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FEDERAL SUBSISTENCE BOARD

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PUBLIC MEETING FOR CONSIDERATIONS REGARDING

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EXTRATERRITORIAL JURISDICTION IN THE

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ALASKA PENINSULA/ALEUTIAN ISLANDS

6

COMMERCIAL SALMON FISHERIES

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VOLUME I

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EGAN CONVENTION CENTER

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ANCHORAGE, ALASKA

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APRIL 27, 2004

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8:30 o'clock a.m.

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P R O C E E D I N G S

(Anchorage, Alaska - 4/27/2004)

CHAIRMAN DEMIENTIEFF: We are going to ask you as we get ready to begin to please be very quiet. We only have one speaker working at this time, so for -- in consideration of all the people that are interested in the issue, we are going to ask that you make sure that you're real quiet so everybody can hear. We do have -- there was a cord missing I guess in the set up. The company -- the recorder company does have another cord on the way, and so we shall have the other speaker hooked up fairly soon.

Maybe the easiest thing for us to do would be, because we sometimes converse outside of here, maybe we can have the door closed. Bill, can we close those doors there? It's not to say it's a closed door meeting, but I just want to make sure everybody has an ample opportunity to hear everything that's going to be said.

In February, the Alaska Board of Fisheries changed regulations in the Alaska Peninsula/Aleutian Islands, otherwise known as Area M, commercial fishery. This change resulted in an increased fishing time by Area M commercial fishermen. In response to the Board of Fisheries action, four of the Federal Subsistence Regional Advisory Councils and several others requested that the Federal Subsistence Board take action to intervene in this fishery to provide for both conservation and subsistence within their respective regions. And we all know that in all of the fisheries, including Area M, they are subsistence dependent for their food, and so that's really important.

The Federal Subsistence Board is here today as part of a process designed to evaluate whether or not the change in the Area M June fishery will result in a failure to provide subsistence priority on the Federal lands and waters. As part of this process, the Board will hear testimony regarding this issue. Later the Board will be evaluating the Staff report, Regional Advisory Council comments, written comments, and public testimony, and making a recommendation to the Secretaries of Interior and Agriculture. The Secretaries will make the final decision on this issue.

The Federal Subsistence Board does not

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1 have the authority to manage outside -- fish and wildlife
2 outside Federal lands and waters. The Secretaries have
3 retained the authority to extend jurisdiction off Federal
4 lands and waters if necessary to protect the Federal
5 interest.

6

7 In today's meeting, we will hear from our
8 Staff as they present summaries of the petitions, written
9 comments, and an overview of the Staff report for
10 addressing the petitions. We will then ask for the
11 public to provide testimony. This will be followed by
12 comments by the State of Alaska and Regional Advisory
13 Council.

14

15 The Board will only be receiving
16 information today through reports, public testimony and
17 council comments. Later the Board will develop a
18 recommendation for the Secretaries during an executive
19 session.

20

21 I am asking those who are testifying to
22 limit their testimony to five minutes. I'll be -- we
23 will be keeping track of the five minutes, and we're
24 going to hold -- because of the interest in the issue, we
25 are going to hold it.

26

27 This is not a brand new issue. It may be
28 a new forum for this issue, but believe you and me, that
29 the Board and all of us have taken the time, you know, to
30 work on this issue, and we know the background. Of
31 course, I've been in it for very many years, as most of
32 you have, and we think five minutes is going to be very
33 adequate time to present your views, so make sure that
34 you're hitting your high points in your testimony, and
35 that's going to be very critical I think.

36

37 When you are finished testifying, I would
38 like to -- you to remain at the table in case Board
39 members have questions.

40

41 I want to remind those who are testifying
42 that the Board is focusing on whether changes in the Area
43 M June commercial fishery regulations will result in a
44 failure to provide for a subsistence priority on waters
45 within Federal jurisdiction. To be effective, your
46 comments should be directed on this point.

47

48 The members of the Board, Staff, and I
49 recognize that this has been a controversial and
50 difficult issue for many years within the State system.

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1 We know that there are strong feelings on both sides of
2 this issue. I want to encourage all who are
3 participating in the proceedings to treat each other with
4 respect and courtesy. I will not hesitate to take any
5 action I deem appropriate to ensure that these
6 proceedings are conducted in that manner.

7

8 I will now -- we are going to have
9 introductions, which I should have done earlier, and then
10 we're going to have Keith Goltz.

11

12 And, please, we really don't want any
13 great debates with regard to regulatory issues. Those
14 are way -- we don't even have that ball in our court, you
15 know. We're just here to begin to work to make our
16 recommendations to the Secretaries. Whether or not they
17 take it, that's fine. But I don't want to start talking
18 and will not allow discussion about regulatory issues,
19 because that's not something that we are here. This is a
20 first stage in that.

21

22 So with that, we will go ahead and go,
23 and we'll start this way, and then go this way. My name
24 is Mitch Demientieff. I am the Chair of the Federal
25 Subsistence Board, and a life-long resident of Nenana.

26

27 MS. GOTTLIEB: Good morning. I'm Judy
28 Gottlieb with the National Park Service.

29

30 MR. BISSON: Good morning. I'm Henri
31 Bisson. I'm the State Director for the BLM in Alaska.

32

33 MR. EDWARDS: Good morning. I'm Gary
34 Edwards with the U.S. Fish and Wildlife Service.

35

36 MR. GOLTZ: Keith Goltz, Solicitor's
37 Office.

38

39 MR. UMPENHOUR: Virgil Umpenhour, Eastern
40 Interior RAC.

41

42 MR. STONEY: Good morning. I'm Raymond
43 Stoney from Northwest Alaska at Kotzebue.

44

45 MS. CROSS: Grace Cross, Seward
46 Peninsula.

47

48 MR. REAKOFF: Jack Reakoff representing
49 Western Interior Regional Council.

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1 MS. WILKINSON: Ann Wilkinson, Office of
2 Subsistence Management.

3
4 MR. BUKLIS: Larry Buklis, Office of
5 Subsistence Management.

6
7 MR. LITTLEFIELD: John Littlefield,
8 Southeast Chair.

9
10 MS. TRUMBLE: Della Trumble, Kodiak.

11
12 MR. HANSON: John Hanson, Y-K Vice Chair
13 for RAC Committee.

14
15 MR. BSCHOR: My name is Denny Bschor,
16 U.S. Forest Service.

17
18 MR. CESAR: I'm Niles Cesar, the Regional
19 Director for the Bureau of Indian Affairs.

20
21 MR. BOYD: Tom Boyd with the Office of
22 Subsistence Management, U.S. Fish and Wildlife Service.
23 I'm the Assistant Regional Director for Subsistence
24 Management.

25
26 CHAIRMAN DEMIENTIEFF: If there are
27 people that do want to testify, and as other people come
28 in, they've got to fill one of the green cards out.
29 They're available on the table out in front. And we did
30 -- in our meeting notice, we did publish the fact that we
31 are not -- if you want to testify, you have to sign up by
32 noon today. If there are extenuating circumstances,
33 weather and those kinds of things, and people couldn't
34 get here, I will be a little bit flexible on that. But
35 those of you that are here need to get your testimony
36 forms in right away.

37
38 Okay. With that we're going to move on.
39 The review of the petitions, Alaska Peninsula Commercial
40 Salmon fisheries, Tom is going to do that. Oh, no,
41 Keith. Keith is, I'm sorry.

42
43 MR. GOLTZ: Actually, I'm sorry, no, I'm
44 out of order. I should do that.

45
46 CHAIRMAN DEMIENTIEFF: Yeah.

47
48 MR. GOLTZ: Okay. Oh, yeah. Yeah.

49 Okay.
50

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1 MR. BOYD: Mr. Chair, under Tab 2 you'll
2 find a summary of petitions and resolutions that we've
3 received to date. there are a total of 33, and two of
4 these are by the same entity, so that if you count my
5 numbers a I present, you may count 32 instead of 33.
6 Under the same tab, following the summary, are the actual
7 petitions and resolutions. These are presented in
8 chronological sequence in the order received in my office
9 on both summary and as they are presented in the book.
10 These documents are already incorporated into the
11 administrative record, so I'm going to be summarizing
12 these petitions.

13

14 We received four petitions from Regional
15 Advisory Councils that request that the Federal
16 Subsistence Board exert extraterritorial jurisdiction to
17 intervene in the Area M June fishery to protect stocks
18 and subsistence in their respective regions. These are
19 the Bristol Bay Regional Advisory Council, the Eastern
20 Interior Regional Advisory Council, the Western Interior
21 Regional Advisory Council, and the Yukon Delta Regional
22 Advisory Council. These petitions are in the form of
23 resolutions, but they request that the Board or the
24 Secretaries grant special actions if you will to grant
25 their requests.

26

27 There are 16 resolutions from regional
28 nonprofit corporations or groups, tribal councils and
29 communities that similarly request that the Federal
30 Subsistence Board exert extraterritorial jurisdiction to
31 intervene in the Area M June fishery. These are the
32 Association of Village Council Presidents, the Bristol
33 Bay Native Association, Kawerak, Incorporated, Akiachak
34 Native Community, and there are two petitions or
35 resolutions that they've submitted, the Native Village of
36 Napakiak, the Kotlik Traditional Council, Ohogamiut
37 Traditional Council, Oscarville Traditional Council,
38 Stoney River Traditional Council, Nightmute Traditional
39 Council, Kasigluk Traditional Council and Elders, the
40 Kipnuk Traditional Council, the Yupiit of Andreadski
41 Tribal Council, the Platinum Traditional Council, The
42 Native Village of Bill Moore's Slough Council, and the
43 Native Village of Nunapitchuk.

44

45 One individual, Mr. Austin Ahmusuk of
46 Nome requests that the U.S. Fish and Wildlife Service
47 extend Federal fisheries jurisdiction over Area M to
48 protect salmon Federal public lands and waters.

49

50 There's one Regional Advisory Council,

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1 the Kodiak/Aleutians Council, that opposes the special
2 action request from the four Regional Advisory Councils
3 mentioned earlier.

4

5 There are 10 regional, local or tribal
6 organizations that support the Alaska Board of Fisheries
7 decision, and requests the Federal Subsistence Board to
8 advise the Secretaries to dismiss the petitions submitted
9 in support of Federal intervention in the Area M fishery.
10 These are the False Pass City Council, the City of King
11 Cove, The Unga Tribal Council, Agdaaguz Tribe of King
12 Cove, Residents of King Cove, Isanotski Corporation,
13 False Pass Tribal Council, the Aleutian/Pribilof Islands
14 Association, Incorporated, and the Aleutians East
15 Borough.

16

17 These are the petitions and resolutions
18 that have been received by the Board to date, Mr. Chair.

19

20 CHAIRMAN DEMIENTIEFF: Thank you. Keith.

21

22 MR. GOLTZ: On the matter of Federal
23 intervention, the regulations speak to hunting and
24 fishing activities which occur off the Federal lands, and
25 interfere with subsistence activities on the federal
26 lands to such an extent as to result in a failure to
27 provide the subsistence priority. In short, the
28 regulations ask what is the cause and what is the effect.

29

30

31 And the reason they do is linked, like so
32 much of what we do, to the outcome of judicial
33 litigation. In this particular case, the subject was
34 Nelchina caribou, and the argument was that the Federal
35 Government should control that herd wherever it happened
36 to be. The court said, no, Title VIII only applies to
37 Federal public lands. Subsistence management is dual
38 management, and governed by two distinct sovereigns.

39

40 When it made that ruling, the court did
41 acknowledge that State action might some day burden
42 subsistence uses, and if that happened, the court would
43 consider issuing injunctive relief. However, it would
44 only do so -- it would not do so unless and until it has
45 been clearly demonstrated that the State action
46 constitutes a substantial and impermissible interference
47 with a Federally protected right.

48

49 So the regulation echoes the court's
50 ruling and calls for substantive showings. To address

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1 that showing, this meeting should focus on whether
2 Federally-qualified users will suffer a failure of the
3 subsistence priority, and, if so, whether Area M fishing
4 is the direct cause of that failure. These are the
5 questions that will guide the Secretaries as they
6 consider the record and decide the Area M petitions.

7

8 CHAIRMAN DEMIENTIEFF: Staff report,
9 Larry Buklis.

10

11 MR. BUKLIS: Thank you, Mr. Chairman. My
12 name is Larry Buklis. I'm with the Office of Subsistence
13 Management.

14

15 The Staff report can be found behind Tab
16 3. The report is titled, Considerations Regarding
17 Extraterritorial Jurisdiction in the Alaska
18 Peninsula/Aleutian Islands Commercial Salmon Fisheries.
19 In my oral report, I'll try to highlight the key points
20 of the Staff report.

21

22 The written report focuses on an
23 evaluation of recent regulation changes in the Area M
24 June fishery by the Alaska Board of Fisheries in the
25 context of providing the subsistence priority on Federal
26 public lands for sockeye salmon in Bristol Bay, for chum
27 salmon in the Kuskokwim and Yukon areas. While the Board
28 of Fisheries considers regulations changes on a three-
29 year cycle, our report is focused on 2004 as that is the
30 immediate situation at hand, and looking out more than
31 one year would be increasingly speculative.

32

33 The Area M June fishery targets sockeye
34 salmon bound predominantly for Bristol Bay. Chum salmon
35 are harvested incidentally. The Area M June fishery
36 harvests a broad mixture of chum salmon stocks from
37 throughout the North Pacific, including stocks from Asia.
38 Yukon River fall chum salmon were found to be minor or
39 absent from catch samples in a mid 1990s genetics study,
40 therefore only summer chum salmon are addressed in our
41 report for the Yukon River.

42

43 Regulation of the Area M fishery has long
44 been highly contentious due in large part to the
45 interception of salmon bound for other areas. Allocation
46 and conservation issues have been involved at various
47 times. Debates about the effect of this fishery on
48 migrating stocks has been a feature in the State
49 regulatory process. Within the terminal areas, there are
50 also allocation and conservation issues. Recent declines

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1 in runs of sockeye salmon to the Kvichak River system in
2 Bristol Bay and longer term and more broadly of chum
3 salmon to systems in the Arctic, Yukon, Kuskokwim region
4 have heightened the tensions.

5
6 Fishery restrictions, including on
7 subsistence fisheries in some areas, and escapement
8 shortfalls to some spawning areas have occurred. It has
9 been widely speculated that changes in climate and the
10 ocean environment have been key factors in these
11 downturns in salmon productivity.

12
13 Kuskokwim River chum salmon are
14 considered a stock of yield concern by the Alaska Board
15 of Fisheries. Yukon River summer chum salmon are
16 considered a stock of management concern, which is a
17 heightened level of concern, although both are short of a
18 conservation concern. Our written report notes, Kvichak
19 River sockeye salmon as a stock of yield concern, which
20 was correct up until a few months ago when the Board of
21 Fisheries designated the Kvichak as now a stock of
22 management concern.

23
24 The Board of Fisheries is charged with
25 sustainable management of the salmon resources, and
26 allocating harvest among competing users in the State-
27 managed fisheries, with subsistence being the priority
28 consumptive use. The Federal program under ANILCA and
29 other applicable law is charged to provide for the
30 subsistence priority on Federal public lands, consistent
31 with the maintenance of healthy fish and wildlife
32 populations. The written report presents key Federal
33 regulations.

34
35 The Area M June fishery has undergone
36 frequent and intensive regulatory review by the Board of
37 Fisheries over the last several decades. Many different
38 management tools have been employed in this fishery,
39 including harvest allocation quotas, harvest ceilings or
40 caps, time, area and gear restrictions. The written
41 report provides a detailed chronology of these changes.

42
43 In 2001 the Board of Fisheries removed
44 the chum salmon harvest cap, but substantially reduced
45 fishing time. Harvest in the Area M June fishery in 2001
46 was further affected by a fishermen's strike. However,
47 absent a strike in 2002 and 2003, harvest averaged
48 522,000 sockeye, and 331,000 chum salmon, which were
49 below the 1990 to 2000 averages of about 1.7 million
50 sockeye and 435,000 chum. In 2004, the Board of

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1 Fisheries substantially liberalized fishing time. The
2 regulations in place from 2001 to 2003 limited the purse
3 seine and drift gillnet fleets to a total open fishing
4 time of nine 16-hour days, totally 144 hours. The new
5 regulations provide for four 88-hour and one 64-hour open
6 fishing periods. Those total 416 hours, which is 2.9
7 times greater than the prior number of hours. However,
8 the increase for set gillnet gear is not as large. Also,
9 these new regulations include 14 nights, whereas the
10 previous regulations included no nighttime hours. The
11 effectiveness of fishing during nighttime is reported to
12 be much lower, especially for purse seine gear.

13

14 While regulations that provide an
15 increased commercial salmon harvest in the Area M June
16 fisheries are a reallocation of fish from other
17 fisheries, such reallocations among State managed
18 fisheries are not in themselves the issue to be addressed
19 here. The central issue here is whether the increased
20 harvest in the Area M June fishery is expected to be the
21 direct cause of a failure to provide the subsistence
22 priority on Federal public lands. To address this, we
23 need to briefly review information on the increase in
24 harvest expected in the Area M June fishery due to the
25 regulation changes by the Board of Fisheries, the stock
26 composition of that harvest, and the run forecast or
27 outlook in the terminal areas at issue.

28

29 Fish and Game is not able to estimate
30 precisely what the increase in harvest will be, but has
31 qualitatively characterized the change as a doubling
32 factor. A doubled harvest in the Area M June fishery
33 from the 2002/2003 level would equate to a harvest of
34 1,044,000 sockeye, and 662,000 chum salmon.

35

36 Let me speak for a moment about sockeye
37 salmon. A return of 46.6 million Bristol Bay sockeye
38 salmon is forecasted for 2004. This is 31 percent higher
39 than the prior 10-year average. All systems are expected
40 to exceed their spawning escapement goals. A commercial
41 harvest of 34.7 million sockeye is forecasted for Bristol
42 Bay, which would be about 60 percent higher than the
43 prior 10-year average.

44

45 Subsistence harvests in the Bristol Bay
46 area averaged 122,000 sockeye salmon annually in the
47 1990s. Only a portion of that is taken in Federal
48 subsistence fishery jurisdiction. There have been no
49 restrictions to the sockeye salmon subsistence fisheries
50 in the Bristol Bay area.

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1 questions addressing whether the subsistence -- the
2 Federal subsistence management program anticipates a
3 failure to provide the subsistence priority on Federal
4 public lands for Bristol Bay sockeye, Kuskokwim chum, or
5 Yukon summer chum as a direct consequence of the changes
6 in regulations for the Area M June fishery. Following
7 this, we will briefly discuss qualifications of this
8 information and the relative confidence we have in these
9 evaluations.

10

11 The first question in the report is
12 whether we anticipated a failure to provide the
13 subsistence priority prior to the Board of Fisheries
14 liberalizing the Area M June fishery in February of 2004.
15 We report that prior to these regulation changes, we did
16 not anticipate a failure to provide for the subsistence
17 priority on Federal public lands in these areas and for
18 these stocks in 2004.

19

20 Next, the report asks whether a doubled
21 sockeye salmon harvest in the Area M June fishery would
22 pose a likely failure to provide the subsistence priority
23 for sockeye salmon on Federal public lands in Bristol Bay
24 in 2004. A doubled harvest from the 2002/2003 level
25 would mean a total harvest of just over one million
26 sockeye in the June fishery. Considering that harvest
27 level and the strength of the return forecast, it does
28 not appear likely that the change in regulations in the
29 Area M June fishery would result in a failure to provide
30 a subsistence priority for sockeye on Federal public
31 lands in Bristol Bay.

32

33 Next, the report asks whether a doubled
34 chum salmon harvest in the June fishery would pose a
35 likely failure to provide the subsistence priority for
36 chum salmon on Federal public lands in the Kuskokwim area
37 in 2004. A doubled harvest for chum salmon would mean a
38 total harvest of 662,000 chum salmon. Applying
39 historical stock identification information, we would
40 anticipate 126,000 to 199,000 chum salmon of that
41 Northwest Alaska summer group to contribute to this
42 harvest increase due to the regulation changes.
43 Kuskokwim chum would be only a component of that
44 grouping, and there was a terminal area commercial
45 harvest outlook of 175,000 to 350,000 chum salmon
46 anticipated for the Kuskokwim this year. Considering
47 this, it does not appear likely that the change in
48 regulations in the Area M June fishery would result in a
49 failure to provide a subsistence priority for chum salmon
50 on Federal public lands in the Kuskokwim area.

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1 Finally we asked whether a doubled chum
2 salmon harvest in the Area M June fishery would pose a
3 likely failure to provide the subsistence priority for
4 summer chum salmon on Federal public lands in the Yukon
5 area in 2004. The report goes through a similar analysis
6 as for Kuskokwim chum salmon. Although the outlook for
7 the Yukon River commercial summer chum fishery is lower,
8 being 50,000 to 150,000 fish, we again conclude that it
9 does not appear likely that the change in regulations in
10 the Area M June fishery will result in a failure to
11 provide the subsistence priority for summer chum salmon
12 on Federal Public lands in the Yukon area.

13

14 We move now to a brief commentary on
15 qualifications of this information and our relative
16 confidence in our evaluations. The amount of the harvest
17 increase that will occur in the Area M June fishery due
18 to these recent regulation changes by the Board of
19 Fisheries is speculative at this point. In the report,
20 we use the Department of Fish and Game best estimate of a
21 doubling factor. The increase in fishing time to be
22 allowed for purse seine and drift gillnet gear is a
23 factor of 2.9, but that include nighttime hours when
24 effectiveness is reportedly greatly reduced. Absent
25 experience with the fishery operating under these new
26 regulations, the Department of Fish and Game assessment
27 represents best available information.

28

29 We don't know what the chum salmon stock
30 composition will be in the Area M June fishery, and we
31 won't know after the fishing season is over. The degree
32 to which an historical range represents the coming season
33 is unknown. Secondly, even in the years of study in the
34 1990s, the inability to more finely identify stocks
35 resulted in aggregation of chum salmon ranging from the
36 north Alaska Peninsula to Kotzebue. The contribution of
37 stocks at finer levels within this grouping is not
38 reliably known. Inferences have been made at times using
39 multiple assumptions, but we do not do that here.

40

41 There is the potential for further
42 uncertainty being introduced to expectations of harvest
43 levels or stock composition by the abundance of sockeye
44 and chum salmon migrating through the Area M June
45 fishery, but it is not feasible to reliably model these
46 factors.

47

48 Bristol Bay sockeye salmon forecasts area
49 statistical in character. Preseason forecasts and
50 postseason accounting allow for direct evaluation of

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1 reliability. For the Kuskokwim and Yukon areas, salmon
2 outlooks and even postseason assessments are more
3 qualitative.

4

5 Considering the quality of the
6 information and anticipated abundance of the returns, the
7 level of our confidence in providing for the subsistence
8 priority on Federal public lands is greatest -- again,
9 our confidence in providing for the subsistence priority
10 on Federal public lands is greatest for Bristol Bay
11 sockeye salmon, followed by Kuskokwim chum salmon,
12 followed by Yukon River summer chum salmon.

13

14 The report asks whether there are
15 alternative remedies under the authority of the Federal
16 Subsistence Board. the Federal Subsistence Board does
17 have the authority to close Federal public lands to other
18 uses to provide for the subsistence priority. This
19 authority has actually been further delegated to the
20 local Federal subsistence fishery managers. Given the
21 time needed to evaluate salmon runs in the terminal
22 areas, it is not feasible that consideration by the
23 Secretaries could be given to assertion of
24 extraterritorial jurisdiction on an in-season basis in
25 the Area M June fishery.

26

27 The report asks also whether there are
28 alternative ways that extraterritorial jurisdiction could
29 be implemented. If all other management approaches are
30 determined to be insufficient to provide for the
31 subsistence priority, and exercise of extraterritorial
32 jurisdiction is under consideration, the Secretaries
33 could examine interceptions in other fisheries in
34 addition to the Area M June fishery.

35

36 Mr. Chairman, in summary, the exercise of
37 extraterritorial jurisdiction by the Federal Government
38 requires meeting a very high threshold for justification.
39 Limitations of the information make it difficult to
40 reliably anticipate in advance the outcome of regulation
41 changes in the Area M June fishery. Making reasonable
42 use of the best available information, there does not
43 appear to be a high likelihood of a failure to provide
44 the subsistence priority on Federal public lands in 2004
45 for sockeye salmon in Bristol Bay, for chum salmon in the
46 Kuskokwim, or for summer chum salmon in the Yukon as a
47 direct consequence of the regulation changes in the Area
48 M June fishery.

49

50 Productivity for some of these salmon

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1 stocks has been low in recent returns, and weak returns
2 have posed a hardship in the terminal areas. There will
3 be greater clarity on the status of the runs and
4 fisheries during and after the season in the terminal
5 areas. However, even then we will not have the
6 information needed to attribute for any run shortfalls
7 that may occur the component of the cause due to
8 downturns in natural productivity, and the component of
9 the cause due to interceptions in the Area M June fishery
10 and other fisheries.

11

12 An appendix to the report addresses
13 additional issues noted in the petitions. Without going
14 through all that information in detail, let me just
15 comment on the Norton Sound area. While there are
16 recognized problems with salmon returns in Norton Sound,
17 Federal public lands in that area are very limited and
18 not relevant to the key concerns.

19

20 Mr. Chairman, that concludes my report.

21

22 CHAIRMAN DEMIENTIEFF: Thank you very
23 much. Questions from the Board.

24

25 (No comments)

26

27 CHAIRMAN DEMIENTIEFF: Okay. I have to
28 back up for a minute here. Yesterday after our work
29 session, I began to get calls from concerned Regional
30 Councils, that they were going to be limited to the five
31 minutes. That is not -- absolutely not the case. You
32 know, all the Council Chairs know that -- how we have
33 tried to encourage dialogue, and we -- you know, so we
34 are going to be flexible with regard to Regional Council
35 concerns.

36

37 I encourage those of you in the public
38 after you've had your say, and if you hear something else
39 as the issues develop, to work through your Council
40 Chairs. They do a real good job in representing you, and
41 they -- you know, we will allow them to bring other
42 things up. So if you do have an issue on things as the
43 meeting develops, please work with them. They do a real
44 wonderful job, and they are our partner. The Board
45 heavily depends on the RACs, so I just encourage you to
46 do that.

47

48 Summary of written public comments?

49

50 MS. WILKINSON: Thank you, Mr. Chairman,

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1 Board members. Copies of all the letters and of this
2 analysis are included under Tab 4 of your book.

3

4 We received 33 written comments from the
5 Aleutian -- excuse me, the Aleut Corporation, the
6 Aleutian/Pribilof Islands Association, Association of
7 Village Council Presidents, Austin Ahmusuk of Nome,
8 Benjamin Kamkoff of Kotlik, Benjamin Mobeck, Sr. of Sand
9 Point, Beverly Hoffman of Bethel, Bristol Bay Native
10 Association, Chevak Native Village, Concerned Area M
11 Fishermen, Council of Athabascan Tribal Governments,
12 Daniel Farren of Homer, Dean Gould of King Cove, False
13 Pass Tribal Council, Isidore Hunt of Kotlik, John Andrew
14 of Kwethluk, Kasigluk Traditional Council and Elders,
15 Kuskokwim River Salmon Management Group, Lake Iliamna
16 Fish and Game Advisory Committee, Milford Doug Sweat of
17 Yukon River, Nightmute Traditional Council, Ohogamiut
18 Traditional Council, Organized Village Kwethluk, Pauloff
19 Harbor Tribe, Qagan Tayagungin Tribe of Sand Point, Sally
20 Teeluk of Kotlik, Stoney River Traditional Council, the
21 Seward Peninsula Regional Advisory Council, Tanana Tribal
22 Council, United Fishermen of Alaska, and Western Interior
23 Regional Advisory Council. Oh, Richard Mack of King
24 Cove, excuse me. The Yukon River Drainage Fisheries
25 Association, Mr. Nick Tucker, Sr., and the Aleutians East
26 Borough submitted written comments too late to be
27 included in this analysis; however, their letters are in
28 your book.

29

30 Some resolutions we received included
31 cover letters with additional information, and those were
32 treated separately as public comment. I'll defer the
33 summary of comments from the Regional Advisory Councils,
34 because they have representatives here.

35

36 We received 10 written comments in
37 support of the expanded Area M fishery, and 22 comments
38 in support of intervention to prevent that expansion.
39 Following is a summary and analysis of the written public
40 comments.

41

42 The written comments offered to the Board
43 were sharply divided according to geography and present a
44 mirror image of one another, yet all commentators expressed
45 a heavy reliance on the fish that migrate through False
46 Pass, and all expressed deep concerns regarding the
47 future of their way of life.

48

49 In support of Area M's expanded season,
50 Area M commentators referred to their long history of use

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1 in the area. They stated that Aleut people have used
2 Area M to seine migrating salmon for 3,000 to 4,000
3 years, and that sockeye salmon have been a commercial
4 commodity for 2500 years. For 1,000 years, their social,
5 political, and economic systems have focused on
6 harvesting sockeye salmon. A viable Area M fishery is
7 critical to the continued economic survival of the Aleut
8 community. The local Aleut subsistence economy directly
9 relies on the June commercial fishery. Since 1970
10 increased harvest restrictions have decreased
11 opportunities for the Aleut community. They noted that
12 commercial fishing accounts for 95 percent of the local
13 economy, and that the Aleutians East Borough families are
14 the poorest in Southwest Alaska. No subsistence can
15 exist without cash.

16
17 Commentors believed that the recent Board
18 of Fisheries' decision was based on sound science. They
19 noted the possibility that something other than the Area
20 M fishery is impacting the salmon runs to Western Alaska.

21

22

23 It was also noted that while the Area M
24 fishery has 50 to 100 boats, the Bristol Bay fishery has
25 a fleet of about 2,000 boats.

26

27 They also noted that Norton Sound chum
28 stocks are of concern; however, the severe restrictions
29 placed on Area M fisheries did not bring a related
30 improvement. The same pattern, they say, continues
31 across the Y-K region.

32

33 The commentors also stated that
34 escapement, subsistence, and commercial needs are being
35 met on both the Yukon and Kuskokwim rivers. They refer
36 to Alaska Department of Fish and Game projections for
37 surpluses of summer chum salmon in the Kuskokwim River,
38 and improvements in other streams. Commentors stated
39 that this is a long-standing allocation issue.

40

41 Until the Board of Fisheries' allocated
42 decisions are shown to interfere with the Federal
43 subsistence priority, there is no legal basis for
44 bypassing State management. The Area M commentors
45 believe that Federal intervention is not necessary.

