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SOUTHCENTRAL SUBSISTENCE

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REGIONAL ADVISORY COUNCIL MEETING

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PUBLIC MEETING

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VOLUME I

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BP Energy Center Conference Room

12

October 12, 2022

13

9:00 a.m.

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COUNCIL MEMBERS PRESENT:

18

19

Greg Encelewski, Chairman

20

Donna Claus

21

Ed Holsten

22

Andrew McLaughlin

23

Michael Opheim

24

Hope Roberts

25

Diane Selanoff

26

Gloria Stickwan

27

Angela Totemoff

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Donna Wilson

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Dennis Zadra

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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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5

(On record)

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7

8

everyone.

9

10

(Pause)

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16

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.

50

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1

Michael Opheim.

2

3

MR. OPHEIM: Here.

4

5

MS. GILL: Thank you.

6

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

50

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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

50

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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 Quayana.

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

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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

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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

50

0016

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

10

11 (Laughter)

12

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

15

16 (Laughter)

17

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

22

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

40

41 Shellfish seem to be normal.

42

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

46

47 In town, too, we've had a tremendous  
48 amount of coyotes. You know every Wednesday we have  
49 that alarm that goes off, the Tsunami alarm and every  
50

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 MS. CLAUS: Yes, thank you, Mr.

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

18

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

32

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

39

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

48

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

50

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

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

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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.

2

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.

12

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

15

16

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

21

22

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

31

32

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

35

36

37                     But our first member here, Michael  
38    Opheim, currently resides in Seldovia, Alaska as an  
39    active community member for almost 48 years. Michael  
40    grew up harvesting from the land and sea with family  
41    members. Michael grew up hunting, fishing and  
42    gathering with his family to make sure there was food  
43    for the winter. He has commercial fished, he's worked  
44    construction, driven a fuel truck for the local gas  
45    station and has worked as the environmental coordinator  
46    for the Seldovia Village Tribe and now for the Chugach  
47    Regional Resource Commission as the InterTribal  
48    Liaison. Michael's been on the local Advisory  
49    Committee for Alaska Department of Fish and Game since  
50    2004 and has been the Chair for five years. Michael

50

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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  
50

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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 currants, 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.

50

0041

1 (No comments)

2

3

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

7

8 (Off record)

9

10 (On record)

11

CHAIRMAN ENCELEWSKI: Okay, folks,  
12 we're going to get started if everyone wants to take a  
13 chair.  
14

15

16 (Pause)

17

CHAIRMAN ENCELEWSKI: Okay we're going  
18 to go ahead and get started here on old business and  
19 the first thing I got on the agenda here is the .805(c)  
20 report and the Council Coordinator is going to give  
21 that to us. Go ahead, Jessica.  
22

23

MS. GILL: Great, thanks, Mr. Chair.  
24 For the record my name is Jessica Gill and I'm the  
25 Council Coordinator with Office of Subsistence  
26 Management and I'll present a brief summary of the  
27 Federal Subsistence Board 2022 .805(c) report. The  
28 materials for this agenda item can be found starting on  
29 Page 21 in your meeting books. This is not an action  
30 item, it's just for your informational purposes. This  
31 report provides the action taken by the Board on  
32 proposals affecting residents of the Southcentral  
33 region and boy you guys were busy last year. I'll  
34 highlight some of the actions the Board took.  
35

36

All right, so Section .805(c) of the  
37 Alaska National Interests Lands Conservation Acts  
38 provides that the Board generally defer to the  
39 recommendations of a Council regarding take unless:  
40

41

1. The recommendation is not supported  
42 by substantial evidence;  
43

44

2. The recommendation violates  
45 recognized principles of fish and wildlife management;  
46 or  
47

48

3. Adopting the recommendation would  
49

50

0042

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

0043

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 harves -- 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

7

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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

1 CHAIRMAN ENCELEWSKI: Okay. You go  
2 ahead Kevin.

3  
4 MR. FOLEY: Good morning, Mr. Chair.  
5 Members of the Council. For the record my name is  
6 Kevin Foley and I'm a Fish Biologist with the Office of  
7 Subsistence Management. This is my first time  
8 appearing before the Council and my first ever Council  
9 meeting in person so, thank you. It's both an honor  
10 and a privilege for me to be here today. I'm here to  
11 present the analysis for Proposal FP23-23-07 matching  
12 of State sportfish size limits and gear restrictions  
13 for Kenai River chinook salmon. This analysis may be  
14 found beginning on Page 37 of your meeting book.

