to work it, I'm going to go ahead and
18 just pick who starts and the reason being is for some
19 of the newer folks you'll get to see how they give
20 their report and then you'll know what you want to
21 report. It just might help you guys a little bit.

22

23 But, Ed, if you want to start with
24 introducing yourself to the people. They probably all
25 know you and do your report. Thank you.

26

27 MR. HOLSTEN: All right, thank you, Mr.
28 Chair. It's good to see all the Council members after,
29 it seems like years. My name's Ed Holsten, resident of
30 Cooper Landing. I've been in Cooper Landing now for
31 about 20 years. Previously I worked for the Forest
32 Service for 30 years up in Alaska as a research
33 entomologist.

34

35 Like most people we -- Southcentral --
36 we had a really warm spring, early spring, very warm
37 June then the rain started. If anybody's driven
38 through Cooper Landing in the last couple of years
39 we've had a massive spruce beetle outbreak. It's still
40 going on. Thousands of trees have been killed.
41 Personally I had to cut down 180 trees. My back is
42 telling me I'm getting too old to be doing that.

43

44 We had a really good first run of
45 sockeye salmon this year in our dipnetting. The run
46 was about a week or so late and then it came in strong.
47 The second run came in in July and it likewise was a
48 really good run for dipnetting.

49

50

0019

1 And that's about it. I'm just glad
2 that we're all here in person, and welcome to all the
3 new members. Thank you, Mr. Chair.

4
5 CHAIRMAN ENCELEWSKI: Thank you, Ed.
6 Yeah, it's good to see the new ones in person too.
7 Angela, I'm going to go ahead and let you go if you're
8 ready.

9
10 MS. TOTEMOFF: Thank you, Mr. Chair.
11 Angela Totemoff, born and raised in the village of
12 Tatitlek, currently work at Tatitlek Corporation.

13
14 So we had a pretty amazing first half
15 of the summer, we had really warm weather in fact kind
16 of scary warm in June and July. The ocean was
17 extremely, uncomfortably warm, actually. So I don't
18 know what that means for the future but all our
19 scientists in the room you might want to see if that
20 has an effect, I don't know. But in the spring we had
21 a run of herring spawn which -- near our village, which
22 hasn't happened in a long time. And so we were very
23 fortunate that that came about. Unfortunately we did
24 not have a good red run, kings were slow, silvers were
25 slow, and even our pinks were kind of weak. So -- but,
26 you know, the silver lining of that was with the warm
27 weather and stuff with that we had a really good berry
28 season. In the beginning of summer salmonberries were
29 really strong but blueberries were kind of slow. But
30 overall we had a pretty good summer.

31
32 CHAIRMAN ENCELEWSKI: I know your
33 blueberries were better than the ones at Fred Meyers,
34 they're very tart.

35
36 MS. TOTEMOFF: I agree. I'll agree to
37 that, Mr. Chair.

38
39 CHAIRMAN ENCELEWSKI: Thank you.
40 Dennis, do you want to go ahead.

41
42 MR. ZADRA: Yes, thank you, Mr. Chair.
43 So my name's Dennis Zadra, I live in Cordova. I'm a
44 commercial fisherman. I also run a hunt guiding
45 business out of there and I'm a subsistence user.

46
47 Our spring was cold, kind of contrary
48 to what Ed was saying but we did -- our spring did run
49 late and cold, you know, we had snow on the ground in
50

0020

1 May in places where we'd not had it but then it warmed
2 up and, again, unseasonably warm. I remember one time
3 early in July when I was fishing in the Sound, I have
4 two transducers on my boat and they both have
5 thermometers in them and both of them were registering
6 67 degree water temperatures which I have never seen
7 before and, you know, granted that's the surface water
8 and with all the sun you can do that. But that has
9 been unprecedented for me.

10

11 We had a good return on the Copper
12 River for both the kings and the reds. The commercial
13 fleet was managed extremely conservatively. But that
14 did give us a lot of subsistence opportunities, too. I
15 want to point out that this return, 2022, came off the
16 parent year of 2018, which was an extremely weak run
17 but measures were taken on closures on both up river
18 and down river and all, and so I think it lends
19 credibility to the fact that this worked, you know,
20 fish came back off that extremely weak year.

21

22 Our rain started in late July and it's
23 still going on. It was absolutely the wettest fall
24 that anyone can remember. Hunting was extremely
25 challenging but it was good. We ended up killing three
26 large male bears this fall and all of them were
27 extremely, extremely skinny, very, very little fat on
28 them. So, you know, it's kind of concerning to see
29 bears at that stage of the year getting ready for
30 hibernation in that kind of condition so hopefully
31 that's not indicative of poor [sic] things to come.

32

33 And it was the worst coho run over in
34 Cordova area that anybody can remember as well.

35

36 So that's all I got.

37

38 CHAIRMAN ENCELEWSKI: Andy, you want to
39 go ahead.

40

41 MR. MCLAUGHLIN: Yeah, thank you, Mr.
42 Chair. Yeah, Andy McLaughlin here from Chenega Bay. A
43 lot of similarities to Angela's report there because
44 Tatitlek and Chenega are pretty close together.

45

46 Definitely could report rain and more
47 rain. July was, like everybody is saying, crazy hot,
48 sunny and -- but then it seemed like October came in
49 August but, yeah, it's usually October we get a month
50

0021

1 of 40 days and 40 nights of rain and, man, that started
2 way early this year.

3
4 And interesting thing, the black bear
5 population which had been a big concern in Prince
6 William Sound has appeared to have rebounded quite a
7 bit. That's great news from the really low numbers we
8 had. Quite a few more bear problems this summer which
9 often is a function of lack of food.

10
11 But still certain that the deer
12 population is less than average. People have mentioned
13 how the winter stayed on a lot longer last year and it
14 came on early. The previous winter, snow came very
15 early, about a month early and then just lasted the
16 whole winter long so I'm quite sure that that took a
17 toll on some of the deer reproductive population
18 dynamic there so.

19
20 I can mention just north of the
21 Southcentral region, that the moose that I harvested,
22 zero fat. Usually I'll get a nice good layer of fat on
23 the moose, there was no fat, which reflects the bears
24 in Cordova that Dennis mentioned. Another thing that
25 was quite concerning, it took me about twice as long to
26 get that moose this year. Seen about 60 moose and only
27 four bulls. I think bulls die as a function of a
28 severe winter. We know that Central Alaska had a pretty
29 deep snow, bigger than usual and those bulls don't have
30 any fat on them. So also that -- this year, with my
31 observations, increase in wolves, probably success in
32 their predation from those moose that did die is my
33 guess.

34
35 So, anyway, nobody in Chenega is
36 clamming yet. That's a function of this warmer water.
37 Potential for the red tide or whatever they want to
38 call it, paralytic shellfish poisoning, so winter
39 months are generally thought to be -- deep winter
40 months are thought to be the more safer ones. Nobody's
41 been crabbing yet in my region and are doing much for
42 octopus.

43
44 It seemed -- another thing, this summer
45 is typically when people do their longlining for
46 halibut for subsistence and the size of these halibut
47 seem to be getting smaller.

48
49 And another thing worthy of mention is
50

0022

1 a lot of red salmon being caught, presumably from some
2 of the runs that are north of the Prince William Sound,
3 Coghill, maybe hatchery runs from Main Bay, but I think
4 a lot of Copper River Reds are being caught in the chum
5 salmon fishery of Prince William Sound Aquaculture.
6 Their numbers from the State, which you could probably
7 analyze the bycatch there, lots of red salmon being
8 caught in the chum salmon fishery.

9
10 What was mentioned before, the good
11 berry crop this year. The lowbush blueberries were
12 fantastic. One thing that was interesting, there was
13 quite a seasonal difference between the -- some years
14 the berries all at higher elevations, lower elevations,
15 all come at the same time but there was quite a big
16 difference as a function of how that snow stayed on up
17 higher, I believe.

18
19 Anyhow, so that's it for Chenega Bay,
20 thanks.

21
22 CHAIRMAN ENCELEWSKI: Good report,
23 thank you, Andy. Gloria.

24
25 MS. STICKWAN: I want to report that
26 the Wrangell-St. Elias, we met on October 3rd and 4th,
27 four members were in person and two on the phone. We
28 had a discussion on revisions to the Park Subsistence
29 Log Harvest Policy and the subsistence uses for making
30 a bridge and we'll talk about that policy at a later
31 time and work on that policy. We also had a discussion
32 on the wildlife for sport purposes on National Preserve
33 lands, the Federal Register hasn't been published so we
34 didn't make any comments on that. We plan to meet on
35 November 30th to make recommendations on those
36 regulations. We did make recommendation on three
37 proposals and Barbara Cellarius will present our
38 discussions when those proposals are brought up. We
39 also sent a letter to the -- we heard a report from
40 Department of Fish and Game, Bison report -- a Bison
41 Project in the Upper Tanana area and we are going to
42 write a letter to the Governor of Alaska and the
43 Secretary of Interior about supporting the wood bison
44 requesting that they continue to move forward and to
45 discuss it with the people up there and specifically to
46 the upper Tanana people.

47
48 That's my report for the Wrangell-St.
49 Elias Subsistence SRC.

50

0023

1 This summer we had high water in the
2 river and I think some people told me they didn't start
3 their fishwheel because of the high water and it stayed
4 high mostly all through the summer because of the
5 weather. And, I don't know, some people said they got
6 fish, some people said they got large kings and some
7 people said they got a late start and maybe that's --
8 they probably didn't get much because they did get a
9 late start, I don't know. But the water was high even
10 through September, it was high. I know Tazlina lost
11 our fishwheel, it went down the river. We have a
12 village council fishwheel, it went down the river so we
13 weren't able to provide for our tribal members due to
14 the high water. We had a house go down the river, too,
15 because of high water this spring. So that affected
16 the fishing.

17
18 And the moose and caribou in our area,
19 I think I heard about only one person getting a moose
20 and the caribou population is low the last time I heard
21 the numbers. Not very many people got caribou either.

22
23 And that's my report.

24
25 CHAIRMAN ENCELEWSKI: Good report, but
26 sad affairs. Okay, let's go ahead and jump over here
27 and come back this way. Go ahead, Michael.

28
29 MR. OPHEIM: Michael Opheim, Seldovia.
30 We had probably finally an average year for our kings
31 in the slough. It was kind of nice to see lots of
32 people getting fish. It seemed like the rest of the
33 fish were a little slow and not too big of numbers
34 coming in for the commercial fishers.

35
36 We had a pretty good berry year, it was
37 really nice. The bush in front of my house provided
38 for me quite a bit this year. I was pretty happy. Made
39 some jam and jelly and enjoying that.

40
41 The black bears, we've had a bunch of
42 those harvested this year, I think six or eight of
43 them. I think there was some that had some pretty good
44 fat on them. All the bears I've seen are starting to
45 be bigger in size this year. I think our population's
46 getting healthier, getting a little nicer. Just saw a
47 sow and a cub before I came up and really good looking,
48 both of them, so hopefully they make it through the
49 winter.

50

0024

1 And moose have been bouncing back for
2 probably the last 10 years and have seen lots of cows
3 with two calves and making it through the winter pretty
4 good.

5
6 Haven't seen too many wolves. Seen
7 some tracks last year but I didn't see any this year.
8 So it's hopefully helping the moose population, keeping
9 that down low.

10
11 And, yeah, I think that's probably it.

12
13 The rabbits have been really good.
14 Spruce hen have been really good this year. That
15 population has been down as well so it's been nice to
16 see some size to those birds and some quantity.
17 Hopefully the next couple of years they'll continue to
18 bounce back.

19
20 That's all I've got.

21
22 CHAIRMAN ENCELEWSKI: Good, Michael,
23 thank you. Diane.

24
25 MS. SELANOFF: Well, I want to talk a
26 little bit about the salmon in our area. It seems to
27 have been extremely minimal this past summer and in
28 some places it seemed desolate, scary. There'd be
29 known places where we would go and get like silvers,
30 we'd pull into the area and there are no birds, there's
31 no fish, there's no fish. There was nothing, no fish
32 jumping. It wasn't just one location, but it was
33 actually a couple of locations, which kind of seemed
34 intimidating.

35
36 But as for the halibut, those seemed to
37 be normal, you know, average sizes for us.

38
39 But the salmon itself, the pinks, the
40 reds, the chums, they seemed a little bit smaller in
41 size.

42
43 And in our area right now we seem to
44 have a lot of bears roaming around, they're hungry. I
45 don't think that they got their fill of fish and they
46 are looking for food so they're starting to come into
47 town and starting to be garbage bears. And I know they
48 just captured one yesterday so that they could move it,
49 they seemed to have found a place for it. But when you
50

0025

1 get to that point it seems interesting.

2

3

4 But another -- I don't even know how to
5 say this, it's different, it's interesting. In Valdez,
6 we had a sea lion come into town and it's in quite a
7 ways, we were like, you know, it came all the way up
8 from, you know, the harbor and went all the way up into
9 Captain Joe's, it went quite a distance and we're like,
10 you know, what's up with that.

10

11

(Laughter)

12

13

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MS. SELANOFF: You know they heard
they're open 24 hours but jeez.

(Laughter)

MS. SELANOFF: So anyway he got pushed
back with the help of the Valdez Police Department and
Captain Joe's -- they used machinery to help push him
back into the water.

But the berries have been normal. It
seems like the harvest of those berries, though, for
subsistence has been minimal because of the weather
that we've encountered. It seems like it was beautiful
the first half and then about the second week of July
it started raining and just wouldn't quit so nobody
really wants to go out. That also affected, you know,
the fish that were coming in to Valdez. They didn't
mill around in front of the creek like they normally
do. The water levels were so high that when they came
in they just moved right up. And so, you know, going
up and, you know, looking for creek fish, more the red
reds, or the red silvers and that, the tide -- the
water in the rivers have been so high that it just
actually seems, you know, kind of scary to go in and to
get them. So we're just kind of waiting and hoping
things will recede a little bit.

Shellfish seem to be normal.

Let me see, the marine mammals in the
area seem to be at its normal numbers other than that
sea lion that was trying to change location there.

In town, too, we've had a tremendous
amount of coyotes. You know every Wednesday we have
that alarm that goes off, the Tsunami alarm and every

0026

1 Wednesday right at 5:00 o'clock when the alarm goes off
2 we have a bunch of coyotes joining in with it, along
3 with.....

4

5 (Laughter)

6

7 MS. SELANOFF:the dogs on our
8 street.

9

10 (Laughter)

11

12 MS. SELANOFF: Yeah, so the coyotes have
13 been in abundance too. But, anyway, thank you and it's
14 good to see everybody and it's good to be here.

15

16 CHAIRMAN ENCELEWSKI: Thanks Diane.
17 Hope, you want to go ahead.

18

19 MS. ROBERTS: Good morning. I'm Hope
20 Roberts. I apologize for being late. I couldn't find
21 the building. I'm Hope Roberts, I'm from -- well, I
22 live in Valdez, I've been there since 2016 and before
23 that I lived in Anchorage since 2011. I'm a community
24 liaison there. I own and operate a sportfishing
25 charter. And I've just recently been teaching the
26 reconnection to marine mammal harvesting to the Alaska
27 Natives in the urban areas that have shown interest in
28 wanting to be reconnected.

29

30 Most of -- oh, just this morning, to
31 build on what she said about the sea lion, there has
32 been a black bear cub roaming around by itself which
33 she had just been picked up at the city hall because it
34 was trying to turn itself in.

35

36 (Laughter)

37

38 MS. ROBERTS: They were hoping that it
39 would get picked up by -- picked up so that it didn't
40 get shot for digging into somebody's garbage. So that
41 little guy is safe.

42

43 And I agree with the marine mammals,
44 they seem normal, but Diane has also been there a lot
45 longer than me.

46

47 But that's it for me, thank you.

48

49 CHAIRMAN ENCELEWSKI: Thank you, Hope.

50

0027

1 On the phone we have a couple there, who wants to go
2 next there -- is Donna Claus there.

3

4

5 MS. CLAUS: Yes, thank you, Mr.
6 Chairman. This is Donna Claus. I'm here at our home
7 which is at about 100 miles up the Chitina River at the
8 headwaters. We're all alone up here. And right now it
9 is dumping snow. We've gotten about four inches in the
10 last two hours. And this year has been really strange,
11 we're usually six to seven, eight inches of moisture a
12 year, that's including the snow, we're a desert, and
13 this year, I just looked at our rain gage and it has
14 19.7 inches on it so we are struggling with way too
15 much water just kind of sounds like Valdez except
16 they're used to it, we're not. It's been super rainy
17 this entire summer for us which is unbelievably
18 strange.

18

19

20 We have fewer fish than ever in the
21 Chitina River. My husband went out flying looking at
22 all our traditional places and there just aren't any
23 fish up here. I don't know why or what's going on. I
24 have zero fish in my freezer. First time ever in 40
25 years. And we couldn't find any fish in any of our
26 traditional places and we tried really hard this year
27 but we didn't get any. But that's okay, we have good
28 sources of meat. In fact I have two goats, mountain
29 goats in our shed right now waiting for me to butcher
30 them and they are fat and fluffy. I heard some other
31 people talking about lean animals, ours seem to be
32 fine, apparently they like the water.

32

33

34 There's spruce hens around. I've seen
35 a bunch of them right here around the house. Our
36 buffalo, moose seem to be doing just fine. And the --
37 we have more bears than usual and I've been hearing our
38 wolves. The wolves have been howling quite a bit
39 lately.

39

40

41 We -- I guess that's it for here.
42 We've had a great year. We take recreational guests
43 out seeing the Wrangell-St. Elias National Park and
44 Preserve and we also hunt and we are subsistence livers
45 up here. And it seems to have been a good year except
46 I don't have webs on my fingers and toes and I'm doing
47 poorly. I've never even owned a raincoat until this
48 year.

48

49

50

And also, Mr. Chairman, that's it for

0028

1 my report but would you like me to go after everyone so
2 that you know I did get my vote in or do you want me to
3 just unmute and vote with everyone.

4

5 CHAIRMAN ENCELEWSKI: You could vote
6 with everyone as long as we could hear it.

7

8 MS. CLAUS: Okay. Okay. That sounds
9 good. Thank you and I sure wish I was there to meet
10 you guys. I'm sure all of you have a wonderful story
11 and I'd love to hear them.

12

13 Bye.

14

15 CHAIRMAN ENCELEWSKI: Okay, you're
16 going to hear them because we'll be talking.

17

18 (Laughter)

19

20 CHAIRMAN ENCELEWSKI: How about is
21 there -- is Heath on the line yet, is he on -- Kocan?

22

23 REPORTER: He didn't say. Heath, are
24 you on the line.

25

26 (No comments)

27

28 REPORTER: I would say no.

29

30 CHAIRMAN ENCELEWSKI: How about Donna
31 Wilson.

32

33 (No comments)

34

35 REPORTER: Donna, are you on the line,
36 Wilson.

37

38 (No comments)

39

40 CHAIRMAN ENCELEWSKI: Okay. Tina, if
41 you get them sometime let me know I'll go ahead.

42

43 REPORTER: All right, I will.

44

45 CHAIRMAN ENCELEWSKI: Okay, very good.
46 I will go ahead and give my report now. I get a kick
47 out of it, sometimes I write such a long report but I
48 didn't write a long report so I'm just going to go.

49

50

0029

1 My report I'm going to give is a
2 subject matter expert living in Ninilchik. I'm Greg
3 Encelewski. I've been there more years than you would
4 want to know. My anniversary was the 10th of October
5 and it's 52 years and if you could add another 20 or so
6 on there you'll kind of guess my age. But, anyway,
7 locally I'm involved pretty heavily there in the
8 fishing stuff.

9
10 I do want to mention one thing that we
11 have started, we've got a Cook Inlet Fisheries Council,
12 and this Cook Inlet Fisheries Council is made up of all
13 the village representatives and it's been going on for
14 quite a few years. It's got Chickaloon, Knik, it's got
15 Eklutna, it's got Kenai, it's got Ninilchik, it's got
16 Seldovia, it's got all the people that are very
17 concerned about fisheries, they got together and we've
18 had a meeting -- we haven't had one in a long time,
19 Deborah Call (ph) is Chairman and Ivan, my son, is also
20 Co-Chair, but they brought together some real concerns
21 of fishing and the lack of fish and so you might hear
22 more about it from them. But I just wanted to mention
23 that.

24
25 Fishing reports. I'll give you a
26 fishing report. I'm in a subsistence fishery and our
27 fishery there on the Kenai went quite well. Darrell
28 will be here to give a report from the Council but we
29 weren't able to quite fill all the permits on the Kenai
30 this year, we did do probably 3,000 fish on reds. We
31 didn't take any kings. It's become so popular and
32 there's so many getting to be elder folks, and all the
33 rural area of Ninilchik is very, very successful and
34 very popular fishery. We, the Council runs it, and
35 they deliver the fish to the people. So, once, again,
36 I would say that's a great success.

37
38 On the commercial side of the Inlet we
39 have a lot of various -- you know there's a lot of
40 guides in our area and they do a ton of stuff and they
41 still seem to be getting a fair amount of halibut and
42 they're getting some fairly large ones too. I've seen
43 them hanging around this year, I thought they were
44 rather larger than norm, so the halibut seem to be
45 holding up. The kings are a disaster. And the kings
46 have been -- they haven't made the late run escapement
47 or the early run for quite a few years on the Kenai.
48 Consequently the commercial fishing for setnetters were
49 targeted, they were shut down. I run a set net
50

0030

1 operation and I fished two days this year. But,
2 anyway, the kings are a problem. I know one of our
3 proposals talks about slot limits but that's not the
4 problem, but, anyway, that's my personal opinion.

5

6 So I just wanted to tell you that.

7

8 There is a lot of stuff -- I'll jump
9 over into some of the other stuff that was mentioned.
10 Clams. Our clam beds have been closed for about four
11 or five years down there and that's a real main stay,
12 used to be, of the community, so now the charters are
13 taking people across the Cook Inlet to go to the west
14 side. And I personally fly to the west side once a
15 year and I dig clams and I got contacts there that
16 harvest for me because I couldn't live without clams,
17 I'm not sure I could, but, anyway, I wouldn't want to.
18 But anyway I love clams and I was able to get some nice
19 clams from the west side but we've been shut down on
20 the east side of the Cook Inlet for many years. The
21 tests are showing they're extremely small and poor.

22

23 So that's kind of the -- the crab, you
24 know, you probably just heard that some of the crabbing
25 is getting shut down. They do have the tanner season
26 open in Kachemak Bay and I think they're doing okay, so
27 it just started.

28

29 Anyway, on the hunting side, you know,
30 we have a lot of wolves too. We've been kind of taking
31 them out and thinning them down for -- and it's really
32 increased the moose population. You know I got to talk
33 to Ken -- but, anyway the moose in the area in 15C,
34 we've been pretty fortunate, they've been coming back
35 pretty good. You know a lot of the locals there got
36 moose this year. Unfortunately my cousins, they shot
37 one in front of me, they shot one behind me, they shot
38 them everywhere but I got meat so that's okay. But,
39 anyway it's not as -- and I will tell you this I had a
40 real, really experience, you know, I like to call moose
41 and mess around with them and look for the big ones of
42 course and the legal ones now and then, you know, but,
43 anyway, I had four bulls in a pond no bigger than this
44 room, a little bigger than this room with -- I called
45 in nine cows, so there's moose out there. And I have
46 seen more calves this year so it's -- you know, I'm
47 encouraged by the moose.

48

49 Quite a few bears and so on and so

50

0031

1 forth.

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3

4 We had the same thing, a little bit
5 warm in the spring and then it got wet in the fall and
6 it's still wet. And other than that there's probably
7 some other things I could talk on, I spent some time
8 with Jessica reviewing stuff and some closures I've
9 been called on as the Chair for goats and stuff, but,
10 anyway we'll talk about that as we go through our
11 agenda. But I think that pretty well covers it unless
12 you have some questions for me.

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I want to make sure I didn't miss anything I had notes here on.

I think that pretty well covers it so I'm going to go ahead and close at that and I'm going to move on to our next agenda item, which is Service Awards, and, Dave, I understand you're going to do that for us.

MR. SCHMID: If I may, Mr. Chair and Council members. It's an honor and a privilege to recognize folks for their service here on the Southcentral Council. And I was asked to deliver these on behalf of the Federal Board, again, I'm a Board member and Regional Forester with the Forest Service. And so I have a few prepared remarks and if I mess the names up here or there, it's not a poor intent, but to certainly recognize folks.

The work that folks do here is incredibly important and I know all of us value it tremendously.

But our first member here, Michael Opheim, currently resides in Seldovia, Alaska as an active community member for almost 48 years. Michael grew up harvesting from the land and sea with family members. Michael grew up hunting, fishing and gathering with his family to make sure there was food for the winter. He has commercial fished, he's worked construction, driven a fuel truck for the local gas station and has worked as the environmental coordinator for the Seldovia Village Tribe and now for the Chugach Regional Resource Commission as the InterTribal Liaison. Michael's been on the local Advisory Committee for Alaska Department of Fish and Game since 2004 and has been the Chair for five years. Michael

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1 has been on the Cook Inlet Regional Citizen's Advisory
2 Council for around 12 years and has sat on the local
3 Seldovia Oil Spill Response Board for approximately
4 eight years before stepping down.

5
6 Michael believes that we are stewards
7 of our natural resources and works to ensure those
8 resources are available for coming generations.
9 Michael was acknowledged at the fall 2021 Southcentral
10 RAC meeting but did not receive the certificate, so
11 please accept our apologies for not sending you your
12 certificate but we've got a framed one for you now.

13
14 (Applause)

15
16 MR. SCHMID: Excellent. Our next
17 Council member, Diane Selanoff, is VlutiiqSupiaq decent
18 of -- AlutiiqSupiaq decent and was born and raised in
19 Port Graham. Diane spent her childhood collecting
20 subsistence foods with her mother and grandmother
21 learning process and care for harvested wild foods of
22 Cook Inlet. Diane currently resides in Valdez, Alaska.
23 She has been the Vice Chair of the Port Graham
24 Corporation for 11 years and also acts as Chair of Port
25 Graham Government Solutions and Vice Chair of
26 (Indiscernible) Foundation. She works at the TCCLLC,
27 which is an oil spill response organization. That's a
28 lot. Diane loves teaching and harvesting -- teaching
29 harvesting and processing to community members and
30 students, young and old with Chugachmiut and the city
31 of Valdez. She also loves sharing and teaching
32 handicrafts such as sea otter and seal pillows, fish
33 skin bracelets and other fur and hide products. Diane
34 recently participated in sewing a bear gut parka. This
35 is the first one made in Prince William Sound in over
36 100 years. It is a beautiful piece of work and
37 completely waterproof.

38
39 Let us thank Diane for her last five
40 years of service to the Southcentral Regional Advisory
41 Council. Thank you, Diane.

42
43 (Applause)

44
45 MR. SCHMID: Next is Dennis Zadra,
46 resides in Cordova, Alaska. My hometown for 10 years.
47 Originally from Colorado. Dennis got a degree in
48 mechanical engineering from Colorado State. When it
49 proved not to be quite as exciting as he wanted he
50

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1 moved to Alaska and began commercial fishing, much more
2 exciting. He participated in the crab fishery in the
3 Bering Sea and salmon gillnetting on the Copper River.
4 Dennis started guiding in 1984 for elk in Colorado.
5 When he moved to Alaska he became an assistant guide in
6 1991 and shortly after started Lonesome Guiding in
7 1996. His guiding business does guided hunts for
8 mountain goat and brown bear. Dennis became a Master
9 Guide in 2010. He began Wild Salmon, Inc., in 2002
10 with his wife in an effort to share Alaska's wild
11 salmon with consumers around the United States. Dennis
12 has been on the Copper River Prince William Sound
13 Alaska Department of Fish and Game Advisory Committee
14 since 2015 and Chair of Game since 2021. He has spent
15 the last five years on the Southcentral Regional
16 Advisory Council.

17

18 Please join us in congratulating Dennis
19 for five years of service on the Southcentral RAC.

20

21 (Applause)

22

23 MR. SCHMID: Well, this one might date
24 both of us. This is for Dr. Ed Holsten. Forty years
25 ago I met Ed on the Kenai Peninsula, and we won't add
26 the years up here quite so much, but Ed -- and we were
27 talking about spruce beetle at the same time, Ed led us
28 on a field trip. He's, again, from Cooper Landing, is
29 a retired research entomologist from the U.S. Forest
30 Service in Anchorage. His research with the Forest
31 Service involved studying bark beetle infestations and
32 other creatures that like to eat trees. He moved to
33 Copper [sic] Landing in 2005 to enjoy a slower pace of
34 rural living. Ed is a current member of the Kenai
35 Peninsula Borough Road Service Side Bar Subcommittee
36 and was previously a Board member with the Cooper
37 Landing Emergency Service area. HE volunteers heavily
38 within the community and he was instrumental in getting
39 a cross-country ski track set up in Cooper Landing
40 along the Russian River campground.

41

42 Ed has also been on the Southcentral
43 RAC for five years now. Please join me in
44 congratulating him for his work on the Council.

45

46 (Applause)

47

48 MR. SCHMID: Thanks Ed. Lastly here
49 this morning, Andy McLaughlin, grew up around Seattle
50

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1 learning from his grandparents how to live off the
2 land. He now lives in Chenega Bay on Evans Island in a
3 cabin he built. He spends part of his year in a cabin
4 he built in the Interior harvesting Interior Alaskan
5 species. Andy is an active hunter, harvester and
6 gardener, subsistence harvesting nourishes his soul.
7 Andy has a degree in wildlife management and fisheries
8 and Forestry from Purdue University and previously
9 worked for the Indiana Department of Natural Resources
10 and then with us, with the U.S. Forest Service.
11 Eventually he ended up working in hatcheries in Prince
12 William Sounds. Andy spent over 20 years working in
13 health care in Chenega Bay and is now retired.

14
15 Andy has dedicated 10 years to service
16 on the Southcentral RAC. His main goal is to make it
17 easier for people to fill their freezers as long as it
18 does not cause a conservation concern. Let's
19 congratulate Andy on 10 years of service.

20
21 (Applause)

22
23 MR. SCHMID: Thank you, Mr. Chair. I'd
24 also like to congratulate all of you here on the RAC
25 again for your service. It is truly appreciated and
26 important work you do. Thank you.

27
28 CHAIRMAN ENCELEWSKI: Thank you, Dave.
29 Very good. Alrighty. I will announce that public and
30 tribal comments on non-agenda items, they're available
31 every morning. Is there any out there now.

32
33 (No comments)

34
35 CHAIRMAN ENCELEWSKI: Anyone on the
36 phone -- you want one, come on up.

37
38 MS. LINNELL: Good morning. For the
39 record my name is Karen Linnell. I'm going to speak to
40 you as an individual in regards to the salmon return
41 and things that we've seen.

42
43 Usually we would put -- we have the
44 right to put our fishwheel in, or the season starts May
45 15th. We still have ice in the river and so at
46 Chistochina near the head waters we put our wheel in
47 close to the first of June. The first fish that I saw
48 come back was June 19th, about three weeks late. It
49 used to be that they'd be there every June 1st, you
50

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1 know, clockwork, as soon as school was out we'd move to
2 fish camp and we'd have fish on the rack by June 1st.
3 That was one fish that came in on the 19th. And on the
4 22nd we got five. And so that's kind of how the season
5 went. The most I got in one day was 30. And that was
6 when I had to go back to work so my cousin got them and
7 gave them to my aunt.