46

47 In support of intervention, Bristol Bay,
48 Yukon-Kuskokwim River and Norton Sound commentors wrote
49 of their dependence on the salmon migrating through Area
50 M to meet their subsistence needs. They stated that

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1 subsistence defines their way of life, and that
2 restrictions and closures have already detrimentally
3 affected what was a thriving subsistence fishing culture.
4 They rely on subsistence fishing of chum salmon for
5 survival.

6

7 Moose populations are low, jobs are few
8 to nonexistent, and costs for commodities are high.
9 Western Alaska has one of the highest poverty rates in
10 Alaska.

11

12 Commentors stated that it is well-
13 documented that Western Alaska salmon are present during
14 the early portion of the Area M fishery, especially in
15 June. A genetic study done from 1993 through 1996 of the
16 June migration demonstrated that from 400,000 to
17 1,600,000 fish are bound for the AYK and Bristol Bay
18 region. All of these fish are significant to residents
19 of Western and Interior Alaska.

20

21 Commentors wrote of the historic
22 tremendous waste of chum salmon and the Area M by-catch,
23 and they are appalled that the chum cap has been lifted.
24 One commentor noted that during the year when the Area M
25 fishery was closed, the number of fish passing through
26 the Kwethluk River weir project exceeded records for
27 returning salmon.

28

29 Many Western Alaskan rivers are
30 experiencing declines in salmon returns. Some of these
31 declines are extreme. This includes Yukon River, the
32 Kametook River, the Kvichak River, the Kuskokwim River,
33 and many streams in the Norton Sound clearance area.
34 Most, if not all, the nine Bristol Bay river systems are
35 connected to Federal lands and are used by subsistence
36 fishers. The Nome subdistrict streams have failed to
37 support a viable subsistence fishery for several years,
38 and are managed under the State's Tier II.

39

40 Commentors remarked that the Alaska
41 Department of Fish and Game keeps lowering the escapement
42 goals in Western Alaska and Norton sound area streams,
43 but refuses to apply strong conservation measures in Area
44 M.

45

46 Commentors stated that declines outside
47 the Nome subdistrict are reminiscent of the beginning of
48 the decline and failure in the Nome subdistrict. Yukon
49 River summer and fall chum have been designated stocks of
50 management concern, as have the Kvichak drainage and

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1 other streams. These commentators noted that their
2 subsistence fisheries have been severely restricted for a
3 number of years. On the Yukon and Kuskokwim rivers,
4 people are allowed to subsistence fish only three or four
5 days a week, and for several years subsistence fishing
6 was closed.

7

8 Commentators noted that the terminal
9 fisheries have for years born the burden of conservation.
10 In the Upper Yukon Flats region, the subsistence fishery
11 harvest was reduced by over 50 percent between 1998 and
12 2001. Residence on the Yukon River have endured 33.5
13 percent reduction of summer chum harvested and a 56
14 percent reduction of fall chum harvested, yet the Area M
15 commercial fishery has now been expanded with no
16 conservation measures.

17

18 Commercial fishing activities in Area M
19 have interfered to the point that there has been a
20 failure to provide for a subsistence priority in Federal
21 waters. There have been restrictions placed on
22 subsistence fishing in Federal waters of the Yukon,
23 Kuskokwim, and Bristol Bay.

24

25 The Board of Fisheries ignored the
26 principles of its mixed stock fishery and sustainable
27 fisheries policies, and would not even hear any
28 scientific information that was contrary to its plan of
29 action. Commentators noted that the ADF&G forecast for
30 Bristol Bay and Y-K are broad and very subjective, and
31 are misleading. They suggested a review of ADF&G
32 forecasts and actual returns for an accurate record of
33 their past performance.

34

35 Residents of these regions are dismayed
36 by the Board of Fisheries recent action. The decision to
37 lift restrictions on Area M commercial fisheries was,
38 they believe, a display of disregard for all the work
39 being done to rebuild salmon stocks in the Yukon-
40 Kuskokwim region. They are looking to the Federal
41 Subsistence Board to protect their subsistence rights,
42 and to advocate for their subsistence way of life and for
43 conservation.

44

45 They recommend the following actions by
46 the Federal Subsistence Board and the Secretaries. They
47 urge the Board to recommend intervention, and for the
48 Secretaries to intervene to address the problem before
49 it's irreversible, to stop the wasteful practices in Area
50 M, to establish stronger conservation laws, and to call

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1 for the Board of fisheries to reconvene and properly
2 evaluate the Area M fishery and its effects.

3

4 Mr. Chairman, that concludes the analysis
5 of the written public comment.

6

7 CHAIRMAN DEMIENTIEFF: Thank you very
8 much. At this time we are going to enter public
9 testimony. You will testify in the order that you turned
10 in your request form.

11

12 The first person testifying, Mark Vinsel.

13

14 MR. VINSEL: Good morning. I'm Mark
15 Vinsel, Executive Director at United Fishermen of Alaska.

16

17 The recent decision by the Board of
18 Fisheries to restore the allocation of the Area M fishery
19 has met significant resistance by groups who feel that
20 this decision will hurt their chances for subsistence
21 salmon harvest, and have called for this public meeting
22 to request Federal extraterritorial jurisdiction
23 intervention in this matter.

24

25 United Fishermen of Alaska is an umbrella
26 organization that represents 32 Alaska commercial fishing
27 organizations and hundreds of individual fishermen. UFA
28 has a long standing policy of supporting the Board of
29 Fisheries process along with a policy of remaining
30 neutral on allocative issues between commercial gear
31 groups.

32

33 Many of Alaska's commercial fishermen and
34 UFA members are also subsistence users of fish and
35 wildlife. While not weighing in on the allocative
36 aspects of Board of Fisheries' decisions, we feel
37 compelled to offer public testimony in support of the
38 Board of Fisheries' decisions, and we feel compelled --
39 or and in opposition to Federal intervention through
40 extraterritorial jurisdiction in the matter of the Area M
41 fishery.

42

43 The Area M fishery has been the subject
44 of reductions in fishing time and allocation for decades
45 with varying results on fisheries that were understood to
46 be intercepted in Area M. Declines and rises in the runs
47 under concern to the petitioners have not directly
48 mirrored the restrictions that have previously been
49 enacted in Area M. Salmon runs vary in cycle for a
50 number of reasons. When run declines and escapement

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1 shortfalls in fisheries are unfairly blamed on an
2 unproven cause, the greater risk is that other
3 significant factors may be overlooked.

4

5 The Board of Fisheries reviewed the
6 available science and determined that the Area M decision
7 will not likely result in a failure to provide the
8 subsistence priority in Western Alaska. This position
9 has been substantiated by the Federal Subsistence Board
10 Staff in a report on April 15th. Until the Board of
11 Fisheries' allocative decisions are shown to interfere
12 with the federal subsistence priority, there is no legal
13 basis for bypassing State management.

14

15 The 2004 area M fishery will provide
16 relevant data on its impacts to Federal subsistence
17 fisheries. Alaska Governor Murkowski has asked the
18 Department of Fish and Game to intensely monitor the
19 fishery. The Commissioner of the Alaska Department of
20 Fish and Game has the authority to make emergency orders
21 to change the regulations during the season or to make
22 changes for the future based on the results of the 2004
23 or subsequent seasons. Only after the State's authority
24 and ability to manage its fisheries has been
25 scientifically proven to interfere with the subsistence
26 fishing priority would justification exist for Federal
27 intervention.

28

29 United Fishermen of Alaska feels that
30 there's no compelling factual or scientific reason at
31 this time to justify the unprecedented and drastic
32 imposition of Federal extraterritorial jurisdiction.
33 Extraterritorial jurisdiction is an extreme measure to be
34 considered only as a last resort when all other measures
35 to ensure subsistence harvest have failed.

36

37 Alaska's system of fisheries management
38 has an unsurpassed reputation and serves as a model for
39 the world. As the world leader in fisheries management,
40 the State of Alaska should be given deference to manage
41 its resources until it has been proven to have failed in
42 its obligations to Federal subsistence users.

43

44 Thank you.

45

46 CHAIRMAN DEMIENTIEFF: Thank you very
47 much. Any questions.

48

49

(No comments)

50

00022

1 CHAIRMAN DEMIENTIEFF: Thank you very
2 much.
3
4 Andy Bassich. I hope I'm not abusing any
5 names here.

6
7 MR. BASSICH: Thank you, Mr. Chairman.
8 Members of the Board. My name is Andrew Bassich. I'm
9 here to represent the Eagle AC. For those of you that
10 aren't familiar with our region, we're the furthest
11 community upriver on the Yukon River, the last Alaskan
12 village to harvest salmon before they enter Canada.

13
14 I don't have a lot of written comments
15 here to talk to you about, but I just wanted to speak to
16 you from my heart. I've been involved through the
17 Eastern RAC, through the Yukon River panel, through
18 YR DFA, and through our local Eagle subsistence advisory
19 -- or local subsistence association. And through all
20 these efforts, you know, our main concern is conservation
21 for a resource that has shown tremendous declines in the
22 last decade, and we're very concerned not only for the
23 stocks, but for our way of life in the area that we live.
24 We are completely and totally tied to the Yukon River for
25 our subsistence use in that area. We don't have a lot of
26 alternatives. We have fall chum which provide for human
27 consumption food as well as for dogs, which are essential
28 for trapping in our area. Snow machines are not a viable
29 way of trapping in our area.

30
31 I heard written comment a little bit
32 earlier that subsistence can only happen when there's
33 some sort of monetary gain, and trapping in our area is
34 one of the leading ways in which people earn a little bit
35 of money to live, and we're dependent on the chum salmon
36 for this.

37
38 Past history in our area as far as
39 restrictions is that it is a fact that our region and our
40 area, our community has born the brunt of conservation
41 for the last decade. We have consistently been shut down
42 when other fishers throughout the State both in the ocean
43 and in the lower river have had the opportunity to
44 harvest fish, placing the burden and much heavier impact
45 on our local community. And what we are seeking is that
46 there be a shared concern for conservation throughout the
47 State, and we're not talking just the Yukon River,
48 throughout the entire State. There's been a tremendous
49 amount of money and time and effort by various
50 organizations represented in this room for the last five

00023

1 or six years in trying to rebuild the stocks on the Yukon
2 River and on the Kuskokwim Rivers. This is going to take
3 a statewide effort. It cannot be -- this burden cannot
4 be placed on one individual group of people or one small
5 region. It is a statewide effort, and so we need to
6 share in this burden.

7

8 I think everyone in this room will agree
9 that every person that takes a salmon is guilty of
10 contributing to some of the decline of the salmon. And
11 with that premise in mind, I think we all have to bear
12 that burden for conservation.

13

14 One of the things I feel is happening
15 that I'm very dismayed about is I feel at this point in
16 time we have kind of the ostrich effect going on. We
17 stick our heads in the sand and we hope that this problem
18 will go away, and we keep hoping that's it's just a
19 natural decline. But the fact is that there are two
20 factors that effect the rebuilding efforts. One of them
21 is the natural cycles that take place in our oceans and
22 in our rivers, climatic changes. And the other is human
23 impact on harvest. We can't do anything about the
24 natural impacts, climatic changes, but what we can do is
25 we can begin to do the right thing as far as human
26 harvest and human impacts on these resources so that they
27 have the ability to rebuild, and I don't feel that we're
28 doing that in a strong enough effort.

29

30 I see through reading the -- or hearing
31 the comments that we have almost a two to one response as
32 far as wishing to have some kind of intervention here.
33 And I think it's really important that we keep in mind
34 that we shouldn't be robbing Peter to pay Paul. People
35 in the Yukon River, people in the Kuskokwim and Bristol
36 Bay regions should not bear the brunt so that Area M can
37 meet their needs. I have strong feelings that I think
38 everybody should share in the resources, and when the
39 resources decline, I think everybody should share in the
40 -- that same decline of the resources.

41

42 I would also like to strongly advocate
43 that more genetic research be done in the intercept
44 fisheries at Area M, that we spend more time and effort
45 to identify which stocks are being impacted and I would
46 strongly encourage that recommendations be made to fund
47 that sort of research in this coming season so that this
48 doe snot continue to take place for a couple years before
49 we address that issue. I feel that there's a lot of work
50 that needs to be done in that area, and it should be

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1 started immediately if we hope to truly identify which
2 stocks are being affected.

3

4 And in conclusion, I think it's the
5 responsibility of the Board of Fisheries, and also of
6 this Board, to do what they're mandated to do, to protect
7 the fisheries and protect the subsistence use of those
8 fisheries. We in the Eagle area feel that the Board of
9 Fisheries acted very irresponsibly in opening up an area
10 that is potentially going to affect other areas of the
11 State that are stocks of concern.

12

13 And I would like to also ask the question
14 that -- in closing that -- I often wonder how it is that
15 the Federal Government and the State Government can ask
16 the people of the regions to respect and abide by the
17 laws if they're not willing to comply with some of their
18 own mandates. It's kind of a double standard that I see
19 happening, and it really concerns me. If you want the
20 people to be involved, the fact that people are showing
21 up here means that they want to be involved. We all have
22 to do what is expected of us, and what the law mandates.
23 And so we must protect these fish for future generations,
24 and we must protect the rights of the people in the
25 regions to subsistence use of this resource.

26

27 CHAIRMAN DEMIENTIEFF: Okay. We thank
28 you for the summary. We -- your out of time, and I've
29 allowed you a couple, because your comments were well
30 taken. Are there any questions from the Board members?

31

(No comments)

32

33 CHAIRMAN DEMIENTIEFF: If not, I thank
34 you very much.

35

36 Ralph Angason, Sr. Is Ralph here?

37

(No comments)

38

39 CHAIRMAN DEMIENTIEFF: We'll just go
40 ahead and move him to the back, and just keep continuing
41 on. There's quite a few people that want to testify.
42 And we will call him up again later in the testimony
43 process.

44

45 Memry Dahl. Could you push that button
46 there so.....

47

48 MS. DAHL: Good morning, Chairman

49

00025

1 Demientieff and fellow Board members. And I thank you
2 for your time and for your consideration of this.

3

4 My name is Memry Dahl, and I'm Aleut,
5 born in Sand Point. That's where I was born and raised,
6 and raised my three daughters until about four years ago,
7 but because of the severe decline in the fishing industry
8 in our area, I relocated to Anchorage, but I continue to
9 work for our region. And since moving to Anchorage, I
10 have continued to go back to Sand Point, and I have seen
11 first hand the decline of the economies of our people,
12 because of the regulations and limited fishing times, and
13 the lower prices.

14

15 As Aleut people, we were the first to be
16 contacted by the Russians, and enslaved for our expertise
17 on the water. We were fishing even then. This is our
18 traditional use. This is our right, this is our culture.
19 Just as our ancestors watched the water and protected
20 their resources, we in the Aleutians continue to do the
21 same.

22

23 And I feel strongly that we must look at
24 the environmental changes that have occurred and that are
25 occurring before we look to just one fishery to solve a
26 problem. To assume that one factor is exclusively
27 responsible for a decline in fish stocks some 500 miles
28 away seems over-simplified. It seems sort of ridiculous,
29 sort of like saying cigarettes are the only reason why we
30 have cancer.

31

32 It's my hope that as native Alaskans we
33 can cooperate to look at these issues and to work
34 together to remediate those that are within our control,
35 and to understand the impacts of those that we cannot
36 control, or those that we must find international support
37 for. Let's first look at those that we can't control.
38 What is the impact of increased water temperatures on
39 salmon returns and salmon fry? How does spawn fish and
40 large hatcheries impact our returns?

41

42 What we can control and work together to
43 ensure for our kids and for our grandkids to come are
44 those impacts that we have control over. For instance,
45 in-river pollution and ocean pollution. What can we do?
46 How has mining changed the balance of the river systems?
47 How are growing communities and raw sewage and water
48 treatment and open landfills, how are those impacting the
49 rivers? And what impact are they having on the supply?

50

00026

1 And then, finally, what are the
2 implications of the Federal sites clean ups, those sites
3 in which the Federal Government must as a responsibility
4 clean up for us? What impact do those have on our
5 subsistence, our ecosystems, and on our environment, on
6 our State as a whole?

7
8 I feel strongly that until we work
9 together and we answer these questions to find a
10 solution, overriding the decision-makers of Alaska just
11 doesn't make sense. I urge this Board to support the
12 decision of the qualified decision-makers of Alaska, the
13 State Board of Fisheries, and to consider the more
14 complex environmental issues that may be contributing to
15 this situation.

16
17 And I thank you for your time.

18
19 CHAIRMAN DEMIENTIEFF: Thank you. Any
20 questions.

21
22 (No comments)

23
24 CHAIRMAN DEMIENTIEFF: Thank you very
25 much.

26
27 Shawn Gundersen.

28
29 MS. GUNDERSEN: Good morning, Mr.
30 Chairman and Board members. My name is Shawn Gundersen,
31 and I'm an Aleut from Sand Point. I have been involved
32 in the fishery all my life. My grandfather, my father,
33 myself, and now my son are involved in commercial as well
34 as subsistence fishing.

35
36 I have testified to the Board of
37 Fisheries for Area M, and I'm disappointed to have to be
38 testifying before this Board to defend our fishery. I
39 don't understand how we can be blamed for low fish
40 returns to rivers so far away.

41
42 I have only a few thoughts to share with
43 you. We have our chum stocks in Moffitt Bay, Russell
44 Creek, Chicago Bay, and Stepovak, to name a few. Our
45 area has been reduced in the last decade to barely
46 nothing. Our fishermen have lost boats and permits due
47 to the reduction of fishery time, and with the hopes to
48 produce fish stocks in areas so far away. The Sand Point
49 School District has lost enrollment as families have been
50 forced to move away.

00027

1 The current Board of Fisheries carefully
2 considered the scientific information and fishery
3 performances in all the areas. Relying on this
4 information, they determined that allowing additional
5 fishing time in Area M would have no detrimental impact
6 on any other area. We believe that additional fishing
7 time will allow us to focus on sockeye, thus lowering our
8 chum harvest. Although there is no science to indicate
9 that this will help other areas, we know that fishermen
10 in those area believe it will. This belief has caused a
11 lot of grief in our families and communities. Be assured
12 that we will watch our chum catch no matter what the
13 regulations are.

14
15 I urge you to reject these petitions and
16 attempt to put this issue to rest. Thank you.

17
18 CHAIRMAN DEMIENTIEFF: Thank you. Any
19 questions?

20
21 (No comments)

22
23 CHAIRMAN DEMIENTIEFF: Thank you very
24 much.

25
26 Esiah Dushkin, or Dushkin, or something
27 like that.

28
29 MR. DUSHKIN: Good morning, Mr. Chairman
30 and Board members. My name is Esiah Dushkin. I was born
31 and raised in King Cove.

32
33 I attended school in Mt. Edgecumbe. I
34 know a lot of these people up north. I have the deepest
35 respect for our way of subsistence life. I've been
36 raised on it myself. And nowadays we mostly reply --
37 rely on commercial fishing, although we do subsistence
38 fishing ourself.

39
40 To live in our community today, we must
41 rely on commercial fishing. The chum price is so low
42 it's not feasible to target chums when we're fishing.
43 Peter Pan has a chum pool. Those who fish chums may have
44 to share it with those who don't, so it just discourages
45 those who try to target chums. So we mostly target reds
46 for our fishery in June.

47
48 Area M is a large area. June fishing, we
49 fish in a small part of Area M. Chums are going by
50 early, even early as May. We don't fish in the pass as

00028

1 there is too much current and the fish aren't real
2 available in the pass. We mostly fish on the outer
3 waters and outside the point. That's all I have.

4

5 Thank you.

6

7 CHAIRMAN DEMIENTIEFF: Thank you. Any
8 questions.

9

10 (No comments)

11

12 CHAIRMAN DEMIENTIEFF: Thank you very
13 much for your help.

14

15 MR. DUSHKIN: Thank you.

16

17 CHAIRMAN DEMIENTIEFF: Dean Gould.

18

19 MR. GOULD: Good morning, Mr. Chair. My
20 name is Dean Gould. I was born and raised in King Cove.
21 Also I'm the president of the King Cove Corporation. We
22 have about 350 shareholders. Most still live in King
23 Cove and depend on the fisheries.

24

25 I would like to talk about -- a little
26 about the family history. My great -- my grandparents
27 moved to King Cove in early 1900s when the cannery was
28 built. At least four generations of my family have
29 fished in what we call Area M. It's hard to describe how
30 important fishing is. Like most fishermen in King Cove,
31 I grew up fishing every summer. After I took over my
32 dad's boat in early 1900s -- 1990s, my son and daughter
33 fish with me every summer. Given the harsh realities of
34 fishing, we try to encourage our kids, like all parents,
35 to go to school and do something else. But like me, all
36 my boy wants to do is fish.

37

38 My family isn't much different from other
39 families in King Cove. The Area M fishery is a family
40 fishery. It's an Aleut fishery, and based on its time,
41 we consider it a traditional fishery. Without it, we are
42 slowly losing our communities. At least half of the
43 family income from Area M fishery comes on Area M there,
44 and most families depend on it.

45

46 The restrictions we endured for the past
47 20 years have hurt. the poverty rate in our communities
48 have doubled between 1989 and 1999. Our region now has
49 the highest poverty rate in the Southwest Alaska.

50

00029

1 The Aleut people have been in this
2 fishery long before we named it Area M. Our families
3 have used salmon as a commercial commodity our entire
4 lives. Also, subsistence is very important to our
5 families. Without our commercial catch, we couldn't
6 continue our subsistence ways. Thanks.

7
8 CHAIRMAN DEMIENTIEFF: Any questions?

9
10 (No comments)

11
12 CHAIRMAN DEMIENTIEFF: Thank you very
13 much.

14
15 Zechariah Chaliak.

16
17 MR. CHALIAK: Yeah. Good morning, Mr.
18 Chairman, and the Boards. I need interpreter in English.
19 Yeah. Good morning.

20
21 (In Yup'ik)

22
23 MR. NANENG: Good morning, Mr. Chairman.
24 My name is Myron Naneng, translating for Zechariah
25 Chaliak.

26
27 He comes here representing the IRA
28 Council of Nunapitchuk. And this morning when he woke
29 up, he thought of the issue that is before us, and for
30 all of us, those who live in Alaska, and also those who
31 live in Area M.

32
33 Our ancestors survived and gathered
34 salmon every summer, both on the Yukon and the Kuskokwim,
35 all the way to wherever those river end. We anticipate
36 the runs to show up every summer. We look forward to
37 harvesting food for our children, our grandchildren, and
38 hopefully we'll have some left for our children in the
39 future -- their children in the future.

40
41 We know that large harvest increase will
42 impact the salmon stocks, and will impact us. Not only
43 us, but the generations to come. How are we going to
44 come together with one mind to find a way to reduce the
45 impacts and work together to conserve the salmon for the
46 future? I come here in anticipation of finding a
47 solution. We look forward to the coming summer season
48 for subsistence salmon fishing.

49
50 One of the things that was imposed by the

00030

1 Board of Fisheries in January on the Yukon and the
2 Kuskokwim is the windows that were imposed on us for
3 conservation concerns. We don't want those windows. We
4 would like to catch our subsistence salmon in a time that
5 allows us to put them up to dry, and to store. And we
6 look forward to that also for our children in the future.
7 Quyana.

8

9 CHAIRMAN DEMIENTIEFF: Thank you very
10 much. Any questions.

11

12 (No comments)

13

14 CHAIRMAN DEMIENTIEFF: Thank you very
15 much.

16

17 Dimitri Philemonof. I know I've seen
18 him. Oh, there he is, yeah.

19

20 MR. PHILEMONOF: Good morning, Mr. Chair
21 and the Board. And I want to thank you for allowing me
22 the time to speak. My name is Dimitri Philemonof, and I
23 am the president/CEO of the Aleutian/Pribilof Islands
24 Association. The Association is a nonprofit which is
25 made up of 13 tribes from the Aleutian and the Pribilof
26 Islands region.

27

28 On behalf of our board and tribes, we
29 feel compelled to, say, express our strong support for
30 the February Alaska Board of Fisheries meeting for
31 removing the chum cap in June Area M fishing. We feel
32 this move is appropriate based on solid data, and with
33 respect to subsistence requirements. Studies confirm
34 that the Aleut people have relied on salmon for
35 subsistence and commercial use for many years.

36

37 The Area M fishery is a local Aleut
38 fishery, not out-of-state fishery as many might say.
39 Fishing is the mainstay of the Aleutian region. The very
40 survival of the region is linked to the success of the
41 fisheries. When fishing is taken away or lessened from
42 the region, we lose our young, we lose our families, we
43 lose our schools and our future, and our livelihood.
44 These are the dire issues that the Aleuts and the fishing
45 people currently face. And term Area M minimizes the
46 local and human aspects of this debate. We do have
47 people living out in that area. This is their backyard
48 where they harvest the resources once again to survive.

49

50 We realize that the chum has fueled

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1 tension. The cap has fueled tension between fisheries
2 north and south. We are saddened to see this happen as
3 native people. As we advocate for the needs of our
4 people, we also have not lost sight of the hardships by
5 our friends up north. Let's see, the Association
6 continues to welcome an open dialogue to seek cooperative
7 solutions to our common concerns.

8

9 Thank you, Mr. Chairman.

10

11 CHAIRMAN DEMIENTIEFF: Thank you. Any
12 questions.

13

14 (No comments)

15

16 CHAIRMAN DEMIENTIEFF: Thank you very
17 much Dimitri.

18

19 MR. PHILEMONOF: Thank you.

20

21 CHAIRMAN DEMIENTIEFF: James Charles.

22

23 MR. CHARLES: Good morning, Mr. Chairman.
24 Members of the Board. My name is James Charles. And I
25 am Lower Kuskokwim Advisory Committee member, and also
26 Kuskokwim Salmon Management Working Group member. I do
27 not speak very good in English, but I hope I make some of
28 you understand what I say.

29

30 We have been on subsistence schedule on
31 Kuskokwim since the Kuskokwim has been stock concern.
32 And our people on Kuskokwim does not like the schedule
33 fishing, subsistence fishing, but we have to work with
34 other areas, too.

35

36 And I remember one of our people see that
37 when we talk about Area M fishery extended more for
38 commercial, because we have to cut down for subsistence
39 on the rivers, even Yukon, Kuskokwim, Bristol Bay. The
40 fish goes up to -- that goes up our rivers and spawn.
41 And we have to cut down on our subsistence fisheries on
42 those rivers. Why we are doing that for commercial
43 fishing in other areas? That's what one of our people
44 was saying. And we cut down on commercial fisheries, we
45 cut down on subsistence fishing, sports fishing on those
46 rivers. And our people would like to fish as soon as the
47 fish start running on the rivers, because the fish is our
48 food. In Yup'ik, the Yup'ik name for fish is Magaw (ph),
49 food. Like the lady was telling us about during the
50 exercise (ph) meeting back last year. Magaw is food. So

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1 when the fish comes on the river, there is our food. So
2 we have to share the food or the fish with others, too.
3 So, you know, how big the herring fish is. It's small,
4 but we have to share something like that, or salmon with
5 other areas. One fish would not satisfy everybody. But
6 that's what we were doing now, trying to save the fish
7 for everybody, but working together would help us all.

8

9 If we fight for something, it's going to
10 get less. That's what our ancestors always tell us. But
11 keep in mind work together with Area M people or both
12 State and Federal, that's going to be easier on
13 everybody, so.....

14

15 Like I said, I don't speak very good
16 English, and I lose a lot of things I'm going to say,
17 because I don't even write very good. But I thank you
18 for letting me speak in front of you.

19

20 CHAIRMAN DEMIENTIEFF: Thank you very
21 much. Any questions.

22

23 (No comments)

24

25 CHAIRMAN DEMIENTIEFF: Thank you very
26 much.

27

28 In tackling this issue, it's clear to me
29 that, you know, in other forums that we are actually
30 friends, you know. I mean, we know it's a divisive
31 issue, but we are actually friends. And so given that,
32 I'm going to call a little break so we have a chance to
33 visit with each other.

34

35 (Off record)

36

37 (On record)

38

39 CHAIRMAN DEMIENTIEFF: Okay. We'll
40 continue on now with our public testimony. And before we
41 start, I just want to congratulate everybody for being so
42 nice to each other. It's just a real good thing. It's a
43 tough issue, but then if we're nice to each other and
44 work, you know, we have a better chance to work out a
45 resolve to the situation.

46

47 Steve Brown.

48

49 MR. BROWN: Good morning, Mr. Chairman,
50 and members of the Subsistence Board. My name is Steve

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1 Brown. I live in Homer. I've been an Alaska resident
2 for 35 years. I'm an Area M salmon fisherman, and
3 currently I'm president of Concerned Area M Fishermen, or
4 CAMP for short, which is an organization that represents
5 salmon drift permit holders on the Alaska Peninsula.
6 We've been involved at Board of Fish meetings now for
7 almost 20 years. We're diligent in our efforts to
8 maintain a viable commercial fishery out in Area M.

9
10 We oppose the petitions that have been
11 filed that seek Federal jurisdiction over the Area M
12 salmon fishery. We do not agree that Federal
13 jurisdiction or intervention is appropriate in this long-
14 standing dispute, and we urge the Federal Subsistence
15 Board to carefully consider the Staff comments, and
16 hopefully that you will recommend to the Secretaries that
17 these petitions be denied.

18
19 I don't want to belabor what the
20 Subsistence State has already reported here this morning,
21 but it seems clear that subsistence needs are being met
22 in Federally managed waters on the Yukon and Kuskokwim
23 Rivers. In addition, there are predictions for
24 commercially harvestable surpluses for chum salmon in
25 2004, even though these commercial harvests may not take
26 place due to poor market conditions. These are surpluses
27 that are beyond escapement and subsistence needs, and we
28 feel that needs will be met on these rivers regardless of
29 whether the Area M salmon fleet fishes a three and a half
30 day fishing period or a 16-hour fishing period. I
31 personally really believe that somebody will be on the
32 upper reaches of the Kuskokwim or Yukon River will not
33 know the difference whether we fish a 16-hour fishing
34 period or in a three and a half day fishing period.

35
36 In Bristol Bay, the harvest projection is
37 for nearly 35 million sockeye this year. If this return
38 is even close to being accurate, it will exceed the
39 processing capacity in the Bay by about 10 million fish,
40 so there's a prospect of an additional 10 million fish
41 above escapement needs swimming upriver. It's pretty
42 hard to project a scenario where subsistence needs will
43 not be met in Bristol Bay this year.

44
45 Finally, I would like to say I think the
46 State of Alaska does a great job managing our fisheries.
47 The Board of Fish process can be very contentious.
48 Decisions cause a lot of hard feelings. But I believe
49 the members do have the interests of the resource in
50 mind, and I don't believe that the Board makes its

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1 decision in a cruel and vicious manner. And that's what
2 I read in one of the petitions. I think they try to
3 balance the economic and social needs of all the user
4 groups. And I believe the regulations, particularly for
5 Area M, ebb and flow depending a lot on the philosophy of
6 the individual members on the Board, but I think the
7 bottom line at the end of the day is they -- no matter
8 what their personal philosophies are for mixed stock
9 fisheries, that they make their decisions with the
10 interest of the resource at mind. At the very bottom
11 level, I think everybody's concerned about that.