15  
16 Proposal FP23-07 submitted by the  
17 Alaska Department of Fish and Game requests revisions  
18 to the Federal subsistence regulations for Kenai River  
19 chinook salmon, specifically to restrict harvest of  
20 chinook salmon to only fish less than 34 inches and to  
21 decrease the overall season length. Additionally the  
22 proponent requests to prohibit the use of bait in the  
23 Federal rod and reel fishery during the Kenai River  
24 chinook fishery. Two Federal rod and reel fisheries  
25 are affected by this proposal. One that runs from  
26 January 1st to July 15th, and one that runs from July  
27 16th to August 31st. The proposed regulation change  
28 covers all the first date range, that is January 1 to  
29 July 15th and two weeks of the second beginning July  
30 16th but truncates the second fishery by removing  
31 harvest dates in August.

32  
33 In their request the proponent states  
34 that this administrative change will align Federal  
35 subsistence regulations for Kenai River chinook salmon  
36 gillnet, dipnet or rod and reel and the general rod and  
37 reel only Federal subsistence fisheries with the  
38 established size limits for State sportfishing  
39 regulations. The current Federal subsistence fishing  
40 regulation allows for harvest of chinook salmon in a  
41 slot limit of less than 46 inches or 55 inches or  
42 longer whereas the current State sportfish regulation  
43 is a maximum size of 34 inches. State regulations  
44 prohibit the use of bait in waters up stream of Slikok  
45 Creek during the chinook salmon fishery from January 1  
46 to July 31st. The proponent asserts the alignment of  
47 Federal subsistence and State sportfish regulations is  
48 meant to update the Federal regulations to reflect the  
49 most up to date changes to the management of Kenai  
50

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

CHAIRMAN ENCELEWSKI: Tribal entities.

4 I have Darrell Williams, a request to talk for

5 Ninilchik Traditional Council.

6

7

MR. WILLIAMS: Good morning everyone.

8 Mr. Chair. I am here today to oppose FP23-07 to revise

9 the chinook harvest. My name is Darrell Williams, I

10 work for Ninilchik Traditional Council. I know a lot

11 of folks here, been doing this a long time.

12

13

The change in slot limits is a big deal

14 because there's a little more history than what we read

15 in the proposal. I started working on the Ninilchik

16 subsistence stuff in 2005, I think. Now, chinook

17 salmon in Ninilchik in the community, especially in the

18 Alaska Native community is the preferred fish and it

19 speaks to that in the proposal when you read that.

20 Now, I think the community itself has been really

21 generous over the years about not targeting king

22 salmon. For example, our fisheries aren't set up to

23 target king salmon, we target sockeye. I got a report

24 here at the end of the meeting about our fisheries this

25 year. For example, this year we encountered zero

26 chinook salmon and we set the fishery up like that on

27 purpose, you know, we're trying to be good

28 conservationists but at the same time ANILCA allows for

29 a meaningful preference and we worked many years to get

30 a meaningful preference. And if I remember -- if I

31 recall right going through the proposal there's what,

32 two or three reported chinook that were harvested,

33 we're talking about very, very small number of fish and

34 I think it's an outstanding commitment by the community

35 not to target those fish although they have the

36 opportunity to do so.

37

38

I agree with OSM's preliminary

39 conclusion. Personally, I would like to say I think

40 that the slot limit should go from the 20 inches in the

41 State regulation to 55 inches that exist, to be able to

42 allow that meaningful preference. If somebody does

43 happen, you know, there's -- incidental harvest is a

44 big deal in subsistence, right. People go moose

45 hunting, they pick berries. People go fishing, they

46 may not or may catch fish, they should have the

47 opportunity to keep that, it's part of that meaningful

48 preference. And I'll just throw that out there for

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

26

27 So, Mr. Chairman, thank you very much.

28

29 CHAIRMAN ENCELEWSKI: Any other  
30 questions for Darrell.

31

32 (No comments)

33

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

36

37 (No comments)

38

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

41

42 (No comments)

43

44 CHAIRMAN ENCELEWSKI: Fish and Game  
45 Advisory Committee.

46

47 (No comments)

48

49 CHAIRMAN ENCELEWSKI: Subsistence

50

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  
6 table now and, yeah, I take your comment, everyone --  
7 we're all going to speak to it, yes.