8

9 Throughout the season between June 1st
10 and the end of August we'll get 199 salmon. We used to
11 be able to get anywhere from 30 to 120 fish a day.
12 Sockeye. And it's not happening. That 199 salmon and
13 12 kings went to 15 households. For -- you know, my
14 cousin giving to my aunt, my relatives, my brother-in-
15 law, my -- you know it -- 199 salmon for 15 households
16 so less than 10 apiece. And I know that it was good
17 fishing for commercial fishing and I know it was good
18 fishing for the personal use fishery but as Gloria
19 talked about that high water, it has a huge affect on
20 what gets to subsistence fishwheels. Being further
21 north as well, it takes longer for them to get to us.
22 And I get asked quite often why don't I move to -- and
23 do fishing out of Chitina, but that's not my home. My
24 home is in Chistochina. I have family from Chitina all
25 the way to Mentasta and so I always say my home is well
26 over 120 miles long, you know. But not being able to
27 provide and to share is -- in that way is difficult.

28

29 So we -- then the other thing that were
30 happening, we had high water in the spring with the
31 thaw. There was flooding in Glennallen and high water
32 throughout. The salmon holdup during that high water
33 and they don't move. And now they have dipnetting from
34 boats and they're targeting the salmon while they're
35 held up. And so I think that's having a huge impact on
36 what gets back up river. Escapement isn't what passes
37 Miles Lake Sonar, that's just the in-river intake.
38 It's not what gets to the spawning beds. What gets to
39 the spawning beds is true escapement.

40

41 So there was a recent proposal to
42 expand who's eligible for customary and traditional use
43 on the Copper River in Chitina in that Glennallen
44 subdistrict and they wanted to go from the Canadian
45 Border to Johnson River. This river cannot feed
46 everybody. It can't. The Copper Basin can't feed the
47 whole state of Alaska. The Copper River can't feed the
48 whole state of Alaska and we have that impact. And so
49 our concern isn't just about getting fish to us, it's
50

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1 about making sure that they're there. You know, I'm --
2 there's changes in the run timing and it's happening
3 and it could be because of those warm water
4 temperatures that you were talking about Mr. Zadra, it
5 could be for that. It could be for other things too.
6 I remember going to a report thing that they were going
7 to talk about, what's happening to the salmon and they
8 talked about the blob. Instead of saying they don't
9 know what's going on they say there's this blob in the
10 ocean. So it's okay to admit you don't know what's
11 going on scientists, just saying.

12

13 But, you know, I wanted you to hear
14 from me.

15

16 I know Tazlina Council lost their
17 wheel. We had two tribal members down in Copper Center
18 lose their wheel as well from driftwood coming down and
19 they weren't able to rebuild because it's getting
20 pretty expensive now to build a wheel. And then I had
21 somebody from Chitina just tell me that they found a
22 fishwheel that was one of those ones made out of angle
23 iron and stuff that ended up down in Chitina, it came
24 from Tazlina area. So there was a lot of that kind of
25 damage and things going on. I just wanted to thank you
26 folks for your time, your consideration and your
27 commitment to the resources. I do appreciate it.

28

29 Thank you.

30

31 CHAIRMAN ENCELEWSKI: Thank you, Karen.
32 Could I ask you a question just while you're here. You
33 know you mentioned that the commercial was good, and
34 the dipping was good down below, and I'm trying to
35 figure out, you know, why are they not getting up
36 river.

37

38 MS. LINNELL: So the fish don't move in
39 this high water and now you have folks that are tagging
40 -- or dipping from boats and then -- so it used to be
41 that when we had high water, we kind of -- we had to
42 stop our wheels because we got driftwood coming and
43 stuff and then we'd restart the wheels as soon as the
44 water started to drop and we'd get this big run of
45 fish, that's not happening anymore. When the water
46 starts to drop you get a few. So I can't blame the
47 personal use fishery for everything, I'm not sure
48 what's happening because they're not coming as much as
49 they used to. We're successful several years, jeez

50

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1 almost 20 years ago to delay the commercial fishery by
2 a week, that really helped to get fish to the
3 headwaters up at Tanada and Slosota Creek and stuff and
4 so that helped, but now we're seeing changes in the run
5 timing, and they're just not coming back like they used
6 to and as strong. There's a lot of -- even the Gulkana
7 Hatchery isn't getting them like they used to and what
8 they used to get their brood stock in a couple weeks,
9 it's taking them two or -- two months now to get their
10 brood stock to lay the same amount of eggs.

11

12 One of the things that's happening,
13 too, is the fish are smaller. I caught three like this
14 in a day. Three. My grayling are bigger than that.
15 And it's hard to, you know, we had somebody taking
16 samples and otoliths, I had her measure those and
17 collect the otoliths because I want to know what's
18 going on but -- and I'm not the only one that caught
19 some like that, somebody else was telling me they had
20 five, you know, small, small fish. So we don't know if
21 they're just getting down to the ocean and turning
22 around and coming back or what's going on but that's
23 something that I've been asking folks to look into a
24 little more.

25

26 It was a really strange year. One of
27 my elders was telling me, you know, that while some of
28 the kings were bigger, which is a good thing, but we
29 had small ones coming back to and seemed like a lot of
30 jack kings as well this year compared to other years.

31

32 So, thank you.

33

34 CHAIRMAN ENCELEWSKI: Thank you.

35

36 MS. LINNELL: I do want to say because
37 of unusual snow depth this year and things we had
38 caribou calving on the other side of the river.
39 Usually they're up into the middle of Unit 13 behind
40 Eureka so well into the Talkeetna Mountains where they
41 calve. This year they were calving across the river,
42 they didn't come back until May and our season closes
43 March 30th. So they hadn't come back at all. And then
44 the moose calving, we didn't hardly see any calves,
45 twins or anything. It was really a tough year this
46 year and as Gloria reported, you know, there was only a
47 few people that were able to harvest and I don't think
48 anybody with the caribou so far.

49

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1 So, thank you.

2

3 CHAIRMAN ENCELEWSKI: Thank you. Okay,
4 any other non-agenda items, testimony.

5

6 MR. KING: Yeah, Mr. Chair. This is
7 Mark King down at the mouth of the Copper River, Native
8 Village of Eyak. Can you hear me all right?

9

10 CHAIRMAN ENCELEWSKI: Yeah, I could
11 hear you fine. If it's a non-agenda item you go right
12 ahead.

13

14 MR. KING: I just want to make a
15 comment about our subsistence here down at Eyak.
16 There's 500 tribal members here and I work for the
17 subsistence program and I run the boat, our subsistence
18 boat for the tribe. And I didn't get any written
19 comments in but I'll give you as brief as I can what
20 transpired this year if that's okay.

21

22 CHAIRMAN ENCELEWSKI: Yeah, go ahead.

23

24 MR. KING: First of all we start off
25 with here, we start off with eulachon and when the
26 people -- the Eyak people made it to the time when the
27 eulachon showed up they knew that they had survived the
28 winter. And this year it was dismal. Normally we
29 harvest between 10 and 20 six gallon buckets for the
30 tribe and they're distributed. This year we got six
31 gallons. And so it was a disaster as far as the
32 eulachon go on the lower Copper River here.

33

34 We had a good herring spawn this year
35 and we traditionally harvest herring spawn on kelp, on
36 (indiscernible - cuts out) kelp and they actually
37 spawned closer to town, they spawned on Hawkins Island
38 where we normally have to go to Gravina which is, you
39 know, 40 miles away, we were able to go 10, 15 miles
40 closer, so we made a couple trips to harvest eggs and
41 we were able to distribute plenty of eggs for everybody
42 and a few left over for potlatches.

43

44 The other thing that we do is harvest
45 eggs, seagull eggs on the Barrier Islands, Egg Island,
46 in particular. This year the weather was really bad
47 early on there and so we had an average harvest. It
48 seemed like the eggs were a little bit earlier but we
49 had good success there.

50

1 Then to get to the part where everybody
2 seems to be in an uproar about, Copper River salmon.
3 Last year, not this season, but last year we harvested
4 40 kings, and 400 reds and that's for 500 people at the
5 Native Village of Eyak. Some of these are harvested
6 under proxies that are given to the elders that are
7 over 60 years old and they're a State permit for
8 subsistence and they're allowed five kings and 15 reds
9 per individual, 30 total for a family of two. This
10 year we went out and we fished, I can't remember how
11 many trips but I think it was 15 trips, and we caught
12 10 kings and less than 200 reds. So since I've been
13 doing this for four years it's like a disaster. And in
14 so doing, on these trips out there with the price of
15 fuel and when we, you know, are traveling all the way
16 out there and sometimes only get 10 fish or less we
17 looked into the possibility of the dipnet fishery on
18 the lower Copper River so we made two trips to
19 ThirtySix Mile with two dipnets and two tribal members
20 fishing and we caught zero fish. You know so everybody
21 was in a big ruckus, we were out there the opening day
22 and there was two other people there and they never
23 caught a fish and we never caught a fish. The next
24 time we went there was a third tribal member that was
25 there and he caught one red salmon and our two tribal
26 members caught zero. So -- and this was near the peak
27 of the run, I can't give you the exact days because I
28 don't have any notes in front of me but I don't know
29 what the ruckus is. I've heard that there was possibly
30 100 salmon caught with dipnets on the lower Copper
31 River, I'm not privy to that information but I'm sure
32 it'll come out eventually. But, anyway, so the way we
33 look at it here at the tribe is that, you know,
34 whatever opportunity we have to harvest salmon for our
35 tribal members we've got to look at taking all
36 considerations. We put a proposal in last year to the
37 State to change our bag limits because we used to have
38 to take pink salmon off of our total but we got a
39 separate amount of pinks that we can harvest and for a
40 family of two that's 30. And we used to have to take
41 them off as if they were a king or a red. And this
42 year it was beautiful weather and the chums and the
43 pinks did show up in town here, we only had the month
44 of July to harvest with 50 fathoms of gear and when the
45 weather got bad it was the same time that our village
46 went to Nuchuck (ph) for a spirit camp. So while
47 everybody was gone the pinks and the chums showed up
48 and two days later the season was closed so we weren't
49 able to participate in a fishery that was just opened.
50

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1 So we have zero fish caught by our tribe in the dipnet
2 fishery.....

3

4 (Teleconference interference -
5 participants not muted)

6

7 MR. KING:and the new fishery
8 that was developed for salmon in front of town. So it
9 seemed like a lot of political manoeuvring and work to
10 try and get these opportunities available and here they
11 produce zero.

12

13 Okay, the other thing that we had here
14 this year was lots of berries. It was such a nice
15 spring that everything got pollinated and so we had
16 lots of salmonberries. The only thing that we lacked
17 on was the blueberries. It seemed like they came on
18 early with the few there were but there was lots of
19 black currents, lots of crowberries, low bush
20 blueberries and cranberries, hi-bush and low bush, you
21 know, there's still a lot of hi-bush cranberries out
22 there today as we speak.

23

24 So the other thing that happened last
25 year was the snow early on in the deer season pushed
26 all the deer down on to the beach. We had like five or
27 six feet of snow. And so I was worried that there was
28 going to be die-off and then luckily at the end of
29 December it started raining and so those deer were able
30 to get back off the beach up into the up country there
31 where they could survive. And I've heard reports, we
32 haven't gone deer hunting yet this year, that the deer
33 weren't impacted as severely as I thought they were
34 going to be.

35

36 And we have the same problem that
37 they're talking about in Valdez with the bears coming
38 into town and I think the bears killed every chicken
39 that was in town. Everybody that had chicken coops got
40 the business and myself, I protect my smokehouse with a
41 wrist-rocket slingshot, it works pretty good.

42

43 But, anyway, that's all I got to report
44 and thank you for the opportunity.

45

46 CHAIRMAN ENCELEWSKI: Okay, thank you,
47 Mark. Okay, folks, at this time if there's any more
48 public non-agenda comments we're going to -- anyone got
49 one here now.

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1 (No comments)

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CHAIRMAN ENCELEWSKI: We're going to take a break. We need to shuffle some chairs, we need some coffee, we need to stretch. Let's take at least 10 minutes okay. Thank you.

(Off record)

(On record)

CHAIRMAN ENCELEWSKI: Okay, folks, we're going to get started if everyone wants to take a chair.

(Pause)

CHAIRMAN ENCELEWSKI: Okay we're going to go ahead and get started here on old business and the first thing I got on the agenda here is the .805(c) report and the Council Coordinator is going to give that to us. Go ahead, Jessica.

MS. GILL: Great, thanks, Mr. Chair. For the record my name is Jessica Gill and I'm the Council Coordinator with Office of Subsistence Management and I'll present a brief summary of the Federal Subsistence Board 2022 .805(c) report. The materials for this agenda item can be found starting on Page 21 in your meeting books. This is not an action item, it's just for your informational purposes. This report provides the action taken by the Board on proposals affecting residents of the Southcentral region and boy you guys were busy last year. I'll highlight some of the actions the Board took.

All right, so Section .805(c) of the Alaska National Interests Lands Conservation Acts provides that the Board generally defer to the recommendations of a Council regarding take unless:

1. The recommendation is not supported by substantial evidence;

2. The recommendation violates recognized principles of fish and wildlife management; or

3. Adopting the recommendation would

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1 be detrimental to the satisfaction of subsistence
2 needs.

3
4 When a Council's recommendation is not
5 adopted, the Board is required to provide the reasons
6 and facts for the decision to the Council, and these
7 are provided in the .805(c) report annually. Again,
8 that's on Page, I think, 21 of your book.

9
10 All right. So as you can see from the
11 .805(c) cover letter this year the Board acted on 59
12 proposals and 16 closure reviews for the 2022/2024
13 wildlife regulatory cycle. The Board agreed with the
14 recommendations of the Regional Advisory Councils in
15 whole or with modifications on 50 of 59 proposals. The
16 Board accepted the recommendations of the Regional
17 Advisory Councils on 15 of 16 wildlife closure reviews
18 voting to maintain the status quo on 14 of them. On
19 the consensus agenda the Board deferred the
20 recommendations -- to the recommendations of the
21 Southcentral RAC. The Board rejected six proposals
22 consistent with the RAC recommendation -- RAC's
23 recommendations. The Board adopted eight proposals
24 also consistent with RAC recommendations. The Board
25 adopted with modification three proposals, also
26 consistent with the Southcentral RAC's recommendations.
27 The Board's action differed from the Southcentral
28 Council's recommendations on WP -- sorry, Wildlife
29 Proposal 22-36 and deferred Fishery Proposal FP21-10.
30 Both proposals had additional modifications beyond the
31 Council's recommendations when adopted by the Board.

32
33 Thank you, Mr. Chair. Members of the
34 Councils -- Council, for listening. I'm ready for any
35 questions you may have.

36
37 (No comments)

38
39 CHAIRMAN ENCELEWSKI: Okay. Hearing
40 none I guess we'll move on to your next line item
41 there.

42
43 MS. GILL: All right. Again, Mr.
44 Chair. Members of the Council. My name is Jessica
45 Gill, I'm the Southcentral Regional Advisory Council
46 Coordinator. And I will present a summary of the
47 Federal Subsistence Board fiscal year 2021 annual
48 report reply to the Council. The materials for this
49 agenda item can be found on Page 26 of your meeting
50

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1 books. This is not an action item and only for
2 informational purposes.

3
4 All right. The Board appreciates your
5 efforts to communicate through your annual report to
6 the Board -- to the Board issues outside of the
7 regulatory process that affects subsistence users in
8 the Southcentral region. In fiscal year 2021 there was
9 six topics of concern on the Council's annual report.

10
11 Topic 1 was regarding the deferred
12 Fisheries Proposal 21-10 to a joint Council meeting --
13 or sorry -- deferring the FP21-10 to a joint Council
14 meeting between the Eastern Interior and Southcentral
15 RACs which required additional time and efforts on
16 behalf of the Council members and including new Council
17 members who were expected to digest a large amount of
18 information in a short amount of time. The Board
19 recognized the efforts of the Councils to meet and
20 discuss the proposal noting it did not intend for a
21 compromise to be made at the joint meeting.

22
23 Topic 2 was regarding the customary and
24 traditional use determination process for wildlife
25 proposals discussed at the 20 -- or at the Council's
26 fall 2021 regulatory meeting which combined multiple
27 proposals into one analysis. The Council suggested OSM
28 conduct more research to make recommendations on
29 proposed C&T determinations and include impacts to
30 surrounding areas in the analysis. The Board noted
31 that the intent behind combining proposals was to
32 reduce the number of individual analysis and
33 highlighted the use of the Fisheries Resource
34 Monitoring Program to provide additional research and
35 stressed that the customary and traditional use
36 determination process is not intended for resource
37 management or restricting harvest.

38
39 Topic 3 was regarding developing
40 subsistence use amounts in the face of declining fish
41 and wildlife resources. The Board appreciated the
42 concerns addressed in the report but noted that
43 subsistence use amounts are not applicable under
44 Federal management as ANILCA provides for priority over
45 other user groups and does not provide for successful
46 harvest of resources or established amounts of harvest.

47
48 Topic 4 was regarding the potential of
49 dual jurisdiction in Prince William Sound for other
50

0044

1 meaningful subsistence harvest -- sorry -- for a
2 meaningful subsistence harvest of fish and wildlife --
3 or fish and shellfish. The Board shared information
4 other -- of other Federal management programs for
5 halibut and marine fisheries. The Board has no
6 authority on those resources but there is a process for
7 petitioning the Secretaries to accept -- exert
8 regulatory authority on non-Federal lands under State
9 law but they haven't exercised that yet.

10

11 Topic 5 was regarding the FRMP projects
12 -- or the Fisheries Resource Monitoring Project
13 research and monitoring projects to include work from
14 tribes and regional -- other regional organizations.
15 The Board has allocated \$3 million to new projects in
16 2022 and highlighted the work of many organizations in
17 their report -- or in the report reply. The Board
18 noted the five criteria for successful funding.

19

20 Topic 6 was regarding more information
21 on climate change and ocean acidification effects on
22 subsistence resources. The Board acknowledged the
23 impact of climate change and ocean acidification on
24 subsistence harvest and the subsistence way of life and
25 directed the Council to a few regional resources. And
26 we actually have a couple presentations on those later,
27 tomorrow, during agency reports.

28

29 That concludes my report.

30

31 CHAIRMAN ENCELEWSKI: Any questions
32 Council members on the reports -- go ahead, Gloria.

33

34 MS. STICKWAN: I had a question about
35 the subsistence use amounts, the response. You in our
36 annual report it says that in our -- in our charter it
37 says as well -- their response was not to use
38 subsistence report -- subsistence use amounts -- maybe
39 that was the wrong word to use because it's a State
40 word, so I'm wondering what the process is for us to
41 prepare, in according to our charter it says, in
42 Section D, that we are to prepare an annual report to
43 the Secretary for an identification of current and
44 anticipated uses of fish and wildlife within the
45 region, and evaluation of current and anticipated
46 subsistence needs for fish and wildlife population
47 within the region and a recommended strategy for the
48 management of fish and wildlife populations within the
49 region to accommodate such subsistence uses and needs

50

0045

1 and recommendations concerning policy, standards,
2 guidelines and regulations to implement a strategy. My
3 question is we probably used the wrong word,
4 subsistence amounts, but it does say that we are
5 supposed to, according to our charter to put in our
6 annual report, anticipated needs, what is the process
7 for us to do that?

8

9 MS. GILL: Through the Chair. Thank
10 you Gloria. I might ask maybe Scott if he has -- or
11 some other Staff member if they can help provide some
12 context for that.

13

14 CHAIRMAN ENCELEWSKI: Technical
15 question, don't get too carried away.

16

17 (Laughter)

18

19 CHAIRMAN ENCELEWSKI: Go ahead, thank
20 you.

21

22 MS. STICKWAN: I want them to get
23 carried away, I want an answer.

24

25 MS. LAVINE: Thank you, Mr. Chair. For
26 the record this is Robbin LaVine, Subsistence Policy
27 Coordinator with the Office of Subsistence Management
28 and my colleague Scott Ayers, Supervisor for the
29 Division of Fisheries is also with me.

30

31 And you are asking about the process of
32 providing recommendations for fisheries management and
33 you are thinking that -- and I'm trying to summarize
34 what I just heard, but I would like you to.....

35

36 MS. STICKWAN: I'm just stating what
37 was stated in our charter, if you know what our charter
38 says you know that it says anticipated needs and that's
39 what I'm getting at, what is the process for that?

40

41 (Pause)

42

43 MS. LAVINE: This is Robbin and there's
44 a pause because I'm thinking. And, again, part of the
45 process is that you communicate through the annual
46 reports. I believe the Board response to the use of
47 the term, subsistence use amounts, recognizes that.....

48

49 MS. STICKWAN: I know we used the word,

50

0046

1 I'm not even.....

2

3

MS. LAVINE: Right.

4

5

6

MS. STICKWAN:getting to that, I'm getting to anticipated needs, and what does that mean and how do we get through that process, is all my question is.

7

8

9

10

(Pause)

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MS. LAVINE: Then through the Chair, I'm pausing because I don't have a good response to you right now. But what I'd like to do is to confer with OSM Leadership and to come back with a good definition of how we target anticipated subsistence needs. I do believe that ANILCA is not about ensuring or guaranteeing a certain amount, ANILCA prioritizes subsistence uses over any others and ANILCA ensures an opportunity for you to continue your subsistence way of life. That is the focus. With all of the populations ebbing and flowing, it would be hard to focus on a particular amount and to ensure that. I think -- and there may be plenty of people listening online and you're welcome to jump in, but -- but we are doing our very best to ensure a subsistence priority and the continuation of the subsistence way of life. And thank you for your question, Council Member Stickwan, and this will also be addressed at the Leadership Team Level and I will take this question to the ISC.

Thank you, Mr. Chair.

CHAIRMAN ENCELEWSKI: Thank you, Robbin. Okay, thank you, Gloria, it doesn't sound like you got a -- they're going to take it and they will.....

MS. STICKWAN: To me it sounds like, you know, they're saying -- I'm not asking for a guarantee, nobody can guarantee anything. What I'm saying, we have a process in our charter that says we are to do this anticipated needs and how do we do that; that's all I'm asking.

CHAIRMAN ENCELEWSKI: Uh-huh.

MS. STICKWAN: It's in our charter, we're supposed to be doing it, and we've never done it

0047

1 since I've been on this Council, since the first day
2 I've never heard us do an anticipated needs and I don't
3 know if any other Council has but I don't believe we
4 have ever and that's what I think we need to start
5 doing, is doing our anticipated needs of what we think
6 we need and that we tell OSM, U.S. Fish and Wildlife,
7 the Board, this is what we need.

8

9 And I'm not asking for a guarantee, I'm
10 just saying there's a process, it's in our charter, we
11 should be working on that.

12

13 CHAIRMAN ENCELEWSKI: Well, I agree
14 that, you know, we could do that, Gloria, and it sounds
15 like they're going to work on that. I look at it and
16 I'm just going to try and analyze what I'm hearing and
17 what I'm seeing. Anticipated needs are never being met
18 anymore in this world because there's shortages of a
19 lot of things so we have to provide the opportunity the
20 best we can and I know like in the rural community of
21 Ninilchik, you know, it's a thousand people, and every
22 year we get more and more and the need rises and rises
23 and the fish get less and less. And I think that's
24 applicable to almost all tribes in almost all areas
25 anymore. So -- but I think Gloria is correct, we
26 should be able to express what that need is, it's a
27 growing need and if there needs to be adjustment to
28 other user groups, I think that's what needs to be
29 done. At least that's my opinion, that's what we're
30 here for, is that opportunity, that preference so
31 that's what we're to provide.

32

33 So I'd appreciate you get working on
34 that, getting us a good response and thank you and
35 thanks for bringing it up Gloria.

36

37 We have a special action, Justin, you
38 going to do a report for us here.

39

40 MR. KOLLER: Yes, good morning, Mr.
41 Chair. Members of the Council. My name is Justin
42 Koller, I'm a Fisheries Biologist with the Office of
43 Subsistence Management. There was one special action
44 in the Southcentral region and that was Temporary
45 Special Action FSA22-05 concerning the lower Copper
46 River subsistence salmon fishery.

47

48 This temporary special action was
49 administrative in nature and did not request changes to

50

0048

1 the lower Copper River subsistence salmon fishery. The
2 Federal Subsistence Board adopted the lower Copper
3 River subsistence salmon fishery at their April
4 wildlife regulatory meeting. Due to the unusual timing
5 of this Board action the rule did not publish in the
6 Federal Register in time for the 2022 fishery. The
7 temporary special action request asked the Board to
8 temporarily enact this newly authorized fishery and to
9 delegate authority to the in-season manager to
10 implement the fishery for the 2022 season. The special
11 action and delegation of authority both expired when
12 the final rule was eventually published in the Federal
13 Register in July.

14

15 So to recap, this temporary special
16 action request was necessary to enact and implement
17 this newly authorized fishery for the 2022 fishing
18 season.

19

20 And that's all I have on that, Mr.
21 Chair, thank you.

22

23 CHAIRMAN ENCELEWSKI: Thank you,
24 Justin. Any questions for him from any Council
25 members.

26

27 (No comments)

28

29 CHAIRMAN ENCELEWSKI: Thank you kindly.
30 Okay, we are going to move to new business.
31 Southcentral Subsistence Fishery Harvest Update and
32 Dave Sarafin is going to give that to us.

33

34 Thank you, Dave.

35

36 MR. SARAFIN: Good morning, Mr. Chair
37 and members of the Council. My name is Dave Sarafin,
38 the Fisheries Management Biologist at Wrangell-St.
39 Elias National Park and Preserve. So this is a 2022
40 fisheries report for the upper Copper River and Copper
41 River run in general.

42

43 One thing I'd like to start with is
44 just I'm pretty pleased that we finally were able to
45 get Tanada Creek salmon weir in again located at
46 Batzulnetas.

47

48 (Teleconference interference -
49 participants not muted)

50

0049

1 REPORTER: So if I could get everyone
2 online to mute yourself, star, six. We can hear an
3 airplane in the background, so if that's you, your name
4 is not Dave Sarafin, so please mute by pressing star,
5 six, please. Thanks.

6
7 MR. SARAFIN: This was the first year
8 of operation since the 2018 season. Preliminary count
9 from the weir, we documented 29,341 sockeye salmon
10 passing the weir at Batzulnetas and that's the third
11 highest escapement count documented to this system and
12 it's well above the historical total season count
13 average of 17,520. The timing of the stocks passing
14 the weir was later than normal throughout the season.
15 So this is key index stock, one of the farthest up
16 river spawning populations in the Copper River.

17
18 We did have two Copper River salmon
19 research projects that began this season. One
20 evaluating the use of genetic stock ID for in-season
21 management to see if that's feasible. And one looking
22 at factors affecting migratory success.

23
24 The Copper River salmon run for 2022,
25 it began weak. We've had that tendency it seems the
26 past few years where it's begun very weak and it's hard
27 to get a good indication early on. So it began weak
28 but then increased in strength as the season
29 progressed. Harvest opportunities continued throughout
30 the season in the river and it appears likely that
31 sustainable goals will be met. We have a better idea
32 of that once we get a better handle on harvest
33 estimates once we get the return of up river harvest
34 reports.

35
36 Miles Lake sonar provided a season
37 total passage estimate of 785,509 salmon, which is 27
38 percent above the management objective that the State
39 comes out with each year.

40
41 Upper Copper River Federal subsistence
42 fishery permits. We issued, and these are preliminary
43 again, 178 Chitina Subdistrict permits, 297 Glennallen
44 Subdistrict permits and 2 Batzulnetas permits.

45
46 And in your materials there are
47 historical Federal subsistence harvests through 2021 in
48 Table 1 through 4 of the fisheries report. It should
49 be maybe in the supplemental materials you might have.
50

0050

1 (Teleconference interference -
2 participants not muted)

3
4 REPORTER: So whoever's driving will
5 you please mute your phone. It sounds like someone's
6 at an airport. Will you please hit star, six or the
7 mute button, we'd appreciate it a lot, please. You're
8 interrupting the meeting.

9
10 MR. SARAFIN: A key reference for upper
11 Copper River harvest would be on Table 1 that shows
12 combined Glennallen and Chitina subdistrict harvest for
13 2002 to 2021 for -- for 2022, again, we're still
14 waiting on harvest reports that are coming in and we're
15 roughly at about 40 percent return at this point but we
16 have not tried to come up with an estimate based on
17 that low of a return rate yet.

18
19 And the new Federal subsistence fishery
20 in the lower Copper River opened June 1. The Cordova
21 Ranger District down there, they were issuing permits,
22 they issued 69 permits and total reported harvest for
23 the season was 107 sockeye salmon and three chinook
24 salmon. The last reported harvest, I believe, was like
25 on June 28th. So the -- from what I was told from
26 Staff down there, the key area they had some success
27 fishing was at the end of the road, maybe at a bridge
28 piling, I think a backwater perhaps influencing that,
29 and they had a period where they were able to harvest
30 but then that might not have been an effective spot
31 once the water levels got to a certain point during the
32 season as the glaciers typically melt and water levels
33 get higher so.

34
35 And also I would like to provide some
36 background information because it's kind of a -- if
37 you're not directly involved in the fisheries of the
38 Copper River, some background information could be
39 helpful on what types of fisheries are managed for and
40 we have -- you know this is on Copper River bound
41 stocks. They are basically nine sub-categories of
42 fisheries that are harvesting those stocks. For
43 Federal subsistence -- for management of -- for our
44 management directives we have four. The new lower
45 Copper River Federal subsistence fishery, the Chitina
46 Federal subsis -- subdistrict Federal subsistence, the
47 Federal -- the Glennallen subdistrict Federal and then
48 the Batzulnetas vicinity also has Federal harvest. So
49 if you take all those, typically of all harvest that's
50

0051

1 one to two percent of all harvest that occurs so it's a
2 very minimal amount when you combine all those
3 fisheries.

4
5 Other, you know, as far as Federal
6 directives are concerned, other non-subsistence
7 fisheries, there's a Copper River district commercial
8 fishery that typically, on average, might take 80 to 85
9 percent but on a poor year with a late start that's
10 greatly curtailed and, you know, a lower amount.
11 There's the Copper River district State subsistence
12 fishery which is less than one percent. State
13 sportfishery which is maybe one percent. And the State
14 personal use is about 10 percent. And the State
15 Glennallen subdistrict subsistence fishery is about
16 four percent. So basically in-river, you know, less --
17 or about 15 percent maybe versus the in-river of one to
18 two percent for Federal subsistence. So hopefully that
19 clears up an image of what we're dealing with in some
20 of the actual fisheries that are managed for.

21
22 And that concludes my report and open
23 for any kind of questions.

24
25 CHAIRMAN ENCELEWSKI: Okay. Open to
26 Council for questions. Go ahead Diane.

27
28 MS. SELANOFF: Thank you. You said for
29 subsistence is -- takes up -- it's about one percent,
30 is that in total of the four different locations or is
31 that per.....

32
33 MR. SARAFIN: That's if you combine all
34 the Federal subsistence harvest occurring in the river.
35 It's typically one percent, I think two percent at most
36 is what I've seen in calculations.