12

13 We believe that management of the Area M
14 fishery is a State responsibility, and ought to be
15 regulated in the Board of Fisheries arena.

16

17 And I'd also like to add we're not
18 jumping into uncharted waters here. Prior to 2001, we
19 fished probably for five years before that from the 12th
20 or 13th of June straight through the end of June, 17 or
21 18 continuous days, and I don't think our harvest are
22 going to be very dramatically different from any of those
23 years this coming summer.

24

25 So I would like to just say that I hope
26 the Subsistence Board carefully looks at the Staff
27 comments and I hope that it concludes that exerting
28 Federal control is not appropriate at this time.

29

30 Thank you.

31

32 CHAIRMAN DEMIENTIEFF: Any questions.

33

34 (No comments)

35

36 CHAIRMAN DEMIENTIEFF: Thank you very
37 much.

38

39 David Osterback.

40

41 MR. OSTERBACK: Good morning, Mr.
42 Chairman, members of the Federal Subsistence Board. My
43 name is David Osterback, and I'm a lifelong resident of
44 Area M. I'm an Aleut descendent. And I've been a
45 commercial subsistence fisher for the past four years.
46 My wife and I raised a family at Sand Point, Alaska. We
47 have four children, and all of them are commercial
48 subsistence users.

49

50 My youngest son, David, recently joined

00035

1 the merchant marine and is doing sea time over at Diago
2 Garcia, which is a Navy supply base. They provide
3 supplies and support to the U.S. troops in Iraq.

4

5 My representation at this Federal
6 Subsistence Board meeting is for the Qagan Tayagungin
7 Tribe of Sand Point. We have a membership of 650 tribal
8 members. And I'm also representing the Aleutian/Pribilof
9 Island Association Board of Directors as chairman of the
10 board.

11

12 The Qagan Tayagungin Tribe submitted a
13 position letter to you, and the tribal council endorses
14 the Federal Subsistence Board Staff report. Our tribe
15 believes at the current time the Alaska Board of Fish has
16 the right to manage State water fisheries. We believe
17 after the next three-year cycle with the Alaska Board of
18 Fish that even better and long-term decisions will be
19 made to allow for a continuous and healthy commercial
20 subsistence fishery for Area M fishers.

21

22 There are 13 Aleut tribes in Area M, or
23 the Aleutian/Pribilof Islands Association. Salmon is a
24 very important part of their commercial subsistence and
25 traditional lifestyle. Many of these Aleut families have
26 been fishing in Area M for over 6,000 years as documented
27 by anthropologists. Seining for migrating salmon has
28 been occurring for the past 3,000 years. For the past
29 1,000 years, the entire social, political and economic
30 system has focused on harvesting sockeye salmon.

31

32 We consider our lifestyle as a commercial
33 subsistence one. Our Aleut ancestry has the largest --
34 has the longest recorded residence of any indigenous
35 people presenting residing in Alaska. We cannot provide
36 for the subsistence needs of our Aleut people without our
37 commercial fishery for sockeye salmon. Thousand-year-old
38 traditions are still practiced today by 90 percent of
39 those who harvest sockeye salmon in the Area M fishery as
40 direct descendants of Aleuts.

41

42 We, the board of directors, of the
43 Aleutian/Pribilof Islands Association issued a resolution
44 for you to review and to consider. We feel that the
45 decisions the Alaska Board of Fisheries made in February
46 are appropriate. They are based on the most current
47 scientific information available with respect to fishers
48 in Area M sharing in the burden of conservation.

49

50 There is no question that several

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1 contentious issues exist between Area M, Bristol Bay and
2 AYK which relate to commercial and subsistence user
3 groups. This is very unfortunate, and the barrier seems
4 to get wider each year.

5
6 Even though the Aleutian/Pribilof Islands
7 Association is a very strong advocate of all the tribal
8 organizations in the region or in Area M, we have not and
9 will not lose sight of the hardships experienced by the
10 tribes in AYK and Bristol Bay. Our desire is to pursue
11 long-term financing for scientific research. The
12 research we're hoping will provide some answers regarding
13 the lack of salmon stocks of some systems in AYK and
14 Bristol Bay. We hope that AYK, Bristol Bay and the State
15 of Alaska will help us find these monies. We also
16 request that a neutral and independent research center
17 will conduct the studies needed and bring to the
18 negotiating table information that is unbiased and free
19 of politics. Only then do we feel that our respective
20 regions will succeed in setting realistic escapement and
21 harvest goals for all commercial and subsistence users.

22
23 Another way to secure funding that we
24 thought about would be for all commercial subsistence
25 harvesters and their leadership to request an endowment
26 from the Congressional delegation, an amount that would
27 later be determined to allow at least \$500,000 a year for
28 research.

29
30 Thank you, Mr. Chairman, for the
31 opportunity to testify.

32
33 CHAIRMAN DEMIENTIEFF: Thank you, David.
34 Any questions.

35
36 MS. GOTTLIEB: Mr. Chair.

37
38 CHAIRMAN DEMIENTIEFF: Yes.

39
40 MS. GOTTLIEB: Thank you very much for
41 your testimony, and I appreciate that you have some
42 suggestions which I'm sure we'll discuss more later for
43 looking at more studies and how to get the money for
44 those studies. Thanks.

45
46 MR. OSTERBACK: Thank you.

47
48 CHAIRMAN DEMIENTIEFF: Yeah, and I think
49 your point, David, is I think really well taken in terms
50 of -- and it's kind of been a theme a little bit that

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1 I've heard actually, you know, on everybody's part in
2 terms of the same thing Judy was talking about. We need
3 information, we need better information. And whatever we
4 can do to get that, then, you know, I think that we need
5 to support that.

6

7 Thank you.

8

9 MR. OSTERBACK: Yes, thank you, Mr.

10 Chairman.

11

12 CHAIRMAN DEMIENTIEFF: Chris Stark.

13

14 MR. STARK: Mr. Chair, if I could defer
15 until the end of the line, I'm still waiting for some
16 testimony to come from my employer to finish it up. If
17 you'd put me in the back of the pile, please? Thank you.

18

19 CHAIRMAN DEMIENTIEFF: Okay. I will call
20 you back. Stanley Mack.

21

22 MR. MACK: Good morning, Mr. Chairman.
23 Members of the Board. My name is Stanley Mack, and I'm
24 the mayor of the Aleutians East Borough. I was born and
25 raised in King Cove. Like my friends and neighbors, I
26 live in the Village of Sand Point -- living in the
27 villages of Sand Point, King Cove, Dell's Slough and
28 False Pass, I'm a long -- life-long fisherman, who first
29 began fishing with my father and grandfather.

30

31 I want to assure you that the Area M
32 sockeye salmon fishery is a customary and traditional
33 fishery. For hundreds of generations the Aleut people
34 have depended on this fishery to meet their cultural and
35 economical needs. Today an estimated 90 percent of the
36 families who fish every year in Area M fisheries are
37 Aleut natives, are members of the Aleut native families.
38 For the past three decades, 1,000 years after the Aleuts
39 first cast their nets in the North Pacific to harvest red
40 salmon fisheries, our family have been accused of
41 intercepting chum salmon bound for AYK. We have endured
42 severe restrictions to the times we can fish and where we
43 can fish and how we can fish, and none of these
44 restrictions have made a noticeable improvement on the
45 systems of concern.

46

47 Our families have always been very
48 sympathetic to the peoples of the AYK. And personally
49 four years in high school I lived with folks from AYK,
50 and I can appreciate their concern for not having food.

00038

1 As a youngster growing up in King Cove, there were times
2 we didn't have food. Wildlife has been a real serious
3 concern in our area. We managed to have -- be able to go
4 out and catch some fish.

5
6 The Borough has never challenged any of
7 the past Board's decisions, but that hasn't been easy.
8 The people of the region formed a borough so we could be
9 self-sufficient, to base our borough on the raw fish tax.
10 When we first started, salmon was the most important base
11 of tax revenue. Now it's dropped dramatically.
12 Currently the only alternative to salmon are cod and
13 pollack. Only the big boats, only the boats that can
14 participate are larger boats, because the fishery takes
15 place in the winter. Small boats can't do that. And in
16 relation to the larger boats targeting cod and pollack,
17 our local boats are minuscule. We haven't had a crab
18 fisheries since the 1980s. We realize now that the
19 environment in the Gulf of Alaska changes radically, and
20 we won't have a crab fishery again until the
21 environmental change.

22
23 There are virtually no jobs in the
24 region. Many of our families have been forced to move or
25 take jobs other places besides fishing. They have been
26 unable to make boat payment. They've been forced to
27 leave the communities. With that in mind, the schools
28 have taken a hit. The community has suffered. Several
29 times we've been on the brink of school closures.

30
31 Today the fishing family operations are
32 gone. In our family, fishing has been handed down from
33 generation to generation. Out of 13 brothers, there's
34 only two of us that hold permits down there, because the
35 others had to give it up.

36
37 This year we'll be closely monitored by
38 Fish and Game because of the promise that the Governor
39 has made. Of course, this is nothing new to us. We've
40 been monitored every year. And we encourage that.

41
42 We don't target the chum salmon. We've
43 worked hard to put in place a program to prevent
44 overharvesting chum, because we understand the real or
45 not -- we understand that real or not there is a strong
46 belief that we impact other harvests with or without the
47 chum cap. We know there's an implicit chum cap. We know
48 that other people -- we know that other people blame our
49 fishery. If I could meet any of you folks after this
50 meeting, I'd like to show you the area that we fish and

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1 describe it to you, and show you exactly how small a unit
2 of gear looks in that vast area out there.

3

4 Contrary to the beliefs, we do not fish
5 in False Pass, commonly known as Isanotski Straits. That
6 has been the belief for many, many years. We have to go
7 out in the ocean.

8

9 The restrictions that's been applied to
10 us have not taken into consideration the weather. Yes,
11 we've gotten days to fish, but those days have been
12 stopped by weather conditions. As you all know, storms
13 are born in the Aleutians, and we have to work around
14 them. Many of the boats that are owned by the local
15 people are small boats. We're restricted to the areas we
16 can fish, and where we can fish since we're out in the
17 middle of the Pacific Ocean.

18

19 Every year that we've discussed the cause
20 of demise of one fishery in the AYK or another, and a
21 large amount of material the Aleutians East Borough
22 submitted, you'll find transcripts from one of the
23 regional committees. There are indications that language
24 may be -- there's indicates that the language of many of
25 the petitions filed were drafted by commercial fishing
26 interests in other areas. And the RAC has just signed on
27 those petitions.

28

29 Another issue that was discussed at one
30 of the Regional Advisory Committee meetings, and we have
31 that in our documentation that we submitted to you folks,
32 also indicating that -- is the composition of the fish
33 being taken in regard to the smell and the quality,
34 saying it was so horrible smelling that they couldn't eat
35 it. Many locals believe that pollution has destroyed
36 salmon habitat, and their salmon harvest. I would ask
37 that you look at the contamination in the tributaries of
38 these systems.

39

40 I got a report from the Canadian
41 Government that the Dawson -- City of Dawson has been put
42 on record as one of the higher contamination communities
43 on the Yukon River. If that be the case, then one --
44 then the tributaries I believe are in, you know, with the
45 military and all that.

46

47 CHAIRMAN DEMIENTIEFF: I'm going to ask
48 you to summarize, you're over your time limit.

49

50 MR. MACK: Thank you, Mr. Chairman. In

00040

1 regard, I'd just like to say that the Aleutian East
2 Borough respect and honor the feelings of the folks in
3 AYK, but we also respect the biologists and scientists
4 and the guys at the State level.

5

6 Thank you.

7

8 CHAIRMAN DEMIENTIEFF: Thank you. Any
9 questions.

10

11 (No comments)

12

13 CHAIRMAN DEMIENTIEFF: I do believe there
14 has been some work going on with the water council, or I
15 can't remember what it is, that they are actually doing
16 research actively right now and have been for a couple of
17 years, so that is being looked at.

18

19 MR. MACK: Great. We have a system that
20 totally was destroyed by contaminants by the military in
21 our area, so I -- it's taken about 15 years to recover,
22 and it's slowly starting to recover now, so it's going to
23 be a while.

24

25 CHAIRMAN DEMIENTIEFF: Right. I think
26 the name of the group is the Watershed Council.

27

28 MR. MACK: Um-hum.

29

30 CHAIRMAN DEMIENTIEFF: And they're
31 looking at -- specifically looking at river pollution.

32

33 MR. MACK: Thank you.

34

35 CHAIRMAN DEMIENTIEFF: So there is work
36 getting done.

37

38 MR. MACK: Good.

39

40 CHAIRMAN DEMIENTIEFF: Okay. Thank you
41 very much.

42

43 Charlie Brown.

44

45 MR. BROWN: Thank you, Mr. Chairman. My
46 name is William Charlie Brown from Eek Traditional
47 Council, also I'm Kuskokwim Working Group member, and
48 recognized as commercial fisher. I'd just like to make a
49 short comment.

50

00041

1 Also, I was raised in Kuskokwim area, and
2 in summertime I moved to the fish camps from my village
3 home, and stayed there in a fish camp to harvest for
4 subsistence use, subsistence purposes. And I remained
5 there during June and July to take care of my catches,
6 and caught them and hang them, and smoke them, until
7 they're properly taken care of.

8

9 Also I'd just like to mention from my
10 forefathers that when I start fishing, start fishing for
11 subsistence purposes, I was taught to harvest proper
12 limits for my subsistence purposes and not to over limit
13 my catches. Otherwise for spoilage.

14

15 And also I'd like to mention the fish out
16 there in the open high seas, I believe, I was taught from
17 my forefathers that those spaces out in the open high
18 seas, they come to a certain streams to spawn, and I
19 believe that is true. Long before they were regulated
20 from outside, my grandparents used to taught me to
21 respect the species that we catch for future purposes, so
22 in the village we could have the same abundance every
23 year. And to my own -- my generations, I taught the same
24 thing that I learned my old folks, to honor the
25 information that I learned from them, and I passed it
26 along to my younger generation, to respect the species
27 that we collect for food.

28

29 And also to work together is the good
30 choice of the energy. I'm not against the Area M, but
31 let's work together and give our species a chance to
32 spawn upriver.

33

34 Thank you, Mr. Chairman.

35

36 CHAIRMAN DEMIENTIEFF: Thank you. Any
37 questions.

38

39 (No comments)

40

41 CHAIRMAN DEMIENTIEFF: Thank you very
42 much.

43

44 Melvin Larsen.

45

46 MR. LARSEN: Mr. Chairman, Board members,
47 my name is Melvin Larsen. I'm from Sand Point. I'm not
48 really prepared for this, so I'm going to try to wing it,
49 and hopefully I can make a little sense.

50

00042

1 As Mr. Jacobsen, Dick Jacobsen from Sand
2 Point has been trying to point out for many years to the
3 Board of Fish, our area subsistence is from commercial
4 fisheries. I don't believe that many of us in our areas
5 really knows how to subsistence fish, what you would call
6 it. Myself personally, whenever I go out and try to put
7 food on the table, subsistencely [sic], it costs, many,
8 many dollars to run these larger vessels. It costs
9 anywhere from two to \$500,000 just to take this boat out
10 of the boat harbor and go any distance and operate it for
11 a couple days trying to get subsistence. So our
12 subsistence on the Island of Sand Point where I'm from
13 needs to come from the commercial. I don't think you can
14 afford to do it if you had to do it on a subsistence
15 basis.

16
17 I'd also like to back the Board of Fish
18 decision. I've been at Board of Fish meetings since
19 1970, and the people on the Board of Fish that made the
20 decision this time didn't have anything to gain from the
21 Area M fishery. None of them were from Area M, none was
22 from our area. They didn't have anything to gain at all
23 for decisions they made. And the same with the Staff.
24 Politically, they'd be better off if they left it the way
25 it was, but they made scientific decisions from what
26 information they had, and that's the decision they came
27 up with. I think it's a good decision. It's -- it was
28 -- politics was left out this time, and I believe they
29 made the right decision.

30
31 I'd also like to bring up the subject of
32 the CDQ groups in the Bering Sea. The Norton Sound CDQ
33 group alone could buy the whole entire False Pass fleet
34 if you look on the computer in the records of the CDQ
35 group up there. They also -- we also can work together.
36 We can bring these CDQ vessels down from Norton Sound
37 where there is a problem of subsistence Tier II, the
38 Norton Glacier and the Pacific Glacier, I believe, could
39 come down to False Pass and buy our chum salmon. Three
40 million pounds of chum salmon if you bought in the False
41 Pass area, and I'm sure there's grants out there, there's
42 more -- there's twice as much, three times as much money
43 spent in this here meeting that they can take care of the
44 chum salmon issue in the False Pass area. For every five
45 fish you bought, that would mean 95 would go to
46 escapement. Just for example, if they came down to the
47 False Pass area and bought 500,000 chum salmon, and
48 supplied subsistence in some of the areas up there up
49 there that need it, there would be four and a half
50 million fish supposedly going to some stream in the North

00043

1 Pacific, not only AYK area, but other areas. According
2 to the science, we only catch five percent. But if you
3 caught 100 percent down at False instead of that five
4 percent, it would calculate out to where you'd have
5 millions of fish that would go for escapement. It would
6 help everybody up in the other area.

7
8 We also -- I can only speak for myself.
9 I can also hire some people from up there. It's very
10 hard to get crew on these seine boats up there. I can
11 hire one guy. He can be -- if they wanted an observer,
12 he can be an observer on our boat. He can make money.
13 He can also educate the people up there of how our
14 fishery is prosecuted down there. We don't know much
15 about how to -- what's gone on up there, and they don't
16 know what's gone on up there, but we can learn from one
17 another, we can help one another, and I think through the
18 CDQ group we can do that.

19
20 I'm not prepared. I just had those
21 comments. I believe in the Board process. I think it
22 needs to stay the Board process. A lot of times it's
23 been against us, and we've worked with it. And I'm sure
24 that the people can work with this decision, too.

25
26 Thank you.

27
28 CHAIRMAN DEMIENTIEFF: Thank you very
29 much. Any questions.

30
31 MS. GOTTLIEB: Mr. Chair.

32
33 CHAIRMAN DEMIENTIEFF: Yes.

34
35 MS. GOTTLIEB: Again, thank you so much
36 for your testimony, and I appreciate your idea,
37 particularly of inviting someone from some of the other
38 areas perhaps to work or be an observer on your boat. I
39 think that kind of first-hand information as you suggest
40 might be real valuable. So thanks for that offer.

41
42 MR. LARSEN: Thank you.

43
44 CHAIRMAN DEMIENTIEFF: Also I think the
45 other thing I'd want to congratulate you on is coming up
46 with the idea of working together with the Nome area
47 people, you know, kind of back each other up in terms of
48 that. I mean, if anything is going to resolve this
49 issue, it's that kind of thinking that will get it done.
50

00044

1 So thank you.

2

3 MR. LARSEN: Thanks.

4

5 CHAIRMAN DEMIENTIEFF: Henry Mack.

6

7 MR. MACK: Thank you, Mr. Chair, Board.
8 My name is Henry Mack. I'm a tribal member of the King
9 Cove Tribe. I am a subsistence and commercial fishermen
10 in Area M for the last 40 years. My father has also
11 fished for the past 65 years in Area M. My grandparents,
12 which have passed on, were subsistence and commercial
13 fishermen also. My grandmothers were some of the early
14 employees at one of the largest salmon canneries in
15 Alaska in King Cove back in the 1920s and 30s. Our
16 family and community of King Cove are very -- are
17 economically dependent on commercial salmon fishing.

18

19 I can remember the five to seven days a
20 week fishing in the 60s and 70s beginning in late May.
21 Back in the 80s, the concern of the AYK chums became an
22 issue. We in the Area M were put on a chum cap. We were
23 under the impression that by having us in Area M catching
24 less chums, we were helping in the conservation of chums
25 in the AYK region, when all along prior and during this
26 time, commercial fishing was on the increase.

27

28 A point of interest I would like to share
29 is in an article that I found in the Alaska Journal
30 printed in 1985 about one of the first commercial salmon
31 canneries to go into the Yukon back in 1917. At that
32 time the elders up the river were so concerned by the one
33 commercial cannery there their complaints were heard in
34 Washington, D.C., that the one cannery in the river was
35 affecting their subsistence so much that they had the
36 salmon cannery closed by 1921. Could it be that the
37 commercial fishing in the AYK region has more of an
38 effect on the subsistence fishing there than the Area M
39 has, being so far away.

40

41 I look out at the crowd here today, and I
42 see great native leaders, and I would never want to be
43 part of a fishery to take anything away from any of our
44 family in Alaska. You gentlemen and women have a tough
45 decision here, or a challenging situation, and we trust
46 and believe that you'll do what is best for all of us and
47 of all these hard-working people, so thank you.

48

49 CHAIRMAN DEMIENTIEFF: Thank you. Any
50 questions.

00045

1 (No comments)

2

3 CHAIRMAN DEMIENTIEFF: Thank you very
4 much.

5

6 Earl Samuelson.

7

8 MR. SAMUELSON: Good morning. Earl
9 Samuelson from Napaskiak.

10

11 Just a little bit of history about
12 myself. I'm born and raised on the Kuskokwim River,
13 Bethel. I moved down to Napaskiak, which is five miles
14 downriver. I'm still a subsistence fisherman, also a
15 commercial fisherman.

16

17 Just a little information about
18 Napaskiak. We've got about 450 people that live there,
19 and approximately 100 subsistence fishermen.

20

21 We know we're talking about the salmon
22 here, and the existence of the salmon fishery. And it's
23 going to be a hard decision, but I always remember what
24 the elders say: Just be careful when you start to feud
25 over food, because both parties at the end will end up
26 with nothing.

27

28 So there are a lot of people here
29 fighting the issue of survival. And the Area M decision
30 is to lift the fishing restrictions on Area M, but I also
31 fish on the river and notice a big difference when
32 fishing is available on the amount of fish coming up the
33 river when Area -- with the Area M restrictions. We also
34 notice a difference in the amount of fish when Area M is
35 on a fishing strike. We also noticed an increase in
36 salmon that come up to our area.

37

38 And also in the past few years, our area
39 has been hit hard. We haven't had good commercial
40 fishing or even subsistence. Just last summer we noticed
41 an increase in our chum salmon to help with the
42 subsistence needs.

43

44 I thought it was a little bit too early
45 yet to open up or lift the restrictions. I understand
46 those restrictions are set -- were set three years ago.
47 If you look at the fish that swim up the river, it takes
48 four years to fish --for the fish to spawn and come on
49 back. After this third year, we saw a slight increase of
50 salmon coming up, which made subsistence a little easier,

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1 better than the past four years. And how we are looking
2 back to where we're going to be set back, probably back
3 to where we were in the mid 80s.

4

5 Now, this is just a suggestion. I know
6 every time we talk about some -- an issue, we compromise.
7 I'd like to see the Area M return back to Alaskan
8 fishery. When I look at my notes here, there are 455
9 permits in Area M. Out of that 455, 131 are out of
10 state. We -- every -- if we talk about restricting
11 hunting on lands, this goes back to the Alaska Department
12 of Fish and Game, if we go into an area -- this is just
13 an example, an area where there is moose for everybody,
14 it is opened up for everybody. When it depletes, then
15 restrictions apply. Up in the Holitna River, they
16 restricted that hunting to Alaska residents only. And
17 bring that concept into the fishery. We never see no
18 restrictions on the fishery to Alaskan residents, or any
19 cut backs on out of state fishermen.

20

21 Thank you.

22

23 CHAIRMAN DEMIENTIEFF: Thank you very
24 much. That is -- I know that point has been raised in
25 past debates on this issue, so I appreciate your
26 concerns, and bringing that up in this forum.

27

28 MR. SAMUELSON: Thank you.

29

30 CHAIRMAN DEMIENTIEFF: Paul John.

31

32 MR. JOHN: Thank you very much, Mr.
33 Chairman and Fish Board. My name is Paul John from
34 Nelson Island, Toksook Bay.

35

36 (In Yup'ik)

37

38 CHAIRMAN DEMIENTIEFF: Thank you. Myron.

39

40 MR. NANENG: First he says Quyana to all
41 of you. His name is Paul John from Toksook Bay.

42

43 And each and every one of us in this room
44 have survived by eating the foods that we eat. Many of
45 our people on the Yukon and Kuskokwim, the Yup'ik people,
46 have survived on salmon. And our villages are increasing
47 in numbers, because we have better health care that has
48 improved the survival of our people at the village level.
49 And he'd like to emphasize again that we all survive by
50 eating.

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1 We see animals eat off the land to
2 survive. The example that he used is that we've seen
3 many of the moose either browsing from leaves, or eating
4 something off the ground. And that's no different from
5 each and every one of the animals that survive on this
6 land. And we as humans are really no different than they
7 are.

8

9 These resources return. The salmon
10 return to the river systems to spawn, and return out to
11 the oceans increased in numbers. And they return to
12 perpetuate the numbers. If we don't watch them
13 carefully, then eventually they will be extinct.

14

15 As I sit here before you, I feel
16 encouraged by the fact that you're called the Federal
17 Subsistence Board, and it provides me with a better
18 outlook, that the salmon returns to our streams that
19 occur in Bristol Bay, Yukon and Kuskokwim will not be
20 endangered. Even if I don't catch a lot of fish, I fish
21 commercially in Bristol Bay for 45 years. I don't have a
22 job like many of our people in the villages. We rely on
23 salmon commercial fishing for survival. We've had to
24 feed our children through the -- whatever catches and
25 money that we have made, and how all my children are on
26 their own, and they number nine. My elders before me and
27 others who are of the same age have supported their
28 families. And if we don't lose the resource, then our
29 families will survive.

30

31 I have observed that during strikes in
32 Area M, the return of salmon to the spawning grounds
33 have increased. I have observed that delay in openings
34 in Area M have allowed more salmon to return to the
35 spawning grounds. When increased harvest occurs, the
36 numbers that return to the spawning grounds have also
37 decreased in numbers. It is what I have observed, and I
38 may not be the only one to have observed this.

39

40 I would like to thank you all for working
41 together and look forward to working together to
42 perpetuate the salmon resource.

43

44 I have brought along with me a bag with
45 chum salmon eggs, and I have counted on one side there's
46 465 eggs. Combined on the other side, there's 930 eggs.
47 I would request that excess fishing is not allowed and
48 that we look for the potential of increasing the numbers
49 of salmon that return to spawn.

50

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1 (No comments)

2

3

CHAIRMAN DEMIENTIEFF: I have a little
4 comment. One year down in my moose camp we tried to have
5 fun. I'm not trying to make light of the issue, but it's
6 just kind of a funny story. One of your relatives was --
7 came up with a friend of mine to my moose camp. And he
8 pulled up and he -- Melvin said, Chief, permission to
9 come aboard -- or come on land. And I said, who's that
10 with you? He said, it's one of my Aleut friends. Now,
11 what the heck's going on here I asked him. I said, first
12 you guys steal all of our fish, and now you're coming up
13 here, want to steak our moose, too. But we did, we had a
14 nice cup of tea after. It was just a joke, you know,
15 because you've got to have fun.

16

17 Okay, thank you.

18

19 MR. GUNDERSON: Okay. Thank you.

20

21 CHAIRMAN DEMIENTIEFF: Edward Adams. Hit
22 the button, please.

23

24 MR. ADAMS: Okay. Thank you, Mr. Chair,
25 Federal Subsistence Board, for giving me opportunity to
26 testify on behalf of my community of Nunam Iqua. My name
27 is Edward Adams. I would rather have talk in my own
28 language, Yup'ik, because when I talk, I speak from the
29 heart, but I talk -- I am caught in between two cultures,
30 Western and Yup'ik, and when I talk in western, if I've
31 got something to say, I could write it in my writing.
32 But if I talk in Yup'ik, I speak from the heart.

33

34 Subsistence is way of life for us in the
35 Yukon. We live -- we survive by it, and so we have life.
36 And when we talk about -- when there's too much noise
37 about food, and I've noticed that, too, myself, and from
38 my ancestors, it becomes scarce when there's too much
39 talk about food. You know, if you -- like one time, I
40 noticed that muskrats were gone. And I think people used
41 to live by hunting muskrats. And they were gone, when
42 they move on, but they're back a little bit. They're
43 back again little by little. And when you make too much
44 noise about food, it becomes scarce. That's what our
45 ancestors used to say. And subsistence is our way of
46 life. And if you catch something and put it in the
47 freezer, it's not the same thing as fresh fish. And old
48 people like to have fresh fish, and they don't take a lot
49 of food. They have to have fresh fish once in a while.
50 They don't go to some store and have something to eat.

00050

1 They have to have some fresh fish once in a while. It --
2 and they don't take a lot of -- a lot more than what they
3 will eat. And I hope that they won't be too struck.

4

5 I'm talking on behalf the elders, too,
6 and I'm going to be an elder, too, pretty, and I've got
7 two whole years. And I used to be -- I'm not a very good
8 speaker, and everybody makes mistake, even the western
9 world makes mistake. I remember that, you know, we want
10 water in my town, and as soon as we got pipes are out,
11 everybody start complaining, they couldn't get around --
12 there's still -- there's a lot of things that you do --
13 you think that you are doing good for something, but on
14 the other hand, there's somebody -- make somebody
15 uncomfortable.

16

17 Thank you very much.

18

19 CHAIRMAN DEMIENTIEFF: Thank you. Any
20 questions.

21

22 (No comments)

23

24 CHAIRMAN DEMIENTIEFF: Thank you for
25 coming to testify, and enjoy the rest of your youth.

26

27 John Thompson.

28

29 MR. THOMPSON: Thank you for giving me an
30 opportunity to testify. In front of the board, Mr.
31 Chairman and Board members. There's a lot of things that
32 are in my mind are already mentioned by others. But I'll
33 try my best, even though I have a broken language in
34 English.

35

36 Since we hear both the inland and Area M,
37 I understand people that subsist in Area M. Those are
38 the people that fish in right near the beach. I presume
39 they don't fish like commercially. I understand that.
40 But when it comes to commercial, it makes a difference.
41 What we are talking about is subsistence. That's what
42 we're afraid of. Especially I am confused. We do have
43 windows in the Yukon, Kuskokwim and up north. And it
44 take in Area M. And it seems to work out, and you could
45 understand how the fish travel. So when we talk about
46 subsistence, we are for survival, but some of the things
47 that I hear are to my understanding it's mostly for
48 commercial in Area M.