8

9 MS. STICKWAN: Sorry.

10

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

16

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

19

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

24

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

27

28 Thank you.

29

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

32

33 (No comments)

34

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

49

50

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. MCCLAUGHLIN: 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  
50

0073

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.

50

0074

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.

50

0075

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  
50

0076

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.

48

49 CHAIRMAN ENCELEWSKI: Thank you, Karen.

50

0077

1 You had something, go ahead.

2

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

6

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

22

23 The Statehood Act happened, you know,  
24 with a promise with Alaska Native hunting and fishing  
25 rights would be protected. Then ANCSA happened and  
26 extinguished aboriginal hunting and fishing rights with  
27 a promise that Alaska Native hunting and fishing rights  
28 would be protected. Then ANILCA happened, which was an  
29 attempt to provide for those Alaska Native hunting and  
30 fishing rights protections and at the last minute in  
31 Washington, D.C., it was changed to a rural Alaska  
32 resident priority with a promise that Alaska Native  
33 hunting and fishing rights would be protected and  
34 Alaska Federally-recognized tribes are still waiting  
35 for those promises to be delivered upon. ANILCA,  
36 Section .801 outlines the threats to Alaska Native, you  
37 know, and rural hunting and fishing rights from an  
38 increase in human population, from a decrease in  
39 available fish and wildlife resources. And I think the  
40 Federal -- since we have a Federal Subsistence Board  
41 member in the room I think the Federal Subsistence  
42 Board needs to re -- at least discuss their policy of  
43 making broad customary and traditional use  
44 determinations because I feel that as a member of the  
45 public who's testified before me said, you know, these  
46 communities that -- some didn't even exist when these  
47 laws were put into place, the Federal Subsistence  
48 Management Program is actually starting to trample on  
49 some of the points laid out in ANILCA, Section .801 of  
50

0078

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

21                     Thank you.

22

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

26

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

32

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

50

0079

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  
50

0080

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

50

0081

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  
50

0082

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.

50

0083

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

0084

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.

48

49 MS. CLAUS: Mr. Chairman, this is

50

0085

1 Donna.

2

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

5

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

10

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

18

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

24

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

27

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

32

33 CHAIRMAN ENCELEWSKI: Go ahead, Gloria.

34

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

37

38 CHAIRMAN ENCELEWSKI: I think 380-  
39 something.

40

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

43

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

46

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

49

50

0086

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

12

13 (Teleconference interference -  
14 participants not muted - on hold)

15

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

33

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

43

44 Dave Sarafin gave an update on that  
45 fishery but I'll just reiterate that 69 permits were  
46 issued for the new Federal subsistence fishery in the  
47 lower Copper River for the 2022 season and all  
48 permitholders were residents of Cordova. A total of  
49 107 sockeye and three chinook salmon were reported

50

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

42

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49

50

Thank you, Mr. Chair.

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

(No comments)

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 a 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

5 When you look at the statistics and you  
6 look at the numbers, there's another reason that those  
7 fish are not getting up stream or there's not enough  
8 user groups on them or maybe they need to change the  
9 methods of fishing to do -- deal with the water  
10 conditions, whatever, I don't know. I don't live  
11 there. So there could be a lot of things. But it's  
12 very -- it's a fact that the majority of those fish are  
13 being taken by the commercial and the personal use and  
14 so on and so forth and until, you know, you always are  
15 afraid that this is going to grow, until that happens,  
16 you know, we were told the same thing on the Kenai,  
17 that we couldn't have subsistence it was going to wipe  
18 out, it was going to take so much, it was going to kill  
19 the kings, that didn't happen. There was a lot of fear  
20 over that. IT did not happen. It did not materialize.  
21 Now, you have a lot -- you have all the rural residents  
22 of Ninilchik, over a thousand people so grateful to be  
23 able to get fish. You have Cooper Landing and Hope and  
24 those people getting fish up in the Russian River Falls  
25 and all that stuff came about because we took the  
26 chance to get that and let it work itself out so until  
27 I see something that it's an impact, and it's affecting  
28 someone, boy, I'm in favor of letting them try it for a  
29 few years and see what happens. And if it needs to be  
30 regulated, then that's the time, but I guarantee you,  
31 and I'm not the State manager but if I was, I'd be  
32 closing that fishery down for a few days a week and  
33 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

39

40

41

42

43

44

(Laughter)

45

46

47

48

49

50

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

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 MS. GILL: I will take care of that.