37
38 MS. SELANOFF: All right, thank you.

39
40 MR. SARAFIN: Sure.

41
42 CHAIRMAN ENCELEWSKI: Jessica.

43
44 MS. GILL: Oh, thank you, Mr. Chair. I
45 just wanted to let everyone know this is on Page 28 of
46 your meeting -- of your supplemental books -- sorry
47 about that.

48
49 CHAIRMAN ENCELEWSKI: Any other
50

0052

1 questions.

2

3

(No comments)

4

5

CHAIRMAN ENCELEWSKI: Thank you, Dave.

6

Very good. Oh, we do have another question. Andy's

7

got a question.

8

9

MR. MCLAUGHLIN: Thank you, Mr. Chair.

10

Do you know what the percent for the Copper River

11

commercial salmon fishery is on the Flats in the salt

12

water?

13

14

MR. SARAFIN: Well, in a typical -- you

15

know, if you -- I think on a long-term average it was

16

maybe 84 percent but then, you know, there's some years

17

with really high runs where that's affecting that

18

average. When you look at some of our recent years

19

with late start, you know, especially in that May

20

period, it would be much lower. I don't have a good

21

handle on the recent years what that would be so I was

22

just giving you long-term fishery performance, and

23

that's a percentage of all the harvest that's

24

occurring. So that would be different from percentage

25

of the run which I did not calculate for this.

26

27

MR. MCLAUGHLIN: Thank you.

28

29

MR. SARAFIN: Sure.

30

31

CHAIRMAN ENCELEWSKI: Anyone else, or

32

on the phone.

33

34

MS. KLEVINS: Hello, Mr. Chair. Dave.

35

Thank you so much. This is Laura Klevins with

36

Chickaloon Native Village, the Fisheries Biologist. I

37

just had a quick question for Dave. These percentages,

38

have you seen from your research if they adjust from

39

year to year and how far back does this data set go

40

that you have access to to look at percentage of

41

harvest that's taken in each of these subdistricts and

42

different categories of fisheries?

43

44

MR. SARAFIN: Well, I have -- the

45

Federal Subsistence Program began issuing permits,

46

Federal permits in 2002, I believe, that was when we

47

could first separate out a -- the Federal component and

48

even 2002 was probably transitional getting people

49

switching from State permits to Federal but it goes

50

0053

1 back to about then for these calculations where we're
2 -- you know I was trying to look at actual -- you know,
3 the Federal component and breaking down the other --
4 you know all the other harvests that were occurring.

5

6 And so that's looking at that.

7

8 And then gaining the State records of
9 harvest that they've provided me and then we have a
10 direct counting of the Federal harvest from the
11 database OSM runs where, you know, I enter all the fish
12 harvest reports and compile that and we -- you know I
13 do a basic expansion based on -- so this is on expanded
14 harvest numbers in a lot of these fisheries where it's
15 -- you know there's a reported number but if you only
16 get -- if say you were only going to get 50 percent of
17 your permits back then it might get -- you know you'd
18 multiply it -- you could assume that's half of what the
19 actual could be but there's a little bit more complex
20 in some of the expansions on them.

21

22 Does that answer your question okay.

23

24 MS. KLEVINS: Through the Chair, thank
25 you. Yes, it does. Thank you.

26

27 MR. SARAFIN: Certainly.

28

29 CHAIRMAN ENCELEWSKI: Okay, any other
30 questions.

31

32 (No comments)

33

34 CHAIRMAN ENCELEWSKI: Thank you, Dave.

35

36 (Pause)

37

38 CHAIRMAN ENCELEWSKI: I have a
39 fisheries proposal, Justin is that you, or you'll
40 assist us with the process.

41

42 MR. KOLLER: Yeah, thank you, Mr.
43 Chair. Good morning, members of the Council. Justin
44 Koller here again, Fish Biologist with Office of
45 Subsistence Management.

46

47 So during fall of even number years the
48 Regional Advisory Councils review analysis of fisheries
49 regulatory proposals and closure reviews and make

50

0054

1 recommendations to the Federal Subsistence Board on
2 each item. The Federal Subsistence Board will act on
3 these proposals and closure reviews during their
4 January 2023 regulatory meeting. There were eight
5 proposals submitted for this region. Some of the
6 proposals were analyzed together so there are five
7 fisheries proposal analysis which will be presented to
8 you at this meeting. The materials for this process
9 begin on Page 36 of your meeting book with the
10 presentation procedures for proposals and closure
11 reviews.

12

13 As a reminder for those in attendance
14 in person or on the phone, there will be an opportunity
15 for oral public testimony on each item after
16 presentation of the analysis. Those in-person wishing
17 to make comments must fill out a comment card located
18 on the reception desk in the back of the room and
19 submit it to the Council Coordinator. Written comments
20 will be accepted up until the beginning of the
21 presentation of each analysis.

22

23 Thank you, Mr. Chair. Does the Council
24 have any questions before we begin with Staff analysis
25 of fisheries proposals.

26

27 (No comments)

28

29 CHAIRMAN ENCELEWSKI: Anyone online,
30 questions.

31

32 (No comments)

33

34 CHAIRMAN ENCELEWSKI: No.

35

36 MR. KOLLER: Thank you, Mr. Chair. The
37 first presentation is on FP23-07 involving Kenai River
38 chinook salmon harvest and will be given by Kevin
39 Foley. Thank you.

40

41 CHAIRMAN ENCELEWSKI: Thank you.

42

43 (Pause)

44

45 CHAIRMAN ENCELEWSKI: Okay, we're ready
46 to rock and roll.

47

48 MR. FOLEY: Ready to rock and roll.

49

50

0055

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CHAIRMAN ENCELEWSKI: Okay. You go ahead Kevin.

MR. FOLEY: Good morning, Mr. Chair. Members of the Council. For the record my name is Kevin Foley and I'm a Fish Biologist with the Office of Subsistence Management. This is my first time appearing before the Council and my first ever Council meeting in person so, thank you. It's both an honor and a privilege for me to be here today. I'm here to present the analysis for Proposal FP23-23-07 matching of State sportfish size limits and gear restrictions for Kenai River chinook salmon. This analysis may be found beginning on Page 37 of your meeting book.

Proposal FP23-07 submitted by the Alaska Department of Fish and Game requests revisions to the Federal subsistence regulations for Kenai River chinook salmon, specifically to restrict harvest of chinook salmon to only fish less than 34 inches and to decrease the overall season length. Additionally the proponent requests to prohibit the use of bait in the Federal rod and reel fishery during the Kenai River chinook fishery. Two Federal rod and reel fisheries are affected by this proposal. One that runs from January 1st to July 15th, and one that runs from July 16th to August 31st. The proposed regulation change covers all the first date range, that is January 1 to July 15th and two weeks of the second beginning July 16th but truncates the second fishery by removing harvest dates in August.

In their request the proponent states that this administrative change will align Federal subsistence regulations for Kenai River chinook salmon gillnet, dipnet or rod and reel and the general rod and reel only Federal subsistence fisheries with the established size limits for State sportfishing regulations. The current Federal subsistence fishing regulation allows for harvest of chinook salmon in a slot limit of less than 46 inches or 55 inches or longer whereas the current State sportfish regulation is a maximum size of 34 inches. State regulations prohibit the use of bait in waters up stream of Slikok Creek during the chinook salmon fishery from January 1 to July 31st. The proponent asserts the alignment of Federal subsistence and State sportfish regulations is meant to update the Federal regulations to reflect the most up to date changes to the management of Kenai

0056

1 River chinook salmon for a large fish goal and for the
2 overall quality of escapement as justification for this
3 proposal change.

4
5 OSM's preliminary conclusion is to
6 oppose FP23-07.

7
8 Restricting harvest of chinook salmon
9 to only fish less than 34 inches, prohibiting bait as a
10 means for harvest and truncating harvest dates
11 restricts harvest opportunity for Federally-qualified
12 subsistence users. The historical Federal subsistence
13 harvest of Kenai River chinook salmon in the rod and
14 reel fishery has been relatively minimal and would have
15 no significant impact on Kenai River large chinook
16 salmon escapement. Two fish were harvest during the 12
17 year period from 2007 to 2019 and this harvest
18 information may be found on Page 59 of your meeting
19 book. Under existing authority delegated by the Board,
20 the field supervisor of the Kenai Fish and Wildlife
21 Conservation office has the ability to open or close
22 Federal subsistence fishing periods as well as
23 specifying methods and means for the continued
24 viability of Kenai River chinook salmon.

25
26 Mr. Chair. Members of the Council.
27 Thank you for your time. Once, again, for the record
28 my name is Kevin Foley and I'm a Fish Biologist with
29 the Office of Subsistence Management and that concludes
30 my presentation. I'm happy to answer any questions
31 that you may have. Thank you.

32
33 CHAIRMAN ENCELEWSKI: Questions for
34 Kevin, anyone.

35
36 (No comments)

37
38 CHAIRMAN ENCELEWSKI: I got a comment
39 though -- okay, first time in-person everything's good
40 so far.

41
42 MS. CLAUS: Mr. Chairman.

43
44 CHAIRMAN ENCELEWSKI: Hang on a second,
45 yeah, go.....

46
47 MS. CLAUS: Mr. Chairman, this is
48 Donna.

49
50

0057

1 CHAIRMAN ENCELEWSKI: Go ahead
2 with.....

3
4 MS. CLAUS: Yes, I am totally in the --
5 this is Donna Claus. I am in the dark as to what --
6 why the -- I guess the biological reason for this. I
7 understand that they're trying to make things the same
8 but what would be the biological reason for this,
9 that's my question?

10
11 CHAIRMAN ENCELEWSKI: I think we all
12 have that question but we're going to go ahead and go
13 through all the testimony and then we'll see if we
14 can't sort it out, okay, Donna.

15
16 MS. CLAUS: Oh, okay. Thank you.
17 Yeah, that's fabulous, thank you very much.

18
19 CHAIRMAN ENCELEWSKI: Okay, thank you.
20 Okay, we're going to do the report on the Board
21 consultation.

22
23 MR. LIND: Thank you, Mr. Chair.
24 Orville Lind, Native Liaison for the Office of
25 Subsistence Management. Good to see you all here. We
26 conducted consultations on August 23rd for regions 1,
27 Southeast, Region 2 Southcentral, Region 3
28 Kodiak/Aleutians, Region 4 Bristol Bay, and Region 5
29 Yukon Kuskokwim Delta. During those consultation
30 sessions with tribal and ANCSA Corporations we did not
31 have any comments or questions on that proposal.

32
33 Thank you, Mr. Chair. Council members.

34
35 CHAIRMAN ENCELEWSKI: Thank you,
36 Orville. Any ANCSA Corporations -- you say he's done,
37 okay. Agency comments. I'm going to follow my sheet
38 here, you guys in order -- let's start with the Alaska
39 Department of Fish and Game.

40
41 MR. MILLER: Mr. Chair, can you hear
42 me?

43
44 CHAIRMAN ENCELEWSKI: I could hear you
45 loud and clear, go ahead.

46
47 MR. MILLER: Excellent, thank you, sir.
48 This is Matt Miller. I am the Sportfish Management
49 Coordinator for Cook Inlet with the Alaska Department
50

0058

1 of Fish and Game. And as you know we submitted this
2 proposal and we certainly support it. I can try and go
3 over a little bit, just very briefly the -- kind of the
4 points that were coming up about the justification.

5

6 But I mean as was stated, the Federal
7 subsistence regulations that are in now have a slot
8 limit and that was to make them consistent with the
9 established State sportfishing size limits that were in
10 place at the time. After years of having a slot limit
11 in place, in 2017 the Alaska Board of Fisheries decided
12 that was no longer the best way to manage that fishery
13 and replaced it with a maximum size limit of 36 inches
14 and then in 2020 that was further reduced to 34 inches.
15 As everyone knows out there we have not been making
16 escapement goals for that Kenai River late run. The
17 stock is in a period of low productivity and so this
18 was done, make no mistake, for conservation reasons.

19

20 So it allows the smaller fish to go
21 through unharvested -- I mean, I'm sorry -- allows the
22 larger, more productive, predominately females to pass
23 through any fishery that's occurring up there and make
24 it up to the spawning grounds. So we submitted this
25 proposal kind of as almost a housekeeping one at first
26 to try and bring those regulations back into alignment,
27 and then the second part of that is with the bait, is
28 that when we have size restrictions in place, the
29 mortality that -- the one thing that is the predominate
30 factor on released mortality in sportfisheries is hook
31 placement. And when bait is used fish tend to take it
32 deeper. Meaning that when bait is used in these
33 release fisheries there's higher mortality rates so as
34 a practice when we go to releasing fish we take it down
35 to single hook -- unbaited single hook artificial
36 lures. So, again, for consistency and for conservation
37 of reducing the release mortality in the fishery where
38 we're requiring people to release fish that's our
39 recommendation.

40

41 Mr. Chair.

42

43 CHAIRMAN ENCELEWSKI: Alrighty, thank
44 you. Questions.

45

46 (No comments)

47

48 CHAIRMAN ENCELEWSKI: Okay, next, I got
49 Federal agencies. Anyone.

50

0059

1 (No comments)

2

3

4 CHAIRMAN ENCELEWSKI: Tribal entities.
5 I have Darrell Williams, a request to talk for
6 Ninilchik Traditional Council.

7

8 MR. WILLIAMS: Good morning everyone.
9 Mr. Chair. I am here today to oppose FP23-07 to revise
10 the chinook harvest. My name is Darrell Williams, I
11 work for Ninilchik Traditional Council. I know a lot
12 of folks here, been doing this a long time.

13

14 The change in slot limits is a big deal
15 because there's a little more history than what we read
16 in the proposal. I started working on the Ninilchik
17 subsistence stuff in 2005, I think. Now, chinook
18 salmon in Ninilchik in the community, especially in the
19 Alaska Native community is the preferred fish and it
20 speaks to that in the proposal when you read that.
21 Now, I think the community itself has been really
22 generous over the years about not targeting king
23 salmon. For example, our fisheries aren't set up to
24 target king salmon, we target sockeye. I got a report
25 here at the end of the meeting about our fisheries this
26 year. For example, this year we encountered zero
27 chinook salmon and we set the fishery up like that on
28 purpose, you know, we're trying to be good
29 conservationists but at the same time ANILCA allows for
30 a meaningful preference and we worked many years to get
31 a meaningful preference. And if I remember -- if I
32 recall right going through the proposal there's what,
33 two or three reported chinook that were harvested,
34 we're talking about very, very small number of fish and
35 I think it's an outstanding commitment by the community
36 not to target those fish although they have the
37 opportunity to do so.

38

39 I agree with OSM's preliminary
40 conclusion. Personally, I would like to say I think
41 that the slot limit should go from the 20 inches in the
42 State regulation to 55 inches that exist, to be able to
43 allow that meaningful preference. If somebody does
44 happen, you know, there's -- incidental harvest is a
45 big deal in subsistence, right. People go moose
46 hunting, they pick berries. People go fishing, they
47 may not or may catch fish, they should have the
48 opportunity to keep that, it's part of that meaningful
49 preference. And I'll just throw that out there for
50 discussion.

50

0060

1 But it's a very, very small amount of
2 use.

3
4 And it's also interesting to me about
5 the way we look at the State regulations. I mean if
6 you read the State regulation that's in the book and
7 the one that's being proposed right now, and then you
8 exclude Anchorage, and you exclude Wasilla and you
9 exclude all the other, the Kenai Peninsula and those
10 kind of things, how does that work with the fair use
11 clause of the Alaska Constitution, the problem that
12 made the McDowell Decision that got us all here at the
13 table, right. It doesn't. You know so actually it's
14 even kind of bad for long-term to look at this and try
15 to make that alignment of regulations between State and
16 Federal because it doesn't work that way and that's
17 what started us all here at the Federal Subsistence
18 table.

19
20 So, again, I'd like to oppose that.
21 Mr. Chairman, thank you very much. Any questions.

22
23 CHAIRMAN ENCELEWSKI: No, Darrell,
24 thank you. I don't know if anybody else got any
25 questions.

26
27 MS. STICKWAN: I have a question.

28
29 CHAIRMAN ENCELEWSKI: Go ahead, Gloria.

30
31 MS. STICKWAN: I didn't hear or
32 understand too well what you said about the 55 inch,
33 you recommended what?

34
35 MR. WILLIAMS: Mr. Chairman. Ms.
36 Stickwan. Originally the upper slot limit was 55 inch
37 and then in the State regulations it was from 20 inches
38 and larger. And it's just interesting about, it seems
39 to me kind of arbitrary that all of a sudden, you know,
40 we had one slot limit and then the sportfishing
41 regulations were 20 inches and now we're going 35
42 inches, it's almost sporadic. And that's where I -- I
43 mean when a guy has to get out the regulations and
44 carry a tape measure and try to figure out what they're
45 trying to do to go fishing it just doesn't seem like
46 that's subsistence to me. But that's where I thought
47 about 20 inches to 55 inches. It was the proposed slot
48 limit that they're proposing to change in the book.

49
50

0061

1 It's food for thought.

2

3

4 CHAIRMAN ENCELEWSKI: My question to
5 you, Darrell, is obviously slot limits don't work in my
6 opinion because they haven't -- they're not meeting
7 their targets and they haven't really done any --
8 there's a lot of catch and release that are I think a
9 lot more targeting than what we're accounting for also.
10 But I do agree with you though, the point that, I
11 believe it was two kings or maybe three, in total. So
12 I just want people to know that.

12

13

14 MR. WILLIAMS: Yeah, I certainly agree.
15 You know it's interesting too in my report later I do
16 have some slides when we first started the Kenai River
17 fishery we were allowed the later part of a season to
18 target coho, in the first year we did that we actually
19 caught a large fresh king salmon in September. Now,
20 you know, as a user on the ground and actually
21 collecting data and looking at this and managing those
22 considerations why a fish that should have been there
23 in May was in the river in September and you guys will
24 see the slide of it, I think there's more to this. I
25 think it's not as simple as just saying let's just
26 change the rules.

26

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So, Mr. Chairman, thank you very much.

CHAIRMAN ENCELEWSKI: Any other
questions for Darrell.

(No comments)

CHAIRMAN ENCELEWSKI: Thank you,
Darrell. No other tribal comments.

(No comments)

CHAIRMAN ENCELEWSKI: Advisory group
comments. Other Regional Councils want to comment.

(No comments)

CHAIRMAN ENCELEWSKI: Fish and Game
Advisory Committee.

(No comments)

CHAIRMAN ENCELEWSKI: Subsistence

0062

1 Resource Commission.

2

3 (No comments)

4

5 CHAIRMAN ENCELEWSKI: Jessica, summary
6 of written public comments.

7

8 MS. GILL: Thank you, Mr. Chair. There
9 are no written public comments for this -- for this
10 proposal.

11

12 CHAIRMAN ENCELEWSKI: Thank you.
13 Public testimony. Anyone want a public testimony, come
14 on up.

15

16 MR. SIMON: Thank you. For the record
17 my name is Jim Simon, I'm a Consultant with the Ahtna
18 InterTribal Resource Commission and the Kuskokwim River
19 InterTribal Fish Commission and Tanana Chiefs
20 Conference but I am just testifying as myself as a
21 former Federally-qualified user from the Southcentral
22 region. I'm also a formal regional supervisory for the
23 Department of Fish and Game, Division of Subsistence,
24 where capacity I served for 14 years.

25

26 And first of all I'd like to applaud
27 the Department of Fish and Game's recognition that
28 large salmon are important for sustainable management
29 and escapement, however, I support OSM's recommendation
30 on this proposal to oppose this proposal. In short,
31 two salmon taken out of the years since this Federal
32 subsistence fishery has been in place does not
33 demonstrate a biological concern, from my point of
34 view. And I think it also speaks to the fact that
35 catching a fish and releasing a fish is generally not
36 consistent with Alaska Native ways of stewarding
37 resources, that that is called, you know, from other
38 regions that I'm more familiar with, that's playing
39 with your food, which is not appropriate respectful
40 treatment of the animals. An animal gives itself to
41 you, you use it.

42

43 I think that there -- that the State of
44 Alaska had ample opportunity to assume ANILCA
45 implementation and has chosen not to do so and I do not
46 see a biological concern associated with this fishery
47 especially given that the Federally-qualified users who
48 target salmon in this fishery are clearly avoiding
49 playing with their food and not targeting these fish.

50

0063

1 So thank you with that. Thank you.

2

3 CHAIRMAN ENCELEWSKI: Thank you for
4 your testimony there. Thank you. Any other public
5 testimony.

6

7 (No comments)

8

9 CHAIRMAN ENCELEWSKI: Okay. Regional
10 Council this is our turn, Regional Council's
11 recommendation motion to adopt to put on the table to
12 discuss.

13

14 MR. HOLSTEN: I'll make that motion to
15 adopt FP23-07.

16

17 MR. MCLAUGHLIN: Second.

18

19 CHAIRMAN ENCELEWSKI: It's been moved
20 and seconded by Andy. Any discussion.

21

22 (No comments)

23

24 CHAIRMAN ENCELEWSKI: Hearing none,
25 it's -- all in favor to put it on the table.....

26

27 MS. GILL: Mr. Chair.

28

29 MS. STICKWAN: I think we should say
30 our reasons why we want to oppose this. As I heard
31 there's no biological.....

32

33 CHAIRMAN ENCELEWSKI: Yep, go ahead.

34

35 MS. STICKWAN:reason to reduce
36 the size, there's no concern for that. So I would
37 oppose that because of that. And, you know, it'd be
38 hard for people to try and get out there and -- I don't
39 know, you know, as he said, you know, measure your
40 fish.

41

42 CHAIRMAN ENCELEWSKI: Thank you,
43 Gloria. I was just trying to get the vote to get to
44 the deliberation.

45

46 MS. STICKWAN: Oh.

47

48 CHAIRMAN ENCELEWSKI: I had a motion
49 and a second and I was just going to say if you're all

50

0064

1 in favor of it -- all in favor of it aye.

2

3

IN UNISON: Aye.

4

5

CHAIRMAN ENCELEWSKI: Okay, it's on the table now and, yeah, I take your comment, everyone -- we're all going to speak to it, yes.

6

7

8

MS. STICKWAN: Sorry.

9

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CHAIRMAN ENCELEWSKI: That's okay. We do the justification after we do the motion so now we're to the justification. Okay, Council members, it's open to anyone that wants to speak to it for their justification and Gloria just did, so we'll take that.

Anyone else want to talk to it -- go ahead, Jessica, what do you got?

MS. GILL: Thank you, Mr. Chair. I have a comment from Council Member Michael Rego. Let me just pull that up here. He can't attend the meeting today but he did send some comments in and he says:

I would like to support FP23-07 so the Federal regulations are in line with the State.

Thank you.

CHAIRMAN ENCELEWSKI: Okay. Well, anyone else want to comment on it.

(No comments)

CHAIRMAN ENCELEWSKI: Well, I'm going to comment as a Council member. I'm going to oppose this also. I know for a fact that, you know, it hasn't impacted any of the subsistence fish caught, two fish hasn't impacted the kings, there's other problems there. And I do believe very strongly in the Federal process and that we should have a preference for subsistence users. The aligning with State all the time, I think we've went over board on that, you know, we do need to provide a meaningful preference. So that's my opinion, I'm going to oppose it for those reasons. And I do not see it as a conservation concern at all, there's other problems there but this is not because of the slot limit.

0065

1 Thank you.

2

3 CHAIRMAN ENCELEWSKI: Go ahead, Diane.

4

5 MS. SELANOFF: I'm going to oppose this
6 vote also because it doesn't make any sense to fix what
7 isn't broken.

8

9 CHAIRMAN ENCELEWSKI: Michael.

10

11 MR. OPHEIM: Yeah, I'm going to oppose
12 this as well. The comments made, I think are pretty
13 clear, that there is no conservation concern and the
14 alignment isn't needed. I will be opposing it.

15

16 CHAIRMAN ENCELEWSKI: Go ahead, Andy.

17

18 MR. MCLAUGHLIN: Yeah, thank you, Mr.
19 Chair. I'm going to oppose as well. I don't find --
20 very rarely find a significant need to align Federal
21 regulations with the State. It's such a low percent
22 harvest that's basically, statistically insignificant,
23 you know, for mortality. I understand the conservation
24 concern for overall salmon but Federal-wise takes the
25 priority.

26

27 CHAIRMAN ENCELEWSKI: Anyone else.

28

29 (No comments)

30

31 CHAIRMAN ENCELEWSKI: Okay, the
32 motion's on the table to take a vote here. Now if
33 you're in favor of it, you're supporting the alignment,
34 if you're opposed you're against the alignment. Just a
35 comment I'll make.

36

37 So all those in favor signify by saying
38 aye.

39

40 (No aye votes)

41

42 CHAIRMAN ENCELEWSKI: We have one
43 Council member that called in but I don't know that he
44 votes, he's not in the quorum.

45

46 Okay.

47

48 All those opposed, aye.

49

50

0066

1 IN UNISON: Aye.

2

3 CHAIRMAN ENCELEWSKI: The motion fails.

4 Next proposal. Okay, FP23-08/09, 12. John [sic]

5 Roberts okay, you have the floor.

6

7 MR. ROBERTS: Hello, Mr. Chair.

8 Members of the Council. My name is Jason Roberts, I'm

9 a Cultural Anthropologist with OSM. And I'll be

10 presenting a summary of the analysis for Fisheries

11 Proposal 23-08, 09 and 12 and this analysis begins on

12 Page 61 of your meeting book.

13

14 This proposal was submitted separately

15 by residents of Moose Pass and so they submitted the

16 same proposal and we combined it into one analysis.

17 The proposal requests that the Federal Subsistence

18 Board recognize the customary and traditional use of

19 all fish in the Kenai Peninsula district and the waters

20 north of and including the Kenai River drainage within

21 the Kenai National Wildlife Refuge and the Chugach

22 National Forest by residents of Moose Pass.

23

24 This area of request will be described

25 as the Kenai River area in the rest of the

26 presentation.

27

28 In their request the proponents noted

29 that the Board designated Moose Pass as rural in 2021

30 and that Moose Pass subsequently received customary and

31 traditional determinations for moose, caribou and goats

32 in the same year. The proponents state that Moose Pass

33 residents rely heavily on harvest of local fish and

34 game and they would like the same customary and

35 traditional harvest opportunities afforded to residents

36 of Cooper Landing and Hope who currently have C&T for

37 all fish in the Kenai River area.

38

39 The proponents would like to be able to

40 fish under Federal regulations along the Kenai River

41 and its tributaries including the Russian River. This

42 would allow them to harvest more efficiently in

43 proximity to their community.

44

45 And so just a little bit about the

46 regulatory history. Hope and Cooper Landing have had a

47 customary and traditional use determination for all

48 fish in the Kenai River area since 2006. Ninilchik's

49 determination for all fish was adopted in 2006, then

50

0067

1 rescinded except for salmon in 2007 before being
2 reinstated for all other resident species in 2010.
3 Moose Pass received customary and traditional use
4 determinations for moose in Units 7, 15A and 15B,
5 caribou in Unit 7 and 15B, and goats in Unit 7
6 remainder and Units 15A and 15B in 2021.

7
8 So when conducting a customary and
9 traditional use determination analysis eight factors
10 are considered. You can find these eight factors
11 listed on Page 65 of your meeting book, and please keep
12 in mind these factors are not a checklist, the Board
13 makes customary and traditional use determinations
14 based on a holistic application of these eight factors
15 as well as the reports and recommendations of any
16 appropriate Regional Advisory Council. The Board makes
17 customary and traditional use determinations for the
18 sole purpose of recognizing the pool of users who
19 generally exhibit some or all of the eight factors.
20 The Board does not use such determinations for resource
21 management or restricting harvest. If a conservation
22 concern exists, the Board addresses that concern
23 through harvest limits, season restrictions or the
24 Section .804 subsistence user prioritization process,
25 not the customary and traditional use determination
26 process.

27
28 Moose Pass is located in the
29 traditional territory of the lower or outer Cook Inlet
30 Dena' on the Kenai Peninsula. It was settled during
31 mining and railway development in the early 1900s. In
32 2019 it had an estimated population of 391 people and
33 it's surrounded by Chugach National Forest. Broad use
34 of wild resources by Moose Pass residents was
35 demonstrated through public testimony given during
36 consideration of Rural Proposal 19-01. The proposal to
37 change Moose Pass' status from non-rural to rural.
38 Residents of Moose Pass expressed the importance of
39 being able to harvest salmon, trout and multiple
40 wildlife species locally while also indicating their
41 willingness to travel as far as necessary to take
42 advantage of subsistence harvest opportunities. The
43 community's use of wild resources has been demonstrated
44 by a comprehensive subsistence survey conducted by
45 ADF&G from 2000 to 2001. This study showed that 99
46 percent of surveyed households used wild foods and 92
47 percent participated in harvesting wild foods. As part
48 of their subsistence survey ADF&G mapped residents fish
49 harvest locations over the previous 10 years. The map
50

1 data show a preference for intensive local water use
2 whenever possible. This pattern of use is common for
3 subsistence harvesters and characterized by efficiency
4 of effort and cost. Salmon was the single most
5 important wild resource harvested in terms of pounds of
6 edible weight during the ADF&G study year. Salmon
7 accounted for 32 pounds per person, or 37 percent of
8 all wild foods harvested during that study year.
9 Sockeye salmon contributed the most to this harvest
10 followed by coho and chinook.

11
12 Salmon were harvested at the confluence
13 of the Kenai and Russian Rivers between Skilak and
14 Kenai Lake, including the Russian River, the Kenai,
15 Moose and Funny Rivers and the lower Kenai River. Most
16 salmon were harvested by rod and reel with sportfishing
17 being the primary opportunity available at this time in
18 the vicinity of Moose Pass.

19
20 State harvest reports for the Kenai
21 dipnet fishery located 75 miles from Moose Pass showed
22 that residents have also participated regularly in this
23 fishery over the past 10 years harvesting primarily
24 sockeye salmon with a 10 year total harvest of
25 approximately 1,700 sockeye. Rainbow trout has been
26 the most significant non-salmon freshwater fish
27 harvested by residents followed by lake trout and Dolly
28 Varden. And these species were harvested in numerous
29 small lakes and streams surrounding Moose Pass and a
30 map of these areas is located on Page 68 of your
31 meeting book. Non-salmon freshwater fish were also
32 harvested in the Kenai and Russian River and in the
33 Swanson and Moose River areas.

34
35 Looking at the effects of this
36 proposal, if these proposals are adopted residents of
37 Moose Pass would be added to the customary and
38 traditional use determination for all fish in the Kenai
39 River area. This would allow them to harvest fish
40 under Federal subsistence regulations for this area.
41 If the proposal is rejected residents of Moose Pass
42 could continue to harvest fish in the Kenai River area
43 under State personal use and sportfishing regulations.

44
45 So the OSM preliminary conclusion is to
46 support FP23-08, 09 and 12.

47
48 The justification is that Moose Pass
49 residents patterns of fishing exhibit the
50

0069

1 characteristics of customary and traditional use in the
2 Kenai River area. The Board has previously recognized
3 Moose Pass' customary and traditional uses of other
4 wild resources on portions of the Kenai Peninsula
5 including moose, caribou and goats. Use of fish by
6 Moose Pass residents within the Kenai River area has
7 been documented through community testimony related to
8 Moose Pass recent rural designation and ADF&G
9 comprehensive subsistence survey and reported harvest
10 from the Kenai River State personal use dipnet fishery.