49

50 There is a difference between the beach

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1 set netting, and the other thing is the boats that seine
2 out in the deep waters. Today it makes a big difference.
3 They could see about 15 or 10 miles by radar and locate
4 the school of fish. That's what we're afraid of. Now,
5 if it keeps on going, who's going to be blamed?

6

7 So we are all Federal residents of the
8 United States. We are also residents of Alaska. So
9 Federal should study it carefully, especially the
10 windows.

11

12 Now, from my understanding, I wasn't at
13 the meeting this last year, that Area M is open, wide
14 open right at present time. There's no more windows. Is
15 that true? Is it true?

16

17 CHAIRMAN DEMIENTIEFF: Anybody from the
18 State want to respond to that?

19

20 MR. BRUCE: Mr. Chairman, Geron Bruce,
21 Division of Commercial Fisheries. No, there are still
22 windows. There's an 88-hour opening, and then a closure
23 and then another opening. So the windows have changed in
24 length, but there are still some windows there.

25

26 MR. THOMPSON: But they do increase the
27 catch?

28

29 CHAIRMAN DEMIENTIEFF: John, I'm going to
30 have to ask you to summarize. One of the things I didn't
31 want to do is get into debates, but I know of your long
32 record of service.....

33

34 MR. THOMPSON: Okay. From here on.....

35

36 CHAIRMAN DEMIENTIEFF:in protecting
37 the resource that.....

38

39 MR. THOMPSON:what us in Yukon, we
40 are restricted, and our openings are still the same, and
41 sometimes are openings are so many days a week for
42 subsistence, even though there was a lot of fish in the
43 river, like last year. And the reason why I bring this
44 up is when we fish, we try to see the best weather so we
45 wouldn't have any spoilage. And that's what makes it
46 hard for us with those windows. Whether we like or not,
47 even though it is rainy or bad weather, it's really hard
48 to make, you know, make the fish dry just the way we
49 want. So that's about all I have.

50

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1 CHAIRMAN DEMIENTIEFF: Any questions.

2

3 (No comments)

4

5 CHAIRMAN DEMIENTIEFF: I appreciate your
6 continued work on the issue. I've enjoyed working with
7 you, as I've said, for many years, and it's good to see
8 you still in there fighting. Thank you.

9

10 Tammy Shellikoff.

11

12 MS. SHELLIKOFF: Good morning, Mr.
13 Chairman. Members of the Board.

14

15 After listening to the testimony so far
16 today, I've had to rewrite most of mine, but my name is
17 Tammy Shellikoff. I was born in Soldotna, and my parents
18 brought me back to live in False Passe, my father's home
19 town, when I was about a year old.

20

21 I lived in False Pass all of my life, and
22 I've seen a lot of different changes even though I'm only
23 28, and you guys have a heavy burden on our region, not
24 just with salmon, but you've also helped us re-open our
25 caribou subsistence hunting when I was a teenager. I did
26 not get my first caribou until I was 21, because the
27 season was closed the majority of the time when I was a
28 teenager, due to the lack of resources. And how with
29 your recommendations after this meeting, the Secretaries
30 have to make a decision that's going to affect the life
31 of my entire family and my home.

32

33 Due to events beyond our control, we've
34 had family members pass away these past few years, and
35 they were commercial fishermen within False Pass. And
36 with them being gone, we lost the people that would
37 provide a majority of the fish for our family, and during
38 the winter months that showed a lot, because there were
39 times where we were not able to put enough on the table
40 to feed my family.

41

42 Two years ago, with the Board of Fish's
43 decision with the gear restrictions and everything, I was
44 unable to put a subsistence net in the water. I was
45 unable to fish salmon. I was unable to provide for our
46 family.

47

48 And growing up, not being able to hunt
49 caribou was a very big disadvantage, and my nine-year-old
50 daughter is here, I'm a single mom. When she was four

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1 years old, she caught her first chum salmon at the end of
2 the runway in False Pass, and that is where I caught my
3 first fish, and me and Grandpa, my dad, were far enough
4 away when she was catching the fish, we were cleaning
5 fish, we couldn't help her bring the fish in. But I had
6 my four-year-old sitting there, her whole body was
7 shaking, jumping up and down, trying to reel the fish in,
8 and running up the beach at the same time. That was the
9 first fish she ever caught on her own. I was so proud of
10 her.

11

12 And I hope that we can continue to have
13 experiences like that, and I continue to fish with my
14 family either by rod and reel or gillnet along the city
15 limits, because I am able to fish, subsistence fish
16 within our city limits, regardless if commercial salmon
17 fishing is open or not, because I can't keep going down
18 to the docks and bumming fish. There's -- you know,
19 there's just not enough fish even to do that.

20

21 And whatever decision is made -- that's
22 going to be made by the Secretaries can have positive and
23 negative effects for not just my family living in False
24 Pass now, but for -- hopefully my grandchildren will live
25 there as well. And I just ask that regardless of
26 whatever decision is made, is please allow us to continue
27 to fish in False Pass for our commercial and subsistence
28 uses so that we can continue to provide for our families.

29

30 Thank you.

31

32 CHAIRMAN DEMIENTIEFF: Thank you. Any
33 questions.

34

35 (No comments)

36

37 CHAIRMAN DEMIENTIEFF: I appreciate your
38 taking the time.

39

40 Robert Christensen.

41

42 MR. CHRISTENSEN: Mr. Chairman and Board
43 member, my name is Bob Christensen. I was born and
44 raised in Port Heiden. Port Heiden is located on the
45 mouth of Meshik River on the upper part of Alaska
46 Peninsula. It is approximately 500 miles southwest of
47 Anchorage, Alaska. Port Heiden has a population today of
48 120 people today.

49

50 For hundreds of years, if not thousands,

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1 the people of Port Heiden have taken sockeye salmon from
2 the Meshik River for subsistence purpose. We smoke
3 salmon, salt them down, can them and freeze them for long
4 winter months.

5
6 As a subsistence user of sockeye salmon,
7 I'm here to testify in favor of Federal take-over of Area
8 M fisheries. The Area M fisheries impacts our
9 subsistence fishing lifestyle in Port Heiden. There are
10 times during the summer months that we could barely see
11 Area M drift gillnetter boats off of Stroganoff Point out
12 of our kitchen windows. Their boats are fishing awfully
13 close to the mouth of Meshik River, and without a doubt
14 in my mind, they are catching fish bound for spawning
15 grounds up the Meshik River.

16
17 Years ago there used to be just a few
18 Area M boats fishing near Stroganoff Point, but
19 throughout the years I've witnessed the efforts build up.
20 Once this happens, it had directly affected our efforts
21 to catch salmon for subsistence purpose. We began to see
22 salmon returns in the Meshik River dwindling and instead
23 of catching our subsistence salmon, in no time we work
24 harder and longer to make our subsistence use for the
25 winter. Then when the Alaska Board of Fisheries imposed
26 a cap and the time and area closures in Area M, I've seen
27 our sockeye salmon runs rebound and come back strong, so
28 there's no doubt in my mind that Area M does impact
29 salmon returns in Meshik River.

30
31 Let me remind you that the Federal
32 Government take over and manage of the subsistence on the
33 Federal lands and the water, because of State of Alaska
34 refused to protect rural subsistence users.

35
36 In closing, I view that the Federal
37 Subsistence Board is our last hope, and a vehicle to
38 protect subsistence users. I urge the Board to protect
39 the subsistence users of rural Western Alaska by
40 remaining (sic) to the Secretary of Interior that the
41 exercise external justification and take over management
42 of Area M Fisheries.

43
44 There was times when there was hardly any
45 boats that used to fish off Stroganoff Point where we
46 could fish our fish off of or beaches home. When the
47 effort got strong, we've transported our salmon from
48 Chignik Lakes or Chignik Lagoon.

49
50 Thank you for listening to me, Board.

00055

1 CHAIRMAN DEMIENTIEFF: Any questions.

2

3 (No comments)

4

5 CHAIRMAN DEMIENTIEFF: Thank you very
6 much. And congratulations again for everybody to provide
7 straight forward information and do it in a kind way.
8 It's really appreciated. But I hear stomachs growling.
9 It must be lunch time I guess, so we'll go ahead and
10 recess until 1:00 o'clock.

11

12 (Off record)

13

14 (On record)

15

16 CHAIRMAN DEMIENTIEFF: We have I think 54
17 more people to testify, so we're going to do as much
18 diligence. I don't think we'll get quite the little
19 social visit on break this afternoon. I think it's going
20 to be pretty brief so we can get everybody in and get the
21 process moving.

22

23 So with that, we'll call back to order,
24 and we have David David. Is he here?

25

26 MR. DAVID: Mr. Chairman, Niles, and John
27 Hanson, and the others, my name is David O. David, and
28 I'm from Kwigillingok. I had in mind to have someone
29 interpret for me, or translate for me, but because every
30 time when I have to use this language, I never say
31 everything I want to say, on account of my limited
32 English. But I will try to -- I'll call on either Carl
33 Jack or Myron Naneng if I need to, so keep that in mind.

34

35 But all morning -- I'll call on you if I
36 need to. All morning I've heard Area M, but nobody has
37 mentioned Area S. And to me, Area M stands for -- nobody
38 has ever told me what M stands for, but to me, Area M
39 stands for money. And Area S is spawning area for the
40 fish. And I don't know if any of you ever look at it
41 that way, but that's how I look at it.

42

43 Before I start hearing about Area M,
44 everything was fine. And I have also testified before
45 the Fish Board, and at that time I was told that the Fish
46 Board had power, and I even had testified before both
47 boards, Game Board and Fish Board. But I found out after
48 I testify that those people weren't so very powerful.
49 And I hope that they will try harder to use their power,
50 and the ways that they use their power is not for the

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1 indigenous people's way of living.

2

3

4 And for Subsistence Board, the word
5 subsistence -- when I started hearing about it, I asked
6 many, many, many, many people from all over, Southeast,
7 up north, central, they had many different issues for
8 subsistence, and I finally looking to -- after all that
9 time, I finally look into a dictionary, and found out
10 that subsistence means existence.

11

12

13 And there was one time that Federal --
14 one of the Federal Subsistence Board said at the meeting
15 that he was not the subsistence user, and I asked him, I
16 know that subsistence means existence, how do you exist
17 without subsistence. Well, he didn't have no answer for
18 that, because I guess he know all the time that
19 subsistence means existence.

20

21

22 So like Area M and Area -- versus Area S
23 to me is not working the way it should as State Fish
24 Board comes up with what they had planned for this
25 summer. It is true -- it may be true that there will be
26 some fish, but when my grandkids ask me what's the
27 weather going to be like tomorrow, I always tell them,
28 I'll let you know tomorrow night after the day is over.
29 So with prediction of much fish this summer, we will all
30 know what it's -- what we expect is true or not, because
31 we have no -- no one on earth has no control over
32 resources of the land. And I -- we as indigenous people,
33 in the villages, are afraid for our kids and my
34 grandkids. I am afraid for my grandkids, that in time
35 that they will be -- they will not be able to catch any
36 fish that they want for living, because in most villages,
37 our food is off the land, and off the water, sea. Games
38 on the land as well as games of -- resource of the sea.
39 Fish, we depend on them in the village.

40

41

42 And I am hoping that what has already
43 been planned will be straightened out in tome before the
44 time comes for us to fish, because it's possible, like
45 we've already heard, that in tie that if the fish don't
46 spawn, we're going to be hurt. And Area M people may be
47 hurt, too. They can hurt we inland people and they can
48 hurt themselves, too. And I hope that this will be
49 straightened out in friendly way to -- for our future.

50

51

(In Yup'ik)

52

53

54 MR. JACK: His conclusions were that all
55 of us are here on earth, and we rely on the resources

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1 that the earth provides for food. Our main concern is to
2 not to deplete the resources, and to take care of the
3 resources that will be used in the future generations.
4 For the last two years where I came from had to bear the
5 conservation concerns in terms of the windows, but not
6 all of us follow the rules of the others, regulations and
7 rules that are made by the others. But we do try to live
8 up to the teachings of our elders to conserve the
9 resources for the future generations.

10

11 MR. DAVID: Quyana.

12

13 MR. JACK: Quyana.

14

15 CHAIRMAN DEMIENTIEFF: Okay. Thank you
16 very much. Appreciate. If there's no questions, we'll
17 go on. Oh, Niles.

18

19 MR. CESAR: Mr. Chairman, I just wanted
20 to make a comment to David. It's good to see you again,
21 David, and even though you didn't ask me, if you need
22 help translating from Tlingit to English, I'll help you
23 any time you ask.

24

25 CHAIRMAN DEMIENTIEFF: Only trouble with
26 that is we'd have to get somebody to interpret Niles'
27 English to regular English.

28

29 Ralph Andersen. Is Ralph here yet?

30

31 UNIDENTIFIED VOICE: He was here before
32 lunch. There he is.

33

34 CHAIRMAN DEMIENTIEFF: Okay.

35

36 MR. ANDERSEN: I'll try my best to
37 interpret English to English. Mr. Chairman and members
38 of the Federal Subsistence Board, my name is Ralph
39 Andersen. I'm from the village of Clark's Point in the
40 Bristol Bay region, and the Natural Resources Program
41 Manager at the Bristol Bay Native Association.

42

43 The salmon fishery is the backbone of our
44 subsistence and commercial fishing economies. It's an
45 integral part of our lives and our culture. Generations
46 of our people were raised by our fisheries. For decades
47 the salmon fishery provided food and steady incomes that
48 our people came to rely on. A good fishing season
49 provided cash to allow parents to heat their homes, feed
50 their families and pay their bills. A good fishing

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1 season also meant we stored subsistence fish to last the
2 winter months.

3

4 Our economy has suffered badly in recent
5 years. Our region was declared a State and Federal
6 economic disaster area in 1997 and 1998 due to failed
7 salmon runs, and in 2000 and 2002, the State of Alaska
8 declared our region a State economic disaster area due to
9 combined low salmon returns and poor salmon prices. Our
10 region was declared a disaster area four of the last
11 seven years.

12

13 The Kvichak River once proceed the
14 world's largest sockeye returns; however, the salmon
15 returns in recent years have failed and have been well
16 below projections. Seven years ago ADF&G designated the
17 Kvichak salmon as a stock of conservation concern, and
18 eliminated commercial fishing in the Kvichak District.
19 In 2000 the Kvichak River experienced its first peak
20 cycle failure since statehood. During the December Board
21 of Fisheries meeting, the Kvichak sockeye was elevated to
22 a stock of management concern.

23

24 BBNA members in 10 communities in the
25 Lake Iliamna and Kvichak River areas rely heavily upon
26 healthy salmon returns to meet their subsistence needs.
27 I will distribute along with -- a copy of my testimony
28 here, a map of the villages in our region. There's clear
29 evidence that they all -- that they are facing more
30 hardships in order to continue to meet their subsistence
31 salmon needs.

32

33 You have all read or heard about the 46.6
34 million sockeye salmon ADF&G's forecasting to return to
35 Bristol Bay this summer. The conclusion in the Staff
36 report that -- to you that, quote, the changes in the
37 regulations in the Area M fishery will not result in
38 failure to provide the subsistence priority, unquote, is
39 based upon ADF&G's forecast. A closer look at ADF&G's
40 track record for the past eight years forecasting just
41 sockeye salmon for just the Naknek, Kvichak District is
42 revealing. I'll distribute a chart and table
43 illustrating this along with my testimony.

44

45 In our opinion, their track record is not
46 very good, and the forecasts are unreliable. Many
47 experienced Bristol Bay fishermen look at ADF&G's
48 forecast with skepticism. Now your staff is basing this
49 recommendation to you on ADF&G's forecast. That causes
50 us great concern.

00059

1 The Kvichak River has not met its
2 biological escapement goal, or BEG, for sockeye salmon in
3 six of the last eight years. I will distribute a table
4 illustrating this as well. After suffering several years
5 of what we consider to be an embarrassment, in 2001 the
6 Department requested the Board of Fisheries to lower the
7 biological escapement goal for the Kvichak River, but
8 even then it failed to meet the escapement goals in 2002
9 and in 2003.

10

11 Subsistence fisheries in Bristol Bay have
12 been -- subsistence fishers in Bristol Bay have been able
13 to meet their subsistence needs, but in most cases it has
14 taken more effort over a longer period of time, and at a
15 greater expense.

16

17 We support the actions and the views of
18 the subsistence fishers in the Arctic, Yukon and
19 Kuskokwim areas. It's a real shame to hear what's
20 happened to their fisheries, and that some of their
21 fisheries are in Tier II status. Our concern, our
22 biggest fear is that our subsistence fisheries in Bristol
23 Bay are going to suffer the same destruction and demise
24 if something isn't changed in the Area M fishery. The
25 effects on our fisheries may not be immediate, but will
26 take many years to rebuild.

27

28 Thank you.

29

30 CHAIRMAN DEMIENTIEFF: Thank you. Any
31 questions.

32

33 (No comments)

34

35 CHAIRMAN DEMIENTIEFF: Thank you very
36 much for your testimony, and you can give the information
37 you wish to submit to the recorder over in the corner
38 over there.

39

40 Myron Naneng.

41

42 (No comments)

43

44 UNIDENTIFIED VOICE: He's in the
45 bathroom, Mr. Chairman.

46

47 CHAIRMAN DEMIENTIEFF: I'll call him back
48 in a minute. Should we get a microphone in there?

49

50 Myra J. Olsen.

00060

1 MS. OLSEN: Should I go ahead?

2

3 CHAIRMAN DEMIENTIEFF: Go ahead.

4

5 MS. OLSEN: Good afternoon, Mr. Chair.
6 Members of the Board. My name is Myra Olsen, and I serve
7 as the Lake and Pen Borough Assembly, as well as the
8 Lower Bristol Bay Advisory Committee regarding fish and
9 game, and I'm a life-long resident of Bristol Bay, and a
10 subsistence and commercial fisher.

11

12 It's very difficult to place my concerns
13 regarding the salmon passing through Area M to our region
14 of Bristol Bay and regions further north into the narrow
15 parameters of this forum, but I'll try. My desire is to
16 be fair to all subsistence users, including Area M, but
17 my heart hurts, especially for those in Norton Sound who
18 are faced with hoping for Tier II permit to feed their
19 families, as well as the concerns regarding our Kvichak
20 River, our stocks of management concern.

21

22 I don't think we would be here if the
23 playing field regarding the science or biology of our
24 resources were level since the State seems to measure or
25 assess these stocks differently depending on the regional
26 biologist and the politics of the day. The sweeping
27 changes that the State Board of Fish took this year in
28 eliminating the measures taken to allow reasonable
29 returns of salmon to all of the Western and Northwestern
30 Alaska raises serious concerns regarding the visibility
31 of -- the viability of ever rebuilding the Kvichak runs
32 and also the Lake Clark runs in the Iliamna region. The
33 decisions made based on predicted returns, what we call
34 paper fish, do not always materialize. In fact, the
35 predictions for Bristol Bay have been wrong more times
36 than right. Wrong more times than right. Couple that
37 with Area M staff assuming a 30 or 40 percent smolt
38 survival and returned compared to Bristol Bay's 10
39 percent survival rate shows me the need to work out a way
40 for us to use the same measurement criteria, and would
41 ask you to consider making that one of your
42 recommendations.

43

44 I support David Osterback's call for more
45 scientific information and neutrality in resolving these
46 issues. Thank you for listening, and I appreciate your
47 stepping up to the plate to address this issue, and hope
48 that your efforts make a difference.

49

50 Thank you.

00061

1 CHAIRMAN DEMIENTIEFF: Thank you. Any
2 questions.

3

4 (No comments)

5

6 CHAIRMAN DEMIENTIEFF: Thank you very
7 much for taking the time to be here.

8

9 Myron Naneng.

10

11 MR. NANENG: Thank you, Mr. Chairman,
12 members of the Federal Subsistence Board, the RAC
13 members, and to the Staff.

14

15 First of all, I'd like to thank you for
16 the opportunity to provide testimony to the Federal
17 Subsistence Board who we hope will take some type of
18 action to address a concern that we have had to live with
19 on the Yukon and Kuskokwim Delta.

20

21 My name is Myron Naneng. I'm the
22 president of the Association of Village Council
23 Presidents, representing 56 villages on the Yukon and
24 Kuskokwim Delta. About 20,000 Yup'iks, Athabascans,
25 Chupiks who live there, who have been affected almost
26 every summer since 1993 with further subsistence
27 restrictions that have been placed on them.

28

29 I have some issues regarding the Staff
30 report and the recommendations, and I respect Larry
31 Buklis, because I've worked with him also as a commercial
32 fisherman on the Yukon. I fished, first started fishing
33 commercially on the Yukon in 1985. The first couple of
34 years I noticed that we had two 24-hour periods, and now
35 in 2004, you're lucky if you have six hours. And that
36 reason of decline in number of hours is because of major
37 conservation concerns of salmon stocks, the chums, the
38 kings, the fall chum, and silvers. So it's not just one
39 stock of fish that we're concerned about.

40

41 You know, in the January Board of Fish
42 meeting, Fish and Game recommended lowering the
43 biological escapement goals of the salmon stocks that
44 head into the Yukon, Kuskokwim region. And in essence
45 they changed what we call the definition of salmon stock
46 of concerns. Is it to further the effort in opening
47 opportunities for subsistence? No. That was not the
48 reason. The reasons that they suggested is, well, maybe
49 we'll have an opportunity for salmon commercial fishing.
50 But right now it's not going to be worth an effort by our

00062

1 people on the Yukon and the Kuskokwim to fish
2 commercially, because you won't make any money out of
3 five cents a pound. At times the price has even been
4 down to three cents a pound. Would any of you be willing
5 to spend that type -- amount of time and money for a few
6 pennies? I think not.

7

8 The lowering of biological escapement
9 goals is just like playing Russian Roulette with the
10 resource.

11

12 And then in January at the February --
13 excuse me, in the February Board of Fish meeting
14 regarding Area M, reality was ignored. They were saying
15 they were basing their decisions on science. What's the
16 reality when an area that's under State management has
17 two -- killed two fishery designated, and nobody's able
18 to fish. And we can't even talk about them as being
19 possibly part of the conservation concern that the
20 Federal Subsistence Board would have to consider because
21 of that Staff recommendation?

22

23 What we have observed, like I mentioned,
24 I started fishing commercially in 1985, is that there's
25 been lower number of salmon stocks returning to the
26 Yukon, the Kuskokwim. In '93 we had a crash. The excuse
27 was it's the Omega block. '94 -- or '97, I mean, we
28 anticipated another low return. It happened. And then
29 they said it is an anomaly. '98 they expected a higher
30 number of salmon to return, and ever since '98 up to this
31 date we have had less subsistence harvest than before all
32 throughout the river system. Upper Yukon was completely
33 shut. Board of Fish action, implementation of
34 regulations, conservation concern, that's reality.

35

36 And then I understand that the Federal
37 Subsistence Board has adopted the State regulations, the
38 windows, to protect the conservation concerns, or salmon
39 stocks of conservation concerns. If there is no
40 conservation concerns, why did they place windows in the
41 river systems? Why? We ask that question. Why continue
42 to place the burden of conservation on the people that
43 rely on it the most. And we've heard that over and over
44 again in comments and testimony made by people this
45 morning. Did anybody from Federal Subsistence Board
46 Staff do a peer review of lowering the biological
47 escapement goals? Did the Federal Subsistence Board
48 agree with the lowering of the biological escapement
49 goals? Did they? I don't think so. They didn't do a
50 peer review. They made no comments. And the way the

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1 system goes, we understand, is that when the Federal
2 Subsistence Board does no make any comments, then they've
3 adopted it as the rule and regulation for that area.

4

5 And one of the other things, too, is like
6 I stated, in '98 they anticipated a larger return of run,
7 because in '97 the fish had not shown up as anticipated,
8 because of the '93 crash. We've heard of those
9 predictions over and over again in the past. And more
10 often than not, since about '9 -- since the mid 80s,
11 there's been less return of salmon. I sat on the Yukon
12 Canadian Fisher Negotiating Team back in the mid 80s into
13 the last -- early 90s. When I made a comment to the
14 State representative of the Alaska Department of Fish and
15 Game, you know, with the declines that are happening with
16 our river system salmon, I think we ought to get our acts
17 straight first before we start negotiating with the
18 Canadians. A week later I got a letter saying, thank
19 you, but your services are no longer needed.

20

21 You know, one of the things that I have
22 noticed in dealing with some of the subsistence issues
23 that we've dealt with as a native community, especially
24 with the State of Alaska, and more recently with some the
25 Federal agencies is that there seems to be efforts to
26 restrict or to place further restrictions on subsistence,
27 be it salmon, be it waterfowl, and all the other
28 resources that our people have hunted from time
29 immemorial. I hope that the Federal Subsistence Board
30 does not get into that mode. And I pray on behalf of our
31 people, our young people in the villages, and our future
32 kids, that their subsistence right also be recognized
33 even before they are born. Otherwise, by adopting
34 regulations that are unfair to the very people that they
35 were supposed to protect, the system needs to be fixed.

36

37 And if anything that the Federal
38 Subsistence Board does, I hope that the recommendation is
39 made to put back some of the restrictions that has been
40 there in Area M before, because one of the things that
41 has happened is the restrictions that have been there
42 before removes any incentive, removes any incentive for
43 the fishermen to stay off the stocks of concern. If
44 anybody says I'm wrong, let them put it in writing,
45 because the way I see it, any incentive to be a part of a
46 solution to address these salmon stock of concern, and
47 them being removed, is playing the burden of conservation
48 more on our people on the Yukon and the Kuskokwim, and
49 that's where we have Federal lands. The escapement and
50 spawning of salmon occurs on our river systems, in our

00064

1 streams, and I think that the Federal Subsistence Board
2 will act responsibly to protect that resource, because
3 all our people have acted responsibly to conserve those
4 resources, and I hope that the Federal Subsistence Board
5 and those who are responsible for these resources will
6 join us in that conservation effort.

7

8 Thank you very much, Mr. Chairman.

9

10 CHAIRMAN DEMIENTIEFF: Thank you. I just
11 -- of course, since the Board of Fish took that action in
12 January, we haven't -- as a Board, we haven't, you know,
13 addressed the issue whatsoever, although the State is
14 soon sponsoring a meeting of the stakeholders, and our
15 people will be at the table, you know, for that meeting,
16 but because that action is so new, we hadn't had a chance
17 to do that. So I just wanted to explain that to you.
18 Any other questions.

19

20 (No comments)

21

22 CHAIRMAN DEMIENTIEFF: Hearing none,
23 thank you very much, Myron.

24

25 MR. NANENG: Thank you, Mitch.

26

27 CHAIRMAN DEMIENTIEFF: Richard Elachuk.

28

29 MR. ELACHUK: Good afternoon, Mr.
30 Chairman and the Board. I'm Richard Elachuk from the
31 Native Village of St. Michael.

32

33 Since we don't rely on commercial
34 fishing, we have been subsistence fishing since our
35 ancestors have been. We subsist for fish in Federal
36 waters between Pikmiktalik and Nunakak (ph), and as far
37 as the Golsovia River, and noticed the declining of the
38 Salmon. We do rely on the salmon to feed our families.
39 St. Michael Council supports Kawerak's efforts to seek
40 any and all State of Alaska and Federal injunctive relief
41 to reverse the Board of Fish decision, to protect our
42 subsistence way of life and our salmon stock. That's all
43 I have.

44

45 CHAIRMAN DEMIENTIEFF: Thank you very
46 much. Is there any questions.

47

48 (No comments)

49

50 CHAIRMAN DEMIENTIEFF: Hearing none,

00065

1 thank you very much for taking the time to come testify.

2

3

MR. ELACHUK: Thank you.

4

5

CHAIRMAN DEMIENTIEFF: John Foster.

6

7

MR. FOSTER: Mr. Chairman, before I start, let me apologize. Once you get further down the list, my testimony falls to pieces after listening to testimony, so it's going to be a little haphazard here.

11

12

My name John Foster. My family is originally from the abandoned village of Unga in the Shumigan Islands. I now live in Sand Point, and I've been a fisherman for 33 years of my life. I'm also the president of the Unga Tribal Council.

17

18

As president of the Unga Tribal Council, I have the distinction of representing a village that no longer exists, and I hope to save my children and other children in the region from having this kind of dubious honor.

23

24

I've heard a lot of burden of conservation and how we need to -- those of us in Area M need to have the burden of conservation. Well, we have had the burden of conservation. The people from up north say they're the only ones shouldering the burden of conservation. That's untrue. The Aleut people have shouldered more than their share of the burden of conservation. The Aleut people have given up fishing time, area and untold millions of desperately needed revenue.

34

35

Our greatest losses though have been the loss of people from our villages. Families have been unable to make it financially, and have moved out of the area to find work and a better life and opportunity for the children. Not all of this is due to restrictions placed on it. A lot of it has to do with the price of fish, but you couple the restrictions with the price of fish, and it gets to be a desperate situation.

43

44

The really sad part of the Area M situation is that none of the restrictions that have been forced on us have resulted in any improvement in the runs to the AYK region. We've had these restrictions placed on us since the early 80s, and unless I'm missing something, I haven't seen any benefits to anybody. I mean, in 2001 we didn't even fish in June because of the

00066

1 fish strike, and the runs were actually down that year.

2

3

4 Now, after listening to the boards here,
5 I know you're looking for answers and you're looking for
6 ideas, but I've been at this a long time, and I'm fresh
7 out. The one thing you may be able to do and recommend
8 is money for the science. Everybody right now just looks
9 at us, Area M. You hear nothing of other intercept
10 fisheries, trawl fisheries, Bristol Bay, anything else
11 along the way. You hear nothing of ocean conditions, you
12 hear nothing of pollution. You hear nothing of
13 competition for feed in the ocean from farmed fish not
14 only from Alaska, from Asia, Japan, all over. I think
15 that would be probably the best thing that the Federal
16 Government could do is put money into studies, and find
17 the actual problem.

17

18

19 And one other thing I want to touch on is
20 Mr. Naneng said that the restrictions were an incentive
21 to keep us off the fish. Well, I guess they kind of are,
22 because we're not going after these chums. Because if we
23 go after these chums and we catch a lot of them this
24 year, we're right back before the Board of Fish this
25 fall, we're right back in front of you. So we're going
26 to do everything we can to stay away from these fish.
27 One of the main things we're going to do is the chum
28 pool. Another good incentive is five cents a pound for
29 chum salmon. It's just not economically viable to chase
30 after them.

30

31

32 And again I apologize for my testimony.
33 Once I get further down the line, it's just hearing other
34 people's testimony just destroys mine. So, thank you.

34

35

36 CHAIRMAN DEMIENTIEFF: Any questions.
37 Discussions. Gary.

37

38

39 MR. EDWARDS: For some of us lay people,
40 can you explain how the chum pool will work or is going
41 to work or has worked?