30

30 CHAIRMAN ENCELEWSKI: Thank you.

31

31 (Pause)

32

32 CHAIRMAN ENCELEWSKI: Okay, I got

33

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

34

34 this -- Jason.

35

35 MR. ROBERTS: Yes.

36

36 CHAIRMAN ENCELEWSKI: You go right

37

37 ahead.

38

38 MR. ROBERTS: Good afternoon. Members

39

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

40

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

41

41

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

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

15

16

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

31

32

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

38

39

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

51

0114

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

3

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

19

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

0115

1 preparation after a successful hunt, meat is shared  
2 with those who assist in the hunt and/or meat  
3 preparation. Salmon and other fish are also regularly  
4 shared particularly when harvested in abundant  
5 quantities as this is another way of building community  
6 and preventing food wastage. Subsistence knowledge  
7 about hunting, fishing, gardening and gathering has  
8 been passed from older community residents to younger  
9 residents. Newer residents of Serendipity often moved  
10 to the community, in part, because of social  
11 connections with more established residents and many  
12 younger residents now help older residents in their  
13 subsistence activities.

14  
15                   Unfortunately there's been no  
16 comprehensive subsistence study conducted specifically  
17 on Serendipity. The best source of documented  
18 information we have comes from a subsistence study  
19 conducted by ADF&G in 2013 on the harvest and use of  
20 wild resources in the Copper River Basin. In this  
21 study, ADF&G surveyed four permanent year-round  
22 Serendipity households as part of Tonsina. During this  
23 study year the average Tonsina household harvested  
24 approximately 450 pounds of wild resources with salmon  
25 constituting roughly half of this harvest weight. A  
26 more detailed summary of that study can be found on  
27 Pages 146 and 247 of your meeting book. Unfortunately  
28 it wasn't possible to compare the subsistence practices  
29 from that study of Serendipity residents to those from  
30 Tonsina because the information was aggregated into  
31 sort of one figure for Tonsina.

32  
33                   If the Board adopts this proposal,  
34 residents of Serendipity Subdivision would be added to  
35 the C&T determination for salmon in the Chitina  
36 Subdistrict. This would provide residents of  
37 Serendipity with greater and potentially more efficient  
38 access to subsistence salmon fisheries in the upper  
39 Copper River district. If the proposal is rejected,  
40 the residents of Serendipity will not qualify as  
41 Federal subsistence harvesters in the Chitina  
42 Subdistrict, however, Serendipity residents could  
43 continue to harvest salmon in the Chitina Subdistrict  
44 under State personal use fisheries regulations. They  
45 would also maintain C&T for salmon harvest in the  
46 Glennallen Subdistrict.

47  
48                   The OSM preliminary conclusion is to  
49 support Proposal FP23-14.  
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 Tiekell 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  
50

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

50

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

4 MS. KEATING: Thank you, Mr. Chair.  
5 For the record, again, Jackie Keating, Division of  
6 Subsistence, Alaska Department of Fish and Game. And  
7 the Department is neutral on FP23-15/16. And, again,  
8 ADF&G recommends that the Federal Subsistence Board  
9 thoroughly and carefully review the data relevant to  
10 the eight criteria for those communities that lack a  
11 customary and traditional use finding.

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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.

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He has like a second comment that I  
think is kind of related to this as well.

He says: There has been a -- there has  
to be a line drawn somewhere, there is a serious issue  
with the determination of Alaskans who are rural in the  
Federal subsistence system. If you are an Alaska  
resident for one year all you have to do is live in a  
community for one day and you are qualified for Federal  
harvest. This is also a terrible loophole that should  
be addressed.