11

12 And lastly there were no written public
13 comments submitted for this proposal.

14

15 And that ends the presentation. I'll
16 be happy to take any questions if you have any.

17

18 CHAIRMAN ENCELEWSKI: Okay, great
19 presentation. Questions. Andy, go ahead.

20

21 MR. MCLAUGHLIN: Yeah, thank you, Mr.
22 Chair.

23

24 MS. CLAUS: Mr. Chairman.

25

26 CHAIRMAN ENCELEWSKI: I got one going,
27 just a minute, Andy go ahead.

28

29 MR. MCLAUGHLIN: Yeah, quick question.
30 This just incorporates Kenai River drainage. I see on
31 the map there you got just certain things kind of
32 mapped out there or would this regulation, if
33 supported, also include Western Prince William Sound
34 anadromous streams that has silver salmon and reds and
35 other species?

36

37 MR. ROBERTS: So as the proposal is
38 written, looking to incorporate all fish in the Kenai
39 Peninsula District. And they specifically note the
40 waters north of and including the Kenai River drainage
41 within the Kenai National Wildlife Refuge and Chugach
42 National Forest so it looks just like the Kenai River
43 drainage and that area.

44

45 MR. MCLAUGHLIN: So not like Nellie
46 Juan River, Kings River, all those other tributaries
47 that have dogs and silvers into Prince William Sound?

48

49 MR. ROBERTS: I don't think so, no.

50

0070

1 MR. MCLAUGHLIN: Thank you.

2

3 CHAIRMAN ENCELEWSKI: Okay, there was
4 someone on the phone that wanted to ask a question, a
5 comment.

6

7 MS. CLAUS: Yes, sir, Mr. Chairman.
8 This is Donna, again. Early in your report you
9 mentioned something about it was rescinded years ago
10 and then redone, or something, can you elaborate that
11 for me, why was it rescinded and what was the problem
12 then?

13

14 Thank you.

15

16 MR. ROBERTS: Through the Chair. I'm
17 sorry that was just probably not necessary to mention,
18 that was actually about Ninilchik. That piece of
19 regulatory history.

20

21 MS. CLAUS: Okay, thank you. I was
22 just curious as to why it had been rescinded. Thank
23 you.

24

25 CHAIRMAN ENCELEWSKI: Okay. Anyone
26 else got questions or comments for the analysis.

27

28 (No comments)

29

30 CHAIRMAN ENCELEWSKI: Okay, we're good.
31 Okay, Orville any report on Board consultation.

32

33 MR. LIND: Mr. Chairman. Council
34 members. I will address both tribal and ANCSA
35 opportunity for consultation. During the August 23rd
36 consultation session we did not have any comments or
37 questions on that proposal.

38

39 Thank you, Mr. Chair.

40

41 CHAIRMAN ENCELEWSKI: Okay, thank you.
42 Next I have agency comments. Alaska Department of Fish
43 and Game.

44

45 MS. KEATING: Thank you, Mr. Chair.
46 For the record Jackie Keating, Division of Subsistence,
47 Alaska Department of Fish and Game. And at this point
48 the Department has not yet established a position on
49 FP23-08, 09 and 12. Thank you, Mr. Chair.

50

0071

1 CHAIRMAN ENCELEWSKI: No position,
2 that's interesting, okay, thank you. Uh. Okay.
3 Federal agencies. Anyone.

4
5 (No comments)

6
7 CHAIRMAN ENCELEWSKI: Tribal entities.
8 Native tribal. Darrell, do you want to speak to it.

9
10 MR. WILLIAMS: Mr. Chairman. Members
11 of the Board. For the record my name is Darrell
12 Williams, I work for Ninilchik Traditional Council.

13
14 You know this is an interesting
15 proposal. I've read a lot and I've kind of gone back
16 and forth on the process. And I guess there's a lot
17 about Ninilchik in that proposal, the person who asked
18 the question about things being rescinded, and it's
19 been a bumpy process going through and trying to
20 establish a C&T in any given area and I remember when
21 we were working with Moose Pass stuff and Southcentral
22 stuff and we were talking about how big those areas
23 should be and how that should work; I think there'll be
24 questions about that. It's always confusing because
25 when I read the proposals and stuff, one of the common
26 things I tend to see a lot is access by the road
27 system, right. Well, you got to remember subsistence
28 isn't based on the road systems, subsistence was based
29 on the land claims that happened when Alaska became a
30 state. And nobody was thinking about how subsistence
31 would work back then, they were all grabbing land. BLM
32 wanted their land, the Refuge wanted their land, the
33 National Forest wanted their land, right, everybody was
34 trying to get their property. So it does weigh on how
35 big this becomes.

36
37 When we did our C&T for brown bear, oh,
38 man, probably 2006, it was a long time ago. At any
39 rate, we had real strong information that showed
40 support in Kodiak where people would go when they were
41 fishing and they would harvest things in Kodiak, and
42 Greg may recall -- and they were going to give us a C&T
43 in Kodiak for Ninilchik and even we were like, guys,
44 that's too far, you know, we weren't real sure how to
45 be able to handle that. I guess, you know, I mean I
46 certainly understand the C&T process and support and
47 it's the first step in determining subsistence, I guess
48 -- I think there's going to be some more questions
49 about how things will work out past that because
50

0072

1 Federal waters are limited. You know when you get so
2 far -- I mean that's why we go and fish on the Kasilof
3 and the Kenai because that's where the Federal waters
4 are at. So I'm not sure how that'll work out.

5

6 And I have -- I mean we've had some
7 discussions and there's some pause about it. So it's
8 to your guys' discretion but just, you know, those are
9 the concerns that we've had, some things that we've
10 explored about how that process will work long-term.

11

12 Mr. Chairman, thank you.

13

14 CHAIRMAN ENCELEWSKI: Yeah, thank you,
15 Darrell. I think that kind of addresses the question
16 Andy had earlier, how much it encompasses. C&T, I
17 don't think's the problem but it's just how it all
18 works out. So anyway any other questions for Darrell
19 or comments. Go ahead, Gloria.

20

21 MS. STICKWAN: So you're saying because
22 it's Federal waters and it's limited whereas land is
23 different, is that kind of what you're alluding to?

24

25 MR. WILLIAMS: Yes. Mr. Chairman. Ms.
26 Stickwan. That's exactly it. So the Kenai River, for
27 example, the Federal waters are Moose Range Meadows,
28 there's about five miles of Federal waters there, and
29 then there is -- oh, gosh, it's about another five
30 miles of Federal waters that's just below Skilak Lake,
31 the confluence of Skilak Lake down. There are Federal
32 waters within Skilak Lake. The lake itself. But
33 really that's the limits of where the Federal waters
34 are on the Kenai River so we're only talking about 10
35 miles of river in some of the lake. And I will say,
36 because we had this discussion when we were
37 establishing our C&T and our methods and means and bag
38 limits on the Kenai River, that area below Skilak Lake,
39 that five mile stretch below Skilak Lake, guys I have
40 to say that is true valuable spawning habitat, that's
41 why we didn't want to fish there. You know we wanted
42 to fish down by Moose Range Meadows because it doesn't
43 have those fine silt rocky bedding type material,
44 substraits in the river, you know, and that's something
45 that I think is going to come up in discussion. So I
46 think those areas are going to get used and how this is
47 going to work out I'm not sure.

48

49 But I do think there's going to be some

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1 limits because of that, because of the actual value of
2 the habitat. It's also the Swan rearing area or
3 something like that, that's essentially below Skilak
4 Lake so, you know, I'm not sure what everybody has in
5 mind, you know, in terms of a fishery but I think
6 there'll be some more discussions about it.

7

8 Mr. Chairman, thank you.

9

10 MS. STICKWAN: So I didn't really hear
11 a position you had on the proposal, it is up to us and
12 so I'm just kind of curious about that.

13

14 MR. WILLIAMS: My position, and I may
15 have to take my NTC hat off on this, I'm not sure if I
16 should represent the tribe in this capacity but I'd
17 like to see more work done and define some of those
18 things before a proposal like that is passed. You know
19 I hate to say this, don't vote it up, don't vote it
20 down, because I mean that's always been the good
21 process is to be able to vote it up or down and then
22 you can move forward. So somebody who's putting the
23 proposal forward can move on to the next step. But I
24 do think that there's some big questions about that.
25 When I went through it and read things, I wasn't sure
26 about how it would work. You know I saw an awful lot
27 of modeling after Ninilchik's model, and that's fine,
28 but I'm not sure if they worked on their model, and
29 that's where I have a question.

30

31 My personal opinion would be I'd defer
32 this until some of these questions were answered
33 because I can see some real problems in picking sites
34 and how that would work out.

35

36 Does that answer your question, Ms.
37 Stickwan.

38

39 MS. STICKWAN: It just makes me think
40 of more questions.

41

42 MR. WILLIAMS: Oh, no, sorry.

43

44 (Laughter)

45

46 MS. STICKWAN: No, I'm just wondering
47 because they probably don't have documentation just
48 Kenai didn't in the beginning because the way things
49 were done and it was closed, right.

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1 MR. WILLIAMS: Right. Yeah.

2

3 MS. STICKWAN: And so documentation may
4 be a problem for everybody on the Kenai.

5

6 MR. WILLIAMS: Yes. Mr. Chairman. Ms.
7 Stickwan. Yeah, you know, it's interesting, I like the
8 model they used because it's the same model that we had
9 used but I will say that that duration's not there.
10 You know it's been interesting here the last few years
11 of reading subsistence proposals, the timeframes have
12 seemed to getting smaller. You know we talk about a
13 long-term pattern of use, we were able to show 40
14 years, I mean we long depth in our data and it was just
15 a community thing that we did. So I can certainly
16 understand trying to put everything together and
17 establish a working model but I'm -- you know it kind
18 of goes back to my concern, I'm wondering if they're
19 worried about making that work, you know, it's always
20 stressful to get C&T established so you're working on
21 that working model and you're trying to jump through
22 the hoops and make it all work but then you forget
23 about planning on how your stuff's going to work, where
24 am I going to fish, how are we going to fish, how do
25 those fish get distributed, what kind of gear are we
26 going to use. You know, I mean we started with we
27 wanted to use nets because contrary to popular belief
28 and some of the references that's in these proposals is
29 basically crazy. When I was a boy nets were used in
30 the Kenai River. I lived on Funny River, my mother
31 still lives on the Funny River so we used to catch fish
32 with nets. And so it always makes me crazy because you
33 read all this stuff, no net was ever used in the Kenai
34 River until Ninilchik did it and, you know, I mean
35 there's things that get missed in that. And I guess
36 that's why I'm a little concerned because I think,
37 yeah, if you're so busy trying to plan how to get
38 through the process you might forget how you're going
39 to do this yourself.

40

41 Yeah, I'm not sure, I -- when I read it
42 I don't see it so I'm not sure if they've thought about
43 it. Maybe they have. But I think it would be some
44 good questions to ask.

45

46 Sorry, don't mean to take up so much
47 time.

48

49 Thank you.

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1 CHAIRMAN ENCELEWSKI: Thank you,
2 Darrell. Did that answer kind of.

3
4 MS. STICKWAN: yes.

5
6 CHAIRMAN ENCELEWSKI: Any other
7 questions.

8
9 (No comments)

10
11 CHAIRMAN ENCELEWSKI: Thank you,
12 Darrell. Okay. Advisory group comments. Is there any
13 other Regional Councils.

14
15 (No comments)

16
17 CHAIRMAN ENCELEWSKI: Fish and Game
18 Advisory Council.

19
20 (No comments)

21
22 CHAIRMAN ENCELEWSKI: Subsistence
23 Resource Commission. Anyone.

24
25 (No comments)

26
27 CHAIRMAN ENCELEWSKI: Jessica, how
28 about a summary of written public comments.

29
30 MS. GILL: Thank you, Mr. Chair. There
31 are no written public comments for this proposal.

32
33 CHAIRMAN ENCELEWSKI: Did Michael have
34 a comment on that one, no?

35
36 MS. GILL: Oh, he does, yes, sorry. I
37 -- I could put that in now. So Michael Rego, our
38 Council member who can't be here today, he said that he
39 would support FP23-08, 09, 12, this area, and C&T use
40 history.

41
42 CHAIRMAN ENCELEWSKI: Thank you. Any
43 public testimony to this C&T.

44
45 (No comments)

46
47 CHAIRMAN ENCELEWSKI: I'll just make a
48 comment on public testimony. You know C&T used to be,
49 and I'm an old timer here and things change, but when
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1 we had to go for public testimony, I mean the whole
2 town had to come and they had to defend it and they had
3 to testify why they had it and it was a large process
4 for C&T. And I remember my old predecessor, Ralph
5 Lohse, he said if people want to talk to it they better
6 show up. So I like that. Would you like to speak,
7 Karen, go ahead.

8

9 MS. LINNELL: Thank you, Mr. Chair.
10 Karen Linnell for the record and I'm speaking on my own
11 behalf. I think that the process is getting kind of
12 watered down. The evidence of customary and
13 traditional use needs to be documented as Member
14 Stickwan said. And using another community as an
15 example for their customary and traditional uses isn't
16 providing their own customary and traditional use. The
17 same thing is happening with a new community claiming
18 customary and traditional use of the Copper River,
19 which is a proposal that might be coming before you. I
20 know it came up before the Wrangell-St. Elias. It
21 didn't exist prior to ANILCA. It didn't exist prior to
22 ANCSA. It just happened in the last five to 10 years
23 where people bought some land and are starting to build
24 homes, somebody subdivided a piece of land there and so
25 now they're claiming customary and traditional use when
26 they didn't have it. And so to me it's show your own
27 customary and traditional uses, have documentation how
28 you used it. The methods and means that Darrell spoke
29 to, I think are an important part to proving your
30 customary and traditional use.

31

32 I understand that, you know, we're
33 trying to protect the rights of rural residents and
34 provide for subsistence uses but they need to provide
35 their own information and their own uses.

36

37 So that's all I have to say to this. I
38 feel that the process has gotten watered down a lot.
39 The struggles that Ninilchik went through and the
40 attorneys at the court cases and things like that to
41 get that little bit that they got, you know, that's not
42 happening anymore, and it's like check, check, let's
43 just sign off on this and move it forward and I don't
44 feel that that process is being done. So I appreciate,
45 again, your time and the opportunity to speak.

46

47 Thank you.

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49 CHAIRMAN ENCELEWSKI: Thank you, Karen.

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1 You had something, go ahead.

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MR. SIMON: Thank you members of the Council and Staff. For the record my name is Jim Simon and I'm just speaking on my own personal behalf.

I think that the current Federal Subsistence Board's policy of making as broad as possible of customary and traditional use determinations is why we're seeing so many of these proposals for communities that don't really have to go through the same struggles of documentation that's already been mentioned, that many Alaska Native communities have had to do, and it's concerning to me because of ANILCA, Section .801, and what Section .801 outlines as the concerns and the threats to what's now rural subsistence uses. You know there's so many new Federal Staff, you know, new to the state and stuff so forgive me for putting my professor hat on but I am an adjunct faculty with the University of Alaska-Fairbanks Tribal Governance Program.

The Statehood Act happened, you know, with a promise with Alaska Native hunting and fishing rights would be protected. Then ANCSA happened and extinguished aboriginal hunting and fishing rights with a promise that Alaska Native hunting and fishing rights would be protected. Then ANILCA happened, which was an attempt to provide for those Alaska Native hunting and fishing rights protections and at the last minute in Washington, D.C., it was changed to a rural Alaska resident priority with a promise that Alaska Native hunting and fishing rights would be protected and Alaska Federally-recognized tribes are still waiting for those promises to be delivered upon. ANILCA, Section .801 outlines the threats to Alaska Native, you know, and rural hunting and fishing rights from an increase in human population, from a decrease in available fish and wildlife resources. And I think the Federal -- since we have a Federal Subsistence Board member in the room I think the Federal Subsistence Board needs to re -- at least discuss their policy of making broad customary and traditional use determinations because I feel that as a member of the public who's testified before me said, you know, these communities that -- some didn't even exist when these laws were put into place, the Federal Subsistence Management Program is actually starting to trample on some of the points laid out in ANILCA, Section .801 of

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1 why ANILCA exists.

2

3

4 I don't have a position for or against
5 this particular proposal but during the course of this
6 meeting you're going to see a number of other efforts
7 to expand customary and traditional use determinations
8 for people who have more recently moved to rural areas
9 and I don't believe that there are the same tribal
10 values and stewardship principles that Darrell spoke to
11 about not just trying to maximize the Federal waters
12 where Ninilchik tribal citizens could, and other rural
13 residents could fish, because they actually wanted to
14 protect that spawning area and where those swans breed
15 and that's what we're talking about with Alaska Native
16 and tribal stewardship principles, which I don't think
17 some of these other communities, such as my own, non-
18 Native family from the Copper Basin fully embrace and
19 think about when trying to exert Federal opportunities
20 for hunting and fishing.

20

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Thank you.

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CHAIRMAN ENCELEWSKI: Appreciate that,
that was a good talk. You want to do some public
testimony, too, go ahead.

MS. LAVINE: Thank you, Mr. Chair.
Members of the Council. And I apologize I might be out
of sequence. This is Robbin LaVine, Subsistence Policy
Coordinator with the Office of Subsistence Management.
And I'd just like to provide some information.

I recognize so many of us are new, I'm
relatively new in my current position. When I first
came on at the Federal -- with the Office of
Subsistence Management I believe the Board and all the
Councils were wrapping up a review of C&T and other
processes that came out of the 2009 Secretarial Review
of the Federal Subsistence Management Program. You may
recall, some of you may recall that you revisited these
processes and at that time there was guidance by the
Councils to interpret customary and traditional uses in
this broad and inclusive way and then to use other
tools within the Program, such as closures, closures
occurring when first closing to non-subsistence uses
when there are -- there's a decrease in availability of
a resource. Further, if there are wildlife populations
insufficient to sustain all subsistence uses, at that
time then available resources are apportioned among

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1 subsistence uses according to their customary and
2 direct dependence upon population as a mainstay of
3 their livelihoods according to local residency and
4 according to the availability of alternate resources
5 for the Federally-qualified subsistence users.

6
7 So basically I want to remind us that
8 at that time and after review of customary and
9 traditional use determination process, there was
10 support from the Councils and the Board at that time
11 for this inclusive recognition of how we identify
12 Federally-qualified subsistence users and that we use
13 closures and then the .804 analysis, which is a
14 prioritization among Federally-qualified subsistence
15 users when needed. When we need to restrict
16 subsistence opportunity, not just closed to non-
17 subsistence users. So it's a step down process.

18
19 So I just wanted to put that
20 information out there. It may be that your Council and
21 others want to look at that process again as things
22 change over time.

23
24 If you direct Staff, we can kind of
25 review exactly, go back again -- I should review
26 myself, you know, what the process was for that
27 guidance to the Board, and the Federal Subsistence
28 Management Program about how we inclusively recognize
29 customary and traditional uses.

30
31 Thank you, Mr. Chair.

32
33 CHAIRMAN ENCELEWSKI: Thank you. Go
34 ahead, Gloria.

35
36 MS. STICKWAN: I think it would be good
37 for us to review the C&T process.

38
39 CHAIRMAN ENCELEWSKI: Uh-huh.

40
41 MS. STICKWAN: Because I do remember
42 that it was brought up through the Secretary, that
43 changes were made and for new members to learn this
44 process and for us, too, because, you know, I forgot
45 about it, but I do know there was a process -- it was
46 changed and it'd be good for a review.

47
48 CHAIRMAN ENCELEWSKI: I agree it would
49 be good for a review. I think we're getting a little
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1 off course here, Robbin, so let's try and -- we're
2 going through the process of the proposal. But I agree
3 it should be reviewed as far as using closures and, you
4 know, .804 analysis, that doesn't work necessarily, you
5 know once you give the C&T in an area. But anyway I do
6 think that when we discussed it, you know, we might
7 have wanted to be broad and inclusive but we wanted
8 them to prove their C&T very explicitly and wanted them
9 to testify for it and I think we're getting some of
10 that, and some we're not, so I think that's where the
11 confusion comes and we're getting into new areas.

12

13 Anyway, thank you, we'll keep moving.
14 Okay, go ahead.

15

16 MS. LAVINE: Just a quick plug. When
17 we had the All Council meeting I know there were a
18 number of different sessions that provided in-depth
19 review and discussion on these particular processes, I
20 hope we get a chance to do that again.

21

22 Thank you, Mr. Chair.

23

24 CHAIRMAN ENCELEWSKI: I just want to
25 remind you, you need to recall how long ago that was.

26

27 (Laughter)

28

29 CHAIRMAN ENCELEWSKI: So a lot of
30 people need this information.

31

32 Alrighty, any other public testimony.

33

34 (No comments)

35

36 CHAIRMAN ENCELEWSKI: Okay, Regional
37 Council, we're.....

38

39 MS. GILL: Mr. Chair.

40

41 CHAIRMAN ENCELEWSKI:ready to put
42 it on.....

43

44 MS. GILL: Sorry. I just have like a
45 procedural suggestion for this proposal.

46

47 CHAIRMAN ENCELEWSKI: Okay, go ahead.

48

49 MS. GILL: So I propose that we -- that

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1 you -- that the Council take action on Proposal 8 and
2 take no action on Proposal 9 and 12 because they are
3 the same, the same proposal, and Proposal FP23-08
4 encompasses more of the substantive information. Just
5 a procedural suggestion, take it or leave it.

6
7 CHAIRMAN ENCELEWSKI: Okay, you
8 confused me because I've got 8 and 9 together. So
9 you're saying you want to do 8 and not 9?

10
11 MS. GILL: That's right. And so the --
12 I suggest that the Council take action on FP23-08 and
13 take no action on FP23-09 and 0 -- and 12.

14
15 CHAIRMAN ENCELEWSKI: Does the Council
16 understand that and.....

17
18 MS. STICKWAN: No, I don't understand.

19
20 CHAIRMAN ENCELEWSKI: You better
21 explain this a little bit better -- you want to explain
22 this to us Scott, okay.

23
24 MR. AYERS: Mr. Chair, that would be
25 great. We have three proposals before you at the same
26 time and there is overlap with all three proposals
27 which is why we combined them into one. The proposal
28 that's the most substantive and covers the full extent
29 of the request is Proposal No. 8. And what we're
30 asking or suggesting is to take action on Proposal 8
31 and then to take no action on 9 and 12 based on the
32 action you took on 8. So effectively it just covers --
33 it's administratively covering those other two
34 proposals at the same time.

35
36 CHAIRMAN ENCELEWSKI: Okay. Is
37 everyone okay with that.

38
39 (Council nods affirmatively)

40
41 CHAIRMAN ENCELEWSKI: We got that.

42
43 (Council nods affirmatively)

44
45 CHAIRMAN ENCELEWSKI: Okay, thanks, I
46 think we got it cleared up a little. All right. Okay,
47 then I will entertain a motion here to adopt 8.

48
49 MR. HOLSTEN: I'll make a motion that
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1 we.....

2

3 MS. CLAUS: Mr. Chairman, this is
4 Donna.

5

6 CHAIRMAN ENCELEWSKI: Yeah, we got --
7 Donna, hold on one second, I got Ed making a motion.
8 go ahead.

9

10 MR. HOLSTEN: I'll make the motion that
11 we adopt FP23-08 and disregard 09 and 12.

12

13 CHAIRMAN ENCELEWSKI: Thank you. Is
14 there a second to that.

15

16 MR. OPHEIM: I'll second.

17

18 MS. CLAUS: I second it. This is the
19 second, Donna.

20

21 CHAIRMAN ENCELEWSKI: Okay.

22

23 MR. OPHEIM: That's fine.

24

25 CHAIRMAN ENCELEWSKI: That's fine.
26 Donna, you seconded it. Did you have something else
27 you wanted to get in there before we made that motion
28 and we were in the middle of.....

29

30 MS. CLAUS: No.

31

32 CHAIRMAN ENCELEWSKI: Okay. It's been
33 moved and.....

34

35 MS. CLAUS: No, I was just going to make
36 the same motion.

37

38 CHAIRMAN ENCELEWSKI: Okay, I kind of
39 thought so. Okay, yeah, it's a little hard, you don't
40 hear us when we're starting to talk here but that's all
41 good, it's all good. So we got a motion on the floor,
42 we got it moved and seconded, all in favor aye.

43

44 IN UNISON: Aye.

45

46 CHAIRMAN ENCELEWSKI: Any object to it,
47 we're going.....

48

49 MS. CLAUS: Aye.

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1 CHAIRMAN ENCELEWSKI: to take it
2 up then. Okay, it's on the table. Discussion and
3 justification. If the Council members want to address
4 their thoughts on it I'll open it up now, go ahead, Ed.

5
6 MR. HOLSTEN: Yeah, just a quick
7 comment. I don't think this proposal -- well, I'm
8 going to vote for this proposal. I don't think
9 there'll be -- for Moose Pass, I don't think there'll
10 be much of an impact on the Kenai River fisheries.
11 Where they'll impact maybe and probably will be on
12 Russian River dipnet. And as most of you folks know or
13 may not know, Cooper Landing has subsistence rights
14 dipnet fishery, Russian River, Ninilchik can
15 participate in that, Hope could participate in that and
16 now Moose Pass, if this is passed, will participate in
17 that. But for my own experience, because I go up there
18 a number of times, up at the Falls to dipnet, there's
19 very few people from Ninilchik, very few actually from
20 Hope, and I suspect there'll be some folks from Moose
21 Pass, and one of the reasons is you have to drive the
22 Russian River but then you've got a five mile
23 roundtrip, so it's 2.5 miles up the Falls, then climb
24 on down, dipnet, then you got to pack everything back
25 out for 2.5 miles and that eliminates a lot of the use.
26 So I don't think it's going to be a big impact on the
27 fisheries.

28
29 That's it.

30
31 CHAIRMAN ENCELEWSKI: Anyone else want
32 to comment. Go ahead, Michael.

33
34 MR. OPHEIM: Yeah, I'm going to support
35 this. I do like seeing Moose Pass continue to move
36 forward with their C&T, you know, in all areas and I
37 don't think they'll have much impact. It would be
38 great if they were here in person to talk to this, I
39 think that would be going a long way in showing that
40 they were in support of it through the community, but,
41 yeah, I think it'll be good.

42
43 CHAIRMAN ENCELEWSKI: Okay. Diane, go
44 ahead.

45
46 MS. SELANOFF: I'm actually a little
47 bit conflicted because it's -- I think fishing is a
48 huge part of our subsistence and our diet but it seems
49 to be going from Moose Pass all the way down to the
50

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1 Kenai drainage, it just -- it doesn't make sense. You
2 know, maybe it would if it were along the fish path
3 that were going through their area, but it's like
4 they're backtracking. And I do know the villages of
5 like Nanwalek and Port Graham are also accessing fish
6 that ultimately end up at the Kenai drainage. And like
7 I said I'm extremely conflicted because I think fish is
8 a huge part of subsistence, but it seems that -- when
9 it's in reference to all fish, currently we're talking
10 about salmon, but is this also going to provide access
11 to saltwater fish and they're primarily in a freshwater
12 area. So I guess I still have a lot of questions and I
13 am still a little bit conflicted about how to vote on
14 this because it seems like there's a huge strain, you
15 know, on that area.

16

17 Thank you.

18

19 CHAIRMAN ENCELEWSKI: Thank you. Go
20 ahead, Angela.

21

22 MS. TOTEMOFF: Thank you, Mr. Chair.
23 I'm also conflicted as well. I think I'm going to
24 oppose this, not because I want to limit the access to
25 fish or any sort of subsistence from the community of
26 Moose Pass, and I want to make that clear. I want them
27 all to be able to access this. But what I fear,
28 though, is setting a precedent for watering down that
29 C&T process. There was concerns about, you know, maybe
30 we need to address that again, and we talked about
31 going through that process, getting familiarized with
32 that process. I'm not familiar with it and I haven't
33 seen -- not that I don't know that Moose Pass is, I'm
34 pretty sure that they are, but I just feel like for me
35 it would be helpful to go through -- to understand that
36 process and to know that other communities are going
37 through that. And opposing this, not for -- not to
38 limit the community members accesses but to reestablish
39 a clear precedent that we want communities to clearly
40 define that and justify their C&T usage.

41

42 So I think for that reason I will
43 oppose until we have more information on the C&T
44 process.

45

46 CHAIRMAN ENCELEWSKI: Thank you,
47 Angela. Go ahead, Dennis.

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49 MS. CLAUS: Mr. Chairman, this is

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1 Donna.

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REPORTER: Okay, hold on Donna, someone else is going first.

MR. ZADRA: So I just want to be clear on this, when we recommended Moose Pass to be designated rural, that was because we felt that they met the C&T process, is that correct?

CHAIRMAN ENCELEWSKI: I believe that was correct but I have a little bit different understanding, it was mostly for game that they were going for at the time, that was a little different. And that's where you justify your different usage under C&T. So if they want C&T for all, I don't -- I don't know, but that's where we were.

MR. ZADRA: Okay. And I was new to the Council then and so I'm just trying to learn. Yeah, I am somewhat conflicted on this, too, because it's like where does it stop, you know, and so they've got positive C&T for game but not for fish.

CHAIRMAN ENCELEWSKI: That's my understanding, yes. Yes, that's the case.

MR. ZADRA: Okay. And then I would defer to Ed because he lives there and he knows what's going on and so anyway that's -- I'm just trying to wrap my mind around this and appreciate the discussion.

CHAIRMAN ENCELEWSKI: Go ahead, Gloria.

MS. STICKWAN: They probably said it already but what's the population of Moose Pass?

CHAIRMAN ENCELEWSKI: I think 380-something.

MR. HOLSTEN: I think 300, or something like that.

CHAIRMAN ENCELEWSKI: 387 I seem to recall but I may be wrong, I might be off a few.

MS. SELANOFF: We'd know if they were here.

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1 CHAIRMAN ENCELEWSKI: Yeah, we would
2 know if they were here.

3
4 MS. SELANOFF: Mr. Chair. With a
5 population of 387, what is the Native population of
6 that area, does anybody know.

7
8 CHAIRMAN ENCELEWSKI: It's all rural.

9
10 REPORTER: Did you want to go to Donna.

11
12 CHAIRMAN ENCELEWSKI: Okay, online, was
13 that Donna, you wanted to speak, go ahead.

14
15 MS. CLAUS: Yes, thank you, Mr.
16 Chairman. I concur with the statement about how it --
17 she was talking about how the -- she wasn't against
18 them but she wanted to know more about how to do this.
19 And I just wanted to give a little bit -- something
20 that happened to me. On the first meeting I was at, I
21 think we gave C&T to Moose Pass for the animals, I
22 think that was my first meeting or my second, and I had
23 no idea how it -- how to do that. And then after that
24 meeting I happened to run into somebody who was on the
25 original -- one of the original people who did -- who
26 put ANILCA together, they came as a guest to my lodge
27 and I was telling them about what we'd just done, and
28 he said well have you guys done it legally and did you
29 follow all the steps that we set up. And that was a
30 big question to me and, that, I think, is what our
31 question is, are we doing it according to the rules.
32 Not that I want them, in Moose Pass, not to have it,
33 I'm not saying that at all, I'm just saying are we
34 following the rules because if we don't follow the
35 rules then in the end bad things can happen.