41

42

43 MR. FOSTER: Okay. It's -- what will
44 happen is the pool will be split into three different
45 sections by gear groups. You'll have the seiners in one
46 pool, the setnetters in one pool, and the drifters in one
47 pool. And all the fish that are caught will divide --
48 and all the money will be divided equally among all the
49 boats, so that keeps -- so if somebody's out there
50 targeting on chums, and he gets a load of chums, he's not
getting paid for them. He has to share it with everybody

00067

1 else. And it's -- both companies I believe have already
2 -- are already in the process of setting it up again for
3 this year.

4

5 CHAIRMAN DEMIENTIEFF: Any other
6 questions.

7

8 (No comments)

9

10 CHAIRMAN DEMIENTIEFF: Thank you very
11 much for your testimony. Appreciate it.

12

13 Tom Hoblet.

14

15 MR. HOBLET: Yes, good afternoon, Mr.
16 Chairman. Members of the Board. My name is Tom Hoblet.
17 I reside in False Pass. I'm a native Alaskan, native of
18 Aleut descent.

19

20 I've been fishing False Pass, Area M, for
21 more than 40 years. Fishing in Area M for me and my
22 family has been our livelihood. Our community has
23 survived on subsistence commercial fishing, and any
24 hunting for thousands of years.

25

26 My suggestion to the Federal Subsistence
27 Board would be to direct the State Fish and Game Board to
28 look into what's happening in the oceans. Temperature
29 changes that affect migration patterns of fish and other
30 ocean conditions should be a focal point.

31

32 I seriously doubt restrictions and
33 further scrutiny specific to Area M/False Pass fishery
34 will solve the problem. If actions were taken against
35 our fishery it would certainly have to include all
36 fisheries in the migration route of the concerned
37 species, that being Bristol Bay and that route.

38

39 A Pentagon commission report concludes
40 that today's fishing industry is poorly adapted to
41 survival -- to survive the sudden climate shifts that may
42 be brewing. Water temperatures, salinity levels, ocean
43 currents, and El Nino have related events combined to
44 affect fish and animal movements and activities. We
45 cannot observe -- we cannot ignore the obvious. Our
46 climates and ocean conditions are in a period of change.
47 The overwhelming evidence shows that conditions have an
48 impact on all fisheries. Blaming a traditional fishery
49 is not the answer. The scientific evidence that shows
50 the Area M fishery does not have a significant impact

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1 upon other fisheries.

2

3

Thank you for your time.

4

5

CHAIRMAN DEMIENTIEFF: Thank you.

6 Questions.

7

8

(No comments)

9

10

CHAIRMAN DEMIENTIEFF: Thank you very

11 much.

12

13

Eric Johnson.

14

15

MR. JOHNSON: Good afternoon, Mr. Chair.
16 Members of the Board. My name is Eric Johnson, I'm the
17 tribal rights attorney with the Association of Village
18 Council Presidents in Bethel.

19

20

And for starters, I just want to stress
21 the importance of I think all of us keeping in mind the
22 fact that a failure of the subsistence priority is
23 already happening. A failure of the subsistence priority
24 is what's happening when subsistence fishing families on
25 the lower Yukon are left with two 36-hour subsistence
26 fishing periods per week. And the fact that the
27 schedules have to be in place indicates that the
28 subsistence priority is not being provided for, that
29 people's customary and traditional way of live is not
30 being accommodated.

31

32

Which leads to the question of if Area M
33 fishing times expanded by 280 percent, is that going to
34 further exacerbate this failure to provide for the
35 subsistence priority, and I think the answer to that is
36 clearly yes. This is a pretty unheard of leap off the
37 edge that we're watching the Board of Fisheries make.
38 We're going to be going into a whole new ball game here,
39 and there aren't going to be any meaningful limits or
40 restraints on the Area M fishery. Really the only
41 limit's going to be how many fish are people going to
42 catch with all the time they've now been given. They're
43 not going to be limited by chum caps or ratios or
44 anything.

45

46

Which leads to the final question before
47 this Board, which is in light of this fact that the
48 priority's not being met, that the subsistence priority
49 is not being provided for in-river, and in light of the
50 fact that I think it's pretty clear that we're going to

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1 see a pretty drastic increase in chum salmon interception
2 in Area M, is there really anything else that this Board
3 can do? And I think the answer to that question is
4 pretty clearly no. With the June fishery opening up on
5 June 7th, there's going to be a lot of fishing that's
6 going to happen before State managers in-river even know
7 if there's enough fish to open a commercial fishery in-
8 river and by the time that fisheries are opened up in-
9 river, commercial fisheries, or rather aren't opened up
10 due to the lack of salmon, it's going to be too late to
11 do anything, and I think that's the key thing to keep in
12 mind here is the timing that we're talking about. If you
13 take a wait and see approach, and bank on your ability to
14 shut down commercial fisheries in river, it's going to be
15 too late. Those fisheries are not going to open. Those
16 fisheries won't be opened by the State because there
17 won't be enough salmon in the rivers to justify a
18 commercial fishery. And any shortcomings in meeting the
19 federal subsistence priority will already be written into
20 stone by that point, but I hope that this Board does the
21 right thing, acts proactively to prevent a failure of the
22 subsistence priority.

23

24 And unless there's any questions, that's
25 all I have to say.

26

27 CHAIRMAN DEMIENTIEFF: Any questions.

28

29 (No comments)

30

31 CHAIRMAN DEMIENTIEFF: Thank you very
32 much, Eric.

33

34 MR. JOHNSON: Thank you.

35

36 CHAIRMAN DEMIENTIEFF: Appreciate it.

37

38 Amy Foster.

39

40 (No comments)

41

42 CHAIRMAN DEMIENTIEFF: I'll put her name
43 at the back, and call her name later in the testimony.

44

45 Paul Gronholdt.

46

47 MR. GRONHOLDT: Thank you, Mr. Chairman,
48 and members of the Federal Subsistence Board. My name is
49 Paul Gronholdt. I'm the owner/operator of a fishing
50 vessel, St. Francis. It's a combination 58-footer that

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1 purse seines for salmon. I have owned the vessel since
2 1980.

3

4 I normally have spent my June month
5 targeting sockeye salmon in the area around Cape Lutke on
6 Unimak Island. The last couple of years I haven't though
7 primarily because of regulation restrictions and market
8 dynamics. A low price for fish.

9

10 I am a resident of Sand Point, and I've
11 spent most of my life there.

12

13 And what I wanted to talk today about was
14 chum pooling, and Mr. Foster spoke a little big about it,
15 and I agree with him that it's an excellent way to reduce
16 the incentive for fishermen to catch chum salmon. This
17 next year, this coming year, or a couple months from now,
18 all fishermen in our area will sign an agreement to joint
19 a voluntary chum pool. The effect of this agreement is
20 to significantly reduce the chum catch in the June
21 fishery. Our fishermen have participated in several chum
22 pools in the past years, and it's an almost unanimous
23 opinion that chum pooling is an effective pool for
24 reducing chum catch. I've personally participated in
25 these pools and believe they have an important role in
26 the perception of the impact of our fishery also. And
27 the chum pool has changed slightly from year to year, but
28 its effect will remain the same, and I think I've handed
29 out some documents to the staff, copies of a 1992 chum
30 pool agreement, and also an agreement that we signed at
31 the Board of Fish meeting, telling the Board of Fish that
32 we were going to participate in a chum pool this year.

33

34 And the only other thing I would add to
35 Mr. Foster's testimony about chum pools, I believe this
36 year it might be separated into Unimak chum pool as well
37 as the gear types, and a Shumigan chum pool, I think,
38 because different gear types fish in different areas, and
39 that's the only reason it probably would be divided into.

40

41 Thank you very much.

42

43 MR. EDWARDS: I'm still trying to learn
44 to understand about this. So within the pool itself, is
45 there a cap of how many chum can ultimately come into the
46 pool to meet.....

47

48 MR. GRONHOLDT: No, but as an example, if
49 one day everyone's fishing, and no one's finding too many
50 sockeye, if there wasn't a pool, there might be an

00071

1 incentive for boats to just keep fishing, and throwing,
2 even it's low value chums, they would just as soon keep
3 fishing until somebody finds reds, because that might be
4 in their best interest. However, with a chum pool, they
5 are going to get a small amount of that, one percent or
6 less of their catch perhaps, of the money from that catch
7 going into their own pocket, so they would help look for
8 sockeyes. And I think when fishing is slow in terms of
9 sockeye catch, that's when the chum pool is the most
10 effective. However, it's effective at any time I believe
11 in reducing chum catch.

12

13 MS. GOTTLIEB: Mr. Chair.

14

15 CHAIRMAN DEMIENTIEFF: Go ahead, Judy.

16

17 MS. GOTTLIEB: Thank you, Paul, for your
18 testimony. Nice to see you again. I have a question,
19 where it says that the chum will be totalled. So is that
20 done at each delivery or is it -- or another time?

21

22 MR. GRONHOLDT: I think it's added up at
23 the end of the season, then they divide it up by the
24 number of days that each person has fished. So if you
25 fished every day, you'll participate each day in the chum
26 pool. And if you only fish half the days, they'll take
27 just those days that you fish, and you will get proceeds
28 from half the days, if you only fished have the days. So
29 in other words, if you stay at the dock, you're going to
30 get nothing, if you fish, you'll get maybe a little more
31 than nothing out of the chum pool. A small amount,
32 but.....

33

34 MS. GOTTLIEB: I guess I'm just wondering
35 if on a daily basis somebody has a total of how many were
36 cut?

37

38 MR. GRONHOLDT: It could vary. It --
39 every year is so different, I don't think you could
40 generalize. You know, you could catch a lot of chums
41 perhaps, you could, but this takes away all incentive in
42 my opinion to do so.

43

44 CHAIRMAN DEMIENTIEFF: Thank you very
45 much. If there's no additional testimony, thank you for
46 helping us out.

47

48 MR. GRONHOLDT: Thank you.

49

50 CHAIRMAN DEMIENTIEFF: Eileen Norbert.

00072

1 MS. NORBERT: Thank you, Mr. Chair. My
2 name is Eileen Norbert. I'm executive vice president of
3 Kawerak, which is the Native non-profit tribal consortium
4 in the Bering Straits region.

5
6 Kawerak is firmly petitioning the
7 Secretary of Interior to extend the Federal fisheries
8 management to Area M, Norton Sound and Point Clarence
9 under the umbrella of ANILCA. I'm submitting a
10 resolution that we've already sent -- that the Kawerak
11 Board of Directors has already sent out to the Secretary.

12
13 We're making this request because of the
14 State of Alaska, Board of Fish has given the Area M
15 commercial fishery priority over subsistence. This does
16 not comply with ANILCA, Section .801, .802 or .804, which
17 clearly gives preference to subsistence over all other
18 uses.

19
20 Our subsistence lifestyle in the Norton
21 Sound salmon stocks that we depend on are in jeopardy.
22 The Board of Fish greatly increased the Area M commercial
23 fishery. They instituted an earlier start date. They
24 greatly increased the area that these commercial
25 fishermen can fish and basically they removed all
26 regulations restricting the by-catch of salmon, salmon
27 stocks and coho. They did this without regard to their
28 own sustainable fisheries policy and without any regard
29 for impacts to subsistence fishing in the Arctic, Yukon,
30 Kuskokwim region. The BOF took this irresponsible action
31 without considering that Norton Sound salmon stocks are
32 in jeopardy and subsistence opportunities are declining
33 or non-existent in some of our towns, like Nome.

34
35 What is so puzzling is that the Board of
36 Fish has already designated salmon from seven rivers in
37 Norton Sound as stocks of concern, management or
38 conservation concerns. And then over the past 15, 20
39 years Norton Sound has experienced pretty serious
40 declines of our salmon. Nome has been hit hardest.
41 Subsistence restrictions began in the 1960s, we only have
42 basically two communities in Norton Sound who still have
43 commercial -- small commercial fisheries. All the other
44 ones in our villages were wiped out, or just eliminated.
45 But the most devastating effect of salmon declines have
46 been on our subsistence. Our cultures are based on
47 hunting, fishing and gathering.

48
49 Some of the major milestones in our
50 subsistence fishing in Norton Sound are in 1990 the Nome

00073

1 subdistrict was closed for the first time. In 1993 there
2 was a chum crash affecting not only Norton Sound but also
3 AYK. In the mid-1990s the village of Elim subsistence
4 was closed for two weeks. '98 we had another fisheries
5 disaster. 1998 the returns in the Nome subdistrict were
6 so depressed that the Board of Fish set in place a Tier
7 II fishing regime, 10 households were allowed to fish.
8 It later on was increased to about 40 households as the
9 summer went on. But can you imagine, we have at least
10 1,548 households in Nome so 40 people -- 40 families got
11 to fish. In 2000 subsistence fishing in the village of
12 White Mountain was closed for the first time in their
13 whole history. Last summer 38 families in Nome were
14 allowed to fish under Tier II. They caught a total of
15 702 chum salmon before Fish and Game shut that down
16 because of our dismal returns. Only one river in the
17 Nome subdistrict reached its 2003 escapement goal.
18 People in Nome who wanted to put up fish were forced to
19 make 120 -- 160 mile round-trip to Pilgrim River. These
20 are not reasonable opportunities as required by ANILCA.
21 And then in January, Kawerak requested that the BOF set
22 chum salmon sustainable thresholds for Norton Sound
23 because Fish and Game has continually reduced our
24 escapement goals and we're just really concerned that
25 some of our stocks are close to the point of no return.
26 The BOF voted against this.

27

28 The action by the Board authorized a
29 wide-open intercept commercial fishery and reversed
30 measures that were set in place by previous boards to
31 help protect declining salmon stocks throughout Western
32 Alaska. Scientific tagging and genetic studies have
33 proven chum salmon bound for Norton Sound pass through
34 Area M in June. One of the studies shows that 40 to 70
35 percent of the chum salmon passing through South Unimak
36 originally are from Northwest Alaska. We cannot
37 reconcile how the Board of Fish can classify stocks in
38 Norton Sound, Kvichak, Yukon and Kuskokwim Rivers as
39 stocks of concern on one hand and approve a massive
40 increase of commercial take on those same stocks with the
41 other. If you look at records going many, many years
42 from the early 1900s and then look at Area M as their by-
43 catch, when our stocks went down. The Board's decision
44 means that the 175 active fishermen, commercial fishermen
45 fishing in Area M, 50 percent of which are out of state
46 residents can catch one to three million chums with no
47 repercussions or reduction in fishing time.

48

49 Why is it that the 175 Area M commercial
50 fishermen can take precedence over the approximately

00074

1 150,000 State residents in the AYK area who also depend
2 on these same stocks for subsistence and other uses.

3

4 CHAIRMAN DEMIENTIEFF: Eileen, I've
5 allowed a couple extra minutes because Kawerak is a
6 petitioner, but we're going to have to summarize, we've
7 got still a lot of testimony we have to take please.

8

9 MS. NORBERT: I timed myself and I guess
10 my mind was really going faster than they're coming out
11 of my mouth. But just in summarizing, we are requesting
12 the Subsistence Board, this Subsistence Commission and
13 the Secretary of Interior to come to our aid. We've had
14 elders who have picked up rotten fish off our beaches
15 they're so hungry for fish. But I'll go ahead and submit
16 a copy of the resolution that already went to the
17 Secretary's office and really ask you to consider
18 protecting us under the umbrella of ANILCA provisions.

19

20 Thank you.

21

22 CHAIRMAN DEMIENTIEFF: Thank you very
23 much. Billy Dushkin.

24

25 (No comments)

26

27 CHAIRMAN DEMIENTIEFF: I'll call his name
28 later. Warren Wilson.

29

30 MR. WILSON: Hello, Mr. Chair. Members
31 of the Board. My name is Warren Wilson and I'm from King
32 Cove, Alaska. I currently hold a seat on the city
33 council, King Cove Corporation and the Fish and Game
34 Advisory Committee. I'm here today to represent myself.

35

36 I've lived in King Cove all my life for
37 43 years, and I'm a third generation Wilson fisherman.
38 Married to my wife, Brenda, which is sitting in the
39 audience here. I have a son and daughter. I subsistence
40 fish for salmon, halibut, Pacific cod. I also
41 subsistence hunt for geese, ducks and caribou. I've
42 commercial fished for salmon since I was 10 years old. I
43 own my own boat, a drift gillnet boat and hold a drift
44 gillnet permit.

45

46 I fish South Unimak and Port Moller
47 districts. After I bought my boat permit our fishery has
48 been cut back with a chum cap and a coho cap. Fishing
49 days in June and/or July salmon fisheries, with those
50 cuts in place and the low salmon prices it is very hard

00075

1 to make ends meet for me and my family living in King
2 Cove. This last Fish Board meeting in January has given
3 us some time back that I think that was taken away from
4 us before we -- we were able to fish when I was growing
5 up, 30 days in June and now we are cut back to nine days
6 and sometimes in the past it was even shorter than that,
7 but it was all based on the salmon runs at the time were
8 funneling through the area of South Unimak in great
9 numbers where we were able to catch our allocation of red
10 salmon with the incidental catch of chums. And now due
11 to probably water temperature and mortality on the high
12 seas that the salmon aren't coming back to their Native
13 streams.

14

15 We are trying hard to get the salmon
16 price up by careful handling and refrigeration on our
17 fishing boats, quality is the key these days. In the
18 Aleutians East Borough, where South Unimak, Port Moller
19 and Shumigan Island fisheries take place, we have
20 approximately 156 salmon streams of which there are 76
21 red salmon streams or 76 red streams, 70 pink salmon
22 streams, 95 chum salmon streams, 53 coho streams and 25
23 chinook streams, some of these streams have more than one
24 species in them. What I'm just trying to point out that
25 in our area we have a lot of salmon streams where we are
26 taking that resource at the same time that we are
27 harvesting salmon bound for Bristol Bay.

28

29 In order to harvest chum and pink salmon
30 of good quality they have to be caught early in the run
31 so they will not be water-marked and this is key today in
32 the markets for salmon, they have to be taken where
33 there's no water markings and they have to look good and
34 they have to be of very good quality to be able to sell
35 any fish in the world market these days.

36

37 With the chum and coho caps in place, the
38 fishery, we were barred from harvesting pink and chum
39 salmon when they were of best quality in our region.
40 With those restrictions removed we might be able to get
41 the salmon prices back up again with our good quality
42 salmon which is vital to the state of Alaska with a
43 resource that is renewable we have to -- we have to start
44 with a product that is very, very good on the world
45 market today in order to sell that fish anywhere. I
46 think the last Fish Board meeting made the right decision
47 by giving us back fishing time that was taken away from
48 us in years past.

49

50 I oppose having more government

00076

1 regulating our fisheries in our state. Salmon is a vital
2 resource to our existence and I know we run a very clean
3 fisheries in False Pass, we do everything we can to
4 minimize our chum take. Area M will always be watched
5 closely by the Fish and Game so we don't think there will
6 be any problem with taking more than our 10-year average
7 of chum salmon in Area M.

8

9 And I have a real problem with being
10 labeled Area M, I'm just getting pretty fed up with it
11 myself. And I think that we're going a little bit too
12 far having you guys take up the issue because it's more
13 or less a State problem. But when it comes down to
14 people of Alaska, we're going to have to stand together
15 to be able to bring the salmon price up so that our state
16 will have a real good economic foundation base to be able
17 to survive up here in the cold north. And once the oil's
18 gone, look out, we're going to be in for trouble. And if
19 we have good salmon escapements in our rivers, and I know
20 damn well that we're not going to be taking way over our
21 share of chum salmon down in Area M, it's just a small
22 window of opportunity that we have to fish for red salmon
23 and I know there's an incidental take of chums and we are
24 not there to target chums. There's all the regulations
25 on the books that keep us from taking too many chums.
26 Me, myself, with my drift gillnetter, we had our nets
27 shallowed up and we catch a lot less chums than we did in
28 the past.

29

30 So thank you for your time.

31

32 CHAIRMAN DEMIENTIEFF: Thank you. Any
33 questions.

34

35 (No comments)

36

37 CHAIRMAN DEMIENTIEFF: Thank you very
38 much for taking the time to be with us.

39

40 Betty Dewey.

41

42 (No comments)

43

44 CHAIRMAN DEMIENTIEFF: I guess Betty
45 Dewey is not here right now. I will call her name later
46 at the end. Rudy Dushkin.

47

48 (No comments)

49

50 CHAIRMAN DEMIENTIEFF: Is Rudy here?

00077

1 (No comments)

2

3 CHAIRMAN DEMIENTIEFF: Again, I'll call
4 his name later. Jacob Alwinona.

5

6 MR. ALWINONA: Thank you, Mr. Chair.
7 Members of the Federal Subsistence Board. I'm Jacob
8 Alwinona, elder from Norton Sound area. I'm 81-plus
9 years old and I'm a life long subsistence fisherman. I
10 never was a commercial fish -- I never did no commercial
11 fishing but I've got nothing against the commercial
12 fishermen. We all have to eat fish. I'm a member of the
13 Kawerak Elders Advisory Committee. Elder rep on Kawerak
14 Board, I represent the elders from my area, not only the
15 elders, but the people I represent up there.

16

17 Years ago, 70-some years ago, we had
18 fish, we could walk on top of the fish during the summer
19 when I was growing up as a little boy. We had dog teams
20 to feed, also human consumption. We had to put up fish
21 for the dogs and human consumption both and there was
22 fish all over. We had two runs of chums. Early runs of
23 chums were in June, late June and the late fall chum runs
24 were in late August. Now, we don't have those fall chums
25 anymore when the commercial fishing started fishing down
26 around Area M. We lost those. We don't see them
27 anymore, it's zero. And our fish now is depleting on our
28 area up Norton Sound.

29

30 You know, my grandparents told me when I
31 was a little boy, when we were at the fish camp catching
32 fish, they said, see all these fish here, I said, yeah,
33 they told me that it's not going to be like this in your
34 time probably, you'll be told not to fish. How did they
35 know, I don't know. I lived to see the day that I'm told
36 not to fish even for subsistence fishing. You know,
37 commercial fishermen you got to eat, too, and subsistence
38 fishermen like myself have to eat, too. So I think our
39 area up there declined of fish now -- fish are declining
40 now. Every summer there is less and less fish, not only
41 that, the salmon that goes up there now, some are
42 deformed which I've never seen before. Not only salmon
43 but the graylings and whitefish, I've seen deformed fish
44 there. What causes that I don't know. It's a sad thing
45 to see in my opinion as an elder, to see these fish,
46 deformed fish coming to our area now. You know, our
47 elders spoke to us when we were young boys to respect our
48 resources, no waste, we never waste our resources. Now,
49 up there, I'm told not to fish as a subsistence
50 fisherman, while the commercial fisherman is fishing down

00078

1 in Area M and I can't fish up there for subsistence, and
2 that isn't right in my opinion.

3

4 You know there ought to be equal
5 opportunity for the subsistence fishermen besides just
6 commercial fishing. I got nothing against commercial
7 fishing, but I want an equal right just like anybody else
8 that is hungry for fish. So I want to echo the
9 testimonies our elders have given before me, their
10 concern on our subsistence lifestyle. That is our way of
11 living is the subsistence lifestyle, that's all we know.
12 And I'd like to see equal opportunity for our
13 subsistence, not favoring the commercial fishing, you
14 know, it should be an equal opportunity for subsistence
15 fishermen as well.

16

17 I thank you for your time, Mr. Chairman.

18

19 CHAIRMAN DEMIENTIEFF: Thank you.

20 Questions.

21

22 (No comments)

23

24 CHAIRMAN DEMIENTIEFF: Thank you very
25 much. Mike Moore -- Moses. Mike Moses.

26

27 (No comments)

28

29 CHAIRMAN DEMIENTIEFF: Is Mike Moses
30 here.

31

32 (No comments)

33

34 CHAIRMAN DEMIENTIEFF: Mike Smith.

35

36 MR. SMITH: Mr. Chairman. Members of the
37 Board. Once again we find ourselves in front of you with
38 very difficult questions and very difficult issues.

39

40 Certainly I don't want to repeat anything
41 that has been presented already but I would just like to
42 emphasize some of the things that have been said earlier.
43 When it comes to subsistence needs, of course, we've
44 presented this to you, in our portion of the state we've
45 seen over a 50 percent reduction in the last five or six
46 years.

47

48 I'd like to say that again, a 50 percent
49 reduction in subsistence caught fish in the last five or
50 six years.

00079

1 I appreciate that that's over a wide
2 variety of fish, or over all species of fish, but the
3 cumulative effect of that on the subsistence user is
4 dramatic.

5
6 We have seen the loss of our fish camps.
7 We have seen the slowly, the erosion of the customary and
8 traditional uses of our fish and we have been put on
9 restrictions again -- or continue to be put on
10 restrictions when the Department is lowering escapement
11 goals, opening up fisheries elsewhere, and at least I
12 appreciate that we're limited here as to what you guys
13 can do but there are things within your purview that you
14 can do. You know, at the very least, you know, maybe
15 lift the restrictions. The rationale for those
16 restrictions on Yukon River and Kuskokwim River fish, I
17 believe, has been distorted. When those restrictions
18 were put into place, we did that for conservation reasons
19 and the State, at the same time, agreed to stop any
20 commercial harvest until the mid-point of the run. The
21 State has now abandoned that concept and has simply said
22 that we're going to open the fishery for commercial
23 harvest whenever we think there is enough fish. So I
24 think the burden of conservation certainly on the Yukon
25 and the Kuskokwim Rivers is borne by the subsistence
26 users.

27
28 In regards to the Federal Staff report
29 I'd like to just point out a few things there and I'm
30 certainly not going to get into what somebody once coined
31 as a data debate. But I think that Myron Naneng
32 mentioned it earlier, that I think that anybody that
33 reviewed that report that was presented to you by Federal
34 Staff would have major problems with it. I think
35 probably some of your own Staff had major problems with
36 it. And I think it's just a totally flawed report in our
37 minds and I think we could go down the list as to why
38 that is, but I'm not sure that that's going to have much
39 bearing on this. And I think that that is where we find
40 ourself a lot and you guys in particular, is that is the
41 data that is being presented to you. If subsistence
42 needs are, in fact, being met, let's see the data. Show
43 me where ANS amounts have been made over the last five or
44 six years and I think you'll find out that they haven't
45 been, that the vast majority of times ANS amounts across
46 the spectrum of fish are we miss them at least 60 to 70
47 percent of the times over the last five or six years.

48
49 If subsistence needs are being met show
50 the ANS amounts. The ANS amounts have not been met

00080

1 either. If summer chums are expected to be in abundance
2 next year how come we missed escapement last year in all
3 tributaries? Those are some of the questions that you,
4 as the Board, needs to look at. You need to question
5 your information. You need to question that the
6 information that is presented to you and possibly get it
7 peer reviewed, because certainly the information that we
8 have had, that we've had peer reviewed has come back
9 negative.

10

11 So in that regard, in regards to the Area
12 M issue, well, I look over here and I remember that we do
13 this every five or six years and yet that information is
14 still the same, we're still dealing with the same
15 information we dealt with a long time ago on this stuff.
16 We'll sit here today and we'll bemoan the fact that we do
17 not have any information to base a decision on, the
18 report that was submitted by Federal Staff indicates the
19 same, makes huge assumptions about the effects of this,
20 and then goes out of their way to diminish those results.

21

22 And I think, you know, those are the
23 things that we're afraid of. Subsistence users in our
24 region, once again, have lost 50 to 60 percent of their
25 subsistence catch. We have seen, over the course of this
26 winter, at the Board of Fish level virtually every Board
27 of Fish meeting this winter, subsistence users have paid
28 the price for something. I think that is relative of
29 certainly the current administrations and its members on
30 the Board of Game and Board of Fish, we see it happening
31 with the Board of Game as well. I think that us, as
32 subsistence users had high hopes for the Federal
33 Subsistence Board when we pushed to have them intervene
34 in Alaska. I'm beginning to think that we're starting to
35 lose hope in that regard because we have not, you know,
36 in all due respect, we have not seen what you are doing
37 to protect our subsistence rights and our subsistence
38 needs.

39

40 And with that, Mr. Chairman, that's
41 pretty much all I have to say. And I just would, once
42 again emphasize, this is a cumulative effect of what has
43 happened to subsistence users all winter and at least
44 over the last five or six years. All those things, I
45 think demand that the Federal Subsistence Board stand up
46 and do what they can within the confines of their
47 authority to protect us in some fashion. Now, I leave it
48 up to you to find out the ways to do that, but I think
49 that it is time that you guys step up and protect those
50 of us who are losing our culture, losing our fish, and

00081

1 losing our sustenance.

2

3 Thank you, Mr. Chairman.

4

5 CHAIRMAN DEMIENTIEFF: Thank you. Any
6 questions or comments.

7

8 (No comments)

9

10 CHAIRMAN DEMIENTIEFF: Thank you very
11 much, Mike. Moses Kritz.

12

13 MR. KRITZ: Thank you for the
14 opportunity, Mr. Chairman, Members of the Federal
15 Subsistence Board. My name is Moses Kritz. I am from
16 the Traditional Village of Togiak in Bristol Bay. Our
17 village is located in the heart of Togiak National
18 Wildlife Refuge.

19

20 Togiak is the second largest community in
21 Bristol Bay with a population of 925. And our village is
22 thriving, although the fisheries has declined very much.
23 The only reason why we're thriving is because we're true
24 subsistence users, not just on fish. As you can see I'm
25 pretty much browned up. I should be black today because,
26 you know, I've been traveling so much here and to other
27 communities, but it took my subsistence lifestyle away by
28 doing that. And subsistence, to me, is four seasons.
29 Fall season. Spring season. Summer season. You know,
30 them camps, I used to go to. And one of the bigger ones
31 was summer camp, we relied heavily on salmon. And we
32 support the Federal takeover of the Area M fishery.

33

34 For generations our people have harvested
35 all five species of salmon for subsistence from Togiak
36 River and other nearby rivers. Now it is getting harder
37 and harder for our people to meet subsistence fishing
38 needs. They have spent more time, traveled much farther
39 and at a greater expense. In the past, the elders
40 predicted how many fish were going to return to our
41 rivers, but today they are wondering what happened to
42 their predictions. Lately our subsistence king salmon
43 fishery has been suffering, the number of kings returning
44 to the Togiak River is low to nothing. We are wondering
45 why we are losing that fishery. The chum fishery used to
46 flourish in both the Togiak, Alukak (ph) and Azliak (ph)
47 Rivers, now, we don't see chums anymore. We are
48 wondering where they went. And we used to see quite a
49 number of bears feeding on the salmon spawning lakes,
50 now, the elders are wondering why the bears are now

00082

1 coming into the village and starting to scavenge in our
2 village. We depend on the State biologists or we had
3 hoped that the State biologists would find the answers to
4 these questions because they know the status of all our
5 fisheries, those that are healthy and those that are not.
6 They were given millions of dollars for research under
7 Federal Subsistence Fisheries Program to find answers to
8 the problems in Yukon and Kuskokwim areas, as well as our
9 area. Why did they allow more -- almost 300 percent more
10 fishing time in Area M? Why did they allow chum and
11 sockeye caps to be removed from the Area M fishery? Why
12 did they allow fishing districts to expand in Area M?