Thank you.

CHAIRMAN ENCELEWSKI: Thank you. No  
other public comments.

(No comments)

CHAIRMAN ENCELEWSKI: Okay. We're down  
to the Regional Council's recommendations so I'm going  
to open it up for a motion.

MS. TOTEMOFF: Mr. Chair. I'd like to  
make a motion to adopt FP23-15/16.

CHAIRMAN ENCELEWSKI: Okay, can I  
interrupt just one second while you do that -- I got a  
note here, it says take action on 23-15, take no action  
on 16 because they're like -- could you make the motion  
to just do 15.

MS. TOTEMOFF: Sure.

CHAIRMAN ENCELEWSKI: Okay.

MS. TOTEMOFF: I'll amend that to adopt  
FP23-15.

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.

50

0144

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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0145

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

0146

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.

49

50

0147

1 REPORTER: Greg.

2

3

4 CHAIRMAN ENCELEWSKI: I didn't have my  
5 mic on, but we could comment but we have no authority  
6 so just so we understand that. Very good.

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0148

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

0149

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  
50

0150

1 you. Any questions from the Council here.

2

3 (No comments)

4

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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0151

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

0153

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.  
49  
50

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1 Thank you.

2

3

CHAIRMAN ENCELEWSKI: Okay. Is there  
4 anyone else that wants to comment on that. Did you  
5 with Alaska Department of Fish and Game want to comment  
6 back on that.

7

8 MS. KEATING: No comment.

9

10 CHAIRMAN ENCELEWSKI: No, thank you.  
11 Okay, I gave you an opportunity, thank you. Okay,  
12 Council members. Go ahead, Gloria.

13

14 MS. STICKWAN: I can't move so I just  
15 support the Office of Subsistence Management's  
16 recommendation to remove it and I guess I'm making the  
17 right motion, I'm not sure, fishing proposal -- fishing  
18 closure on the Delta River but delay opening the  
19 Federal subsistence fishery until such time as OSM has  
20 conducted an .804 analysis to determine Federally-  
21 qualified users which receive C&T determination for the  
22 Delta River drainage and to make a recommendation to  
23 appropriate methods and means of harvest to ensure  
24 sustainable fisheries harvest. As written, OSM  
25 recommendation would make the Federal waters of Delta  
26 River drainage available to all Federally-qualified  
27 users of the Northern Yuk -- Yukon Northern area where  
28 it's fish -- Federally-qualified rural residents of the  
29 Ahtna Traditional Use Territory would not be eligible  
30 to subsistence under the Federal regulations in an area  
31 that the Ahtna people have fished and stewarded for  
32 countless generations.

33

34 CHAIRMAN ENCELEWSKI: Okay, that's  
35 your.....

36

37 REPORTER: Greg.

38

39 CHAIRMAN ENCELEWSKI: .....you're  
40 making.....

41

42 MS. STICKWAN: That's my comment.....

43

44 REPORTER: Greg and Gloria, your mic's  
45 are off.

46

47 MS. STICKWAN: .....because I thought  
48 -- they just said I couldn't.....

49

50

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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

50

0156

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

0157

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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1 C E R T I F I C A T E

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3 UNITED STATES OF AMERICA )

4 ) ss.

5 STATE OF ALASKA )

6

7 I, Salena A. Hile, Notary Public in and for the  
8 state of Alaska and reporter for Computer Matrix Court  
9 Reporters, LLC, do hereby certify:

10

11 THAT the foregoing pages numbered \_\_\_\_ through  
12 \_\_\_\_ contain a full, true and correct Transcript of the  
13 SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL  
14 MEETING, VOLUME I taken electronically on the 12th day  
15 of October 2022;

16

17 THAT the transcript is a true and  
18 correct transcript requested to be transcribed and  
19 thereafter transcribed by under my direction and  
20 reduced to print to the best of our knowledge and  
21 ability;

22

23 THAT I am not an employee, attorney, or  
24 party interested in any way in this action.

25

26 DATED at Anchorage, Alaska, this 27th  
27 day of November 2022.

28

29

30

31 \_\_\_\_\_  
32 Salena A. Hile  
33 Notary Public, State of Alaska  
34 My Commission Expires: 09/16/26

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