36
37 That's it, thank you.

38
39 CHAIRMAN ENCELEWSKI: Okay, thank you.
40 I think we're on the rules, but we're good there, but
41 we're conflicted for sure. Anyone else want to talk.
42 Go ahead, Andy.

43
44 MR. MCLAUGHLIN: Yeah, thank you, Mr.
45 Chair. I could just say I'm on the fence about this
46 but I believe I'm going to support it. It's very
47 apparent my support would be, because it's the Cook
48 Inlet area, is this Kenai drainage, you know, that's
49 kind of their neck of the woods and a very small
50

0087

1 percent of any type of take, so I'm going to support.

2

3 CHAIRMAN ENCELEWSKI: Anyone else. Go
4 ahead, Hope.

5

6 MS. ROBERTS: I was also conflicted
7 with this proposal. But with the testimony here by
8 people that live in the area from the Native tribes and
9 the discussion about watering down what C&T is I'm
10 opposed to moving forward with this.

11

12 CHAIRMAN ENCELEWSKI: Okay. Gloria.

13

14 MS. STICKWAN: I just want to say our
15 area took a -- when C&T was done in our area and it was
16 inclusive. It was community after community got C&T,
17 you know, impacted our area a lot and still is. I'm
18 conflicted about this because, you know, we gave them
19 C&T for moose and caribou, like him, I'm -- you know we
20 did that based on their use and then fisheries, you
21 know, they say that we could do the -- it sounds like
22 we're saying -- there's a potential conflict because of
23 the shortages of fish. I mean it's a small river, you
24 know, and that's why we need to do this anticipated
25 needs. We need to get out there and say, we need this
26 fish, we need this amount and for the Federal to start
27 acting on it, doing something.

28

29 We need to say what we need and put it
30 on record.

31

32 And this customary and traditional use
33 problem may not -- you know, to me, I'm conflicted
34 because I don't want to say no to them because we gave
35 them C&T for moose and caribou -- I mean moose, and I
36 know the system is, are they ever going to go through
37 Section .804, no, they're not going to do that, they
38 never have, and are they going to do it in the future,
39 I don't know. I mean it would have to be a severe
40 shortage before they'd go through that process so, you
41 know, I really feel conflicted but, you know, I think
42 that we gave them C&T and we should give them C&T now
43 and I -- you know it's not just this area it's Copper
44 River area that's been through this process and we've
45 got a lot of communities in there that were granted C&T
46 without any -- hardly any documentation, I mean we were
47 hit heavy with that but it all passed and now it's
48 almost like it's too late to even go back to C&T and do
49 the process because most of these areas are already

50

0088

1 done, especially for our area. Are there other areas
2 that are off the road system, they still have the
3 opportunity probably to go through C&T but for us on
4 the road system it hit us, so I feel conflicted but I'm
5 going to say yes to Moose Pass because we did grant
6 them for moose.

7

8 CHAIRMAN ENCELEWSKI: Anyone else. Go
9 ahead, Ed.

10

11 MR. HOLSTEN: Just to reiterate, I'm
12 for this proposal and I think there's two issues going
13 on. I think the proposal should stand, mainly because
14 OSM went through the C&T process, as it is currently
15 determined. Now, there may be a bigger issue, which
16 seems like is coming up here, maybe the determination
17 of C&T down the road needs to be tightened up, but I --
18 and that's probably -- to me, that's a valid point to
19 be taken, but I don't think that should be reflected on
20 Moose Pass.

21

22 CHAIRMAN ENCELEWSKI: Okay, Ed, you're
23 going to force me to talk too.

24

25 (Laughter)

26

27 CHAIRMAN ENCELEWSKI: I'm going to give
28 my comment now. Okay. I have no problem with them
29 having the C&T and they have C&T on game. C&T to me is
30 individual for various usage and fish is totally
31 different, and I think that the opportunity for them to
32 come before and make that case would have been greatly
33 appreciated and, really, I don't know the historical
34 C&T, I did know it on game because that was very well
35 identified and we went through it in great detail and
36 they showed that they had a use for moose and so on and
37 so forth and they used that. I don't know what fish
38 they use there, I really don't. I honestly have no
39 clue. If the OSM says it, OSM has been including --
40 and nothing against OSM but they have been including
41 every community, they wanted to make the Russian
42 Village and everyone else C&T too, so there's got to be
43 a revision of how we look at that and how we understand
44 that C&T and I think those people should really make a
45 case. And I'm not saying, you know, bygones are
46 bygones, I have no problem with them taking some fish,
47 I think there's plenty there under the Federal -- every
48 Federal user should get it. So I'm conflicted also and
49 I'd probably vote to support it, but in the future I
50

0089

1 sure would be hesitant to do that.

2

3 Anyway, that said, I just want to kind
4 of throw it out there, you know, when most of these
5 communities, and I believe even, Gloria, you had it in
6 yours, I know we had it in ours, when we did C&T we did
7 not get C&T for everything. We got C&T for one moose,
8 and then we had to fight, then we had to get it for the
9 bear, and then we had to get it for the fish, and then
10 we had to get it for the species of the doggone fish;
11 you didn't get it for everything, you got it for the
12 dang coho, then you got it for this one, we tried to
13 tell them, we're opportunists we've fished all our
14 lives, we throw the dam net in the water and we catch
15 our fish and we take what we eat and we share it and
16 that's it, you know, but we fought for everything and
17 that -- I'm not here to justify that fight, but there
18 is a process that's kind of gotten disconnected here on
19 the C&T. This broad C&T, pretty soon we have C&T for
20 everyone. We don't have enough fish, we got a real
21 problem, and if they're truly needing of it, and
22 deserving of it they should have it, and maybe we ought
23 to restrict some of the other users, the commercial,
24 some of the other users.

25

26 So anyway I talked enough.

27

28 But that's it, how am I going to vote,
29 I don't know, but I'll vote and in a tie I'll take care
30 of it.

31

32 Okay. Anyone else want to comment on
33 it.

34

35 (No comments)

36

37 CHAIRMAN ENCELEWSKI: But you see the
38 C&T's got a long history here and it's a lot more in-
39 depth than you think so I just had to throw that out
40 there. Anyone else want to comment.

41

42 (No comments)

43

44 CHAIRMAN ENCELEWSKI: Okay. With that
45 said, we got a motion.....

46

47 MS. STICKWAN: I call for a roll vote.

48

49 CHAIRMAN ENCELEWSKI: We call for a

50

0090

1 roll vote, okay. Jessica, that means you, and I'm
2 always last, just so you know.

3

4 MS. GILL: All right, thank you.

5

6 CHAIRMAN ENCELEWSKI: Thank you.

7

8 MS. GILL: Thank you, Mr. Chair. All
9 right, so roll call vote for FP23-08.

10

11 Ed Holsten.

12

13 MR. HOLSTEN: Yes.

14

15 MS. GILL: Michael Opheim.

16

17 MR. OPHEIM: Support.

18

19 MS. GILL: Diane Selanoff.

20

21 MS. SELANOFF: Nay.

22

23 MS. GILL: Dennis Zadra.

24

25 MR. ZADRA: Support.

26

27 MS. GILL: Gloria Stickwan.

28

29 MS. STICKWAN: Yes.

30

31 MS. GILL: Angela Totemoff.

32

33 MS. TOTEMOFF: No.

34

35 MS. GILL: Donna Claus, on the phone.

36

37 MS. CLAUS: Oppose.

38

39 MS. GILL: Andy McLaughlin.

40

41 MR. MCLAUGHLIN: Aye.

42

43 MS. GILL: Hope Roberts.

44

45 MS. ROBERTS: No.

46

47 MS. GILL: I don't -- is Heath Kocan on
48 the phone.

49

50

0091

1 (No comments)

2

3 MS. GILL: Okay. Or Donna Wilson on
4 the phone.

5

6 MS. WILSON: I oppose.

7

8 MS. GILL: Was that Donna?

9

10 MS. WILSON: Yes, it was, I oppose.

11

12 MS. GILL: Thank you.

13

14 All right. And Greg Encelewski.

15

16 CHAIRMAN ENCELEWSKI: You put me in a
17 very fine position, if I oppose it then we are
18 deadlocked and it doesn't pass and if I support it then
19 they get it. How's that a position to be in, uh.

20

21 MS. STICKWAN: Rego voted yes.

22

23 CHAIRMAN ENCELEWSKI: What?

24

25 MS. STICKWAN: Rego voted yes and
26 he's.....

27

28 CHAIRMAN ENCELEWSKI: He can't vote.

29

30 MS. STICKWAN: Oh, that's right.

31

32 CHAIRMAN ENCELEWSKI: I'm going to
33 support my neighbors and say C&T so I'll vote yes.

34

35 MS. GILL: Great, thank you. Motion
36 passes, I guess.

37

38 CHAIRMAN ENCELEWSKI: Okay. I think we
39 deserve lunch.

40

41 (Laughter)

42

43 CHAIRMAN ENCELEWSKI: Now, it's almost
44 a quarter to 1:00 so I would think we'll come back at
45 2:00, does that sound fair to everyone.

46

47 (Council nods affirmatively)

48

49 CHAIRMAN ENCELEWSKI: 2:00 o'clock,

50

0092

1 enjoy your lunch.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN ENCELEWSKI: We're going to go
8 ahead and get started back on the meeting.

9

10 (Pause)

11

12 CHAIRMAN ENCELEWSKI: We left off and
13 we were at the next proposal, FP23-19, rescind lower
14 Copper River fishery, I assume you're going to give us
15 the analysis. Yes, okay, you go ahead.

16

17 MR. KOLLER: Good afternoon, Mr. Chair.
18 Members of the Council. For the record, once again my
19 name is Justin Koller, I'm a Fish Biologist with the
20 Office of Subsistence Management. The analysis for
21 FP23-19 begins on Page 73 of your meeting book.

22

23 (Teleconference interference -
24 participants not muted)

25

26 REPORTER: If I can have the folks on
27 the phone please mute your line. We're listening to
28 several conversations besides the presentation. Please
29 use star, six, or mute.

30

31 Go ahead, Justin.

32

33 MR. KOLLER: FP23-19 was submitted by
34 the Ahtna InterTribal Resource Commission and it
35 requests that the lower Copper River area Federal
36 subsistence rod and reel and dipnet fishery be
37 rescinded. The proponent is concerned about the lack
38 of salmon harvest opportunity in the upper most reaches
39 of the Glennallen subdistrict and at Batzulnetas during
40 years of low salmon escapement in the Copper River.
41 They believe that Copper River salmon were fully
42 allocated prior to the addition of the lower Copper
43 River salmon fishery and additional harvest from this
44 new fishery will take opportunity away from up river
45 users, cause escapement goals to be unmet and
46 contribute to future fishing restrictions for up river
47 users.

48

49 (Teleconference interference -

50

0093

1 participants not muted)

2

3

4 MR. KOLLER: Residents of the Prince
5 William Sound area have customary and traditional use
6 determination for salmon in the remainder of the Prince
7 William Sound area, which includes the area under
8 consideration in this proposal.

8

9

10 In 2020 Proposal FP21-10 was submitted
11 by two residents of Cordova requesting the Board
12 implement a subsistence salmon fishery in.....

12

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(Teleconference interference -
participants not muted - on hold)

MR. KOLLER:lower Copper River
adjacent to the Copper River Highway. The Southcentral
Regional Advisory Council provided a recommendation in
support of the proposal, while the Eastern Interior
Regional Advisory Council provided a comment in
opposition. The Board deferred action on FP21-10 at
its January '21 meeting requesting the Eastern Interior
and Southcentral Councils meet to further discuss the
proposal since there was a disagreement between the
Councils. The Councils met together in March of 2022
to discuss. Based, in part, on the discussion at that
meeting the Board subsequently adopted the lower Copper
River salmon fishery at its April 2022 meeting with
modification to allow only dipnet and rod and reel,
delay the start of the fishery until June 1st, prohibit
dipnetting from a boat and require a 48 hour reporting
period.

Due to the unusual timing of this Board
action on FP21-10 the final rule did not publish in the
Federal Register in time for the 2022 fishery and the
Office of Subsistence Management submitted Fisheries
Special Action 22-05 asking the Board to implement the
fishery on the June 1st start date as well as delegate
authority to the in-season manager to implement the
fishery. The Board adopted this special action at a
May 19th session and the fishery commenced as planned.

Dave Sarafin gave an update on that
fishery but I'll just reiterate that 69 permits were
issued for the new Federal subsistence fishery in the
lower Copper River for the 2022 season and all
permitholders were residents of Cordova. A total of
107 sockeye and three chinook salmon were reported

1 harvested. This proposal would rescind the recently
2 created lower Copper River area subsistence salmon
3 fishery reducing opportunity for Federally-qualified
4 subsistence users in the Prince William Sound area,
5 primarily those residing in Cordova.

6
7 Federally-qualified subsistence users
8 in the Cordova area historically concentrate their
9 salmon harvest efforts through Federal fisheries in
10 Ibeck Creek, Eyak River and Alaganik Slough or through
11 the State subsistence fishery in the marine waters
12 adjacent to the Copper River. Most of the Federal
13 subsistence harvest efforts focus on the fall coho
14 salmon return across the Copper River Delta. In
15 contrast, most of the State subsistence harvest efforts
16 are focused on the early summer sockeye salmon returns
17 to the Copper River district. State subsistence
18 regulations only allow for the harvest of salmon in the
19 marine waters of the Copper River district, which
20 requires access to a suitable boat and gillnet. This
21 proposal would reduce access and methods for rural
22 residents to participate in the harvest of salmon. The
23 total salmon harvest limit permitted per household
24 would not change so effort may shift back to Ibeck
25 Creek, Eyak River and Alaganik Slough or through the
26 State subsistence fishery in the marine waters adjacent
27 to the Copper River.

28
29 The proposed regulatory change is not
30 likely to have a significant biological effect on fish
31 stocks or to significantly increase the subsistence
32 personal use or sport harvest on the upper -- or excuse
33 me, in the upper Copper River district or Batzulnetas.
34 The projected harvest is the smallest of any user group
35 in the Copper River system, about 2,000 sockeye salmon
36 and 300 chinook salmon annually, and actual harvest, we
37 saw this season, was far below these projections. The
38 sockeye salmon runs to the upper Copper River have
39 consistently exceeded the minimum bound of the
40 sustainable escapement goal range for wild stocks in
41 all years. Impacts to chinook salmon stocks by
42 eliminating this fishery would be negligible since the
43 harvest of chinook salmon is limited to no more than
44 five per household.

45
46 The OSM preliminary conclusion is to
47 oppose FP23-19. Harvest and escapement information
48 indicate that sufficient salmon are present to continue
49 the Federal subsistence fishery in the Copper River
50

0095

1 area without creating a conservation concern or
2 significantly affecting up river fisheries.

3

4

5 The fishery provides an opportunity to
6 harvest sockeye and chinook salmon in the lower Copper
7 River for Federally-qualified subsistence users of
8 Cordova and the Prince William Sound area, many of whom
9 do not have access to a saltwater capable boat or
10 gillnet. Projected harvest data is anticipated to be
11 very small in comparison with other user groups and
12 harvest from the 2022 fishery supports this.

12

13

14 The lower Copper River fishery
15 represents such a low proportion of the run to the
16 Copper River relative to current management tools that
17 it's unlikely to be a factor in management
18 decisionmaking. The primary management tool
19 controlling in-river abundance in the Copper River is
20 the commercial fishery. In times of conservation
21 concern restrictions to time and area available for
22 commercial harvest is the most affected tool available.
23 Maximum anticipated harvest from the lower Copper River
24 Federal subsistence fishery is unlikely to have a
25 significant impact on the overall in-river salmon
26 abundance relative to other existing fisheries,
27 particularly because they are occurring down stream of
28 the sonar, the primary assessment tool for management.
29 It is very unlikely that lower river subsistence
30 harvest will take opportunity away from up river users,
31 cause escapement goals to be unmet, or contribute to
32 future restrictions up river.

32

33

34 Title VIII of ANILCA mandates that
35 Federally-qualified subsistence users have priority
36 consumptive use of fish and wildlife on Federal public
37 lands and waters. Only after other users have been
38 excluded from the fishery can we initiate the process
39 of allocation among Federally-qualified subsistence
40 users.

40

41

Thank you, Mr. Chair.

42

43

CHAIRMAN ENCELEWSKI: Thank you.
44 Question's for the presentation.

45

46

(No comments)

47

48

49

50

CHAIRMAN ENCELEWSKI: Alrighty, thank
you Justin. Orville, you go ahead and report on the

0096

1 Board consultation.

2

3 MR. LIND: Afternoon, Mr. Chair.

4 Council members. Orville Lind, Native Liaison for OSM.

5 During the consultation session held, again, August

6 23rd for your region, we had no comments or questions

7 on Proposal 23-19.

8

9 Thank you, Mr. Chair.

10

11 CHAIRMAN ENCELEWSKI: Thank you,

12 Orville. All right, I'm going to move on to agency

13 comments. Alaska Department of Fish and Game.

14

15 (No comments)

16

17 CHAIRMAN ENCELEWSKI: No comment.

18 Federal agencies. Anyone want to comment.

19

20 (No comments)

21

22 CHAIRMAN ENCELEWSKI: How about tribal

23 entities, anyone.

24

25 MS. LINNELL: Mr. Chair.

26

27 CHAIRMAN ENCELEWSKI: Go ahead, is that

28 Donna?

29

30 REPORTER: No, it's Karen Linnell.

31

32 MS. LINNELL: Hi, for the.....

33

34 CHAIRMAN ENCELEWSKI: Oh, that's Karen,

35 oh, go ahead.

36

37 MS. LINNELL: Sorry. I'm running late

38 on my way back over there. This is Karen Linnell,

39 Ahtna InterTribal Resource Commission. We missed the

40 tribal consultation process, most of us were out

41 gathering, but we're in support of recalling this -- or

42 rescinding the fishery. Again, our comments and we

43 support the comments submitted in writing by Ahtna

44 Incorporated, Ahtna Tene Nene' group.

45

46 The fish -- the amount of fish and

47 what's happening at the north end of the river is not

48 meeting subsistence needs is an important factor in

49 this. The Copper River cannot support everyone in the

50

0097

1 state. And while this proposal, you know, I think, and
2 we heard testimony that there wasn't much harvested
3 this year, it's a one-off thing I believe and that, you
4 know, we need to look at it from what's happening up
5 river and make sure that we're getting salmon to the
6 spawning grounds.

7

8 And that's all I have for today. Thank
9 you, Mr. Chair.

10

11 CHAIRMAN ENCELEWSKI: Thank you, Karen.
12 Any other tribal entities. Anyone else on the phone.

13

14 MR. KING: Yeah, this is Mark King down
15 in Cordova.

16

17 CHAIRMAN ENCELEWSKI: Okay, Mark.

18

19 MR. KING: I'm with the Native Village
20 of Eyak.

21

22 CHAIRMAN ENCELEWSKI: Go ahead.

23

24 MR. KING: It's rather frustrating for
25 us down here, you know. We understand that there's a
26 commercial fleet here and they take a big percentage of
27 the fish but we've got 500 tribal members and there's
28 very few tribal members that are involved in the
29 commercial fishery. And to look at this and take away
30 a means for our tribe to harvest salmon on the Copper
31 River, we're the only ones at the mouth of Copper
32 River, the Native Village of Eyak, and so to say that
33 we -- I've heard, don't have historical use is a bunch
34 of bunk. You know the Eyak people, Chugachmiut,
35 Shallow Water people have all used that area in the
36 past and they've all used dipnets, it's well docu --
37 there's historic documentation of that. They used
38 weirs, gaffs, and dipnets. And to say, oh, you can't
39 do that is ridiculous. You know we're looking at the
40 expense of having to try to pay for a subsistence boat
41 and 50 fathoms of gillnet gear to go out 50 miles to
42 harvest these fish, and the amount that we catch, I've
43 heard that dipnets catch 10 times more than we catch
44 for our whole tribe of 500 people and it's frustrating
45 when I hear that so and so had 48 kings and 200-some
46 reds in one dip, or in one fishwheel.

47

48 So, you know, the minuscule amount of
49 fish and the opportunity, it just looks like to me that

50

0098

1 it's being blown out of proportion. And I've been up
2 to the upper Copper River, I've been to Batzulnetas,
3 Slana, Mentasta and other areas on the Copper River up
4 there and so it's a huge area, but if you got from
5 OBrien Creek all the way to the ocean with no other
6 fishery and the Copper River, is kind of ridiculous
7 when we got a historic use of that area.

8

9 Anyway, I'll sign off there.

10

11 CHAIRMAN ENCELEWSKI: Okay, thank you.
12 Any other comments, tribal entities.

13

14 (No comments)

15

16 CHAIRMAN ENCELEWSKI: Alrighty. We're
17 going to move on to Advisory Group comments. Any other
18 Regional Councils.

19

20 MS. GILL: Thank you, Mr. Chair. The
21 Eastern Interior Regional Advisory Council did not take
22 up this proposal.

23

24 CHAIRMAN ENCELEWSKI: Thank you,
25 Jessica. How about Fish and Game Advisory Committee,
26 any Committee reports on it.

27

28 (No comments)

29

30 CHAIRMAN ENCELEWSKI: Subsistence
31 Resource Commission. Barbara.

32

33 MS. CELLARIUS: Thank you, Mr. Chair.
34 For the record my name is Barbara Cellarius and I'm the
35 Cultural Anthropologist for Wrangell-St. Elias National
36 Park and Preserve. I am going to be presenting the
37 comments from the Wrangell-St. Elias National Park
38 Subsistence Resource Commission. And just for the new
39 members, the Commission is a Federal Advisory Committee
40 that represents subsistence users of Federal lands
41 within Wrangell-St. Elias National Park and Preserve.
42 At this meeting the SRC reviewed the Federal
43 subsistence proposals for the local area that are being
44 considered for the 2023./2025 regulatory cycle and so
45 I'm going to -- I've got three comments that I'll share
46 at the appropriate time.

47

48 So concerning FP23-19, the SRC voted --
49 had a tied vote on this proposal and as such the motion

50

0099

1 to support the proposal failed. Members voting in
2 support of the proposal expressed concern about the
3 potential for high numbers of permits to be issued for
4 the fishery in the future and recent low returns in the
5 Copper River. They also stated that Cordova residents
6 have many other fishing opportunities whereas the up
7 river communities only have harvest opportunities in
8 the Copper River. Members who opposed the proposal
9 stated that the harvest has been very low and that the
10 delegated Federal manager has the authority to take
11 action in the event that there's a significant increase
12 in participation and harvest. Those opposed also noted
13 that some Cordova residents have expressed appreciation
14 for the new fishery and stated that they don't want to
15 take away an opportunity in the absence of conservation
16 concerns.

17
18 That concludes their comment.

19
20 CHAIRMAN ENCELEWSKI: Okay, thank you.
21 Jessica, you got a summary of written public comments.

22
23 MS. GILL: Thank you, Mr. Chair. Our
24 actual -- I will actually pass that over to Justin
25 Koller.

26
27 CHAIRMAN ENCELEWSKI: Okay, Justin, you
28 must have got it passed for a reason, too many, uh,
29 okay, go ahead, Justin.

30
31 MR. KOLLER: Thank you, Mr. Chair.
32 There were five written comments in opposition and two
33 in support of FP23-19.

34
35 Those opposed to rescinding the fishery
36 cited the minimal impact of the fishery, the meaningful
37 opportunity provided for users in Cordova and the need
38 to evaluate the fishery before considering its closure.
39 They also stated that all Federally-qualified
40 subsistence users should have highest priority for
41 Copper River salmon, and that other users should be
42 restricted before eliminating opportunity for
43 Federally-qualified subsistence users.

44
45 Those in support of rescinding the
46 fishery expressed continued concern about the impact to
47 up river users, and stated that the fishery should not
48 have been approved because of the broad opposition to
49 the fishery.

50

0100

1 Thank you, Mr. Chair.

2

3 CHAIRMAN ENCELEWSKI: Thank you. Okay.
4 Public testimony.

5

6 MR. BURCHAM: There's some on the
7 phone, I'm one of them.

8

9 CHAIRMAN ENCELEWSKI: Okay. Who's
10 there.

11

12 REPORTER: I believe it's Milo but I
13 guess we'll see.

14

15 MR. BURCHAM: Are you ready for phone
16 comments.

17

18 REPORTER: Yes, go ahead Milo.

19

20 CHAIRMAN ENCELEWSKI: Yes, state your
21 name so we could know who you are.

22

23 REPORTER: Milo.

24

25 CHAIRMAN ENCELEWSKI: Milo.

26

27 REPORTER: Yes, I'm pretty sure.

28

29 CHAIRMAN ENCELEWSKI: Okay. Milo.

30

31 MR. BURCHAM: Okay. My name is Milo
32 Burcham. I'm a former Forest Service Biologist, now
33 retired. And I just wanted to call in because I oppose
34 FP23-19.

35

36 First of all I wanted -- the
37 opportunity to harvest salmon from the Copper River
38 this year was greatly appreciated by many Cordova
39 residents. Just over 100 sockeye and three king salmon
40 were harvested in this fishery and this harvest was
41 very meaningful for the individuals that harvested fish
42 but insignificant to the Copper River as a whole.

43

44 The rural residents of the state, which
45 include Cordova residents, should have the highest
46 priority for fish and wildlife under ANILCA.
47 Currently, almost all Copper River salmon harvest, and
48 that's 98 percent of sockeye harvest on average are
49 being taken by State managed, lower priority fisheries

50

0101

1 including the commercial fishery at the mouth of the
2 Copper and personal use and sportfisheries in the upper
3 Copper. The health of the Copper River rests in the
4 proper management of these fisheries, you know, period
5 and not by restricting rural residents living on the
6 Copper River, those who should have the highest
7 priority including the community of Cordova.

8
9 The river down here is almost 10 miles
10 wide with road access to just over half of that.
11 Almost all the harvest came from one eddy at Thirtysix
12 Mile with people investing considerable time for each
13 fish caught. And while I consider myself fortunate to
14 have a boat capable of participating in the State
15 subsistence gillnet fishery on the Flats, that fishery
16 is not available to everyone and with gas prices like
17 they are now it could be prohibitive.

18
19 One more point that I want to make is
20 that there is broad community support for this fishery.
21 While there was a lot of fuss about the submission of
22 150 public comments in support of Proposal FP21-10
23 during deliberations of that proposal, the fact remains
24 that 150 Cordova residents, including members of the
25 Native village and from the commercial fishing
26 community signed this letter of support for this
27 fishery when it was being deliberated and that work,
28 that leg work for gathering those signatures was done
29 by one of the proponents mostly Jessie Carter. Anyway,
30 that's a significant proportion of Cordova's population
31 that supports this and I wanted to -- or that's a
32 significant segment of Cordova's population and I just
33 wanted to state that I'm in opposition of the current
34 proposal to remove the fishery.

35
36 REPORTER: Thanks Milo.

37
38 CHAIRMAN ENCELEWSKI: Thanks, Milo.
39 Anyone else there got a comment. Anyone online Tina.

40
41 REPORTER: Anybody else.

42
43 (No comments)

44
45 REPORTER: I guess not.

46
47 CHAIRMAN ENCELEWSKI: Okay, thanks,
48 Tina. Go ahead, Jessica.

49
50

0102

1 MS. GILL: Thank you, Mr. Chair. I have
2 a comment from Michael Rego, our Council member that
3 could not be here today, on this proposal, if you would
4 like to hear it right now, here it is.

5

6 Okay, so he would support the repeal of
7 23-19. There are other fisheries that are available
8 for the residents of Cordova and I believe that the
9 stock is dwindling and the residents up stream have
10 very limited resources.

11

12 That's all.

13

14 CHAIRMAN ENCELEWSKI: Okay, thank you
15 for his comment. Any others or is that it.

16

17 (No comments)

18

19 CHAIRMAN ENCELEWSKI: Okay. Regional
20 Council recommendations, motion to adopt and debate and
21 we'll entertain it.

22

23 MR. HOLSTEN: I'll make the motion to
24 adopt FP23-19.

25

26 CHAIRMAN ENCELEWSKI: Is there a
27 second.

28

29 MR. MCLAUGHLIN: Second.

30

31 MS. TOTEMOFF: Second.

32

33 CHAIRMAN ENCELEWSKI: Seconded by Andy.
34 Any discussion. Question.

35

36 (No comments)

37

38 CHAIRMAN ENCELEWSKI: All in favor,
39 aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN ENCELEWSKI: Any opposed.

44

45 (No opposing votes)

46

47 CHAIRMAN ENCELEWSKI: It's on the table
48 for discussion and justification. So Council members,
49 whoever wants to start first, you want to go Gloria.

50

0103

1 MS. STICKWAN: Michael first.

2

3 CHAIRMAN ENCELEWSKI: Okay, go ahead.

4

5 MR. OPHEIM: I'm going to oppose the
6 rescinding of this fishery. I think it's a fishery
7 that needs to be tried more than one year to see if
8 it's going to actually have an effect. I don't think
9 it will. There's certainly some pretty low numbers on
10 the first year here. You know, giving people an
11 opportunity to harvest more fish that can't get out and
12 harvest fish I think is a good thing. So I will oppose
13 the rescinding.

14

15 CHAIRMAN ENCELEWSKI: Thank you,
16 Michael. Ed.

17

18 MR. HOLSTEN: Yeah, I'm going to oppose
19 this. It is basically, even from the beginning, I've
20 never seen a conservation concern with this. It's an
21 incredibly small percentage of the fish taken. I mean
22 we've all seen these graphs like on Page 98, the run,
23 second most take out of that run are the -- or the main
24 one is commercial fisheries. I'd like to see, if
25 possible, I think this is a good proposal -- or not
26 this proposal, this is not a good proposal -- about the
27 only thing down the road and this is just my own
28 opinion, maybe to really help those up river
29 subsistence users to have some kind of -- and these are
30 State issues, some kind of a slight decrease in
31 commercial take, slight decrease in State personal use,
32 those are some of the biggest, by far, largest use of
33 Copper River reds.

34

35 And the only other comment, I was
36 really concerned and a little bit upset with the
37 controversy on this issue between Southcentral RAC and
38 the Eastern RAC who are all subsistence users of that
39 resources, I was disappointed, we got down to kind of a
40 battle over that. So I hope that doesn't happen again
41 but it probably will. So, thank you.

42

43 CHAIRMAN ENCELEWSKI: Go ahead, Andy.

44

45 MR. MCLAUGHLIN: Yeah, thank you, Mr.
46 Chair. I concur with Mr. Opheim and Ed over here. I'm
47 going to oppose this on -- I made a list of reasons why
48 here. You know, under ANILCA, we ultimately are to
49 provide the Federal subsistence users the first
50

0104

1 priority over this. Worse case when a competition
2 between those people that are Federally-qualified an
3 .804 analysis could happen. That would be the right
4 avenue to follow.