13

14 If we can't trust the State to protect
15 our salmon and our subsistence fishery, who can we trust?
16 We are looking to you, the Federal Subsistence Board as
17 our last hope.

18

19 We are already experiencing declines in
20 our subsistence fisheries. We believe that the actions
21 of the Board of Fish are going to make matters worse, not
22 better. We know of the problems with fisheries in the
23 Kvichak and in the Arctic, Yukon and Kuskokwim areas, we
24 don't want that to happen to our rivers. And look at
25 Kvichak River, it's taken years to rebuild the fish
26 stocks, we don't want to wait until it's too late.

27

28 Historically, looking at the fisheries in
29 the East Coast, California, Oregon, Washington, now, are
30 we going to turn to harming our salmon next?

31

32 CHAIRMAN DEMIENTIEFF: Thank you.

33

34 MR. KRITZ: Thank you.

35

36 CHAIRMAN DEMIENTIEFF: Is that it?

37

38 MR. KRITZ: Yes.

39

40 CHAIRMAN DEMIENTIEFF: Thank you. I was
41 just going to ask you to summarize and you just did, you
42 must have been reading my mind. Any questions.

43

44 (No comments)

45

46 CHAIRMAN DEMIENTIEFF: Thank you very
47 much.

48

49 MR. KRITZ: Thank you.

50

00083

1 CHAIRMAN DEMIENTIEFF: Thank you for
2 taking the time. Ivan Ivan.

3

4 MR. IVAN: Thank you, Mr. Chairman.
5 Members of the Board. And I believe the RAC Committee.
6 This is my first time, opportunity testifying before this
7 Board. And I'll have a few questions. I've testified in
8 Washington D.C., before, and, of course, in Juneau.

9

10 First of all, I don't have a prepared
11 written statement to present but my brief comments and
12 testimony will be made.

13

14 First of all, I'll speak as the member of
15 the Akiachak Native Community, Federally-recognized
16 tribe, Native Village of Akiachak, some 30 river miles on
17 the Kuskokwim from Bethel on the Kuskokwim River.
18 Currently, I've been a Mr. Chairman, fisher person since
19 birth and that was taught to me by my parents to use the
20 resources wisely that are around us to ensure our
21 survival and I'm doing the same thing to my children now,
22 seven children and grandchildren. We take care of the
23 fish, especially the king salmon, red salmon, chums, coho
24 in different ways to preserve them, but first of all we
25 dry and smoke the fish when they first come into the
26 river. We salt them, we make strips, half-dried,
27 fermented, frozen, we do it every which way to preserve
28 it. And we have -- I work part-time as executive
29 director for the Akiachak Native community and I, as
30 other village members, use this lifestyle, subsistence
31 caught fish as insurance for survival throughout the
32 winter, long winter months. And it's our main diet.
33 When I can't get other income, I depend on that dry fish,
34 and my kids eat it in the morning, lunch and evening.

35

36 Our tribal council adopted a resolution
37 opposing the subsistence closure, upcoming on the
38 Kuskokwim River and, of course, oppose the Area M
39 commercial fishery opening recently allowed by the Board
40 of Fish.

41

42 Our community tribal council do not want
43 this. Our subsistence fishermen, especially our elders
44 to be forced by unnecessary closures, subsistence
45 closures when they go after that for their winter food,
46 it's hard on them to keep pulling in and out set nets and
47 especially the drying season when they first come in, a
48 week and a half, week to week and a half, we catch that
49 fish and hang it up and dry it -- first dry it and smoke
50 it all summer.

00084

1 And the community members have you as the
2 Federal Subsistence Board and we look up to you as a
3 Board to exert your power and authority and I can't
4 pronounce this word, in extraterritorial jurisdiction,
5 over management of Area M commercial fisheries in order
6 to protect our salmon escapement and to allow us to
7 continue this age old tradition of taking care of it
8 ourselves.

9
10 AVCP has made their own -- I'm also
11 Chairman of the Board of the regional non-profit, AVCP,
12 but they've made their comments and presented them
13 eloquently by Myron Naneng, as president. And recently,
14 just last week, we had our mid-year convention and a lot
15 of our village delegates adopted the resolution opposing
16 this and ask that this Board use its power to make sure
17 that our lifestyle, way of life gathering, especially
18 fish, to protect it from unnecessary closures. We have
19 done a lot of voluntary closures in the past but they
20 can't see it as it is now. And for the record I would
21 like to -- since I am not too familiar with this Board,
22 Federal Subsistence Board, I only recognize Mr. Niles
23 Cesar, no offense to BLM or any of the other members
24 here, I saw your book here with the Fish and Wildlife,
25 Forest Service, National Park Service, but I look at Mr.
26 Niles Cesar and I would ask him for trust and
27 responsibility, protection of our community members to
28 insure that the subsistence fishing is protected and we
29 ask you to please talk to these members and others to
30 take a look at this, because we do not agree with the
31 Board of Fish decision. And in the past, as tribal
32 governments, when the tribe talks to the State, they
33 don't recognize us, for that matter, Mr. Niles Cesar, we
34 ask as representing Akiachak Native Community, to please
35 do what you can to protect our subsistence fishing,
36 especially in the early season.

37
38 With that, I thank you for this
39 opportunity and I don't want to belabor it. I'm sure
40 that you've heard quite a bit before, but thank you for
41 the opportunity.

42
43 CHAIRMAN DEMIENTIEFF: Thank you. Any
44 questions.

45
46 MR. CESAR: Just a comment. Thank you,
47 Mr. Ivan. I appreciate that. I take my responsibilities
48 as regional director of the BIA very seriously and I'll
49 assure you that I will do all that I can to protect, not
50 only the fishery, subsistence harvest for AYK, but all of

00085

1 Alaska, because -- and I spent my life fishing, too, when
2 I was a kid, my father was a commercial trawler and I
3 grew up seining and trawling and I was even dumb enough
4 to go halibut fishing one time. So I know about
5 fisheries from a commercial aspect, but also from a
6 subsistence aspect. My family comes from the
7 Haines/Klukwan area, and, again, I hear from my relatives
8 there very frequently about making sure that I do my job.
9 And so it's helpful to have a reminder once in awhile and
10 I appreciate that.

11

12 Gunaxcheesh.

13

14 MR. IVAN: Well, one last real quick
15 statement, Mr. Chairman, if I may. Please help us and we
16 appreciate that. I know you'll do that. There's a lot
17 of these elder fishermen that are asking, why, you know,
18 this is their tradition. This is our own unwritten law,
19 custom.

20

21 Please help us.

22

23 Thank you.

24

25 CHAIRMAN DEMIENTIEFF: Thank you. Tim

26 Andrew.

27

28 MR. ANDREW: Mr. Chairman, thank you for
29 the opportunity to testify before you today, Members of
30 the Federal Subsistence Board, Regional Advisory
31 Councils. I am Timothy Andrew. I'm the director of
32 natural resources for the Association of Village Council
33 Presidents in Bethel, Alaska.

34

35 James Charles, earlier indicated that
36 magaw, the meaning of magaw and how important it is to us
37 in our area of Alaska there in the Yup'ik language.
38 magaw, as he describes it, it means food. That is what
39 it exactly means. And fish means -- or the description
40 of fish is also magaw so it's something that many of the
41 people identify as their primary source of food. And our
42 salmon resources are extremely important to us and will
43 always be important to us because that is what we are
44 made of.

45

46 During the month of January the Board of
47 Fish adopted subsistence restriction regulations for both
48 the Yukon and Kuskokwim Rivers. For the Yukon River they
49 have adopted regulations to where we are only allowed two
50 36 hour openings per week, and on the Kuskokwim River we

00086

1 are allowed three days of openings throughout the week
2 beginning on June 6th. During the month of February the
3 Board of Fisheries liberalized the Area M commercial
4 fishery by increasing the hours from 144 hours to 416
5 hours, they increased the area and they also rolled back
6 the start date from June 10th to June 7th. And within
7 the adoption of those regulations they had also made no
8 reference to any kind of conservation measures whether
9 it's the 8.3 percent allocation, the historic 8.3 percent
10 allocation that was normally there from the Bristol Bay
11 forecast, they did not give any reference or remove the
12 reference to a chum cap and also removed the coho cap in
13 the management of that fishery so it became a free for
14 all fishery.

15

16 During the month of April, the Staff came
17 out with recommendations that the Federal Subsistence
18 Board do not support a Federal intervention but support
19 restricting the subsistence fisheries on both the Yukon
20 and Kuskokwim Rivers within their authority to do so.
21 And I don't understand the logic of the Chairman of the
22 Board of Fisheries and some Fish and Game Staff and also
23 some Federal Staff that the fishery will not have any
24 major impact on our subsistence resources or escapement
25 in both the Yukon and Kuskokwim Rivers. The Area M is an
26 extremely and highly efficient fishery, an extremely
27 highly commercial fishery or efficient commercial fishery
28 and how does the logic of expanding opportunity in a
29 highly efficient commercial fishery fleet equate to
30 addressing our escapement and subsistence needs within
31 the AYK region. This is like enacting migratory bird
32 regulations in the Lower 48 within the migratory route.
33 Increasing migratory bird hunting -- adopting regulations
34 in the Area M fishery is like increasing the hunting
35 days, the maximum allowable hunting days from 30 days to
36 a 90 day hunting period of migratory birds in the Lower
37 48, increasing the area to hunt the migratory birds and
38 remove all bag limits. And what would that do to the
39 migratory birds flying up to Alaska to nest here in
40 Alaska for providing a subsistence opportunity, we would
41 be left with absolutely nothing to hunt. And this is
42 what I feel that the Board of Fisheries has done to our
43 fisheries in the Arctic, Yukon and Kuskokwim areas.

44

45 Our villages, like Myron said and also
46 what Mr. Ivan said, that our villages are looking up to
47 you for possible solutions in protecting our escapement
48 of our salmon resources and also for the protection of
49 our subsistence way of life.

50

00087

1 And that concludes my testimony, Mr.
2 Chair.

3
4 CHAIRMAN DEMIENTIEFF: Thank you.
5 Questions.

6
7 (No comments)

8
9 CHAIRMAN DEMIENTIEFF: Thank you very
10 much. We're going to take a real short break so don't go
11 too far away. I do want to complete public testimony
12 today anyway. It doesn't look like we're going to be
13 doing anything else but people need to have their chance
14 to say so we will take just a real brief break.

15
16 (Off record)

17
18 (On record)

19
20 CHAIRMAN DEMIENTIEFF: Come back to
21 order. Phillip Guy.

22
23 (No comments)

24
25 CHAIRMAN DEMIENTIEFF: Phillip Guy.

26
27 (No comments)

28
29 CHAIRMAN DEMIENTIEFF: Trefon Angason.
30 Oh, there's Phillip. Phillip Guy. Go ahead, Phillip.
31 Hit the button please.

32
33 MR. GUY: Okay. Thank you, Mr. Chairman
34 and Members of the Board. My name is Phillip Guy. I'm
35 from Kwethluk, Alaska, near by Bethel, northeast of
36 Bethel -- or rather east of Bethel.

37
38 Kwethluk is a small village where there
39 are three and the Branch tributaries, Kuskokwim River and
40 the Branch tributaries, the Kiseralik, the Kasigluk and
41 the Kwethluk River. Up in the upper regions of the
42 Kwethluk River there's a small creek called the Salmon
43 River. In our Yup'ik language, (In Native) where there
44 are many salmon. And thus the name goes down the
45 Kwethluk River, Kuskokwim, by the Kuskokwim Bay, (In
46 Native) going on down to the Bristol Bay area, the
47 Iliyack and then down to the Aleutian Chain, the Oowasat
48 (ph), in our Yup'ik language, Oowasat, and the False Pass
49 area, (In Native). These names are handed down by our
50 forefathers, there are names for them.

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1 Therefore, Mr. Chairman, I'll read my
2 testimony as it is written. Mr. Boyd has copies to be
3 made for other members of the Federal Subsistence Board.

4
5 I thank you on behalf of all tribal and
6 concerned residents for this chance to make testimony
7 appealing to the Secretaries of the Interior and
8 Agriculture through our Federal Subsistence Board to
9 intervene in the Alaska Board of Fisheries liberalized
10 Oowasat M commercial salmon fisheries. Oowasat, in the
11 Yup'ik language, historical Oowasat is the name for the
12 Aleutian Islands Chain. We are here again for the
13 reasons that our subsistence way of life is threatened,
14 placed in jeopardy by the Alaska Board of Fisheries
15 decisions and actions to liberalize the regulations for
16 the Oowasat M salmon, our food mainstay commercial
17 fisheries. Why now, when our fellow subsistence persons
18 are beginning to feel comfortable and encouraged by the
19 cooperative efforts by the Alaska Department of Fisheries
20 in Bethel, Alaska and the Kwethluk Indian Reorganization
21 Act Council, who have been seasonally operating a fish
22 weir in the Kwethluk River. The fish weir has been in
23 operation despite harsh weather conditions as well as the
24 river's swift currents which jeopardize their lives,
25 which can happen suddenly or by mistake made. In the
26 Kuskokwim River area persons have sacrificed by
27 voluntarily curtailing with the State of Alaska
28 commercial fisheries personnel advisement and
29 encouragement through public radio announcements their
30 own subsistence salmon fishing, particularly for chinook
31 and chum salmon from the time when both the commercial
32 and subsistence fish catches began indicating declining
33 salmon populations.

34
35 These voluntary subsistence fishing
36 curtails show that we want, need for the salmon
37 population to return to more sustainable levels. The
38 liberalized regulations for the Oowasat M commercial
39 salmon fisheries is going against our efforts for
40 preservation and conservation of salmon which can lead to
41 improved renewable resource management for the two
42 different fisheries.

43
44 Historic Yup'ik traditional knowledge
45 that the salmon mill around the Oowasat ocean waters and
46 begin their migrations through the (In Native), the False
47 Pass area. Then through the Bristol Bay, the Kuskokwim
48 River Bay, the Yukon River Bay, the Norton Sound, the
49 Kotzebue Sound, on their way to their respective streams
50 of origins to spawn in these regions.

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1 The Alaska Board of Fisheries should have
2 been knowledgeable in the fact that we, the State of
3 Alaska, still are in jeopardy with respect to non-
4 subsistence numbers of salmon populations as reflected by
5 fishery restrictions or limits voluntary curtailments,
6 use of permit systems, where these restrictions or limits
7 are more apparent in the north of the Kuskokwim River
8 areas mentioned above, except for Bristol Bay.

9
10 With respect to subsistence, I quote
11 Thomas R. Ruger, who is the author of A Village
12 Journeyed, the report of the Alaska Native Commission,
13 1985. Subsistence links the village many ways with the
14 past, it informs the present and it is the means whereby
15 the village can survive in the future. The land, of
16 course, provides the resources and remoteness on which
17 the way of life depends. That's our way of life, that's
18 referring to it.

19
20 Coming to closing, for the reason that
21 this is not the first time that we are fighting for the
22 means whereby the village can survive in the future and
23 on which the way of life depends, I am, by reference
24 reintroducing and resubmitting previous testimonies made
25 as follows:

- 26
27 1. Comments on the review of the
28 Yukon Delta National Wildlife
29 Refuge Comprehensive Conservation
30 Plan
31
32 2. Kwethluk Joint Group Resolution
33 84-05
34
35 3. The Federal Jurisdiction in
36 Subsistence Management in Alaska,
37 May 20, 1996
38
39 4. Addendum to three above, June 11,
40 1996.
41
42 5. Temporary Subsistence Management
43 Regulations.
44
45 6. Resources and Plans
46
47 7. First time included for your, our
48 board, Skin Boots, Boats of the
49 Kuskokwim River by Mike Coffing
50 as it relates to historic and

00090

1 timeless Alaska Native
2 Subsistence Way of Life, which
3 again is threatened by the Alaska
4 Board of Fisheries action to
5 liberalize regulations in the
6 Oowasat M commercial salmon
7 fisheries
8

9 To close I thank you for the chance to
10 make testimony on behalf of the village of Kwethluk tribe
11 and residents.

12
13 CHAIRMAN DEMIENTIEFF: Thank you very
14 much. Any questions.

15
16 (No comments)

17
18 CHAIRMAN DEMIENTIEFF: Thank you,
19 Phillip. Trefon Angasan.

20
21 MR. ANGASAN: Good afternoon, Mr.
22 Chairman. Members of the Board of Fish -- Federal
23 Subsistence Board. My name is Trefon Angasan. I'm
24 employed with the Bristol Bay Native Corporation. I'm
25 also a Bristol Bay permit holder and fish the Kvichak.
26 My wife and I own a home up in the Kohkonak village, east
27 end of the Kohkonak/Iliamna Lake, which falls within the
28 jurisdiction of ANILCA, the place where the harvest is
29 called Gibraltar Lake.

30
31 For the past two summers up in the
32 Gibraltar Lake, and by the way Gibraltar Lake is where
33 the local people up to 10 to 15 families harvest their
34 red fish for their winter consumption. Now, red fish, as
35 we know from prior action taken by Congress is a
36 subsistence or a cultural taking and so we know that it's
37 an important resource for Native people and the
38 perpetuation of their culture, it's not the same as
39 harvesting ocean bright reds right out of the water, but
40 the red fish itself is a critical part of their diet and
41 that's the part that -- that's where I come in.

42
43 The subsistence harvest or the catches up
44 in the Gibraltar have been non-existent for the past two
45 summers. We went up there last fall to harvest the red
46 fish in the east end of Gibraltar Lake where we normally
47 would harvest in the pools that fish gather after the
48 water drops and there was something like three fish at
49 the time. My mother-in-law advised us not to take them
50 because there was a concern about taking the entire run.

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1 Not to say that that may not have been the entire run of
2 the red fish up into Gibraltar Lake, but certainly
3 there's been a tremendous decline in the harvest of red
4 fish in Gibraltar Lake.

5
6 Last summer my mother-in-law who harvests
7 anywhere from 100 to 200 red fish for the winter supply
8 was only able to harvest eight. The summer before that
9 she harvested zero.

10
11 Now, when the Alaska Native Claim
12 Settlement Act was created back in 1971 the Congressional
13 intent, the findings said that the State of Alaska and
14 the Federal government would protect the subsistence use
15 of the Alaska Native people. It says right into the
16 findings. In 1979 when Congress recognized that State of
17 Alaska and the Federal government weren't really doing
18 enough to protect the subsistence right and use by the
19 Alaska Native people they passed ANILCA and that's where
20 you come in. Title VIII of ANILCA says that you have the
21 responsibility to manage the subsistence taking -- the
22 subsistence opportunities for Native people and other
23 rural residents.

24
25 If you look at the law itself it says
26 that one of the criteria or some of the -- the two things
27 that the Federal Subsistence Advisory Boards, which
28 you're surrounded by here, their responsibility is to
29 identify the subsistence take and more importantly
30 they're also charged with the responsibility of
31 identifying the anticipated subsistence take. Now, your
32 task is a little different than the Board of Fisheries.
33 I served on the Board of Fisheries for two terms so I am
34 familiar with the Board of Fish process, and they're
35 charged with the management of the fisheries for
36 sustained yield and consumptive users, whoever they may
37 be, commercial, recreation and subsistence, you don't
38 have that responsibility. Your responsibility is only to
39 address the subsistence taking for the Native people and
40 rural Alaskans. So it's a different task and when we
41 look at Staff reports that are written by the Federal
42 Subsistence Board and their Staff reports recommend that
43 no new action, that there are no impact whatsoever by the
44 taking and then reading the Commissioner's report in the
45 material that was handed out.....

46
47 CHAIRMAN DEMIENTIEFF: Trefon, I'm going
48 to ask you to summarize, you're out of time.

49
50 MR. ANGASAN: Sure. I'll summarize by

00092

1 saying that the Commissioner himself said that there was
2 no sound basis for concluding that the South Peninsula
3 June fishery has directly caused or will directly cause
4 any failure for the subsistence priority and if that's
5 the solution, if that's the answer that they're giving is
6 that there's no sound basis for an impact then what was
7 the sound basis for increasing the opportunity and
8 opening up that fishery in June without any regard for
9 the subsistence take for the people along the migratory
10 chain.

11

12 Thank you very much.

13

14 CHAIRMAN DEMIENTIEFF: Any questions.

15

16 (No comments)

17

18 CHAIRMAN DEMIENTIEFF: Thank you, Trefon
19 for your time.

20

21 MR. ANGASAN: You're welcome.

22

23 CHAIRMAN DEMIENTIEFF: Ralph Angasan.

24

25 MR. ANGASAN: Thank you, Mr. Chairman and
26 members of the Federal Subsistence Board. I listened this
27 morning, you know, I wasn't basically going to say
28 anything but this gentleman that was sitting here, Larry,
29 I can't think of his name, but he was reading a report
30 and I just wanted to know where that report came from,
31 was it one of your reports or was it a ADF&G report?

32

33 And, you know, if it was from the ADF&G,
34 you know, that -- you can't believe anything they say
35 because.....

36

37 (Laughter)

38

39 MR. ANGASAN:I'm a commercial
40 fisherman and a subsistence user. I'm a Bristol Bay
41 fisherman and the Fish and Game in our area, namely the
42 Kvichak has been wrong seven out of the last eight years,
43 so that's not a very good -- you know their predictions
44 have been that far off.

45

46 Where Trefon was just telling about the
47 subsistence take up there in the Iliamna Lake area where
48 Danny comes from, you know, he forgot to mention the fact
49 that the ADF&G, in their wisdom, you know, took away the
50 areas for where the traditional take of fish were, you

00093

1 know, subsistence fish, and they were cut back
2 drastically.

3

4 I think the only solution to this is
5 probably get an independent, non-bias, you know, not
6 State or Federal and somebody, you know, and go from
7 there.

8

9 Thank you very much.

10

11 CHAIRMAN DEMIENTIEFF: Thank you. Any
12 questions.

13

14 (No comments)

15

16 CHAIRMAN DEMIENTIEFF: The report is ours
17 and maybe you could get with Larry over there, it's a
18 public document, you can get the text of the report. So
19 Larry's sitting right over there, he could probably help
20 you out.

21

22 MR. ANGASAN: Thank you.

23

24 CHAIRMAN DEMIENTIEFF: Joseph Aleno.

25

26 MR. ALEXIE: It's Alexie.

27

28 CHAIRMAN DEMIENTIEFF: Joseph Aleno --
29 oh, is that what it says, yeah, it's Alexie.

30

31 (Laughter)

32

33 CHAIRMAN DEMIENTIEFF: Your writing is as
34 good as mine.

35

36 MR. ALEXIE: Yeah, I thought that was
37 someone else, thanks.

38

39 (Laughter)

40

41 MR. ALEXIE: My name is Joseph Alexie.
42 I'm from Native Community of Tuluksak. My position there
43 is tribal village council and I'm also commercial fishing
44 for Kuskokwim.

45

46 The things that I need to talk about
47 first are Tuluksak River stocks and also I have
48 resolution that we have signed back in January 1, 2004.

49

50 CHAIRMAN DEMIENTIEFF: We got that in our

00094

1 record and it's in our books.

2

3

MR. ALEXIE: Okay.

4

5 CHAIRMAN DEMIENTIEFF: Yeah, you guys
6 turned it in timely, thank you.

7

8

MR. ALEXIE: All right. Okay, but
9 anyway, our concern is this, that -- anyway, a little bit
10 on Tuluksak, back 50 years ago when I was young the river
11 there used to be very clear, just like any of you who go
12 fishing in Quinhagak you will see fish swimming down
13 there, too, it used to be like that. Then back in mid-
14 80s one of the mining companies crossed the river and
15 just dumped on the river and that day or next day our
16 river turned rust -- rusty-color and we see fish,
17 different species of fish floating down river, muskrats,
18 beavers, that really hurt our fish stocks there. Then
19 also at that time we file lawsuit against the State of
20 Alaska and mining companies and we won that case.

21

22 And I also wanted to remind you guys that
23 Tuluksak River is Federal waters and we need help from
24 the Federal to help monitor the mining activities on the
25 headwaters of Tuluksak and also not to allow sportfishing
26 to be happening at the headwaters of Tuluksak.

27

28

And I was going to -- we passed a
29 resolution in January 1 and I looked for it and I didn't
30 see that, I thought you guys didn't receive it, but
31 anyway in that resolution the community of Tuluksak
32 signed a petition, there were 315 tribal members that
33 signed it asking that -- not asking, but we're going to
34 be using the month of June to subsistence fish, open it
35 seven days a week until we have enough fish for the
36 winter and we just want to let you know that. From the
37 past, we asked for help -- for these openings, to keep it
38 open but we didn't like that four days closed, three days
39 open, something like that, we don't want that happening
40 this year.

41

42

CHAIRMAN DEMIENTIEFF: Could you please
43 summarize. Please summarize your statements, we have to
44 move on.

45

46

MR. ALEXIE: Well, all I've been seeing
47 in afternoons when you guys seem like -- like when you
48 guys don't want to hear anything, you want it to be
49 summarized.

50

00095

1 (Laughter)

2

3

4 MR. ALEXIE: Well, we're going to be
5 going at this subsistence fishing in the month of January
6 -- or I mean June whether State or Federal agrees.

6

7 That's all I have to say and I thank you
8 for my new last name.

9

10 (Laughter)

11

12 CHAIRMAN DEMIENTIEFF: Any questions.

13

14 (No comments)

15

16 CHAIRMAN DEMIENTIEFF: We need to get
17 that copy of that resolution to get into the record. I
18 thought it was in the book but I didn't see it, Carl will
19 get it right there, he's right behind you, he's sneaking
20 up behind you.

21

22 Bernard Murran.

23

24 MR. MURRAN: Good afternoon, Mr. Chairman
25 and the Board. First I would like to thank you for this
26 opportunity to comment on an important issue that affects
27 every tribal member and subsistence users of salmon
28 stocks in the village of Hooper Bay.

29

30 My name is Bernard Murran. I have lived
31 in Hooper Bay all my life. I have been raised on salmon
32 that we harvest each summer for winter food ever since I
33 can remember. My parents, grandparents and their parents
34 before them have used subsistence salmon resource since
35 time immemorial and predate any regulations from the
36 State of Alaska and Federal territorial management.

37

38 We used to fish for few weeks in our bay,
39 now, it's more than few weeks. All the community looks
40 forward to this as it joins the families in working
41 together in this activity. We are aware that the Board
42 of Fisheries have placed the salmon that are bound to the
43 Yukon River on restrictions placing windows for
44 conservation purposes. We are afraid that if our
45 management structure is imposed on our people it will
46 close our subsistence fishing ability altogether. We are
47 also aware of the conservation concerns and problems in
48 Norton Sound, which have been placed on Tier II status
49 but have not been able to fish.

50

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1 The Board of Fisheries have removed all
2 restrictions in a known intercept fishery that will
3 impact our families and the village of Hooper Bay. We
4 urge the Federal Subsistence Board to live up to its
5 responsibility and extend this jurisdiction to the Area M
6 fisheries because the Board of Fisheries ignored all
7 scientific information gathered over the years and
8 ignored the potential impacts to our people.

9
10 We would like to provide you whatever
11 subsistence harvest information we have been gathering as
12 a village and hope that you will exercise a more
13 conservative approach to the conservation of an important
14 resource rather than the capricious and dangerous
15 position that the Board of Fisheries has taken to protect
16 a viable and important issue.

17
18 Thank you.

19
20 CHAIRMAN DEMIENTIEFF: Thank you.

21 Questions.

22
23 (No comments)

24
25 CHAIRMAN DEMIENTIEFF: Thank you very
26 much. Dolores Kochutin. I hope I didn't abuse that too
27 much.

28
29 MS. KOCHUTIN: Good afternoon, Mr.
30 Chairman, and Board members. I am Dolores Kochutin and I
31 am an Aleut. I am from the Native Village of Bokosky.
32 My village is now abandoned and some of my family has
33 moved to King Cove. We have depended on the Area M
34 fishery for as long as I can remember.

35
36 I began fishing with my father at the age
37 of 12 and then with my husband when I was 18, both
38 commercially and for subsistence. I am now the mother of
39 four daughters who have all fished with their father
40 starting at the age of 11 and 12.

41
42 As you can see fishing has been a part of
43 our lives and handed down from generation to generation.
44 Over the years our fisheries have declined so drastically
45 due to restrictions that my family has suffered great
46 hardship. Salmon fishing has been my family's main
47 source of income and restrictions on our fishery has had
48 a devastating effect on my family and family's in our
49 region. We do not have any other resources to depend on.
50 Our land is barren. We do not have lumber, gas or oil,

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1 we depend on the sea just as our ancestors have for
2 thousands of years.

3

4 If you look at the research science says
5 that Area M is not responsible for declining numbers of
6 salmon in the Bristol Bay, Kuskokwim and Yukon areas.
7 The restrictions that are enforced in Area M are not
8 logical until science can prove that our area is the root
9 of the problems. Also the number of chums caught in Area
10 M has not increased and therefore we cannot be blamed for
11 the declining numbers in other areas of Alaska. Some of
12 the communities in our region are no longer existing and
13 we fear that more will follow if prices to continue to
14 decline and restrictions give little fishing time.

15

16 Thank you.

17

18 CHAIRMAN DEMIENTIEFF: Thank you. Any
19 questions.

20

21 (No comments)

22

23 CHAIRMAN DEMIENTIEFF: Thank you very
24 much. James Nicori.

25

26 MR. NICORI: Thank you, Mr. Chairman.
27 Members of the Board. Ladies and gentlemen. My name is
28 James Nicori. I'm from Kwethluk, Alaska on the southwest
29 of Alaska tributary of the Kuskokwim. And that is the
30 river where the salmon spawn and we have a fish weir that
31 is operated by Fish and Wildlife and the Organized
32 Village of Kwethluk working together.

33

34 In the past years they have recorded what
35 they had gone through and if I count the numbers you can
36 notice that when the Area M was opened and was fishing
37 without any restrictions then there'll be different
38 numbers that reflect the time when they were on
39 restrictions. On our chinooks, in 1992, there were
40 9,675; 1993 there was a break; in 2000 they counted
41 3,547; 2001 it was not operating, and that is when the
42 Area M was on restriction and you notice that the numbers
43 go up; 8,395 chinooks in 2002; 2003 14,447; and chum
44 salmon 1992 30,592; '93 there was a break; in 2000 there
45 was only 11,691; 2002 it went up 34,681; 2003 there was
46 41,812. That was the chum salmon. And with our
47 sockeyes, in 1992 we had 1,316; 1993 there was a break;
48 in 2000 1,049. It wasn't operating 2001. 2002 there was
49 only 272 sockeyes that were counted going up the river to
50 spawn. And after Area M was on restriction, you notice

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1 that there was 2,928 that went up the river to spawn in
2 2003.