5
6 You know looking at all the numbers
7 about, you know, decreased fecundity, I've seen the
8 size of reds get smaller, I can say in the upper river
9 on the Gulkana near the hatchery up there by Summit
10 Lake, Gun Creek and different places where I used to
11 see a lot of reds, yeah, there's not a lot of fish
12 there anymore which is not how it used to be and that's
13 of a concern, but attacking the Federal subsistence
14 users, to me, doesn't seem to be the proper avenue for
15 that because as we heard earlier, one to two percent of
16 that run is that, and 80 percent is the commercial. So
17 as Mr. Holsten said there, the right tree to bark up
18 would be the one where maybe limiting some of that
19 commercial use, you know, this is all the way back to
20 the Katie John stuff with the State and, you know, so
21 -- and another comment, people are wondering why the
22 fish are getting smaller, well, for one thing the fish
23 are getting smaller because those fish fit through a
24 gillnet. Like I've been out there with my gillnet next
25 to somebody else's gillnet and my mesh was the right
26 size for that size fish and I was catching a few
27 smaller ones and I was watching their corks go, their
28 corks go and every time they'd pull they'd have nothing
29 because those small ones were getting through, you
30 know, but the big ones get caught, you know, so -- so
31 you know the limit is five kings per household, but as
32 of this past fishery three kings were -- 107 reds and
33 three kings, that's not even considered an additive
34 mortality rate in that harvestable resource, almost a
35 compensatory.

36
37 But, you know, this competition by
38 these other user groups and I agree with Ms. Stickwan
39 about these ever increasing recognitions of anticipated
40 needs and how people in the upper river are having
41 those issues, we just need to go about this the right
42 way and as Mr. Holsten said, about the two RACs having
43 such a debate amongst themselves, you know, united we
44 stand, divided we fall about these resources that all
45 rural Federally-qualified subsistence users should have
46 an equal right to, even when it comes to a limited
47 resource then go to the .804 analysis after that.

48
49 So in conclusion if the salmon resource
50

0105

1 is not reaching the subsistence needs up stream then
2 the other user groups before the subsistence users
3 should be the ones that get limited first.

4

5 Thank you.

6

7 CHAIRMAN ENCELEWSKI: Dennis.

8

9 MR. ZADRA: Okay. I guess I want to
10 weigh in first from a commercial side because I am a
11 commercial fisherman and it always seems to where
12 everybody wants to go when it's time to save something,
13 let's take it from the commercial guys. And I've been
14 gillnetting for 30 years on the Copper and I've lost 90
15 percent of my opportunity over the years from time and
16 area closures. So trust me, we are being restricted
17 about as much as we can. We had such little fishing
18 early this year even though when we went out we caught
19 fish, we knew it was going to be a strong healthy run
20 but the manager down there manages us extremely
21 conservatively. So I don't know what else you want to
22 -- how much more you want to take from the commercial
23 fleet because it already has been restricted.

24

25 To this issue, I've been opposed to it
26 from the start and the main reason is not because I
27 want to limit the opportunity of the Cordova residents,
28 I want to -- I don't want to see the mission creep that
29 has happened up river and all of that. You know years
30 ago everything was like, oh, it's not much, it's not
31 much but then it just expands, and expands. The way
32 this was written and put in there with the restrictions
33 within the half mile, I knew it was not going to be an
34 effective fishery. There's really no place, like they
35 said, one eddy, but all we need to do is push this and
36 say, well, let's expand this area and now all of sudden
37 if you can use your boat and you can go down stream
38 another three or four miles to the sand dunes down
39 there, you've got some really good eddies down there.
40 So people -- the opportunity with a little bit of
41 mission creep is going to be for this fishery to be
42 extremely -- to be extremely successful.

43

44 And, again, to me it is not about the
45 residents of Cordova, it is about how does this mission
46 creep continue to the personal use fishery that now
47 gets established on that and then, furthermore, how
48 does this contribute to the personal use, commercial
49 use operators that are taking these people. Your

50

0106

1 average Anchorage resident is not going to have the
2 wherewithal to go over there and do it, just as they
3 don't in the Chitina dipnet fishery but you've got the
4 charter operators that do have it figured out and those
5 guys, to think that they won't figure out to run from
6 Chitina all the way down to the Copper and participate
7 in that fishery, should it ever happen, is not
8 realistic. But it might be quite a jump to do that
9 but, again, I'm sure the way the upper Copper River
10 looked 30 years ago is nothing the way it looks now.

11

12 So anyway that's why I've been opposed
13 to this fishery and I will support this proposal.

14

15 CHAIRMAN ENCELEWSKI: Go ahead, Andy.

16

17 MR. MCLAUGHLIN: Yeah, thank you, Mr.
18 Chair. Yes, I appreciate that, you know, concern for
19 the commercial fishing fleet.....

20

21 (Teleconference interference -
22 participants not muted - on hold)

23

24 MR. MCLAUGHLIN: Talking with some of
25 the managers I asked, well, these numbers that are
26 being taken in this dipnet thing, how much time is
27 that, how many days is that taking away from the
28 commercial fishing fleet and I was told that, oh, it's
29 about, in general during the normal part of an average
30 run, it's about 15 to 20 minutes of closure that it
31 would take to stop -- halt the commercial fleet for
32 that many fish to have gotten past the commercial fleet
33 to be caught, which seems rather minimal to me amongst
34 the whole 80 percent that the commercial fleet has.
35 And the personal use fishery, even in the State, all
36 that dipnetting, all that stuff that is a huge concern
37 up there on the upper Copper -- or mid-Copper is 10
38 percent of the whole catch and 80 percent, you know,
39 going to the commercial fleet and then also considering
40 testimony earlier about the Eyak people's need for that
41 resource that they have basically C&T on that maybe not
42 technically yet because it hasn't been written in a
43 book but, anyhow, those are some of my concerns about
44 this.

45

46 CHAIRMAN ENCELEWSKI: Okay. Gloria and
47 then we'll go back to Dennis. Go ahead, Gloria.

48

49 MS. STICKWAN: I just want to say that,

50

0107

1 you know, I feel conflicted. You know I think about
2 this and I really don't like having to say no to Native
3 Village of Eyak and I don't know, I can't remember
4 right, but that's the first time I've heard them ever
5 get on record and say something about this fisheries
6 proposal. I've always heard them say they were opposed
7 to it and this is the very first time I can ever
8 remember hearing them -- ever, anybody from Native
9 Village of Eyak say, you know, why are they not letting
10 us fish, why are they trying to close it down. Before
11 they've always been opposed to it. So I guess they
12 must have looked at it. And, you know, I think about
13 those people and their ability to fish and they say ,
14 you know, they can't catch fish but then I hear Native
15 Village Eyak they go out and they have subsistence
16 boats and they fish for -- and they share. And I've
17 heard Dennis say this morning, telling us that the
18 commercial fishery share their fish too.

19

20 My concern about this whole fishery is
21 that it is a new fisheries and I am afraid of it
22 expanding to include other fisheries under the State
23 that's going to start saying, yeah, we want personal
24 use now too down there. I know we don't deal with the
25 State but that fishery, if it ever happens, it's going
26 to take the wild stock. That wild stock is the most
27 important fisheries that we have that the Board takes
28 into consideration, it goes back up Tanada Creek, and
29 if those wild stocks are going we're not going to have
30 any more wild stocks left. They're going to be taking
31 that early stock. They're going to be changing --
32 probably changing -- maybe changing their own fisheries
33 open date and that wild stock's going to be gone, we're
34 going to have enhanced fisheries from now on and to me
35 that's a concern.

36

37 And the concern I have is, too, about,
38 you know, just like they I said, expanded fisheries.
39 And for the fisheries, it was high this year, it was
40 because people couldn't -- the run was good because
41 people could not fish. Up river people couldn't put in
42 a fishwheel. If you ever have a fishwheel on the
43 Copper River you know that you don't fish when there's
44 high water because it's hard to -- your fishwheel gets
45 jammed with logs and you're fighting to get those big
46 heavy trees out of your fishwheel. So we don't run our
47 fishwheels until that water goes down and we're able to
48 take the big logs. I mean the logs are like 12 inch
49 trees, spruce trees get jammed in your fishwheel and
50

0108

1 you have to work at getting those spruce trees out of
2 your fishwheel and that is ont easy, that's dangerous.
3 So we close our fishwheel down during those times and
4 that is the reason when they say there's good fisheries
5 is because up river people are not fishing because of
6 high water.

7
8 I feel for Native Village of Eyak but I
9 really believe in my heart that this is a new fisheries
10 and it's possibly going to expand and, you know, wild
11 stocks are going to be gone. If personal use ever
12 opens a fisheries down there and they are able to open
13 June 1st, the Federal down there opens May 15th, our
14 wild stock's going to be gone, I mean we're not going
15 to have that anymore. To me that's a concern. And I
16 really am sincere when I say I feel for those people
17 but they have other opportunities whereas us, up river,
18 we only have one river to catch salmon. We don't have
19 -- unless we pay thousands of dollars, go down, get a
20 boat, go to Valdez or Cordova, we're not going to be
21 able to get our fish. And as you heard we didn't get
22 much fish this year because of high water, probably,
23 maybe, I don't know. And to me that's a concern.

24
25 I'm just worried about this fishery and
26 what it's going to do to up river people. And you've
27 heard everybody, I mean most everybody that fishes in
28 that Copper River, Rego just said no, Wrangell-St.
29 Elias National SRC said no, Eastern Interior, the
30 person that fishes on that river said no. Anybody that
31 uses that river has been saying no throughout this
32 whole thing and they know why because there's lack of
33 fish. And like me, maybe they do have a concern about
34 NVE, but I'm torn but I have to say no.

35
36 CHAIRMAN ENCELEWSKI: Go ahead, Dennis,
37 and we'll make sure everybody gets a shot here.

38
39 MR. ZADRA: Yeah, I'll be brief. I
40 just want to try to clear up this whole percentage
41 thing with the commercial and sport and, you know,
42 that's done over an average and correct me if I'm
43 wrong, Dave, I think over the last 10 years, or I don't
44 know where those numbers came form but, yeah, back in
45 2010 to 2015 we had huge runs, our commercial harvest
46 was a million to 1.3 million fish. If we did those
47 same numbers over the last five years you would see
48 entirely different figures. 2018 the personal use
49 fishery harvested almost double what the commercial
50

0109

1 fishery harvested. So it's not as cut and dried as 80
2 percent is coming from the commercial and so they
3 should just continue to give a little bit more of their
4 80 percent. Those numbers aren't accurate with today's
5 conditions.

6

7 CHAIRMAN ENCELEWSKI: Okay, anyone else
8 like to comment on this here.

9

10 Angela, did you want to go ahead.

11

12 MS. TOTEMOFF: Thank you, Mr. Chair. So
13 my thoughts are I do oppose this and here's why because
14 a river in and of itself, you can't block it out into
15 lower river versus upper river, a river flows through
16 both of those lands together so to solve the problem of
17 low fish and I understand that each community is
18 suffering from not enough fish. I understand that the
19 resources are low. We have faced that in the village
20 as well. And so when you're facing those resources,
21 that squeeze on the resources everybody wants to fight
22 for a little piece but a river doesn't work that way.
23 And so I just feel like we have to zoom out a little
24 bit. And regardless of what the commercial industry
25 says and what the latest stats are, we have to look
26 more than just the personal use fishermen and all the
27 fishermen on that river, and we have to zoom out a
28 little bit to find real cause of what this resource --
29 why this resource is diminishing. But in the meantime,
30 I don't think that conservation for such a small
31 percentage, whatever it may be should fall merely on
32 the backs of tribes. I just don't think that's fair.
33 And so for that reason I do oppose -- I oppose the
34 rescinding because it does sound like there were some
35 meaningful catches for the Native Village of Eyak. So,
36 yeah, those are my thoughts.

37

38 CHAIRMAN ENCELEWSKI: Okay, thank you.
39 Well, I'm going to go ahead and make my comments. I'm
40 going to oppose the rescinding. And my reason is I
41 feel for all the testimony and we've had -- we've
42 really went in great depth on this whole discussion
43 with Eastern Interior and everyone else and now we have
44 a year that we actually could show that there was 107
45 fish caught and three kings, which is really a low
46 statistical. I could, you know, understand where
47 Dennis is coming from because I'm a commercial
48 fisherman too and I've been totally shut down on the
49 setnets and I'm shut down 100 percent because of the
50

0110

1 kings and they don't even allow us to fish. We didn't
2 fish this whole season so we lost our whole livelihood.

3
4 When you look at the statistics and you
5 look at the numbers, there's another reason that those
6 fish are not getting up stream or there's not enough
7 user groups on them or maybe they need to change the
8 methods of fishing to do -- deal with the water
9 conditions, whatever, I don't know. I don't live
10 there. So there could be a lot of things. But it's
11 very -- it's a fact that the majority of those fish are
12 being taken by the commercial and the personal use and
13 so on and so forth and until, you know, you always are
14 afraid that this is going to grow, until that happens,
15 you know, we were told the same thing on the Kenai,
16 that we couldn't have subsistence it was going to wipe
17 out, it was going to take so much, it was going to kill
18 the kings, that didn't happen. There was a lot of fear
19 over that. IT did not happen. It did not materialize.
20 Now, you have a lot -- you have all the rural residents
21 of Ninilchik, over a thousand people so grateful to be
22 able to get fish. You have Cooper Landing and Hope and
23 those people getting fish up in the Russian River Falls
24 and all that stuff came about because we took the
25 chance to get that and let it work itself out so until
26 I see something that it's an impact, and it's affecting
27 someone, boy, I'm in favor of letting them try it for a
28 few years and see what happens. And if it needs to be
29 regulated, then that's the time, but I guarantee you,
30 and I'm not the State manager but if I was, I'd be
31 closing that fishery down for a few days a week and
32 making it work so it gets up river too for spawning.

33
34 Thank you.

35
36 MS. SELANOFF: Call for the question.

37
38 CHAIRMAN ENCELEWSKI: The question's
39 been called for. Okay, all of -- remember -- the
40 question's been called for, all those that are in favor
41 of opposing it say aye. That's opposing -- when we
42 vote through -- let me get this straight.

43
44 (Laughter)

45
46 CHAIRMAN ENCELEWSKI: The motion is to
47 rescind it, that's what's on the books we're voting on.
48 So if we vote in favor of it we're rescinding it. If
49 we vote -- have I got that right.
50

0111

1 (Council nods affirmatively)

2

3 CHAIRMAN ENCELEWSKI: Okay. All in

4 favor aye.

5

6 MR. ZADRA: Aye.

7

8 MS. WILSON: Aye.

9

10 MS. CLAUS: Aye.

11

12 CHAIRMAN ENCELEWSKI: Three aye's.

13

14 All opposed.

15

16 IN UNISON: Aye.

17

18 CHAIRMAN ENCELEWSKI: It fails, okay.

19

20 Okay, how's everybody's lunch doing. Since I'm the

21

21 Chair I'd like to take a five minute break, everybody

22

22 can get fresh coffee.

23

23 (Off record)

24

24 (On record)

25

25 CHAIRMAN ENCELEWSKI: Okay. Okay,

26

26 folks, we're going to go ahead and get back to

27

27 business. Jessica, we have a problem with the coffee

28

28 pot.

29

29

30 MS. GILL: I will take care of that.

31

32 CHAIRMAN ENCELEWSKI: Thank you.

33

33 (Pause)

34

34 CHAIRMAN ENCELEWSKI: Okay, I got

35

35 silence, we'll go back here, Justin you're going to do

36

36 this -- Jason.

37

37 MR. ROBERTS: Yes.

38

38 CHAIRMAN ENCELEWSKI: You go right

39

39 ahead.

40

40 MR. ROBERTS: Good afternoon. Members

41

41 of the Council. Once again my name is Jason Roberts,

42

42 I'm a Cultural Anthropologist at OSM. And I'll be

43

43

44

44

45

45

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48

48

49

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0112

1 presenting a summary of the analysis for Fisheries
2 Proposal 23-14. This analysis begins on Page 138 of
3 your meeting book.

4
5 Fisheries Proposal 23-14 was submitted
6 by the residents of Serendipity Subdivision.
7 Serendipity is a subdivided 150 acre homestead located
8 along Richardson Highway between Milepost 45 and 47.
9 The proponents are requesting that Serendipity be added
10 to the customary and traditional use determination for
11 salmon in the Chitina Subdistrict of the upper Copper
12 River district.

13
14 The proponents report having harvested
15 salmon in the Chitina Subdistrict for between 10 to 20
16 years through the State of Alaska personal use fishery
17 since moving to Serendipity. The proponents also note
18 that many residents of Serendipity had a previous
19 history of harvesting salmon in the Chitina Subdistrict
20 personal use fishery before moving to the community.
21 Serendipity currently falls within the customary and
22 traditional use determination for salmon in the
23 Glennallen Subdistrict of the upper Copper River
24 district, however, Serendipity residents report having
25 difficulty accessing the salmon fishery in the
26 Glennallen Subdistrict because of limited public access
27 points, a lack of fishwheels and appropriate boats
28 within the community. The Chitina Subdistrict fishery
29 is the most efficient and accessible for members of
30 this community.

31
32 And a little bit about the regulatory
33 history. Federal subsistence fishery management
34 adopted State subsistence fisheries regulations in
35 1999. At that time the State recognized the Glennallen
36 Subdistrict as a subsistence fishery and classified the
37 Chitina Subdistrict as a personal use fishery. In the
38 new Federal regulations adopted from the State all
39 residents of the Prince William Sound area were listed
40 as having customary and traditional use of salmon in
41 the Glennallen Subdistrict only.

42
43 In 2000 the Federal Subsistence Board
44 adopted a proposal which established customary and
45 traditional determination for salmon in the Chitina
46 Subdistrict for residents of Chitina, Cantwell,
47 Chistochina, Copper Center, Gakona, Gulkana, Mentasta
48 and Tazlina. And the Board initially adopted these C&T
49 determinations for Chitina Subdistrict based on the
50

0113

1 traditional territories of three different Athabascan
2 groups the Ahtna, the upper Tanana, and the Tanacross.
3 Dispersed within these traditional territories or
4 communities initially settled by non-Natives. And
5 these settlements began with the building of Gold Rush
6 trails and mining efforts around the beginning of the
7 20th Century.

8

9 In 2002 the Board adopted Proposal
10 FP02-16 which added the remaining communities and the
11 resident zone of the Wrangell-St. Elias National Park
12 to the C&T determination for salmon in the Chitina
13 Subdistrict.

14

15 Action on Proposal FP02-17(b)
16 established a Federal subsistence salmon fishing season
17 and methods and means for salmon harvest in the Chitina
18 Subdistrict which were identical to those in place for
19 the Glennallen Subdistrict. It also allowed residents
20 with a C&T for salmon in both the Chitina Subdistrict
21 and the Glennallen Subdistrict to attain a permit for
22 each subdistrict in the same year and it set a combined
23 harvest limit for both subdistricts to the limit
24 established for Glennallen alone. Also in 2002 the
25 Board rejected proposals to add residents of Lake
26 Louise and Delta Junction to the C&T for salmon in the
27 Glennallen and the Chitina Subdistricts. The stated
28 justification was a lack of substantial evidence.

29

30 In 2005 the Board approved proposals
31 adding Chickaloon to the C&T for salmon in the Chitina
32 and Glennallen Subdistricts. In 2005 also the Board
33 approved a proposal adding residents of Paxson,
34 Sourdough to the C&T for salmon in the Chitina.

35

36 And, lastly, a 2017 Board decision
37 regarding customary and traditional use status for Dry
38 Creek could have some relevance for FP23-14
39 deliberations for this proposal. In 2017 the Board
40 approved a proposal by consensus agenda by adding Dry
41 Creek to the C&T for salmon in the Glennallen
42 Subdistrict. The residents of Dry Creek had been
43 harvesting salmon via State regulations in the
44 Glennallen Subdistrict since Dry Creek was established
45 in 1973 as a homesteading subsistence oriented
46 community. Dry Creek residents displayed a consistent
47 pattern of subsistence practices initially learned from
48 their neighbors and subsequently shared with other
49 residents as the community grew. Dry Creek also showed
50

0114

1 a distinctive pattern of resource sharing that formed a
2 key component of social life in the community.

3

4

5 And so when conducting -- as I said
6 earlier today, when conducting a C&T analysis, eight
7 factors are considered and you can find these eight
8 factors, again, they're listed on Page 147 and 148 of
9 your meeting book. And please keep in mind these are
10 not a checklist. The Board makes customary and
11 traditional use determinations based on a holistic
12 application of these eight factors as well as the
13 recommendations of appropriate Regional Advisory
14 Councils. And, once, again, the Board makes customary
15 and traditional use determinations for the sole purpose
16 of recognizing the pool of users who generally exhibit
17 some or all of these eight factors and they do not use
18 C&T determinations for resource management or harvest
19 restrictions.

19

20

21 According to key respondent interviews,
22 the Serendipity Subdivision is currently composed of 15
23 to 20 permanent year-round residents who live in 12
24 households on a subdivided 150 acre homestead along the
25 Richardson Highway. Serendipity sits between Mile Post
26 45 and 47 near the confluence of the Tiekel River and
27 the Tsina River and it's surrounded by public lands.
28 The first parcels of Serendipity were issued in 2000
29 and residents here have harvested salmon in the Chitina
30 Subdistrict personal use fishery since this time.
31 Serendipity parcels were not connected to the electric
32 grid until 2020 and homes in the community do not have
33 running water. However, many residents moved to
34 Serendipity because the land was affordable. They knew
35 other residents of the community and living them in the
36 area offered them the opportunity to lead a rural
37 lifestyle. In addition to fishing residents of
38 Serendipity also engage in related subsistence
39 practices like gardening, collecting wild plants,
40 hunting moose and caribou and preserving meats and
41 vegetable crops. These activities take place regularly
42 every year according to the standard seasons of
43 planting and harvest. Residents here work communally
44 on larger gardens while also tending their own smaller
45 gardens. Sharing of resources is common and these
46 practices form an important part of social life in the
47 community. Community meals where subsistence resources
48 are shared generally take place several times a week.
49 The sharing of moose meat is particularly common. As
50 residents typically get together to assist with meat

50

0116

1 The permanent residents of Serendipity
2 meet the general eligibility requirements for Federal
3 subsistence priority and have harvested salmon in the
4 Chitina Subdistrict for between 10 to 20 year through
5 the State of Alaska's personal use fishery. Many
6 residents here also harvested salmon in the Chitina
7 Subdistrict before moving to Serendipity. Serendipity
8 residents also have a history of engaging in related
9 subsistence practices, like hunting, gardening and
10 gathering. These subsistence practices and the sharing
11 of subsistence resources and knowledge form an
12 important part of social life at Serendipity.

13

14 So that concludes my presentation of
15 the analysis. If you'd like I could read a summary of
16 the written public comments at this time before
17 questions.

18

19 CHAIRMAN ENCELEWSKI: You could go
20 ahead and read those at this time I guess.....

21

22 MR. ROBERTS: Okay.

23

24 CHAIRMAN ENCELEWSKI:that would
25 be fine.

26

27 MR. ROBERTS: OSM received two written
28 public comments on this proposal. These comments can
29 be found starting on Page 151 in your meeting book.

30

31 Just as a summary, both of the written
32 public comments opposed the proposal. These comments
33 were provided by Ahtna Incorporated Customary and
34 Traditional Committee, and the Ahtna InterTribal
35 Resource Commission. Both comments oppose the proposal
36 noting that residents of Serendipity do not display an
37 appropriate long-term pattern of use of the Chitina
38 Subdistrict fishery. The comments further explain that
39 the residents of Serendipity had not provided the
40 proper documentation to prove their historical,
41 cultural and economic ties to the upper Copper River
42 fisheries. And also noted concern about granting C&T
43 status to newer communities while older communities are
44 already facing increased competition for salmon
45 resources.

46

47 CHAIRMAN ENCELEWSKI: Alrighty, thank
48 you Jason. Okay, Orville, you're up, report on the
49 Board consultation.

50

0117

1 MR. LIND: Afternoon, Mr. Chair.
2 Council members. During the consultation session for
3 this proposal we did not get any comments or questions.
4 Thank you, Mr. Chair.

5
6 CHAIRMAN ENCELEWSKI: Thank you,
7 Orville. Alaska Department of Fish and Game, go ahead.

8
9 MS. KEATING: Thank you, Mr. Chair.
10 For the record, Jackie Keating, Division of Subsistence
11 with the Department of Fish and Game.

12
13 The Department is neutral on FP23-14
14 and ADF&G recommends that the Federal Subsistence Board
15 thoroughly and carefully review the eight criteria for
16 those communities that lack a customary and traditional
17 use finding.

18
19 Thank you, Mr. Chair.

20
21 CHAIRMAN ENCELEWSKI: Thank you. Is
22 there a reason you came to that conclusion.

23
24 (Laughter)

25
26 CHAIRMAN ENCELEWSKI: You find that
27 funny.

28
29 (Laughter)

30
31 CHAIRMAN ENCELEWSKI: Federal agencies
32 that want to address this, anyone.

33
34 (No comments)

35
36 CHAIRMAN ENCELEWSKI: Okay. Tribal
37 entities. Karen, come on up.

38
39 MS. LINNELL: Thank you, Mr. Chair.
40 Karen Linnell, Ahtna InterTribal Resource Commission,
41 Executive Director. We represent seven tribes that are
42 qualified to fish on the Copper River. Our
43 organization represents eight tribes in whole regarding
44 wildlife and everything else.

45
46 We oppose this as stated. The Copper
47 River cannot support the entire state. The folks at
48 Serendipity get their mail via Valdez. They get --
49 they -- everything from Tiekkel Lodge down is under
50

0118

1 Valdez. If you look at their shirts and everything
2 else and the heli-skiing and everything else that they
3 do it says out of Valdez, not anything to do with
4 Copper River. And the salmon or whatever else they're
5 sharing, I'm sure comes out of Valdez, thank you to you
6 folks. So I just don't see how they can prove any
7 customary and traditional use.

8
9 And, again, going back to that watering
10 down, there's no proof, nothing in their thing that
11 shows that long-term and customary use of the Copper
12 River, which is a requirement and so, you know, you get
13 -- OSM and them, they're looking at this finite line
14 but they're not looking at the evidence that goes
15 behind it and how we all had to fight to protect even
16 living right there in the communities, our ability to
17 harvest from the river, from the land. We need to go
18 back to that and follow our regulations, and follow it
19 to a T, the policies to the T, when you start to waiver
20 and not follow your policies you're setting yourselves
21 up for a lawsuit. And, you know, we're already talking
22 about a strained system, right, and we just heard it
23 and nothing against our friends and family from Eyak,
24 it's a strained system. And increasing the ability for
25 folks who build and move into an area and, again, they
26 claim to be from Valdez when you talk to them and
27 they're heli-skiing, they come into Valdez and go from
28 there and all this other stuff, it's all out of there.
29 And they hunt in a different GMU. And so I just say
30 that, you know, being eligible for a resource in an
31 area doesn't automatically make you eligible again for
32 other resources in that area, you have to provide your
33 customary and traditional use, proof of that.

34
35 Anyway, long-term use, beyond a
36 generation, Serendipity didn't even exist for a full
37 generation yet. So just putting that out there.

38
39 And, again, thank you so much for the
40 opportunity to speak and I appreciate it.

41
42 CHAIRMAN ENCELEWSKI: Thank you, Karen.
43 Is there any other tribal entity that would like to
44 address this issue.

45
46 (No comments)

47
48 CHAIRMAN ENCELEWSKI: Anyone online,
49 Tina.
50

0119

1 REPORTER: Anyone want to comment,
2 public comment.

3
4 (No comments)

5
6 REPORTER: Doesn't sound like it.

7
8 CHAIRMAN ENCELEWSKI: Okay. How about
9 Advisory Groups, is there Fish and Game Advisory
10 Committee got any comment on it.

11
12 (No comments)

13
14 CHAIRMAN ENCELEWSKI: Subsistence
15 Resource Commission. Barbara.

16
17 MS. CELLARIUS: Thank you, Mr. Chair.
18 Council members. For the record it's Barbara Cellarius
19 with Wrangell-St. Elias, again, presenting a comment
20 from the Wrangell-St. Elias Subsistence Resource
21 Commission.

22
23 The Wrangell-St. Elias National Park
24 Subsistence Resource Commission unanimously supported
25 FP21 -- 23-14. Serendipity residents are subsistence
26 users with patterns of subsistence use that are similar
27 to other communities that already have a customary and
28 traditional use determination for salmon in the Chitina
29 Subdistrict. And specific to the request, they have
30 harvested salmon in the Chitina Subdistrict for up to
31 20 years under the State of Alaska regulations.

32
33 That concludes the comment.

34
35 CHAIRMAN ENCELEWSKI: Okay. Questions.
36 Jessica, you have something.

37
38 MS. GILL: (Shakes head negatively)

39
40 MS. STICKWAN: Question.

41
42 CHAIRMAN ENCELEWSKI: Gloria.

43
44 MS. STICKWAN: Is it true that they're
45 more associated with Valdez, is that your
46 understanding, on the post office and stuff that was
47 mentioned in previous testimony?

48
49 MS. CELLARIUS: I don't have
50

0120

1 information to answer that question. They're located
2 sort of halfway between Valdez and Tonsina.

3

4 MS. STICKWAN: And there's 12
5 households you said, is that right, is that what they
6 said?

7

8 MS. CELLARIUS: I think that would be a
9 question for the analyst.

10

11 CHAIRMAN ENCELEWSKI: Okay, Jason, give
12 us a little analysis of that question please.

13

14 MR. ROBERTS: Yes, there are 12
15 households in Serendipity. I am not sure where they
16 get their mail. I know that they're located halfway
17 between Valdez and Tonsina.

18

19 CHAIRMAN ENCELEWSKI: Dennis has a
20 question for you. Go ahead, Dennis.

21

22 MR. ZADRA: Yeah, as I'm reading this,
23 and I think I found the answer on this Page 147 it
24 says, however, permit data was located for one
25 Serendipity resident who harvested 43 salmon through
26 Federal subsistence permit in 2019. But they're asking
27 -- I'm assuming that was from the Federal Glennallen
28 subsistence?

29

30 MR. ROBERTS: Uh-huh. (Affirmative)

31

32 MR. ZADRA: And now they're just asking
33 to have this same Federal opportunities in the Chitina
34 Subdistrict.

35

36 MR. ROBERTS: Yes.

37

38 MR. ZADRA: Okay, thank you.

39

40 CHAIRMAN ENCELEWSKI: Go ahead, Andy.

41

42 MR. MCLAUGHLIN: Yeah, through the
43 Chair. What year was this subdivision built?

44

45 MR. ROBERTS: So the first parcel was
46 purchased in 2000 so.

47

48 MR. MCLAUGHLIN: And in your opinion,
49 or the opinion of the OSM would -- do you believe that
50

0121

1 the use of those resources from those fish and people
2 that moved into this subdivision was a generation to
3 generation traditional use passed along?
4

5 MR. ROBERTS: Generation to generation,
6 that's for you all to decide, you know. We don't
7 define long-term in a quantified way, we leave that up
8 to the Regional Advisory Council so.
9

10 CHAIRMAN ENCELEWSKI: We do it by
11 hundreds of years. Go ahead, Robbin, you want to
12 comment on it.
13

14 MS. LAVINE: Thank you. For the record
15 this is Robbin LaVine, Subsistence Policy Coordinator.
16 And I would just remind you that the factors that are
17 used in customary and traditional use analysis are
18 factors to consider, they're not a checklist and not
19 all must be met. These are -- these are factors that
20 the analysts use to identify pattern of use and not all
21 of them will be met or need to be met. A criteria, the
22 customary and traditional use criteria is terminology
23 used by the State and that is a checklist.
24

25 But if you look in the analysis on Page
26 148 of your meeting materials, in 2010 the Secretary of
27 the Interior asked the Board to review with Regional
28 Advisory Council input the customary and traditional
29 use determinations process and present recommendations
30 for regulatory changes, and it was out of that process
31 that this more broad and inclusive interpretation
32 emerged. And, again, we are following that process and
33 that policy that came out of that review. And if your
34 Council feels it is more useful to recommend
35 alterations to that process it would, of course, would
36 take many years but it's entirely within your rights to
37 do so. But, again, I just want to make sure that you
38 know these factors, not all must be met, and -- that's
39 it, thank you, Mr. Chair.
40

41 CHAIRMAN ENCELEWSKI: Well, they may
42 not all need to be met but they all have implications,
43 correct -- thank you -- one more?
44

45 MS. LAVINE: One more thing. And just
46 to say that while the Board doesn't require them to be
47 met those factors are how we organize information for
48 your use so really it's also up to you about how you
49 want to apply those factors and the knowledge that has
50

0122

1 been presented.

2

3 Thank you, Mr. Chair.

4

5 CHAIRMAN ENCELEWSKI: Yeah, that's one
6 reason we'd love those people to come and testify to
7 us, you know, that's the process here, it's open.

8

9 Thank you.

10

11 Go ahead, Gloria.

12

13 MS. STICKWAN: I just wonder why you
14 don't do C&T studies.

15

16 MS. LAVINE: Thank you, Mr -- through
17 the Chair. The Federal Subsistence Management Program
18 does not conduct our own research, we rely on the
19 research of other agencies. I do understand that I --
20 I recently heard there will be comprehensive
21 subsistence surveys conducted in the Copper River Basin
22 again, a collaboration between the Park Service and the
23 Alaska Department of Fish and Game, Division of
24 Subsistence as.....

25

26 MS. LINNELL: And AITRC.

27

28 MS. LAVINE:and Ahtna InterTribal
29 Resource Commission, and that work is tremendously
30 valuable to our analysts, the Federal Subsistence
31 Management Program and we're delighted to hear that
32 news.

33

34 Thank you.

35

36 MS. STICKWAN: You didn't answer my
37 question. I said, why don't you guys do it?

38

39 MS. LAVINE: Through the Chair, this is
40 Robbin. I wish we did. I know we don't. I do know
41 that we have the FRMP, the Fisheries Resource
42 Monitoring Program that provides support, financial
43 support to fisheries projects. I know there's been
44 great interest in expanding that. But our program is
45 limited to supporting positions that analyze other
46 people's work.

47

48 (Teleconference interference -
49 participants not muted - on hold)

50

0123

1 MS. LAVINE: And we'd probably need a
2 larger team to be able to do substantive research
3 ourselves. And one more thing I would note, as a
4 former analyst, I do rely on the testimony provided at
5 our public hearings and at the Regional Advisory
6 Councils, when people come to testify and provide their
7 own personal experiences related to these issues, all
8 of the analysts are culling through our transcripts for
9 that kind of information and it's valuable. It's not
10 the same thing as conducting a slow and rich
11 ethnographic research project but it is another way in
12 which we use the words of the people who are
13 experiencing this way of life to inform our analysis
14 and the Program.

15
16 Thank you, Mr. Chair.

17
18 CHAIRMAN ENCELEWSKI: Anyone.

19
20 (No comments)

21
22 CHAIRMAN ENCELEWSKI: Okay. Jessica,
23 you have something.

24
25 MS. GILL: Thank you, Mr. Chair. I
26 have a comment from the Eastern Inter -- well, I have
27 something from the Eastern Interior Regional Advisory
28 Council for FP23-14. The Eastern Interior took no
29 action on this proposal as the group seeking C&T, the
30 residents of Serendipity and the resource, the Chitina
31 salmon were in the Southcentral region.

32
33 CHAIRMAN ENCELEWSKI: Okay. Is there
34 any other public testimony before we move on to
35 deliberation.

36
37 (No comments)

38
39 CHAIRMAN ENCELEWSKI: On the phone
40 Tina, is.....

41
42 MS. GILL: Mr. Chair.

43
44 CHAIRMAN ENCELEWSKI: Go ahead.

45
46 MS. GILL: Councilman Michael Rego has
47 a comment on this one. This one's a little bit longer
48 so hold -- let's see -- so Michael says:

49
50

0124

1 I would oppose 23-14. There is little
2 research on the customary and traditional use in this
3 area. There has been no subsistence community study
4 because the people of this land -- this area have only
5 been -- have only been used for the State personal
6 salmon fishery for the last 10 to 20 years. The
7 closest community that has been studi -- that has been
8 a study is Tust -- Tonsina and the first parcel of land
9 was purchased 20 years ago. The indigenous people of
10 Alaska have fought to protect and prove their customary
11 rights to the resources and most of the houses/cabins
12 in this area are not residents that live there year-
13 round. There is a new community with no history of use
14 in the area. I am a second generation Alaskan and even
15 have -- I have been using the same areas for 35 years,
16 that isn't thousands that -- that be used for the
17 determination of customary and traditional use. If
18 this proposal passes we will be opening up the gates
19 for people all over the world to buy land, make a
20 subdivision in remote Alaska and consume more research
21 -- resources until the resource has plummeted. This is
22 not good practice and this will be a brand new
23 community without a history in the state of Alaska.

24
25 Thank you.

26
27 CHAIRMAN ENCELEWSKI: Comment. Go
28 ahead, Jim.

29
30 MR. SIMON: Thank you members of the
31 Council. For the record my name is Jim Simon, I'm just
32 providing personal testimony.

33
34 The questions about the eight criteria
35 not being a checklist and that all of them don't need
36 to be met remind me of the Cordova Board of Fish about,
37 almost 20 years ago, when the Chitina Subdistrict
38 became a personal use fishery and that has gone back
39 and forth through the time and the Ahtna people have
40 spent countless hours and tens of thousands if not
41 hundreds of thousands of dollars to even have a Federal
42 fisheries program. And -- but to get more surgical, I
43 recall that Board of Fish meeting was my first Board of
44 Fish meeting after being hired at the Department of
45 Fish and Game, Division of Subsistence. And so what I
46 want to share with you from that is the Department of
47 Law helped -- were responding to Board of Fish
48 questions about whether or not those eight criteria,
49 which the Federal Program adopted from the State

50

0125

1 Program because you have to remember OSM doesn't do any
2 primary research because the intent was always for the
3 State of Alaska to be implementing ANILCA and that's
4 why they don't actually do any research because a big
5 chunk of that money used to just go directly to the
6 Division of Subsistence to do all of that research.
7 That is a multi-generational historical point, right.
8 And what we see now is very different because the
9 political circumstances are quite different now with
10 the State not interested in assuming ANILCA
11 implementation. But the Department of Law pointed out
12 that criterion one, three and five were sort of heavily
13 important to focus on in evaluating that customary and
14 traditional use determination for the Chitina
15 Subdistrict.

16

17 I can't -- number 1 is long-term use,
18 you know, more than a generation. I can't remember
19 what three and five here. But they're the same
20 criteria for the State and for you, so you could ask
21 OSM Staff to help walk you through that and just, if
22 you wanted to really dive into it like the Board of
23 Fish did back all those years ago and to be able to
24 help gage your decisionmaking because as Robbin pointed
25 out, it's really -- the information is being presented
26 to you as the experts to make this decision.

27

28 My personal assessment of the analysis
29 that's been presented to you is that the 14 households
30 in this area are human beings, right, that's basically
31 the take home message and the threshold that needs to
32 be met for OSM to recommend making a C&T determination.
33 Again, just my personal perspective on this. I don't
34 mean any offense to anyone. But as many people have
35 said, you would never get a C&T in the past if you
36 didn't show up at the meeting and spend tons of
37 resources and money and trying to convince people and
38 document, yes, that Native people have been here
39 forever, you know, hopefully these things are going to
40 start changing now that the State actually recognizes
41 the tribes exist.

42

43 So, anyhow, enough, thanks.

44

45 Doi.

46

47 CHAIRMAN ENCELEWSKI: That was good,
48 thanks, Jim. Any other public testimony.

49

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0126

1 (No comments)

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CHAIRMAN ENCELEWSKI: Okay. Then
Regional Council recommendations. If someone wants to
make a motion to adopt.

MS. TOTEMOFF: I make the motion to
adopt FP23-14.

CHAIRMAN ENCELEWSKI: Okay, thank you,
Angela.

MR. HOLSTEN: Second.

CHAIRMAN ENCELEWSKI: Second. Ed,
thank you. All in favor of that aye.

IN UNISON: Aye.

MS. STICKWAN: I oppose.....

CHAIRMAN ENCELEWSKI: We're just
getting it on the table right now.

MS. STICKWAN: Well, I'm just saying I
oppose it.

CHAIRMAN ENCELEWSKI: Okay. Well, you
can start then, we're on there and so go ahead you can
make your comments now please. Yeah, go ahead.

MS. STICKWAN: I oppose the motion. I
mean, you know, after hearing all the testimony and
listening and thinking about this I've rethought about
it and, you know, we're not meeting C&T. We're not --
did they look at one, three and five like he said, is
it included in here, they don't have any C&T, they have
no information, we have a new community that was formed
in 2000 I think he said. I don't know when, if I
remember.....

CHAIRMAN ENCELEWSKI: 2000.

MS. STICKWAN: 2000.

CHAIRMAN ENCELEWSKI: Uh-huh.

MS. STICKWAN: They don't have any C&T
and yet they're granted C&T. I didn't think about that

0127

1 before but now I'm thinking about it. And as Rego
2 said, too, that more people are moving -- could move in
3 and form a community and get a C&T. I mean, to me, I
4 think we should -- my opinion we should defer and
5 really look at C&T and tell the Board to reevaluate
6 what we're doing here about this inclusive thing. They
7 said the RACs said be inclusive, I think when the RACs
8 said that, I think we meant to be inclusive of all the
9 wildlife, because we use them as an opportunity to
10 hunt and fish, we weren't -- we did not mean being
11 inclusive of all the communities.

12

13 CHAIRMAN ENCELEWSKI: Right.

14

15 MS. STICKWAN: That was not our intent.
16 Our intent was to include all wildlife because we
17 hunted, we hunted for everything when we're out there,
18 and I think that was misinterpreted when they use the
19 word, inclusive, I think that was probably a
20 misinterpretation or a mistake or something. I don't
21 think that was intended. So I don't know, I just think
22 we need to stop doing C&T and defer this and tell them
23 to address this.

24

25 CHAIRMAN ENCELEWSKI: Andy, go ahead.

26

27 MR. MCLAUGHLIN: Yeah, thank you, Mr.
28 Chair. Yeah, C&T, this is kind of like reminiscent of
29 the Moose Pass rural designation thing, but in that
30 case we even held a meeting there because we wanted to
31 get some evidence from folks and people came in and I
32 mean a wealth of testimonies popped out and it gave us
33 something to work with. I don't see any residents of
34 Serendipity here to testify on behalf of this proposal
35 which is very interesting, or even on the phone for
36 that matter, which should be pretty easy. You know, I
37 mean I understand that they might have a primary
38 residence in that place, you know. The long
39 established use, okay, that's -- long is kind of
40 arbitrary, you could say 20 years is long, that could
41 pass -- you know, consistent pattern of use, you know,
42 I'd like to see some proof of what that consistent
43 pattern of use is, and I haven't seen any proof on
44 that. Seasonal pattern of use, that's pretty easy.
45 Going to the number 5 one there, from generation to
46 generation, it kind of seems like a pretty short period
47 of time, I'd like to question somebody that's
48 supporting this from Serendipity how the generation to
49 generation part works and I'd like to see a little more
50

0128

1 evidence on that. I don't doubt that the use of that
2 resource would play some economic importance role in
3 their lives if they live there, I think they are human
4 beings and they live in a rural place, you know.

5

6 So these eight factors were intended to
7 protect the subsistence users and not limit them but in
8 my opinion I would concur with Ms. Stickwan here about
9 deferring this for more evidence to help us determine
10 if they should be designated as C&T users, and I'd like
11 to see some public testimony.

12

13 Thank you.

14

15 CHAIRMAN ENCELEWSKI: Thank you, Andy.
16 Anyone else want to comment on that. Michael go ahead.

17

18 MR. OPHEIM: I don't know if mine will
19 make much sense. But, you know, I agree with both Andy
20 and Gloria that, you know, there's nobody here to
21 support this proposal and, you know, it would have been
22 great to hear something, you know, somebody sitting
23 here in front of us. 10 to 20 years, some of these
24 folks have used the resources before they moved there
25 and, you know, they already have C&T for another
26 subdistrict so, you know, I don't know, they -- it just
27 seems odd to me. I think with ADF&G and Ahtna, you
28 know, going to do this new survey, I think that would
29 probably tell us a lot of what we want to know.

30

31 So I think I'll oppose this.

32

33 CHAIRMAN ENCELEWSKI: Okay. Go ahead,
34 Diane.

35

36 MS. SELANOFF: Well, I was thinking
37 about going back to the demographics of it. I think
38 you mentioned that there was how many houses, and how
39 many people?

40

41 CHAIRMAN ENCELEWSKI: 12.

42

43 MS. SELANOFF: 12 houses and 15 people,
44 so there's basically one person per household. Anyway,
45 I think they're using the personal use fisheries out at
46 Chitina so I think I'm going to not vote in favor of
47 this, it's -- it's small, we'll give them a chance to
48 grow and get some history.

49

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0129

1 CHAIRMAN ENCELEWSKI: Angela.

2

3 MS. TOTEMOFF: Thank you, Mr. Chair. I
4 oppose 23-14. Back to the point of we need to revise
5 that C&T designation process, whether or not it takes
6 years or not. I think that's incredibly important for
7 this Board to be cognizant of this issue moving forward
8 on all proposals being presented.

9

10 Thank you.

11

12 CHAIRMAN ENCELEWSKI: Did you want

13 to.....

14

15 MS. HOPE: Okay.

16

17 CHAIRMAN ENCELEWSKI: I was going to
18 give my comments but I'll give everyone else a chance
19 first.

20

21 MS. HOPE: Go ahead and.....

22

23 CHAIRMAN ENCELEWSKI: Go ahead and give
24 your comment.

25

26 MS. HOPE: All right, thank you, sir.
27 So on Page 149 of this book here it says, in the
28 effects of the proposal, I would feel comfortable
29 passing on this because not only the testimony of
30 people who have been there for centuries, it says that,
31 however: Serendipity residents could continue to
32 harvest salmon under their State personal use, which
33 kind of sounds like they would not suffer if this
34 didn't happen, they would just do what they're doing.

35

36 CHAIRMAN ENCELEWSKI: Okay. I'm going
37 to go ahead and make a couple comments. I'm going to
38 be opposed to it and I'm going to oppose it for the
39 reasons stated by a lot of my fellow Board members
40 here.

41

42 But, you know, 20 years, 10 to 20 years
43 is -- I'm not sure if that's a long-term use or what,
44 and I would love to see some of these people come in
45 and testify. In the small communities, you know, Andy
46 made a great point, we had questions of Hope [sic] and
47 we questioned that but we knew that Hope was there for
48 a long time but we still didn't know if they had
49 customary and traditional use of the foods, of the
50

0130

1 moose and stuff, they did, but it wasn't until we did a
2 thorough research and actually our Council went there,
3 we held meetings there, we had town hall meetings
4 there, prior to that, and we got the information we
5 wanted so we could support the C&T. I'm not opposed to
6 giving anyone C&T that's truly deserving of it. But
7 the way I see it, just about everyone that deserves C&T
8 pretty well has it and so the new ones coming on, we do
9 have to revise and look those criteria because, you
10 know, I'm going to take all my grandkids and start a
11 community somewhere, I'm not sure, but anyway -- I'm
12 not trying to be a wiseguy but that's happening.

13

14 And I've talked to this before. We had
15 one down south of our area, Happy Valley, he wanted us
16 to do the same thing, he wanted the C&T, he had
17 homesteaded and he had a bulldozer and he had an old
18 road pushed in there to a mining area and he wanted a
19 C&T for it, and then he just included -- to have enough
20 numbers he drew a map and he included the Russian
21 Village. Well, I understand some of those Russian
22 people and I know them pretty well and I even speak a
23 little so I talked to them and they hadn't put in the
24 proposal.

25

26 But anyway I think it needs to, at the
27 very least, be deferred until we have more credible
28 information in my opinion. That's my opinion, okay. I
29 always reserve to speak last because I want to hear
30 what everyone says.

31

32 Does anyone on the phone want to speak
33 to it or Council Member Claus.

34

35

36 (No comments)

37

38 CHAIRMAN ENCELEWSKI: Apparently not.

39 So, okay, we're ready for a vote.

40

41 MS. STICKWAN: I have a question.

42

43 MS. CLAUS: Yes, Mr. Chairman, this is

44 Donna.

45

46 CHAIRMAN ENCELEWSKI: Go ahead, Donna.

47

48 MS. CLAUS: Yeah, I agree with you
49 fully, with all the statements that have been made. 20

50

0131

1 years, that's awesome that they've been there 20 years
2 but I've been here 40 years and I still look at you
3 guys and go, man, I don't even -- I haven't been here
4 long enough and, I don't know, that's just personal
5 opinion, but it seems to me that what you're saying is
6 exactly correct.

7

8 Thank you.

9

10 CHAIRMAN ENCELEWSKI: Thank you.

11

12 MS. STICKWAN: I had a question about
13 process.

14

15 CHAIRMAN ENCELEWSKI: Go ahead.

16

17 MS. STICKWAN: I said to defer this,
18 they said to oppose it, I don't know what.....

19

20 CHAIRMAN ENCELEWSKI: I think the
21 process is we put it on as a motion to adopt, so we
22 need to oppose it, so that's the Robert's Rules.

23

24 MS. STICKWAN: We need to oppose it, we
25 can't defer it.

26

27 CHAIRMAN ENCELEWSKI: We oppose it and
28 then we could -- so we have to oppose it and then we
29 could make another.....

30

31 MR. MCLAUGHLIN: We could bring it
32 back.

33

34 CHAIRMAN ENCELEWSKI: We could bring it
35 back, I guess. Am I correct.

36

37 MS. TOTEMOFF: Serendipity can bring it
38 back.

39

40 CHAIRMAN ENCELEWSKI: Yeah. Scott.

41

42 MR. AYERS: Shouldn't it be the person
43 that proposed.....

44

45 REPORTER: Scott, please, come up here.

46

47 CHAIRMAN ENCELEWSKI: No, we don't want
48 to go backwards, Scott. Go ahead. Go ahead.

49

50

0132

1 (Laughter)

2

3 CHAIRMAN ENCELEWSKI: He's going to say
4 they could rescind the.....

5

6 REPORTER: Wait, no one has their mic
7 on.

8

9 CHAIRMAN ENCELEWSKI: Okay.

10

11 MR. AYERS: This is Scott Ayers, OSM,
12 Mr. Chair. One of the options, if the Council wants
13 to, if there's a motion on the table, with the okay of
14 the person that seconded, the person that put the
15 motion in can rescind their motion and the Council can
16 make a new motion. That's all I wanted to say.

17

18 CHAIRMAN ENCELEWSKI: That's true. But
19 we were almost beyond that until you said, hey.

20

21 (Laughter)

22

23 MS. TOTEMOFF: I don't rescind.

24

25 CHAIRMAN ENCELEWSKI: You don't?

26

27 MS. TOTEMOFF: I don't rescind.

28

29 CHAIRMAN ENCELEWSKI: Okay, there's no
30 rescinding requested so we're going to vote on it. All
31 in favor of it which would give them the C&T signify by
32 saying aye.

33

34 (No aye votes)

35

36 CHAIRMAN ENCELEWSKI: Those opposed

37 aye.

38

39 IN UNISON: Aye.

40

41 CHAIRMAN ENCELEWSKI: It fails.

42

43 MS. GILL: Mr. Chair.

44

45 CHAIRMAN ENCELEWSKI: Yes.

46

47 MS. GILL: I believe there is more
48 coffee if you wanted to take a little break to get
49 some.

50

0133

1 CHAIRMAN ENCELEWSKI: Well, we could
2 dump out our tea and have coffee. Okay, let's go ahead
3 -- but every time I get Jason up here I take a five
4 minute break.

5
6 MS. GILL: Sorry Jason.

7
8 CHAIRMAN ENCELEWSKI: That's okay,
9 you're my signal. We'll take a break and get fresh
10 coffee. Okay, thank you.

11
12 (Off record)

13
14 (On record)

15
16 CHAIRMAN ENCELEWSKI: Okay, where's my
17 presenter.

18
19 (Laughter)

20
21 CHAIRMAN ENCELEWSKI: Okay, Jason, you
22 got the floor.

23
24 MR. ROBERTS: All right. Once again
25 this is Jason Roberts, Cultural Anthropologist for OSM.
26 I'll be presenting a summary of the analysis for
27 Fisheries Proposal 23-15/16. It's 15/16 because two
28 identical proposals were submitted and we analyzed it
29 as one. The analysis for this proposal starts on Page
30 156 of your meeting book.

31
32 Fisheries Proposal 23-15/16 was
33 submitted by the Alaska Department of Fish and Game,
34 Upper Tanana Fortymile Advisory Committee. It requests
35 that the Federal Subsistence Board recognize the
36 customary and traditional use of salmon in the Chitina
37 Subdistrict of the upper Copper River district by
38 permanent rural residents who live between named
39 communities along the last -- the Alaska Highway from
40 the U.S./Canada Border to Dot Lake.

41
42 The proponents note that households
43 located between these communities along the Alaska
44 Highway are not separate from the communities but are
45 linked by geography, kinship, economy and culture.
46 They practice the same subsistence way of life and
47 should be included in the C&T for salmon in the Chitina
48 Subdistrict along with these named communities. And a
49 map displaying this area we're talking about can be
50

0134

1 found on Page 160.

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I'm going to kind of pass over the regulatory history because it's very similar to the regulatory history I discussed for FP23-14.

All right. According to the proponent this proposal was submitted because a previous proposal, Fisheries Proposal 02-16e was adopted by the Federal Subsistence Board but neglected to include this area in the list of communities and areas that have a customary and traditional use determination for salmon in the Chitina Subdistrict of the upper Copper River district. As noted, the communities along this portion of the Alaska Highway which include Northway, Tetlin, Tok, Tanacross and Dot Lake have C&T for salmon in the Chitina Subdistrict. The proposal notes that households located between these communities along the Alaska Highway are not separate from these communities but practice very similar subsistence ways of life characterized by year-round harvest and dependence upon fish, wildlife and plants.

The households located between the named communities in this area have a customary and traditional use determination for the Glennallen Subdistrict. However, they submitted this proposal, in part, because they have experienced increasing difficulty with harvesting salmon in the Glennallen Subdistrict. The Chair of the Fortymile Advisory Committee explained that operating fishwheels has become difficult because water levels have been very high in recent years. They said that fishwheels are damaged by debris and high water which disperses fish and decreases harvest and this phenomenon has been reported in a 2015 ADF&G subsistence study. The AC Chair said that salmon in the Chitina Subdistrict are typically in better condition, fresher from the ocean and are easier to harvest by dipnet. He stated that it's not efficient to dipnet in the Glennallen Subdistrict. And while it's expense for them to travel, drive down to Chitina, some families pool resources and harvest salmon in the Chitina Subdistrict to share with others.

Further, the subsistence practices of the communities with customary and traditional use determinations for salmon in the Chitina Subdistrict come from the traditions of the Ahtna Upper Tanana,

0135

1 Tanacross and EuroAmerican Homesteaders. Salmon use
2 and harvest practices by the Alaska Highway communities
3 of Northway, Tetlin and Tok, Tanacross and Dot Lake are
4 extensively documented in previous proposal analysis
5 adopted by the Board, FP02-16 as well as comprehensive
6 subsistence studies conducted by ADF&G in 1987, 1988,
7 2011 and 2014. The proponents state that the
8 households of the permanent residents who live along
9 the Alaska Highway between these named communities live
10 very similar lives, very similar subsistence lifestyles
11 and are connected to these named communities by issues
12 of kinship, geography, economy and culture.

13

14 So if the Board adopts this proposal,
15 residents between the named communities along the
16 Alaska Highway from the U.S./Canada Border to Dot Lake
17 would be added to the customary and traditional use
18 determination for salmon in the Chitina Subdistrict.
19 This would provide them with greater and potentially
20 more efficient access to subsistence salmon fisheries
21 in the upper Copper River district. If the proposal is
22 rejected the residents between the named communities in
23 this area would not qualify as Federal subsistence
24 harvesters in the Chitina Subdistrict however they
25 could continue to harvest salmon in the Chitina
26 Subdistrict under State personal use fisheries
27 regulations. They would also maintain a C&T for salmon
28 in the Glennallen Subdistrict.

29

30 The OSM preliminary conclusion is to
31 support FP23-15/16 for the reasons stated therein, the
32 permanent rural residents who live between the named
33 communities along the Alaska Highway in this area do
34 have connections to the named communities and practice
35 similar subsistence lifestyles.

36

37 That concludes the summary of the
38 analysis.

39

40 CHAIRMAN ENCELEWSKI: Okay, good job.
41 Any questions for Jason before he leaves.

42

43 (No comments)

44

45 CHAIRMAN ENCELEWSKI: Thank you.

46

47 MR. ROBERTS: I can provide a summary
48 of the written public comments if you want me to now or
49 later.

50

0136

1 CHAIRMAN ENCELEWSKI: You don't have to
2 come back, go ahead and do them now.

3
4 (Laughter)

5
6 CHAIRMAN ENCELEWSKI: I mean, yeah, go
7 ahead.

8
9 MR. ROBERTS: Okay. So OSM received
10 three written public comments on this proposal. Those
11 can be found starting on Page 170 in your meeting book.
12 Two of these comments were written in opposition to the
13 proposal. These comments were provided by the Ahtna
14 Incorporated Customary and Traditional Committee and
15 the Ahtna InterTribal Resource Commission. Both stated
16 that proponents do not display an appropriate long-term
17 pattern of use of the Chitina Subdistrict fishery and
18 they have not provided proper written documentation to
19 display this pattern. They also noted that C&T
20 determinations for salmon in the Chitina Subdistrict
21 are largely based on Ahtna customary and traditional
22 uses and that Ahtna communities are already facing
23 increased competition for decreasing populations of
24 salmon.

25
26 The third comment was written in
27 support of the proposal with a modification to also
28 include residents of Dry Creek by extending the C&T to
29 add residents along the Alaska Highway between the
30 Canadian Border and Johnson River. This comment was
31 provided by Tom Geyer on behalf of the residents of Dry
32 Creek. He noted that residents of Dry Creek exhibit
33 similar subsistence practices and lifestyles to those
34 living in communities that already have a C&T
35 determination for the Chitina Subdistrict.

36
37 CHAIRMAN ENCELEWSKI: Okay, thank you.
38 Thank you, Jason. Okay, Orville, go ahead and tell us
39 what you got for your consultation.

40
41 MR. LIND: Thank you, Mr. Chair.
42 Council members. Good afternoon again. Orville Lind,
43 OSM, On Proposal 23-15/16 during the consultation
44 sessions there were no questions or comments.

45
46 Thank you, Mr. Chair.

47
48 CHAIRMAN ENCELEWSKI: Thank you,
49 Orville. Alaska Department of Fish and Game, you got
50

0137

1 it.

2

3

MS. KEATING: Thank you, Mr. Chair.
4 For the record, again, Jackie Keating, Division of
5 Subsistence, Alaska Department of Fish and Game. And
6 the Department is neutral on FP23-15/16. And, again,
7 ADF&G recommends that the Federal Subsistence Board
8 thoroughly and carefully review the data relevant to
9 the eight criteria for those communities that lack a
10 customary and traditional use finding.

11

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Thank you, Mr. Chair.

CHAIRMAN ENCELEWSKI: Okay. At this
time would you like to tell us why?

MS. KEATING: Sure, thank you for that
opportunity.

CHAIRMAN ENCELEWSKI: Okay.

MS. KEATING: The Department is neutral
on eligibility requirements for participation and the
Subsistence Program provided under ANILCA, that's a
Board determination. And for the earlier proposal,
FP23-08, 09, and 12, there is some internal discussions
in the Department but there will be a formal statement
made at the Federal Subsistence Board.

CHAIRMAN ENCELEWSKI: Okay, thank you.

MS. KEATING: Thank you.

CHAIRMAN ENCELEWSKI: Now we know,
okay. How about Federal agencies.

(No comments)

CHAIRMAN ENCELEWSKI: Any of you guys
that haven't spoke you can come right up.

(No comments)

CHAIRMAN ENCELEWSKI: None, thank you.
Tribal entities, who would like to speak to this one
first. Come on up, Karen.

MS. LINNELL: Thank you, Mr. Chair.
For the record my name is Karen Linnell, Ahtna

0138

1 InterTribal Resource Commission Executive Director. I
2 represent eight tribes, seven of which have C&T for
3 salmon on the Copper River.

4
5 I can't say it enough that this river
6 cannot provide for everybody in the state. The reason
7 that Tetlin, Northway, Tanacross, Dot Lake have C&T is
8 because Buster Jean's brothers, Smitty and Harold moved
9 from Gakona to Tetlin, they married in over there. The
10 reason that Northway has C&T is because Dick Ewan moved
11 from Gulkana to Northway and so those families would
12 come back. The reason that Tanacross has rights there
13 is because Walter Sanford moved from Chistochina to
14 Tanacross and married over there. And the reason that
15 Dot Lake has a right is because Doris Charles and Jean
16 Henry, who were also a party to the Katie John case
17 born at Batzulnetas moved to Dot Lake. And so since
18 then this -- the Federal practice has been to give it
19 to a community rather than to the people and because
20 they gave it to the community it's caused this grey
21 area.

22
23 Now, Dry Creek has C&T already in
24 Slana. They chose Slana as their area for C&T even
25 though when they were applying for a customary and
26 traditional use a few years back they were fishing out
27 of Chitina, they applied for Slana and they got it. I
28 was opposed to it then because that wasn't where they
29 were fishing. They were fishing in Chitina, they were
30 borrowing SapaChristianson's wheel and they chose to
31 apply to Slana because it's closer to their home. What
32 they found out is like what we've been telling you, is
33 we aren't getting the salmon there like they do in the
34 south end of the river, now they want to change it, but
35 it's not just them. They're inviting all these other
36 residents in between, that includes the Border Guards
37 who rotate in and out, who have not had a long-term
38 use, it includes everybody in between. And, you know,
39 this river cannot support the entire state.

40
41 There's not enough salmon to go around
42 and this is an already strained system. Those folks
43 don't have a C&T, they haven't proven a C&T, and they
44 should not be granted C&T. Until you guys, you, and
45 the Federal System, can have them prove their
46 documented use of long-term use through generations
47 then maybe, but not -- they haven't done that.

48
49 And it just -- well, Dry Creek got it
50

0139

1 and so we need to do it and we don't like that we got
2 the C&T in Slana, well, we didn't like that they got
3 C&T in Slana either. They were fishing in Chitina off
4 of Sapa's fishwheel. And now they're trying to change
5 it but they're not just changing it for themselves, now
6 it's everybody.