3

4 Pink salmon, we don't use those very much
5 back home. But you notice that there was an increase
6 like the others.

7

8 Cohos. 1992 there was 45,605; 2000 there
9 was 25,610; 2001 21,595; 2002 23,298, and after the
10 restriction was applied there was 107,989 cohos that went
11 up to spawn in the river.

12

13 As we all know that in our river we have
14 a restriction on our subsistence fishing which I think
15 was supposed to be a priority for ANILCA to prioritize
16 the subsistence, and back home when we have restricted
17 fishing people are asking who are we conserving the fish
18 for? Are we conserving the fish for the commercial
19 fishing somewhere or are we conserving the fish for us to
20 subsistence later on? I think our question was answered
21 this winter when the Area M restriction was lifted and we
22 are still under the restrictions of three day fishing in
23 the week and we have no commercial fishing, which was our
24 -- what we call winter light bills and our heating fuel,
25 which does not apply to us now.

26

27 Last fall.....

28

29 CHAIRMAN DEMIENTIEFF: I'm going to ask
30 you to please summarize.

31

32 MR. NICORI:we only had fishing in
33 August and I only earned a little over \$2,000. That is
34 all I have for you, thanks for your time.

35

36 CHAIRMAN DEMIENTIEFF: Thank you. Is
37 there any questions.

38

39 (No comments)

40

41 CHAIRMAN DEMIENTIEFF: Thank you very
42 much for your testimony.

43

44 MR. NICORI: Where can I leave these
45 recordings for the Board to see?

46

47 CHAIRMAN DEMIENTIEFF: Carl will come and
48 get it.

49

50 MR. NICORI: Thank you.

00099

1 CHAIRMAN DEMIENTIEFF: Thank you. Now,
2 here's another one that has good writing like me, I'm not
3 sure if I'm going to abuse this one, I think it says Art
4 Weionsky.

5
6 MR. WEIONSKY: You can't read my scribble
7 either.

8
9 (Laughter)

10
11 MR. WEIONSKY: Mr. Chairman. Members of
12 the Board. Thank you very much for letting me testify.
13 Just like several other folks that have said already and
14 most everybody has said, basically what I was going to
15 say.

16
17 I live in Ugashik, fish there. We've
18 also lost many people in the villages, Ugashik, Egegik,
19 Pilot Point. Ugashik, we're kind of holding our own
20 because there's only nine or 10 of us. But I don't want
21 to be part of destroying somebody else's livelihood. I
22 think the reason why I say this, I've been to many, many
23 board meetings that go back as far as the old Fourth
24 Avenue Theater and it always asks, let's get data, let's
25 get data, let's get data in Area M, never happens. We
26 went to -- it was in the first part of the '90s, they
27 decided they were going to get money, even the processors
28 were going to put money up to help get some scale counts
29 and everything, and I think they started and then they
30 dropped it.

31
32 But I really think as was Dave, and I'm
33 sure now some of the folks from Area M, and I know a lot
34 of the others, if we have some scientific data, which we
35 do not have now, I hear people saying that there is some,
36 I don't know where it's out because I've listened and
37 I've never heard any, that if we get that I'm sure
38 everybody, the AYK, Bristol Bay, Area M, as what a lot of
39 folks kind of not like to be referred to that, but I
40 think that we could all come together and work this out.

41
42 I'm really worried about the Kvichak,
43 because if you're having this new fishery and going wide
44 open like that, you have no way of knowing which river
45 origin the fish are catching, so I think -- hopefully
46 some way somebody can -- if they start seeing their
47 catching small fish they ought to be able to realize what
48 river they're coming from.

49
50 I have many other things to say but I

00100

1 think most people said it, I'm not going to sit and --
2 and I just want to thank you very much.

3

4 CHAIRMAN DEMIENTIEFF: Thank you very
5 much. Any questions.

6

7 MS. GOTTLIEB: Mr. Chair.

8

9 CHAIRMAN DEMIENTIEFF: Go ahead, Judy.

10

11 MS. GOTTLIEB: Thank you for coming to
12 testify. Specifically what data do you think would be
13 most useful?

14

15 MR. WEIONSKY: Excuse me?

16

17 MS. GOTTLIEB: What kind of data do you
18 think would be most useful?

19

20 MR. WEIONSKY: Well, you know, I think
21 now with what they were showing when we had board
22 meetings, they had new ways of doing scales, electronic
23 stuff, I'm sorry it's way over my head. And, you know,
24 Kvichak fish are notoriously small fish, you know,
25 running five pounds, so if they were -- I know -- maybe
26 I'm slipping away from the answer you want, that if they
27 know they got into this stock maybe they have scale
28 samples of the -- of Kvichak fish so that possibly could
29 be checked. But I just think that if they went through
30 and did an intensive study of all, I believe it will find
31 they could trace the stocks, with the new modern
32 technology they have.

33

34 So hopefully I answered your question.

35

36 CHAIRMAN DEMIENTIEFF: Any other
37 questions.

38

39 (No comments)

40

41 CHAIRMAN DEMIENTIEFF: Thank you very
42 much.

43

44 MR. WEIONSKY: Thank you.

45

46 CHAIRMAN DEMIENTIEFF: Willie Kasayulie.

47

48 MR. KASAYULIE: Thank you, Mr. Chairman.
49 Members of the Subsistence Board. My name is Willie
50 Kasayulie and I'm the Chairman and CEO for Akiachak

00101

1 Limited, which is a village corporation of about 330
2 original shareholders. Protocol and respect does not
3 allow me to speak on behalf of the tribe, they have their
4 own spokesman, but our members are dual members in both
5 organizations.

6

7 I share many of the sentiments that were
8 made all day today. I have a few that I would like to
9 get across to you and hopefully will be taken as advice.
10 This morning when I woke up using my Westernized
11 education I read my horoscope and the horoscope says, be
12 careful of what you say, it might come back to you. So
13 if I'm offensive, please, I'll apologize in advance.

14

15 I share the sentiments earlier made by
16 Mr. Ivan regarding the Federal government's trust
17 responsibility to Alaska Natives. Even the title up
18 there, Federal Subsistence Board indicates that the
19 government has a responsibility to our people. I like
20 the idea of David from the Aleutian Chain that made a
21 comment about an endowment, I think it's worth it. I
22 think it's something that needs to happen.

23

24 Demographics in our area, especially in
25 the rural area, indicates there's a large growth among
26 Alaska Native people and these are the people that we
27 should make decisions on their behalf. As I indicated
28 earlier the Federal government has a trust responsibility
29 to Alaska Natives and there was some interchanges between
30 commercial and subsistence activities made by people that
31 were making testimony this morning and those were
32 interchangeable. In that regard, I believe you have a
33 Constitutional responsibility to make sure that our
34 resources are protected. And the Constitution that I'm
35 referring to is the United States Constitution in
36 reference to Commerce Clause for the Federally-recognized
37 tribes. And I think you have a tremendous responsibility
38 to adhere to, the Constitution of the United States as
39 well as the Federal responsibility to Alaska Natives.

40

41 That's all I have, thank you.

42

43 CHAIRMAN DEMIENTIEFF: Thank you. Any
44 questions.

45

46 (No comments)

47

48 CHAIRMAN DEMIENTIEFF: Thank you, Willie.
49 Daniel Kingsley.

50

00102

1 MR. KINGSLEY: Yeah, Chairman and members
2 of the Board. I have a cold so you'll excuse me.

3
4 I thank you for this opportunity to be
5 here. I'm from Pilot Point. I'm here representing the
6 residents of Pilot Point Tribal Council and the city of
7 Pilot Point.

8
9 I also have been fishing in Bristol Bay
10 for 25 years and have been a biologist. I've only got
11 four quick points to make today, mainly because my voice
12 is giving out.

13
14 First of all, we'd like to go on record
15 in support of Resolution No. 3, which is the Bristol Bay
16 Subsistence RAC resolution and No. 22, which is the BBNA,
17 which is calling for extraterritorial jurisdiction by the
18 Federal government in Area M.

19
20 The other two main points that I'd like
21 to bring up and it was mentioned by a gentleman earlier,
22 on the Staff report, which is basically based on old
23 ADF&G studies. There really hasn't been anything new
24 done in the last six years in Area M. I can see why your
25 Staff recommended not getting involved in an intercept
26 fishery when we don't have stock separation data to make
27 good decisions, but I was appalled to read this report
28 when it basically says we're going to go in there and
29 we're going to do what the Board of Fish mandates, and
30 when it's over with we won't even know where we're at
31 when it's over. That's a quote/unquote in the report.

32
33 What I'm advocating, the Federal
34 government puts a lot of money through the State of
35 Alaska, Fish and Game, to finance fisheries projects. If
36 and when the Federal government does not want to get
37 involved in this management they should mandate to the
38 State Fish and Game stock separation studies. Let's
39 settle this once and for awhile. If we can't manage the
40 pelagic salmon species unless we do it in terminal areas
41 you can't give subsistence priority, because you can't.

42
43 So with that, in summary, I would like to
44 see the Federal government have a little bit more say on
45 what studies need to be done so we do have the data in
46 hand to make decisions and not put everybody in a
47 terminal area to protect subsistence, that shouldn't be
48 necessary.

49
50 With that, thank you.

00103

1 CHAIRMAN DEMIENTIEFF: Any questions.

2

3 (No comments)

4

5 CHAIRMAN DEMIENTIEFF: Thank you very
6 much. Rose Fosdick.

7

8 MS. FOSDICK: Mr. Chairman, and Board
9 members, my name is Rose Fosdick. I am from Nome,
10 Alaska. My family is from Wales, Alaska. I also work at
11 Kawerak in the Natural Resources Division.

12

13 In the Norton Sound we've been forced to
14 accept a low standard of harvest allocation for each of
15 our family members, and this is despite our following
16 regulations, including fishing only when openings were
17 announced, long after good fish drying weather was over,
18 limit on catch, require Tier II permits, lowered
19 escapement goals and still our rivers have significant
20 declines of salmon and even some rivers have no more
21 salmon. Last year Penny River had nine chum in the
22 river.

23

24 My family history includes fishing for
25 salmon on Eldorado River, one of the rivers in the Nome
26 area. Each year my grandparents, my mother and her seven
27 sisters and one brother and their families would camp
28 together and catch and hang fish to dry. By mid-summer
29 all families would divide the fish in bundles of 25 in
30 each bundle. My family would bring home about 10 to 15
31 bundles or up to 375 fish dried. A BIA salmon harvest
32 report for Nome River was done in the 1950s, estimated
33 about 60,000 chum harvested, today as few as 10 families
34 in Nome are issued Tier II permits to harvest a small
35 number of salmon for each family. There is no more
36 commercial fishing in our area, in Nome, Elim, or
37 Golovin, the former commercial fishing communities, those
38 three are no longer commercial fishing, and, yet, the
39 Staff report of April 15 addresses all of the affected
40 fisheries except Norton Sound.

41

42 Early 1993 to 1996 genetic study proved
43 our salmon were being intercepted by commercial
44 fisheries. The Board of Fish actions taken, we feel
45 restricts our access and liberates other's access and I
46 do not feel that it is right, as it affects my family's
47 ability to sustain our dietary and customary needs.

48

49 Our rivers are small, our harvests are
50 small, but they're important to us. And small rivers and

00104

1 their problems may be reflective of problems in bigger
2 systems in the future. It is only fair to allow equal
3 and fair allocation of harvest.

4

5 Thank you.

6

7 CHAIRMAN DEMIENTIEFF: Thank you. Any
8 questions.

9

10 (No comments)

11

12 CHAIRMAN DEMIENTIEFF: Thank you for
13 taking the time. Dick Jacobson.

14

15 MR. JACOBSON: Thank you, Mr. Chairman.
16 Members of the Board. RAC members. I appreciate the
17 opportunity to talk to you. I've changed what I wanted
18 to say a half a dozen times before I come up here,
19 there's just so much information that's out there that is
20 relevant and irrelevant, depending on how you want to
21 look at it and how you want to interpret it. But there
22 are a lot of other things that we could do.

23

24 We've sat here and exchanged these
25 arguments for 20 years and as one of the prior speakers
26 said, we could have people say that they were going to
27 put money toward research and come up with information
28 and what have you and it hasn't happened. There's a lot
29 of different information out there that would really be
30 relevant.

31

32 Take the chum salmon study. They can't
33 identify chums in the west coast to any degree of
34 certainty, they can identify Western Alaska and Western
35 Alaska starts in North Peninsula, from North Peninsula
36 all the way up to Western Alaska, so when you cover a
37 thousand miles and can't identify stocks there's really
38 some lack of information. We need to get these things
39 solved and are able to identify stocks. When we're able
40 to do that, maybe there are some things that can be done.

41

42 They mentioned the fishery that we have,
43 how efficient it is now and how we can target different
44 stocks. In the past we had traps. They were not
45 selective, they took whatever came by. And we're talking
46 in the years when fish was plentiful in different places.
47 So there's just a lot of things out there between Virgil
48 and myself and John, we could probably requote all of the
49 arguments over the last 10 years, including Trefon with
50 our participation in the Board of Fish, kind of was

00105

1 frustrated over that because most of the time that we
2 participated in those conversations, because I fish in
3 Area M, I was excluded from those conversations and I was
4 the one that was probably most knowledgeable because I
5 fished in Area M. So those kind of things are really
6 frustrating to us so when you're pointing your finger you
7 got three pointing back at yourself.

8

9 I tender in Bristol Bay quite a few
10 different years and last summer I happened to have the
11 mishap of damaging my boat in the Naknek River, it sat
12 there for a week on the beach and watched more fish spoil
13 in the high water mark than what we catch in Area M.
14 It's pretty frustrating the whole situation.

15

16 And then you take bottom fish, the Bering
17 Sea, take pollock, for example, they're just like a big
18 vacuum cleaner. And there's 1.3 or in excess of 1.3
19 million pounds of pollock that are allocated for catch.
20 And when you allow a vacuum cleaner of that size to get
21 out there and possibly take smolt it could have a major
22 effect. I mean there are things that we don't know that
23 if there was some money put at it and some time and some
24 good research from people that want the financiers rather
25 than blame, the kid with the hand in the cookie jar, I
26 think the answers could be found.

27

28 I think the Native people of Alaska want
29 to work together. We've coexisted for years and I think
30 we want to do that in the future. But until we get the
31 help or until we agree on how we're going to get the
32 help, that's not going to happen. We're still going to
33 sit in forums like this and discuss whether you should
34 have extended jurisdiction or not and if you have
35 extended jurisdiction and you exercise, can you imagine,
36 I mean just can you imagine going from a river system,
37 500 to 1,000 miles away and taking that kind of
38 restriction before you take restrictions in between? I
39 mean how do those fish get from Aleutian Islands to AYK
40 and Bristol Bay, I mean do they just jump or land and
41 keep going, they actually baster the water, Western
42 Bristol Bay, pretty major chum fisheries, how much of an
43 impact to they have on AYK, you know, I mean information
44 like that. I mean I don't necessarily want to see it if
45 it's going to hurt anybody, but if it's going to put
46 conclusion to some of these problems, put some money at
47 it, find out the information and let's talk about it,
48 let's be real, let's not just blame one another.

49

50 So that's basically all I have, Mr.

00106

1 Chair, and if there's any question I'll make an attempt
2 to answer.

3

4 CHAIRMAN DEMIENTIEFF: Any questions.

5

6 (No comments)

7

8 CHAIRMAN DEMIENTIEFF: Thank you very
9 much. Jill Klein.

10

11 MS. KLEIN: Good afternoon, Mr. Chairman,
12 Members of the Board and Regional Council members. My
13 name is Jill Klein. I work for the Yukon River Drainage
14 Fisheries Association, also known as YRDFA. We've been
15 an organization working on the Yukon River for the past
16 13 years and represent both commercial and subsistence
17 fishers in the Alaska portion of the Yukon River
18 drainage. We've worked in the past on regulatory issues
19 as well as carrying out biological and social science
20 research.

21

22 I'd like to just focus on a few specific
23 actions that I think will help alleviate concerns of AYK
24 fishers as well as reduce, track and monitor the
25 incidental catches of chum salmon headed for the AYK
26 region, and some of these you've already heard today.

27

28 Without knowing the stock composition of
29 chum salmon going through the Area M region, there's no
30 ability to monitor and track the incidental catch of the
31 chum salmon so YRDFA would like to recommend that the
32 Federal Subsistence Board work with the State of Alaska
33 and recommend that they develop specific conservation
34 measures for the summer season. Specific conservation
35 measures would include such actions as chum salmon
36 avoidance, test fisheries at the beginning of the season,
37 in-season reporting on sockeye to chum ratios and the
38 possibility of having observers out on boats.

39

40 In addition to this we'd like to request
41 that funds be directed towards genetic stock ID work also
42 starting this summer and that it be a collaborative
43 effort among different agencies and organizations and
44 regions.

45

46 Overall, the people of the Yukon River
47 have been working to protect their salmon runs as you've
48 heard from various individuals, and they just want to see
49 that fisheries taking place along the migratory path of
50 the Yukon River salmon are also taking actions to ensure

00107

1 salmon conservation. There are many factors leading to
2 the decline of salmon and decision-making has become a
3 complex activity. Even within the Yukon River itself
4 there are many complexities associated with the once
5 simple activity of going fishing, providing food for
6 one's family, and pursuing economic opportunity.

7

8 In summary, we'd like the State of Alaska
9 to take conservation measures towards the protection of
10 various fisheries and fishing communities around the
11 state, whatever efforts the Federal Subsistence Board can
12 take to ensure this, I'm sure will be appreciated by
13 fishers of the AYK region.

14

15 Thank you.

16

17 CHAIRMAN DEMIENTIEFF: Any questions.

18

19 (No comments)

20

21 CHAIRMAN DEMIENTIEFF: Thank you very
22 much, Jill. Jack Hopson.

23

24 (No comments)

25

26 CHAIRMAN DEMIENTIEFF: Jack Hopson.

27

28 (No comments)

29

30 CHAIRMAN DEMIENTIEFF: Rick DelKittie.

31

32 MR. DELKITTIE: Mr. Chairman. Members of
33 the Board. I'm a member of a tribal council, Nondalton.
34 My name is Rick DelKittie, I live in the Lake Clark area.

35

36 I have listened to all the testimony here
37 all day and I feel that when they instituted the 200 mile
38 limit they should started dumping money into that and not
39 only that they should start looking at the spawning
40 grounds, that's a really delicate eco-system.

41

42 As I can recall several years ago, there
43 was some Federal monies appropriated to do a salmon study
44 in Lake Clark, not only there, but Lake Iliamna. Well, I
45 told them people that they were 20 years too late and I
46 believe that all the money that ADF&G made during the
47 commercial fishing season, I believe all that money
48 should stay in that district to address issues that
49 surround the salmon, not only in the river system, but in
50 the spawning grounds and out in the high seas.

00108

1 I believe that they need to look at the
2 big picture.

3
4 And everybody is concerned about this
5 commercial area, nobody is looking at the 200 mile limit,
6 nobody's looking at the spawning grounds. This salmon
7 has a lot of different predators, right from the start.
8 And we have everybody sitting around scratching their
9 head and wondering what's happening to the salmon, well,
10 we're all involved, this whole nation. If we look at the
11 Federal Subsistence Board, that's the Federal government,
12 everybody got to work together on this State, Federal and
13 local. And they need to go around to these different
14 areas where the local people, the indigenous people and
15 they have a lot of knowledge about salmon, about game,
16 all the resources that we use, it's really important.

17
18 That's all I have to say, thank you.

19
20 CHAIRMAN DEMIENTIEFF: Thank you. Any
21 questions.

22
23 (No comments)

24
25 CHAIRMAN DEMIENTIEFF: Appreciate you
26 taking the time. Ruel Holmberg.

27
28 MR. HOLMBERG: Mr. Chairman. Members of
29 the Board. Thank you for letting me speak to you hear
30 today.

31
32 I've been a commercial fisherman from
33 Sand Point. I am just about 75 years old. Although I
34 haven't fished for the last seven years I still own two
35 fishing boats that participate in this fishery out there.

36
37
38 I want to make a comment about what was
39 said earlier about so many fishermen from the outside
40 fishing our area. Back in the '80s there was 78 percent,
41 I believe was the number, give or take a little bit, of
42 local fishermen that participated in that fishery.
43 That's changed quite a bit in the last five or six years
44 because of runs going down, price gone down, so I would
45 guess right now it would be closer to 90 percent local
46 fishermen, mostly Aleuts in that area.

47
48 I hear so many stories about
49 conservation. I think we've -- you know try a lot to do
50 our part in conserving some of these runs out there. You

00109

1 know, we've been cut back for 20 years plus with
2 restrictions of time, days to fish, hours, cut way back
3 to just a few hours a day. Many of these things here, I
4 feel has been -- we've been doing our part to try to do
5 it, you know, some of it has not been easy to take. And,
6 you know, a lot of it, too, we -- a lot of days we
7 couldn't fish, you have bad weather, we do get a lot of
8 bad weather in that area. The guys haven't fished Cape
9 Lutke, you know, for quite a few years, the major part of
10 the seine fishermen, the gillnet fishermen do fish it and
11 so I think that's -- we're in an area where, you know, a
12 lot of chums have been conserved because the seiners
13 haven't been able to get out there. There's only just a
14 very few of them that go over there anymore.

15

16 One of the other things is back in the, I
17 think it was late '70s or early '80s there was a lot of
18 permits issued to people up in the AYK, I'm not going to
19 knock them, I think, you know, people can fish and try to
20 make money, that's their privilege, and, you know, it's
21 just like us if we can fish we're going to fish. And I
22 think from those years when the -- where they were able
23 to fish in those rivers, we started to see a decline in
24 the chum run in those areas, I'm not saying that's all of
25 it but I'm sure that had quite a bit to do with it.
26 Because you put a lot of effort in a fishery like that,
27 especially in a river, you know, like seven, 800 permits
28 in those rivers up there, you're bound to have an impact,
29 a very severe impact.

30

31 Another thing is, you know, we can't fish
32 very far off shore. There are limits, we're limited to
33 fishing within three miles of shore for our fishery. The
34 salmon, they can go anywhere they want. And, you know,
35 in the past years here and all with the El Nino, change
36 in temperature of the water, and I think we can see where
37 a lot of those fish haven't followed the same migration
38 route. Take a look at the migration route, they come all
39 over the Gulf of Alaska, all the way past Kodiak and all
40 the way through the Alaska Peninsula and out through the
41 Aleutian Chain, and nobody knows for sure just what
42 passages those fish go through, but we have a belief that
43 they do go a lot farther out than False Pass, Unimak Pass
44 or anywhere out there.

45

46 I'd like to make an example of what's
47 going on, let's see, let's take Columbia River, for
48 instance, they've had some very poor salmon runs down
49 there. And the last two years they've been getting some
50 record runs down there. And this year there's going to

00110

1 be another good run of king salmon in the Columbia River,
2 they don't know why, it's kind of a pleasant surprise but
3 nobody seems to know exactly why that's happening. I
4 think this, you know, example of what -- why nobody knows
5 for sure what's going on. Let's go back and take a look
6 at what happened back in the late '30s and the early '40s
7 with cod. You know, there was a lot of cod in that area
8 out there because I remember, you know, my dad and -- I
9 did fish part of it with him, we'd go out and, you know,
10 load the dories up with just a couple of hand lines and
11 in 1942, from that time on, just like shut off over night
12 there was no fish there. They were gone. I think, you
13 know, we can take a look at salmon patterns and
14 everything else and this is just an example of what
15 Mother Nature is doing. Look at what happened to king
16 crab in the 1980s.

17

18 CHAIRMAN DEMIENTIEFF: We need to
19 summarize, please.

20

21 MR. HOLMBERG: Okay. So other than that,
22 I guess that's all I have to say right now, Mr. Chairman.
23 I thank you very much. Or I'll get one more -- can I
24 make one more comment?

25

26 CHAIRMAN DEMIENTIEFF: Sure.

27

28 MR. HOLMBERG: Mrs. Gottlieb asked Paul
29 about the chum polling, I don't think he understood your
30 question and what I think you asked was how do they count
31 the fish, they do -- the Fish and Game does a count for
32 that every day, they take a count.

33

34 Thank you, Mr. Chairman, I appreciate the
35 time.

36

37 CHAIRMAN DEMIENTIEFF: I have one
38 question. You mentioned, you know, the point was made
39 earlier about out of state permits and you mentioned you
40 probably have about 90 percent Aleut participation. I
41 had clean forgotten I had a friend that lived in Seattle
42 and he passed on years ago and I used to go down there,
43 you know, to visit, I haven't done that lately but you
44 jogged my memory by saying that, 90 percent Aleut
45 participation. There was a fairly substantial Aleut
46 community in Seattle and a lot of those people came up in
47 the summer for fishing, and is that still the case now?

48

49 MR. HOLMBERG: Part of it is, yeah.
50 There's still quite a few people. Not so much anymore as

00111

1 it did in the past because of the low runs, the prices
2 down, that's made quite a change so a lot of those people
3 don't even come back. In fact, a lot of the Washington
4 people that used to come up don't even come up anymore
5 and it's more or less it's the seine fleet doesn't show
6 up anymore.

7

8 CHAIRMAN DEMIENTIEFF: Yeah, that's kind
9 of what I was thinking.

10

11 MR. HOLMBERG: Yeah.

12

13 CHAIRMAN DEMIENTIEFF: Yeah, because it
14 jogged my memory. I mean I would go down there and, of
15 course, I'd, you know, kick with different people and I
16 got to know quite a few people when I was going through
17 there pretty regular.

18

19 MR. HOLMBERG: Yeah.

20

21 CHAIRMAN DEMIENTIEFF: So I kind of
22 figured that was still the case. I'm sure they still are
23 permit holders.

24

25 MR. HOLMBERG: Yeah, some of them, that's
26 why a lot of them are not used anymore.

27

28 CHAIRMAN DEMIENTIEFF: Okay, thank you
29 very much.

30

31 MR. HOLMBERG: Thank you.

32

33 CHAIRMAN DEMIENTIEFF: Any other
34 questions.

35

36 (No comments)

37

38 CHAIRMAN DEMIENTIEFF: Hjalmar Olson.

39

40 MR. OLSON: Good afternoon, Mr. Chairman,
41 and members of the Subsistence Board and the RAC
42 Committees. My name is Hjalmar Olson, born and raised in
43 Dillingham, Alaska. I've been fishing a little bit, for
44 a little over 50 years commercial fishing and probably a
45 little longer subsistence fishing so I guess I could
46 speak a little bit about fishing and that's all I've done
47 most of my life is fish.

48

49 I'm here representing the Nushagak Fish
50 and Game Advisory Committee. Our Chairman went herring

00112

1 fishing, Hans Nicholson, so I left on the last minute and
2 I was going to bring you a copy of our minutes but, Mr.
3 Chairman, we can mail them to you if you want them, our
4 comments before the last Board of Fish meeting and then
5 during the last State Fish Board meeting.

6

7 CHAIRMAN DEMIENTIEFF: Hjalmar, let me
8 just interrupt for a second. If you do do that you have
9 to do that right away.

10

11 MR. OLSON: Okay.

12

13 CHAIRMAN DEMIENTIEFF: Yeah, so we can
14 get it because we are going to -- this is only a week
15 away when we get to our decision point.

16

17 MR. OLSON: Okay. The Advisory Committee
18 commented on all fish proposals for Bristol Bay. This
19 year the Bristol Bay cycle was up and we also commented
20 on the Area M proposals.

21

22 Our main concern on a lot of the
23 proposals was the liberal actions taken by the State Fish
24 and Game Board. I think our big concern here was
25 conservation. We all want to share conservation to
26 protect subsistence and our fishing livelihood. This
27 year let's talk about a little conservation. Several
28 Board cycles ago, the Bristol Bay was saying, well, you
29 better take care of your own interception before you talk
30 about other areas of the state and so low and behold we
31 are fishing in the river over there a lot of times and
32 both in the Wood River and in the Naknek River, and
33 somebody mentioned an area, it's about three miles long
34 and about a half mile wide and quite often we're up there
35 quite a bit fishing unless there's a big run.

36

37 Let me take a personal comment on the 46
38 and a half million projected run for Bristol Bay. I
39 personally think that if you cut that in half that will
40 be more realistic. Fish and Game has been wrong before.
41 And I've seen fishing in Bristol Bay where it's been five
42 days a week, started years ago, down to two days a week,
43 down to hours and even complete closures for Bristol Bay
44 and that's happened quite a bit in the last 10 to 15
45 years, and even in the Nushagak I've seen it closed down
46 completely. And like it was mentioned before, we are
47 getting our subsistence but it's getting longer and
48 longer and more expensive to get, longer and longer time
49 to do it.

50

00113

1 Let me talk about this new, we're talking
2 about the qualified actions of our State Fish Board here.
3 We talk about conservation, that we want to be in the
4 river, we wound up in the river, but this year there was
5 a proposal, we have a new area in Bristol Bay and it's
6 out to the three mile limit and we call it the Ghost rider
7 Section. A lot of local people probably won't be fishing
8 out there. And we're concerned that that's going to be a
9 mixed stock fishery out there and we hope that that
10 doesn't come back to haunt the Fish and Game Advisory
11 Councils in Bristol Bay. We have five Fish and Game
12 Advisory Councils in the Bay and every one of them
13 opposed that but they didn't -- the State Fish Board did
14 not listen to the advice of the Fish Boards, they went
15 out and extended that area out to three miles.

16
17 So, Mr. Chairman, with that, that's about
18 what I have to say and I want to thank you for giving me
19 the opportunity to testify.

20
21 CHAIRMAN DEMIENTIEFF: Thank you. Your
22 testimony is always enlightening for me. We were talking
23 about some other arrangements but you can bet we were
24 listening to you also. So thank you very much, if
25 there's no questions.

26
27 (No comments)

28
29 CHAIRMAN DEMIENTIEFF: Thank you. Rita
30 Buck.

31
32 MS. BUCK: Mr. Chairman, and the Board.
33 I thank you for having me here. Many people have
34 suggested some things that I was going to say but I'm
35 going to go ahead and say this anyway.

36
37 I represent the city of White Mountain
38 and all the people who depend on subsistence fishing on
39 the Norton Sound. I've lived on the Fish River all of my
40 life. I'm a mother of five and grandmother of nine.
41 Subsistence is part of my culture. It's my mainstay,
42 it's my way of life. My children and grandchildren all
43 partake in catching fish, cutting, hanging and storing it
44 for the winter. It's our family time at dinner, it's how
45 we interact with our elders who can no longer get their
46 own food.