7
8 Like I said, this river cannot support
9 the entire state. I can't stress that enough. As
10 somebody who is near the headwaters and trying to be
11 able to provide for my community, my whole village and
12 everything. And I get folks telling me, well, you're
13 not putting in the effort, the way that I was taught,
14 if the fish are coming and you're catching too many,
15 shut it off, let them go by. If you're not catching
16 enough and they're not coming, something's wrong, you
17 need to shut it off, let them go by, so that they can
18 survive. We need -- we're looking at sustainability.
19 And if we continue to liberalize which communities are
20 eligible for customary and traditional use of the
21 Copper River salmon we're not going to have anything
22 left, for the commercial fishermen, for the
23 sportfishermen, and for the subsistence users, from
24 Eyak all the way to Mentasta, we're not going to have
25 enough.

26
27 So I urge you to fail this, or not
28 approve this request. A blanket request put on by some
29 State users out of the Fortymile AC.

30
31 So, thank you.

32
33 CHAIRMAN ENCELEWSKI: Thank you, Karen.
34 Is there any other tribal entities that would like to
35 talk to this proposal.

36
37 (No comments)

38
39 CHAIRMAN ENCELEWSKI: Okay. Hearing
40 none, is there any other Advisory Groups, Fish and Game
41 Advisory Committees.

42
43 (No comments)

44
45 CHAIRMAN ENCELEWSKI: And we got
46 Barbara here, the Subsistence Resource Committee and
47 then I'll let you read yours, okay.

48
49 MS. CELLARIUS: Thank you, Mr. Chair.

50

0140

1 Again, for the record it's Barbara Cellarius with
2 Wrangell-St. Elias National Park and Preserve
3 presenting the comment from the Wrangell-St. Elias
4 Subsistence Resource Commission. On FP23-15/16, the
5 Commission unanimously supported the proposal. The
6 people who live along the Alaska Highway between Dot
7 Lake and the Canadian Border outside of communities are
8 rural subsistence users with patterns of use that are
9 similar to those of adjacent communities which already
10 have a customary and traditional use determination for
11 the fishery.

12

13 That concludes the comment.

14

15 CHAIRMAN ENCELEWSKI: Okay, thank you.
16 Barbara, do you know the number of the people that
17 would add to that from those other communities?

18

19 MS. CELLARIUS: I do not. That might
20 be a question for the analyst but I think it's hard to
21 get information between the communities.

22

23 CHAIRMAN ENCELEWSKI: I was just
24 wondering. Jessica.

25

26 MS. GILL: Thank you, Mr. Chair. The
27 Eastern Interior Regional Advisory Council opposed this
28 proposal.

29

30 CHAIRMAN ENCELEWSKI: Okay. Eastern
31 Interior opposed, okay. How about a summary of written
32 public comments, do you have any other than what Jason
33 read.

34

35 MS. GILL: Mr. Chair. There were no
36 additional comments.

37

38 CHAIRMAN ENCELEWSKI: Okay.

39

40 MS. GILL: Written public comments.

41

42 CHAIRMAN ENCELEWSKI: Thank you. Okay,
43 we're open for public testimony if anyone wanted to
44 testify.

45

46 MS. GILL: Mr. Chair. Mr. Rego has
47 one.

48

49 CHAIRMAN ENCELEWSKI: Okay, go ahead

50

0141

1 and read that one.

2

3 MS. GILL: Okay, thank you. All right.
4 So this is for Councilman Michael Rego. He says I
5 would oppose 23-15/16 since, again, these people live
6 in the Tanana River drainage with limited access to the
7 Copper River. If they receive C&T rights to the Copper
8 River then I should be able to go into the Tanana River
9 and throw out my net for whitefish.

10

11 He has like a second comment that I
12 think is kind of related to this as well.

13

14 He says: There has been a -- there has
15 to be a line drawn somewhere, there is a serious issue
16 with the determination of Alaskans who are rural in the
17 Federal subsistence system. If you are an Alaska
18 resident for one year all you have to do is live in a
19 community for one day and you are qualified for Federal
20 harvest. This is also a terrible loophole that should
21 be addressed.

22

23 Thank you.

24

25 CHAIRMAN ENCELEWSKI: Thank you. No
26 other public comments.

27

28 (No comments)

29

30 CHAIRMAN ENCELEWSKI: Okay. We're down
31 to the Regional Council's recommendations so I'm going
32 to open it up for a motion.

33

34 MS. TOTEMOFF: Mr. Chair. I'd like to
35 make a motion to adopt FP23-15/16.

36

37 CHAIRMAN ENCELEWSKI: Okay, can I
38 interrupt just one second while you do that -- I got a
39 note here, it says take action on 23-15, take no action
40 on 16 because they're like -- could you make the motion
41 to just do 15.

42

43 MS. TOTEMOFF: Sure.

44

45 CHAIRMAN ENCELEWSKI: Okay.

46

47 MS. TOTEMOFF: I'll amend that to adopt
48 FP23-15.

49

50

0142

1 CHAIRMAN ENCELEWSKI: Okay.

2

3 MR. HOLSTEN: Second.

4

5 CHAIRMAN ENCELEWSKI: Okay, it's on the
6 table. Now we could debate it with great wisdom and
7 vigor so who wants to go first.

8

9 (Pause)

10

11 MR. OPHEIM: I will.

12

13 CHAIRMAN ENCELEWSKI: Go ahead,
14 Michael. Boy, for awhile there I thought.....

15

16 (Laughter)

17

18 MR. OPHEIM: This isn't even put in by
19 the communities and I think you were mentioning this as
20 similar or something that happened last year, somebody
21 submitting something for communities that weren't even
22 in the know of what was going on. So that, to me, is
23 not as good as this request coming from the communities
24 themselves. And, you know, nobody here to talk to this
25 either. So, you know, it's just a blanket C&T, it's
26 kind of a tough one to swallow, I think at this point,
27 so I'll be opposing it.

28

29 CHAIRMAN ENCELEWSKI: Okay. I know we
30 got local knowledge up there so who wants to speak
31 next. Gloria.

32

33 MS. STICKWAN: I got to think about
34 that.

35

36 CHAIRMAN ENCELEWSKI: I almost had her
37 talked into it.

38

39 (Laughter)

40

41 CHAIRMAN ENCELEWSKI: Anyone else -- go
42 ahead, Angela.

43

44 MS. TOTEMOFF: I'll be opposing this as
45 well simply because this same issue that comes up where
46 we have to evaluate that C&T process. So I'll be
47 opposing that. Thank you.

48

49 CHAIRMAN ENCELEWSKI: Okay.

50

0143

1 MS. WILSON: Donna Wilson, through the
2 Chair.

3
4 CHAIRMAN ENCELEWSKI: Okay, go ahead on
5 the phone, who -- was that Donna?

6
7 REPORTER: Donna Wilson.

8
9 CHAIRMAN ENCELEWSKI: Donna Wilson,
10 okay.

11
12 MS. WILSON: Yes, Donna Wilson.

13
14 CHAIRMAN ENCELEWSKI: Yeah, go ahead.

15
16 MS. WILSON: I just wanted to comment
17 that I've been listening to all this and it seems like
18 there's a lot of things that are just not very clear,
19 such as subsistence use, rural use, where you got to
20 live, how long you got to be there some of these things
21 really need to be clarified. And Gloria made a very
22 pertinent point that I think needs to be looked at, and
23 that was on the word, inclusive. I believe she's
24 correct. It was meant to include all game, to give
25 access to subsistence, you know, customary and
26 traditional use, it didn't mean to include everybody in
27 the state and, no, that river can't support everybody.
28 It's supported me just fine without being in some sort
29 of category like this. I'm sure that they would --
30 they've been using it, just they had been using it,
31 they would continue to use it like they had, so if
32 that's their traditional customary use; they weren't
33 here to speak to this at all.

34
35 So I'm opposed.

36
37 Thank you.

38
39 CHAIRMAN ENCELEWSKI: Okay, thank you,
40 Donna Wilson. Andy.

41
42 MR. MCLAUGHLIN: Yeah, thank you, Mr.
43 Chair. I concur with those last statements. I'd like
44 to see some more public testimony, you know, about
45 these uses that they have to give us some examples of
46 how they meet these criteria. So I'm going to have to
47 oppose, though I am the type of person that would be
48 glad to include somebody in C&T if that's truly what's
49 going on.

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1 Thank you.

2

3 CHAIRMAN ENCELEWSKI: Thank you, Andy.
4 Any other Council member want to take a shot at it.

5

6 MS. STICKWAN: Okay.

7

8 CHAIRMAN ENCELEWSKI: I don't want to
9 exclude anybody. I kind of think that they harvested
10 salmon -- I mean harvested wildlife around this area
11 but, you know, thinking -- rethinking all my thoughts
12 now because, you know, I've been listening from other
13 people and, I don't know, I just -- I don't want to
14 exclude these people, there's not that many people, but
15 then Ralph Lohse, he always said that if it's important
16 to them they should be here testifying and I don't see
17 anybody testifying from the area. And, you know, they
18 -- did they meet the eight criteria, I don't know, I'm
19 rethinking and I'm thinking maybe, no, they didn't meet
20 all eight criteria. They're not here to testify. I
21 don't know -- I don't know, I'm not -- these kind of
22 proposals are just really hard on me to make decisions.

23

24 CHAIRMAN ENCELEWSKI: Uh-huh.

25

26 MS. STICKWAN: It's not easy, I don't
27 like to exclude people or communities. It's hard. So
28 I don't know, I just really think we need to defer
29 these proposals until we get better information. And
30 that's what we should do, I think.

31

32 CHAIRMAN ENCELEWSKI: Okay. Anyone
33 else want to speak to it.

34

35 (No comments)

36

37 CHAIRMAN ENCELEWSKI: Yeah, at this
38 time I'm probably going to have to oppose it also
39 because I want more information too. And after
40 listening to Karen Linnell, and some of the local
41 logistics, I depend a lot on local knowledge and local
42 testimony of what's going on here and I'm not sure the
43 case is -- there's some confusion whether the case is
44 made for the C&T and if there's doubt; when in doubt we
45 need to ferret it out, so we need to get a little more
46 information I believe.

47

48 So that's my conclusion.

49

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1 But, go ahead, you guys are all
2 entitled to your vote, however, so if anyone wants to
3 speak to it we'll have it now or we'll take a vote.

4

5 MS. SELANOFF: Mr. Chair, I call for
6 the question.

7

8 CHAIRMAN ENCELEWSKI: Question's been
9 called for. All in favor of this proposal 15 that's
10 before us, signify by saying aye.

11

12 (No aye votes)

13

14 CHAIRMAN ENCELEWSKI: All those that
15 oppose signify by aye.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN ENCELEWSKI: I think it's
20 unanimous at this time and maybe they could be
21 contacted to reconsider and come before us to make the
22 case.

23

24 MS. GILL: And, Mr. Chair, so that was
25 just a motion to -- on FP23-15, we just need to make
26 sure that we're like -- take no action on FP23-16, we
27 just need to get that on the record.

28

29 CHAIRMAN ENCELEWSKI: That's true and
30 you should have caught me earlier. Now let's make a
31 motion for 16 that we'll take no action, if you guys
32 would please.

33

34 MR. ZADRA: I will make a motion to
35 take no action on FP23-16.

36

37 CHAIRMAN ENCELEWSKI: Thank you,
38 Dennis.

39

40 MS. TOTEMOFF: Second.

41

42 CHAIRMAN ENCELEWSKI: Second by Angela.

43

44 MS. SELANOFF: Question.

45

46 CHAIRMAN ENCELEWSKI: Question. All in
47 favor for no action on 16, aye.

48

49 IN UNISON: Aye.

50

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1 CHAIRMAN ENCELEWSKI: Any opposed.

2

3 (No opposing votes)

4

5 CHAIRMAN ENCELEWSKI: Okay, good call
6 Jessica, we got the record straight. We didn't want to
7 confuse Dave over there when it gets to his side of the
8 coin.

9

10 (Laughter)

11

12 CHAIRMAN ENCELEWSKI: We have another
13 one now that Gloria had requested.....

14

15 REPORTER: Greg. Greg. Your mic.

16

17 CHAIRMAN ENCELEWSKI:this
18 morning. The handout has been -- whoops.

19

20 REPORTER: Thank you.

21

22 CHAIRMAN ENCELEWSKI: We do have
23 another one FCR23-05 that we added this morning to the
24 agenda. My understanding is that we could listen, we
25 could present comments, we might not be able to take
26 action on it and they'll explain that to us. But,
27 anyway, if you guys want to go ahead and give us the
28 rundown we'll be glad to hear it. Scott.

29

30 MR. AYERS: Thank you, Mr. Chair.
31 Scott Ayers, OSM for the record. The proposal was
32 requested to come in front of you is actually a closure
33 review, FCR23-05. I believe copies were handed out
34 earlier. It's for the Delta River. And Justin Koller
35 here is going to provide the analysis introduction for
36 you in just a moment. But I did want to clarify that
37 this is an area that is within the Eastern Interior
38 region and that those individuals that have C&T for
39 that area are residents of the Yukon River drainage.
40 There are no communities within the Southcentral
41 Council's region that have C&T. And so as you said
42 earlier this Council is more than able to provide
43 comments on it but you would not provide a
44 recommendation and, therefore, the Board would not
45 defer to this Council's comments.

46

47 CHAIRMAN ENCELEWSKI: Okay. We could
48 comment but we have no authority.

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1 REPORTER: Greg.

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CHAIRMAN ENCELEWSKI: I didn't have my mic on, but we could comment but we have no authority so just so we understand that. Very good.

(Pause)

MR. KOLLER: Good afternoon. Once again this is Justin Koller with the Office of Subsistence Management. Yeah, I also had some comments related to what Scott Ayers had said about crossover proposals. And crossover proposals are when the proposal will affect two Councils, so this one happens not to be a crossover proposal and only really affects customary and traditional users in the Eastern Interior region. But I'll continue and go ahead and give you a brief overview. I wasn't the lead analyst on this one so I'll do the best I can.

CHAIRMAN ENCELEWSKI: Okay. We'll take a shot at it, we're just going to comment so that's fine. Thank you.

MR. KOLLER: Okay. So FCR23-05 is a standard review of a Federal subsistence fishery closure, closure to the harvest of all fish in the Delta River. It's the Board's policy that Federal public lands and waters should be reopened when closures are no longer necessary. The purpose of this closure review is to determine if the closure is still warranted.

Under Federal regulations, subsistence harvest of all fish is prohibited in the Delta River. The Federal Subsistence Board adopted this closure from State regulations at the beginning of the Federal Program and it has not been reviewed or modified since. Under State regulations the Delta River is closed to subsistence fishing but sportfishing is allowed. The Delta River begins at the outlet of Lower Tangle Lake in the Alaska Range about 60 miles Southwest of Delta Junction. The upper portion of the Delta River is a component of the National Wild and Scenic River system as it's administered by the Bureau of Land Management. The lower section of the closure area is on general domain land which is also managed by Bureau of Land Management.

1 Coho and chum salmon spawn in the lower
2 section of the Delta River but salmon do not inhabit
3 the closure area. The non-salmon fish community is
4 compromised of Arctic Grayling, burbot, round
5 whitefish, longnose sucker, lake trout and Dolly
6 Varden. Arctic grayling is the predominant member of
7 the non-salmon fish community and limited information
8 exists for the other species. Arctic grayling
9 abundance and seasonal movements were assessed within
10 an approximately 10.5 mile portion of the Delta River
11 closure area in the late 2000s. In 2008 the estimated
12 number of Arctic grayling, greater than 270 millimeters
13 fork-length was 23,152 fish. The resulting density
14 estimates were among the highest ever documented for
15 this species in Alaska. Research examining the
16 seasonal movements and locations of Arctic grayling
17 indicated the study area provides year-round habitat
18 for this large population of grayling.

19
20 Big Delta and Delta Junction are the
21 communities most likely to subsistence fish in the
22 Delta River if the closure is rescinded due to their
23 proximity to the drainage. Unfortunately there are no
24 readily available data on fishing by residents of these
25 communities in the Delta River because they are located
26 in the state of Alaska's Fairbanks non-subsistence use
27 area and the Alaska Department of Fish and Game,
28 Division of Subsistence has never conducted a
29 subsistence survey for either of these communities.

30
31 Subsistence fishing is prohibited in
32 the Delta River under State and Federal regulations so
33 there is no legal subsistence harvest in the system.
34 Harvest is allowed under State sportfishing
35 regulations. Sportfish harvest estimates for the Delta
36 River are provided by the Alaska sportfishing survey.
37 Estimates for the Delta River below Tangle Lakes are
38 available for 1996 to 2006. For Arctic grayling median
39 estimated sportharvest over this time period was 298
40 fish and ranged from 159 fish in 1998 to 770 fish in
41 1997. Sportfish harvest estimates are not available
42 for this section of the river after 2006 because fewer
43 than 12 survey responses were received annually.

44
45 If this closure is rescinded, Federal
46 subsistence regulations for the Yukon Northern area
47 would apply. Non-salmon fish could be taken with any
48 gear listed on Page 136 of your Council book with --
49 excuse me, it's not in your Council book, my apologies.
50

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1 Subsistence rod and reel harvest limits
2 would match State sportfishing harvest and possession
3 limits. Harvest would be unrestricted for all other
4 legal gear types.

5
6 The OSM preliminary conclusion is to
7 rescind the closure.

8
9 Currently Federal public waters of the
10 Delta River are closed to the harvest of all fish by
11 Federally-qualified subsistence users but open to
12 sportfishing under regulations. Rescinding the closure
13 would establish a Federal subsistence priority in the
14 area. Previous research indicates the closure area
15 contains an abundant population of Arctic grayling with
16 one of the highest recorded densities in the State of
17 Alaska, however, allowing unrestricted harvest for gear
18 types other than rod and reel may lead to overharvest
19 and local depletion of stocks. While populations may
20 be protected by limiting not -- subsistence harvest to
21 rod and reel only or modifying harvest limits, these
22 modifications are not possible through the closure
23 review process and would require a fisheries proposal
24 be submitted. Until a proposal can be submitted, the
25 Federal in-season manager can use the delegated
26 authority they have to restrict gear types and/or
27 harvest limits for up to 60 days to protect populations
28 in the closure area. Actions exceeding 60 days would
29 require a temporary special action be implemented by
30 the Board.

31
32 So, once, again, the preliminary
33 conclusion is to rescind this closure.

34
35 And that concludes my presentation,
36 thank you.

37
38 CHAIRMAN ENCELEWSKI: Questions for
39 Justin.

40
41
42 (No comments)

43
44 CHAIRMAN ENCELEWSKI: You got anything
45 else.

46
47 MR. KOLLER: That's all I have.

48
49 CHAIRMAN ENCELEWSKI: Okay, good, thank
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1 you. Any questions from the Council here.

2

3 (No comments)

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5 CHAIRMAN ENCELEWSKI: Okay. Jessica,
6 while they're getting ready since we're only going to
7 comment on this, do we go through the whole process?

8

9 MS. GILL: Sorry, I apologize, Mr.
10 Chair. Let me look to some more experienced Staff
11 members than me for comment, when we provide a comment
12 do we go through the whole process?

13

14 CHAIRMAN ENCELEWSKI: Since we're not
15 going to vote on this proposal, I'm wondering do we
16 need to go through all the public testimony and all the
17 rest. We're getting information on it, do you want to
18 go through the whole process.

19

20 MS. PERRY: And you wanted me to have
21 one more opportunity for me to address the Council,
22 right.

23

24 CHAIRMAN ENCELEWSKI: Yeah.

25

26 (Laughter)

27

28 MS. PERRY: Mr. Chair. It's my
29 understanding that since this is not a proposal, a
30 regional proposal for this Council, you would not have
31 to go through the proposal procedure, and it would be
32 just like giving a public comment.

33

34 CHAIRMAN ENCELEWSKI: Right.

35

36 MS. PERRY: So you would want to give
37 your justification just like you were giving a
38 recommendation but it will be presented to the Board as
39 a comment.

40

41 CHAIRMAN ENCELEWSKI: Right.

42

43 MS. PERRY: And, again, as Scott had
44 mentioned, the Board could not show you deference.

45

46 Thank you.

47

48 CHAIRMAN ENCELEWSKI: Right, that's
49 what I was getting -- go ahead, Scott, you got a

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1 comment.

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MR. AYERS: Given that we're jumping through -- this is Scott Ayers for the record.

CHAIRMAN ENCELEWSKI: Yeah.

MR. AYERS: Given that we're jumping through all those steps, real quick, I did want to let the Council know that it is that Eastern Interior did with this proposal if that's all right.

CHAIRMAN ENCELEWSKI: That would be great. That would be great. That'd be good, I mean I'm willing to go through them, I just don't know that they're necessary but maybe the State has.....

MR. AYERS: Yeah.

CHAIRMAN ENCELEWSKI:a great opinion on this too, I don't know. We could go through it. If anyone feels they want to talk to it come on up, okay, anyone that wants to -- public testimony, anything then we'll do it okay. Okay, go ahead.

MR. AYERS: All right. The Eastern Interior took up FCR23-05 last week and chose to defer. They noted that they needed to hear from people that will be affected by this closure and they were also concerned about a lack of monitoring and potential overharvest. So again they voted to defer action on this until later.

CHAIRMAN ENCELEWSKI: Okay, that's good for our comments. Very good, thank you.

Karen, you'd like to make a comment on it.

MS. LINNELL: Yes, sir. Just for -- go into the Delta River which goes into the Yukon and everywhere else, it is part of the Ahtna Traditional Use Territory and the Ahtna people do fish for grayling and trout on the Tangle Lakes. It's part of it's where the (In Native) people come from in that area, and our caribou clan people, and so we do fish those lakes and it does affect us. And so to, you know, while -- it's funny how they break the state up for jurisdiction and things like that. But you do have villages and

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1 communities that use that fish and that resource so I
2 think that it falls within your purview much like with
3 Eastern Interior having jurisdiction on Copper River
4 because they do have people that use that resource. So
5 I do want to say that we do go to Tangle Lakes which is
6 the headwaters for the Delta and we do use the
7 resources there.

8

9 So thank you.

10

11 CHAIRMAN ENCELEWSKI: Okay, thank you.

12 Jim.

13

14 MR. SIMON: Yeah, thank you. For the
15 record, Jim Simon, these are my personal comments. I
16 did also comment on this at the Eastern Interior
17 Regional Advisory Council.

18

19 Where these Federal closure reviews are
20 relatively new, I think as far as process goes, and
21 this has never been reconsidered, these closures were
22 put in place prior to the Pipeline construction to
23 provide for conservation during the man camps that were
24 up and down the road system. And the -- you know --
25 and I understand now, since the Eastern Interior RAC
26 meeting, is that, there is constraints on what OSM can
27 suggest regarding these closure reviews, but in this
28 particular case it's unfortunate that the OSM couldn't
29 have recommended rescinding the closure with
30 modification in order to provide sustainable methods
31 and means as well as to assess customary and
32 traditional use determinations because as Karen just
33 pointed out, you know, this is clearly in the Ahtna
34 Traditional Use Territory and if this closure were
35 removed, you know, friends and neighbors as far as, you
36 know, the lower Yukon or the Koyukuk River could come
37 into the Ahtna Traditional Use Territory under Federal
38 subsistence regulations and harvest and, yet, the Ahtna
39 communities and the other communities in the Ahtna
40 Traditional Use Territory couldn't, and that seems odd.

41

42 There was also -- I'm also questioning
43 some of the -- at least one of the statements in the
44 Federal Staff analysis on this closure review because
45 when I look at the Federal Subsistence Board
46 regulations I see no connection between Federal rod and
47 reel, you know, hook and line attached to a rod or pole
48 opportunities in State sportfishing regulations, I
49 think that is a confusion that in many cases under
50

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1 State subsistence fishing regulations where rod and
2 reel is recognized as legal subsistence gear, there are
3 situations where sportfish bag limits are imposed
4 through State regulations but unless the Federal
5 regulations that I have are somehow incomplete or out
6 of date, I believe that's an error in the Staff
7 analysis. So that might be something that needs to be
8 considered, whether or not there should be some method
9 of restricting rod and reel harvest. There are -- you
10 know, if you -- I'm familiar with this area myself, you
11 know, having grown up in the Ahtna Traditional Use
12 Territory, and also fish this area and there are, I
13 believe it was 2007 or something where non-salmon was
14 recognized and subsistence -- and State subsistence
15 fishing permits were provided so when you drive out to
16 this area you will see gillnets in some of the lakes.
17 I don't think those lakes are directly connected to the
18 Delta River drainage in the Tangle Lake system, so
19 there are recognized State subsistence uses nearby
20 these Federal waters.

21

22 And it's unfortunate that the process
23 is sort of clunky, that it -- you know, in order to get
24 the process started you need to support removing this
25 closure but as the Eastern Interior Regional Advisory
26 Council did, they deferred action on it because of the
27 unresolved issues but those issues won't get resolved
28 until the RACs report -- you know, support opening
29 these for Federal subsistence uses, so we're sort of a
30 dog chasing its tail situation. So perhaps it just
31 means that in a couple years, you know, someone will
32 need to -- and maybe it will be Ahtna InterTribal
33 Resource Commission, you know, that needs to submit a
34 proposal to open these waters with appropriate
35 sustainable methods and means and C&T determinations or
36 something. You know the fact that every Federally-
37 qualified rural resident of the entire Yukon Northern
38 area would automatically have C&T to an area that was
39 closed to subsistence fishing before there was even
40 State subsistence law seems very peculiar. It seems
41 that this is -- to me, it seems similar to a rural/non-
42 rural determination where then you -- if you open this
43 area that has never been opened before but then the C&T
44 determination process should begin and then legal
45 methods and means, not just open it up to now we'll see
46 gillnets all throughout this highly used sportfishing
47 area, you know, instantly and shut everyone down, you
48 know, with one season by unsustainable practices.

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1 Thank you.

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Thank you.

CHAIRMAN ENCELEWSKI: Okay. Is there anyone else that wants to comment on that. Did you with Alaska Department of Fish and Game want to comment back on that.

MS. KEATING: No comment.

CHAIRMAN ENCELEWSKI: No, thank you. Okay, I gave you an opportunity, thank you. Okay, Council members. Go ahead, Gloria.

MS. STICKWAN: I can't move so I just support the Office of Subsistence Management's recommendation to remove it and I guess I'm making the right motion, I'm not sure, fishing proposal -- fishing closure on the Delta River but delay opening the Federal subsistence fishery until such time as OSM has conducted an .804 analysis to determine Federally-qualified users which receive C&T determination for the Delta River drainage and to make a recommendation to appropriate methods and means of harvest to ensure sustainable fisheries harvest. As written, OSM recommendation would make the Federal waters of Delta River drainage available to all Federally-qualified users of the Northern Yuk -- Yukon Northern area where it's fish -- Federally-qualified rural residents of the Ahtna Traditional Use Territory would not be eligible to subsistence under the Federal regulations in an area that the Ahtna people have fished and stewarded for countless generations.

CHAIRMAN ENCELEWSKI: Okay, that's your.....

REPORTER: Greg.

CHAIRMAN ENCELEWSKI:you're making.....

MS. STICKWAN: That's my comment.....

REPORTER: Greg and Gloria, your mic's are off.

MS. STICKWAN:because I thought -- they just said I couldn't.....

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1 CHAIRMAN ENCELEWSKI: Okay. Andy.

2

3 MR. MCLAUGHLIN: Yeah, thank you, Mr.
4 Chair. It kind of seems like almost a housekeeping
5 thing to me. It's a no-brainer in my opinion, Federal
6 regulation sport is allowed but Federal subsistence
7 isn't and that's not how things should work, you know,
8 there should be a Federal subsistence priority there
9 over any type of sportfishing. So I'm going to be one
10 to support this and reopen that for the Federal
11 subsistence users. I'd like to see more data from Fish
12 and Game, of course. You know I think in that area
13 there, when that closure happened, like was mentioned,
14 when the road workers came through they kind of wanted
15 to close that down so people couldn't overfish it like
16 what happened to Fielding Lake, which is right there at
17 the same place, and pretty soon Fish and Game was like,
18 uh-oh, we let that lake get overfished, let's -- no
19 more bait, single hooks, there's some State
20 restrictions in there now. So what's going to have to
21 happen is Federal is going to need to open so that
22 Federal users can get the priority and then if the
23 resource starts to have detrimental effects from
24 increased pressure then the State should close their --
25 some of their methods and means first.

26

27 So that's my opinion.

28

29 CHAIRMAN ENCELEWSKI: Okay. Is there
30 other comments. Diane.

31

32 MS. SELANOFF: Yeah, I just wanted to
33 make a quick comment. That I think Federal subsistence
34 should always, always take priority over sportfishing.

35

36 CHAIRMAN ENCELEWSKI: Okay. So what is
37 the pleasure.....

38

39 MS. STICKWAN: This is not -- this is
40 not -- I didn't think of it before, but kind of slow,
41 sorry, how come this wasn't a crossover proposal when
42 you know it's -- because it's in the Eastern Interior
43 -- because it's closed and it's.....

44

45 CHAIRMAN ENCELEWSKI: It's in their
46 area.

47

48 MS. STICKWAN:closed period and
49 it's Eastern Interior's, is that why it wasn't a

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1 crossover, I'm just wondering why -- is that right.

2

3 (Teleconference interference -
4 participants not muted)

5

6

7 CHAIRMAN ENCELEWSKI: Okay, we've been
8 discussing it so what is our recommendation we want to
9 send on to the Federal Board.

10

11 REPORTER: So I'm going to need folks
12 online to mute their phones please.

13

14 MS. STICKWAN: I thought I just read
15 it.

16

17 CHAIRMAN ENCELEWSKI: That's what I'm
18 asking.

19

20 MS. STICKWAN: That's what I was.....

21

22 REPORTER: So star six, or the mute
23 button, please.

24

25 MS. STICKWAN:recommending is
26 what I read.

27

28 CHAIRMAN ENCELEWSKI: Gloria read that
29 recommendation. Is that agreeable by the Council, does
30 the Council want to -- do we agree to send that
31 recommendation she read.

32

33 (Council nods affirmatively)

34

35 CHAIRMAN ENCELEWSKI: I hear some heads
36 nodding, everyone in agreement to that.

37

38 How about Hope, you okay with it.

39

40 MS. ROBERTS: (Nods affirmatively)

41

42 CHAIRMAN ENCELEWSKI: Okay. Good.

43

44 (Council nods affirmatively)

45

46 CHAIRMAN ENCELEWSKI: Okay, I seen a
47 unanimous consent except for on the phone and if you
48 got any objections speak now or forever hold your
49 peace, like the priest said, but we're going to send
50

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1 forth that recommendation.

2

3 (No objections)

4

5 CHAIRMAN ENCELEWSKI: Okay. Noting the
6 time and hour of the evening, which we don't want to
7 take our evening because we have other commitments, we
8 should recess until 9:00 a.m., and get started again.
9 Does that sound good to everyone.

10

11 (Council nods affirmatively)

12

13 CHAIRMAN ENCELEWSKI: Okay, everyone
14 have a great evening, stay out of trouble a little bit
15 and we'll see you in the morning. And fresh coffee.

16

17 (Off record)

18

19 (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, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered ___ through ___ contain a full, true and correct Transcript of the SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically on the 12th day of October 2022;

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 27th day of November 2022.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/26