47
48 I'm forever grateful for our ancestors
49 who kept this way of life and passed it on to us. Our
50 decline of stocks in our area and our region is a big

00114

1 concern, who knows what the cause is. Has there ever
2 been a study, what does our village entities have to do
3 to find out? Are they responsible to find grants to do
4 studies on our decline of fish in the river? You know, I
5 would like to know who's responsibility it is.

6

7 I hope some day that the fish will always
8 be there for my kids and my grandkids' children.

9

10 If any of you have ever been up on the
11 Kwethluk River, which goes down to the Fish River, White
12 Mountain, the river is getting shallower. And as a
13 little girl I remember knowing only one or two boats that
14 came down from Council to go fishing, but today there's
15 -- I can't even count the boats or recognize who the
16 boats belong to. And my mom used to tell this joke about
17 the Kwethluk River being so shallow you can cross the
18 lowest part with high-heel shoes and not get wet. That's
19 how shallow it's getting. And today there are so many
20 boats, river boats with jet motors, you know, sometimes I
21 wonder, are these jet motors responsible or are they
22 disturbing the spawning grounds, I don't know and I don't
23 want to blame anyone, but I would sure like to know, you
24 know, what's causing the decline in our fish. It's my
25 way of life and my culture, and I hope it will always be
26 there.

27

28 I want to thank you.

29

30 CHAIRMAN DEMIENTIEFF: Thank you. Is
31 there any questions.

32

33 (No comments)

34

35 CHAIRMAN DEMIENTIEFF: Appreciate you
36 taking the time. Norman Kuztkin.

37

38 (No comments)

39

40 CHAIRMAN DEMIENTIEFF: Kuztkin. I'll
41 call him one more time at the end. Just so you know, if
42 we get done close to 5:00 o'clock, we are going to stay
43 for the -- it might be a little bit after 5:00, we're
44 going to stay for the State presentation. It will be
45 brief, but I just want you guys to have, the Regional
46 Council RACs to have their presentation and it won't be
47 an exchange, it will just be the information, because we
48 will have the exchanges in the morning and we'll begin
49 with the RAC Chairs in the morning. That's kind of my
50 goal. We'll see how close we get.

00115

1 Walt Mezich.

2

3 (No comments)

4

5 CHAIRMAN DEMIENTIEFF: Chris Stark.

6

7 MR. STARK: I have a written testimony
8 that is also somewhere on your side of the bench. But
9 I'd like to start off by introducing myself. I'm Chris
10 Stark, I'm a staff biologist with Bering Sea Fisherman's
11 Association.

12

13 But to address some of the questions
14 about research that is or is not being done out in the
15 high seas, in particular, I also am a research associate,
16 University of Alaska-Fairbanks, Institute of Marine
17 Science, and presently there are a fair number of
18 projects going on in the Bering Sea as well as the North
19 Pacific. The BASIS Program, Bering Aleutian Salmon
20 International Surveys is covering all the way from Russia
21 to the United States. It involves Japanese, U.S., and
22 Russian vessels and that's been going on for the past
23 three years. And this year will be the first year that
24 we have full coverage of the entire Bering Sea.

25

26 Also on the coast line in the North
27 Pacific, I'm also a member of the GLOBEC Committee,
28 that's a Global Ocean Dynamic Ecosystems, and that's been
29 going on since '97, as well as there's the National
30 Marine Fisheries Service, called NOAA Fisheries now that
31 is doing what's called the ocean carrying capacity study
32 and that's been going on for the past, I'm guessing,
33 about four to five years.

34

35 So there's a fair amount going on in the
36 High Seas as well as Bering Sea and YRDFA and others are
37 doing a lot of information gathering in fresh water, so
38 there are a lot of things. And I would, at this point,
39 like to extend a hand to folks that fish in the Bering --
40 or excuse me, in the Area M that Bering Sea is willing to
41 help support and work with and fund some of the fisheries
42 research that needs to be done and we'd also like to
43 extend a hand to the Fish and Game Department to
44 reanalyze the genetic material that was collected in the
45 '93 to '96 time so that we can redo it with better
46 techniques. We'll have to work on which technique we're
47 going to jump on, but we might have to do several.

48

49 And so with that I'd like to -- again, I
50 want to emphasize the Area M fishermen, we are very

00116

1 interested in working with you in any way, shape or form,
2 platforms, of course, are the most expensive things so an
3 observer and/or biologist on there can enhance everything
4 we're doing here, and so next year we don't come back and
5 have the same thing with poor data sets again to complain
6 about.

7

8 This is a written statement written by
9 the program manager of Bering Sea, and you can cut me off
10 when my five minute is done, sir.

11

12 CHAIRMAN DEMIENTIEFF: We will and then
13 I'll just ask you to summarize briefly and then we'll
14 record the information on the record.

15

16 MR. STARK: Okay, add five second for
17 that, would you.

18

19 Bering Sea Fishermen's Association is
20 designed to unify a variety of people, a variety of
21 issues, and a variety of goals. The obstacles we've
22 defeated as an agency have afforded us the opportunity to
23 represent 193 communities and just over 114,000 members.
24 BFSA is directed by a 13 member board made up of
25 fishermen from Bristol Bay, Yukon, Kuskokwim Delta,
26 Norton Sound, Kotzebue and St. Paul. I testify to you
27 today in response to the cries of urgency we've heard
28 throughout our constituency.

29

30 There are serious concerns regarding the
31 recent decision by the State of Alaska Board of Fisheries
32 to expand the area, in area and in time, the Area M
33 fishery. As a result of the expansion, fishing time will
34 increase by 144 hours in June to 416 hours or by 2.9
35 times. However, the fishing time is only one variable
36 that controls the fishing effort. We cannot assume that
37 there is a direct relationship between time and effort.
38 It must be recognized that the relationship between
39 effort and harvest is virtually unknown in this
40 commercial fishery.

41

42 The behavior of the commercial fishery
43 must be considered, hence, it is not valid to support the
44 fishing effort and, therefore harvest -- excuse me, is
45 not valid to support that fishing effort and, therefore,
46 harvest will increase by two or 2.9 times, we just don't
47 know. We really don't. An effort could increase more
48 than either of these factors if the liberalization of
49 fisheries attracts fishermen to the fishery who have
50 previously been idle, and I believe there's quite a few

00117

1 because of a lot of different things. Effort will be
2 controlled, not only by time but also by the amount of
3 fishing gear, by the effectiveness of the type of gear,
4 the price of fish, of course, and the behavior of the
5 fishery.

6
7 A couple of questions for the Board just
8 to consider is, how much will these regulations add to the
9 mortality of the already troubled stocks as you've heard
10 numerous times today. Can you be sure that the increased
11 effort will not be the straw that breaks the camel's
12 back? In other words, as you see in the Lower 48 states,
13 they get down to a certain level and they're screwed for
14 a long time.

15
16 The Code of Federal regulations maintain
17 that the Federal intervention is justified when the
18 activities interfere with subsistence fishing on public
19 lands to the extent as to result in the failure to
20 provide the subsistence priority. Nowhere in the CFR is
21 it stated that the intervention is only required when the
22 activity will be the direct cause of a failure as stated
23 in the Federal Staff report that you've been presented
24 with. There's an effect to why declines in AYK's chum
25 salmon have occurred, but the possible causes include
26 reduced stream and habitat productivity of juveniles, via
27 under-escapement and inadequate fertilization by salmon
28 carcasses, and I've got references listed on here for
29 that, a regime shift in the Bering Sea has reduced ocean
30 productivity but it's also increased recently but what I
31 hear from NMPS and from a lot of researchers is there's
32 some dark clouds coming in again.

33
34 CHAIRMAN DEMIENTIEFF: We need to
35 summarize please.

36
37 MR. STARK: Oh, good. I think that by
38 and large what our problem with the report is that
39 there's an awful lot of speculation going on in there and
40 as a research scientist, I think I could take that very
41 same data set and turn out a no answer to the yes answer
42 which you received. And if you'd like to, I'll provide
43 that to you down the road if you'd like.

44
45 And I guess in summary is, are you
46 convinced that there's no risk via the change in
47 regulations?

48
49 Thank you.

50

00118

1 CHAIRMAN DEMIENTIEFF: Yeah, can you make
2 sure we get a copy of that.

3

4 MR. STARK: I believe you have it.

5

6 CHAIRMAN DEMIENTIEFF: Oh, we got it --
7 oh, yeah, okay, thank you.

8

9 MR. STARK: Yep, thank you sir.

10

11 CHAIRMAN DEMIENTIEFF: Thank you very
12 much. We'll make sure it gets in the record. Art
13 Ivanoff.

14

(No comments)

16

17 CHAIRMAN DEMIENTIEFF: Art Ivanoff.

18

19 MR. IVANOFF: Mr. Chair, that's a hard
20 act to follow. Mr. Chair, my name is Art Ivanoff, I'm
21 here on behalf of the Native Village of Unalakleet. And
22 as a Federally-recognized tribe, I can't relay the
23 importance of having the Federal government implement
24 some sort of measure to ensure that the conservation of
25 the resource is there in place.

26

27 My testimony is in two parts. I have a
28 letter that I'd like to submit for the record regarding a
29 petition urging the Federal Subsistence Board to extend
30 Federal jurisdiction beyond Federal lands to ensure the
31 conservation and protection of the subsistence lifestyle.
32 Mr. Chair, I'll submit that for the record.

33

34 CHAIRMAN DEMIENTIEFF: Yeah, we'll get it
35 and record it.

36

37 MR. IVANOFF: Okay. In reference to the
38 consideration regarding extraterritorial jurisdiction in
39 the Alaska Peninsula, Aleutian Islands, I believe there
40 is blatant disrespect for Norton Sound in this report
41 because it minimizes the impact Area M, False Pass is
42 having on our communities.

43

44 We haven't had any chums returning into
45 our river system. The kings have been really low. We've
46 had the declaration of disaster for Unalakleet for the
47 last three or four years. And we'd like to see some sort
48 of change that acknowledges the fact that this report is
49 inconclusive.

50

00119

1 Mr. Chair, if I can, I'd like to read the
2 part of Title VIII of ANILCA, subsistence
3 management and use findings, Section
4 .801. That Congress finds and declares
5 that continuation of the opportunity for
6 subsistence uses of resources on public
7 and other lands in Alaska is threatened
8 by the increasing population of Alaska
9 and with resulting pressure on
10 subsistence resources by sudden decline
11 in the populations of some wildlife
12 species which are crucial subsistence
13 resources by increased accessibility of
14 remote areas containing subsistence
15 resources and by taking of fish and
16 wildlife in a manner inconsistent with
17 the recognized principles of fish and
18 wildlife management.
19

20 Mr. Chair, there's a genetic stock
21 identification study which showed 61 percent of the
22 salmon caught in Area M were destined for AYK. In 2003
23 Area M, False Pass incidently took 300,000 chum salmon.
24 And a small fraction, like three percent might be
25 insignificant to False Pass, Area M but it means
26 escapement for our river system, and it's significant.
27 And I think for the most part our agencies have this
28 paradigm where we're just looking out for one resource,
29 but everything is connected and there's a real need to
30 acknowledge the connection between the different
31 resources that are out there.
32

33 If I can, I'd also like to point out that
34 we're keenly aware of the other impacts on the decline of
35 salmon. Climate changes occur, but I think at the same
36 time I think this begs for the most conservative
37 approach, this begs for the most conservative approach
38 because this is something that we have control over.
39 Technology has changed dramatically over the last 30
40 years which is impacting our fisheries. We've become
41 more efficient.
42

43 We heard testimony today regarding
44 diligence to ensure a viable commercial fisheries,
45 however, I submit to you what we're talking about in the
46 AYK isn't an abundance, we're talking about conservation,
47 something so basic, conservation, and the need to provide
48 for our families and extended families, we don't have
49 that opportunity, Mr. Chair.
50

00120

1 There's a discussion about the chum pool,
2 reduction of taking chums 20 years ago, 15 years ago we
3 heard the Chairman, he was quoted in the Anchorage Daily
4 News when they were talking about reducing the chum cap
5 from 700,000, he said, I don't blame them for chucking
6 salmon, and I think there's -- again, I just think we're
7 looking out for our own interests when it comes to
8 commercial use. Subsistence is something basic.

9
10 Over the last 20 years, the Alaska Board
11 of Fish, Alaska Board of Game has done a lot of injustice
12 to our communities on the allocation of resources. And I
13 think the Federal Subsistence Board, you have the power
14 to change that, to ensure that something so basic as
15 conservation needs are met, families are able to provide
16 for their families.

17
18 CHAIRMAN DEMIENTIEFF: All right, I'm
19 going to ask you to summarize please.

20
21 MR. IVANOFF: Actually, that's it, Mr.
22 Chair. If there's any questions.

23
24 CHAIRMAN DEMIENTIEFF: Good summary.

25
26 MR. IVANOFF: Yeah.

27
28 CHAIRMAN DEMIENTIEFF: Good timing. Any
29 questions.

30
31 (No comments)

32
33 CHAIRMAN DEMIENTIEFF: Thank you very
34 much, sir.

35
36 MR. IVANOFF: Thank you, Mr. Chair.

37
38 CHAIRMAN DEMIENTIEFF: Brenda Wilson.

39
40 MS. WILSON: Sorry, I'm multi-tasking,
41 I'm in class. My name is Brenda Wilson. Thank you for
42 listening to me and taking the time, Mr. Chairman, and
43 members of the Board.

44
45 I'm a Native Aleut. I was born and
46 raised in Sand Point, Alaska and I have raised my family
47 for 25 years in King Cove. I've raised two children who
48 have both been practically born into the fishery but they
49 are also subsistence fishers, like I have been for all my
50 life. Since I was little, when you go fishing, you take

00121

1 your salt buckets, you get salt salmon heads for your
2 elders and for your grandparents, you smoke fish and you
3 dry fish, you char fish and you kipper fish. We eat fish
4 every single day in our house. We have smoked salmon on
5 the table, we have dried fish on the table when the kids
6 come and do homework at the end of the day.

7
8 And it's really bothering me about some
9 comments that I've heard. I keep hearing, telling elders
10 thank you for fighting and it really disappoints me, I
11 don't think we're here to fight. Those elders were here
12 before us, they taught us all kinds of things, I would
13 have never known how to cut open a fish if they didn't
14 show me. And I've been -- I'm going to school to become
15 a social worker, we need it in our area. From when I was
16 a little girl and first went fishing 36 years ago when I
17 was seven years old on the deck of a boat, a little tiny
18 kid, where we have to go fishing to earn a living to be
19 able to put food on the table is the same as everybody
20 else here in this crowd has to do, and I thought we were
21 here to talk about subsistence, and I know from where I
22 live our subsistence way starts with the commercial
23 fishery. And I think it sounds like it does, too, for
24 everybody else up in the AYK. They keep talking about we
25 have to have subsistence, we have to do this subsistence
26 way of life, but in their next breath I hear them talking
27 about their commercial fishing. In two times, and then
28 numerous times after that, but these were people that
29 I've always considered important people when I listen to
30 people talk and newspapers and television and radio crews
31 stating that things need to be fixed, but this gentleman
32 states that commercial fishing where he lives ends up,
33 just like last year, commercial fishing was six hours or
34 less last year. How can you, in a river system,
35 commercial fish when you don't meet your subsistence
36 needs, and they're stating this over and over again.

37
38 This isn't a battle, it isn't a war, it's
39 things that we have to do to live and survive where we
40 are. I'm going to school become a social worker because
41 of the things that are happening in our area and in our
42 region. We've got high rates of alcoholism, drug abuse,
43 we've got domestic violence, we've got our Native people
44 going to jail because they can't live. It's easier to be
45 able to stick your head in a bottle than to face what
46 you're going to have to lose. You're going to have to
47 move, you're going to have to lose your everything that
48 you've ever believed in. And I listen to the people up
49 north, the people who have been training me are Howard
50 Luke, Moe Samuelsen, Elizabeth Fleagle, these are elders

00122

1 up in the region up there. They have talked about how
2 there's river boats all over in the rivers up there,
3 there's pollution. I had one elder tell me that they
4 take their waste oil, their waste products and put them
5 in 55 gallon drums and stick them out on the ice in the
6 middle of the river. When the river goes out it
7 disappears. It doesn't disappear, it stays in the river,
8 it sinks to the bottom, it also contaminates everything
9 else that it goes down the river on.

10

11 The lady who was up here earlier talking
12 about fishing, commercial fishing in the rivers. How can
13 we have commercial fishing in a river when we can't feed
14 elders. We have elders out there now who can't stick
15 their nets in the water. My son is -- since he was four
16 years old brings in buckets of salt fish heads, his first
17 person was Betty Dushkin, he brought in fish heads for
18 when he was four years old. We always think of our
19 elders first, what they're going to need, what they want.
20 And we make money, yes, we do, but we also have to
21 survive. When I've gone up for my trainings up into
22 Fairbanks, all year this year, since January of last year
23 I've taken up smoked salmon, I've taken up frozen salmon,
24 I've taken up kippered salmon and jarred salmon. A lot
25 of the people say they have tons of dried fish for their
26 dogs, all kinds of fish that they would ever need for
27 their dogs but they don't like it in the middle of the
28 winter. They eat whitefish, they eat other things.

29

30 So in reality, I think this isn't so much
31 a battle about who can fish or who can't fish and
32 commercial fish, we have to find out why they're not
33 getting fish in the rivers and all of us have to take
34 some responsibility for that. There's little bits and
35 pieces that are coming out about things that are going on
36 in the region that's having the problem and nobody wants
37 to talk about it, they're just saying, well, the elders
38 aren't getting their fish, they aren't getting what they
39 need, but in the next breath we're talking about their
40 commercial fishery, how can we have a commercial fishery
41 in a river when we're not getting the adequate fish to
42 feed the people there. If we didn't have our fish in our
43 rivers, I tell you they wouldn't let us throw a net in
44 the river and I know this is true. My uncle, he's one of
45 the Fish and Game people down there, down in the region
46 where I am and if there was no fish there's no way he'd
47 let me put a net in the water to be able to get
48 subsistence fish and I'd go without those things.

49

50 So it's just -- we've got to all talk and

00123

1 decide what's best for everybody while letting everybody
2 live and be able to have a life in Alaska, which is the
3 place where we were all born and raised.

4

5 Thank you.

6

7 CHAIRMAN DEMIENTIEFF: Thank you very
8 much. Any questions.

9

10 (No comments)

11

12 CHAIRMAN DEMIENTIEFF: Do you have
13 additional written stuff that you weren't able to cover?

14

15 MS. WILSON: No, I don't.

16

17 CHAIRMAN DEMIENTIEFF: Okay.

18

19 MS. WILSON: I've got about six pages but
20 I didn't talk fast enough I guess.

21

22 CHAIRMAN DEMIENTIEFF: Okay.

23

24 MS. WILSON: Thank you.

25

26 CHAIRMAN DEMIENTIEFF: Roy Matsuno.

27

28 MR. MATSUNO: Thank you, Mr. Chairman.
29 Members of the Board. My name is Roy Matsuno. I'm the
30 tribal administrator for the Ugashik. I've lived in
31 Alaska all my life and commercial fished and subsistence
32 fished, and I'd like to thank the Board for listening to
33 my testimony.

34

35 I used to be on the Bristol Bay RAC
36 before and I understand that the Federal Board listens to
37 the rural advisory committees a lot more and I wish
38 they'd do that with the Federal Board [sic], I know the
39 State Board doesn't do it, you know, like what was said,
40 the State Advisory Committees down in Bristol Bay, all of
41 them voted against that limit, three mile limit, and,
42 yet, they still passed it, the Board of Fish.

43

44 Kvichak River sockeye salmon run down in
45 Bristol Bay has really been affected, it's really low.
46 And we're concerned in Ugashik about the coho salmon run.
47 That run has just started to come back in the last few
48 years. And, you know, I'm really concerned about the
49 folks up north, you know, I feel for them they can't even
50 get out and get any fish. I saw a Fish and Wildlife

00124

1 report where it had a picture of one guy holding up one
2 fish, you know, that was his one fish for the year.

3

4 I know that the conservation measures
5 that were in place for the Area M fishermen help with the
6 recovering of coho salmon run in Ugashik. The stock was
7 down to about two to 4,000 escapement about five years
8 and now it's come back to about 18,000 last year. Our
9 subsistence needs may not be met due to the opening of
10 the Area M all the way up to Port Heiden and allowing --
11 giving them all this excess -- or extra time to fish.
12 With the opening of the Area M fishery from June 25th to
13 July 25th, it will greatly increase the catch of the
14 Ugashik sockeye and the coho salmon in the northern area
15 around Port Heiden. And it will probably affect the
16 Kvichak run during that time also and that's, you know, a
17 sockeye salmon run of concern.

18

19 Neighbors, you know, we were all brought
20 up living off the land and it really hurts my heart to
21 see -- you know, this lady talked about eating fish every
22 day and the elders up north not being able to eat any
23 fish, it's hard. To me, it's like, you know, they
24 allowed the California, Oregon, Washington goose hunters
25 to hunt but we weren't allowed to hunt geese up here and
26 that's -- we lived off that.

27

28 I urge the Board to take responsibility
29 for the people and their subsistence needs and Secretary
30 of Interior, Gale Norton, to take a step in, you know, in
31 this measure in Federal takeover of the Area M fisheries
32 or statewide fisheries probably so that our subsistence
33 needs can be met.

34

35 Thank you.

36

37 CHAIRMAN DEMIENTIEFF: Thank you. Any
38 questions.

39

40 (No comments)

41

42 CHAIRMAN DEMIENTIEFF: Appreciate you
43 taking the time.

44

45 MR. MATSUNO: Thank you.

46

47 CHAIRMAN DEMIENTIEFF: Karen Pletnikoff.

48

49 MS. PLETNIKOFF: Good afternoon. Thank
50 you, Mr. Chairman, and Board members, RAC members for

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1 this opportunity. My name is Karen Pletnikoff and I work
2 for Aleutian/Pribilof Islands Association, Fisheries
3 Program.

4

5 First, I would like to take this chance
6 to commend the Board for addressing these concerns for
7 our shared subsistence resources in an timely and open
8 forum. It's reassuring to witness this process.

9

10 I support the Staff report stating that
11 there is insufficient evidence at this time to warrant
12 any intervention. I would like to encourage the Board to
13 request greater focus and financing for research and
14 monitoring, particularly to address the conservation
15 burden and related closures for the terminal fisheries,
16 but also to examine the increased observations and
17 interactions with invasive shark species in the Area M as
18 reported by local fishermen. It used to be rare to see a
19 shark. Now, there are four species of sharks we see.
20 Pacific dog fish, Pacific sleeper sharks, mud sharks and
21 salmon sharks. Salmon sharks, as many as 22 in a seine
22 net, that would pretty much fill this area before us,
23 resulting in time loss for the fishery, gear damage,
24 increased danger and how many lost salmon. How many of
25 those were chum or coho?

26

27 Without an understanding of the changes,
28 including those from invasive species, we, from the area
29 will face continued uncertainty for our primary economy.
30 As others have stated, it is too costly for continued
31 subsistence without the commercial fishery. Increased
32 understanding through research and monitoring can protect
33 our shared resources reducing further harm for all of us.

34

35 Please consider the unknown effects such
36 as invasive shark species as a growing concern in the
37 region, and please pass this message on for research
38 ideas and requests.

39

40 Thank you.

41

42 CHAIRMAN DEMIENTIEFF: Thank you. Any
43 questions.

44

45 (No comments)

46

47 CHAIRMAN DEMIENTIEFF: Thank you very
48 much for taking the time. Frederick Murray.

49

50 (No comments)

00126

1 CHAIRMAN DEMIENTIEFF: Frederick Murray.

2

3 (No comments)

4

5 CHAIRMAN DEMIENTIEFF: Rita Buck.

6

7 MS. BUCK: I already spoke.

8

9 MR. BOYD: She spoke already.

10

11 CHAIRMAN DEMIENTIEFF: Pardon?

12

13 MS. BUCK: I already did.

14

15 CHAIRMAN DEMIENTIEFF: Okay. Louie

16 Green.

17

18 (No comments)

19

20 CHAIRMAN DEMIENTIEFF: Louie Green.

21

22 MR. GREEN: Mr. Chairman. Ladies and
23 gentlemen of the Council, and the RAC Council members
24 here. My name is Louie Green. I'm here on behalf of my
25 family and Nome Eskimo Community membership, which is a
26 Federally-recognized tribe that I am part of.

27

28 I am here today to talk about the
29 feelings and the issues that our tribal members have
30 talked about and testified at Board of Fish meetings for
31 the past 20 years. I also have some personal reactions
32 to comments made during testimony here.

33

34 We would like to remind people that we
35 are the only subsistence fishery in the state of Alaska
36 that is under a Tier II situation. We have membership
37 filling out Tier II permits every year just to see if
38 they can get a chance to soak their gear for a few chums.
39 We are people that don't commercial fish to subsist, but
40 we do subsist to live. We that choose this life that we
41 have learned from our parents and grandparents continue
42 to do it on shoestring budgets, some people at good
43 income levels because they're employment opportunities
44 are good. We do it to have a better life and to
45 subsidize our incomes. But the most important thing
46 about it is we do it for our families, our children. We
47 do it to pass on our knowledge of how subsistence plays a
48 part in our daily lives. Where we give, we receive, we
49 learn to work together with family and friends.

50

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1 I heard testimony by someone in here
2 today that said I don't know how to subsist the way they
3 do. This suggests to me that the practices we hold so
4 dearly in the Norton Sound and all over the state of
5 Alaska, Native peoples do, have not been passed on to
6 this individual and because maybe it's been forgotten
7 since it has not been practiced for so long. I heard we
8 commercial fish to subsist. I understand this concept as
9 I have seen it in Kodiak, the guys that I fished with
10 there, they made their home packs (ph), they stocked up
11 that way. Nome Eskimo Community membership does not
12 commercial fish to subsist. We work jobs in the mining
13 industry, construction industry, the oil field industry,
14 along with other local, state and federal jobs that are
15 in our area. Myself, I have worked in all the above
16 industries including commercial fishing, Kodiak, out on
17 the Alaska Peninsula, Togiak, Norton Sound and up in the
18 Bering Strait. I have managed to conduct the business of
19 raising a family for 18 years working in the different
20 industries along with teaching my two sons and a daughter
21 subsistence skills. I guess the point is I did not stop
22 teaching an industry failed, I went and found another job
23 somewhere, but I continued raising my family.

24
25 At this point in time, salmon and herring
26 markets are in the gutter. I know that halibut and black
27 cod and other bottom fish species are valuable these
28 days, and I think there are some fishermen in Area M
29 pursue these other species, not to mention crabbing also.
30 I heard of our CDQ group coming to our aid buying chums
31 down in Area M and bringing them back up to the people
32 that didn't have access to these fish. Maybe it's a good
33 idea. It might also be a good idea for a research
34 platform studying what goes on down there. I also heard
35 that halibut IFQ's are expensive. My suggestion was why
36 don't you have your CDQ in the Aleutians subsidize IFQ
37 purchases for cod and halibut to subsidize your fishing
38 opportunities.

39
40 I suppose I could go on and on, but as
41 others have stated, the fact remains the same science in
42 2001 made changes in Area M, they were drastic, again in
43 February of 2004 we seen the same science, which was the
44 same as it was three years ago have a different result.
45 I want to know when we do get more science. The only
46 thing that I've seen here in the past few years is
47 political science, it's the science of manipulating
48 politics. In 1998 I met a couple of times with some of
49 the Area M fishermen, I thought it was an important thing
50 to do. I made some suggestions like we should have an

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1 exchange program during the summers with our students to
2 let them learn about the others culture. I also asked
3 about help looking for funding for more and better
4 research, and I was pleased to hear some of the comments
5 from some of those fishermen here today. It was pleasing
6 to hear.

7

8 The Area M fishermen suggested that one
9 time why don't you start a hatchery, we'll give you one,
10 that was friendly conversation but we took it as an
11 insult by replying why should we raise fish for your to
12 kill. You know, after a few years it sounds like a good
13 idea. I think that maybe what I suggested a few years
14 ago kind of sunk into them, I don't know.

15

16 CHAIRMAN DEMIENTIEFF: Louie, if we could
17 please summarize the time is up.

18

19 MR. GREEN: We talked about hatcheries.
20 Private hatcheries work throughout Alaska. One hatchery
21 in particular promoted -- or generated larger runs for
22 the Kotzebue fishermen. The hatchery did not promote
23 diseases or grow legs on salmon. It seemed all it did
24 was enhance the natural runs.

25

26 In closing, I would like to apologize if
27 I have angered anyone here. It was only my intention to
28 bring feelings and discussions and ideas from Nome Eskimo
29 Community membership and myself to this meeting. We have
30 no desire to interfere with the subsistence way of life
31 in the South Peninsula and the Aleutians. I have friends
32 and many acquaintances that I have and I hope that I can
33 have those for a long time.

34

35 CHAIRMAN DEMIENTIEFF: Thank you very
36 much. Any questions.

37

38 (No comments)

39

40 CHAIRMAN DEMIENTIEFF: Thank you.

41

42 MR. GREEN: Thanks.

43

44 CHAIRMAN DEMIENTIEFF: Simon Kinneen.

45

46 (No comments)

47

48 CHAIRMAN DEMIENTIEFF: Simon Kinneen.

49

50 (No comments)

00129

1 CHAIRMAN DEMIENTIEFF: Wassilie Bavilla.
2 Wassilie Bavilla. Okay, here we go.

3

4 MR. BAVILLA: Good afternoon, Mr.
5 Chairman, and Federal Boards. I'm from Native Village --
6 Council president and I'm representing Native Village of
7 Quinhagak, and also we are subsistence and commercial
8 fishermen.

9

10 And I know that Area M have no more
11 restrictions so we got a small river that salmon spawn in
12 the areas and if there's no restriction on the area,
13 subsistence and commercial is going to be gone. And also
14 that, you know, I feel like sometimes I'm like Area M
15 too, I've been pointed fingers at by my own people from
16 Kuskokwim. And in order to do that we had to -- you know
17 we had to reduce boundary lines five miles, boundary line
18 to south in order to not intercepting the Kuskokwim River
19 salmon. And also I've been involved with Board of Fish
20 and Game testimony few years back concerning the salmon
21 stocks. And I think it's really neat to work together
22 and help each other to get this thing worked on.

23

24 And I think we need to have a -- to me
25 that Area M need to be studied by the Department of Fish
26 and Game or any Refuge agencies.

27

28 Thank you.

29

30 CHAIRMAN DEMIENTIEFF: Thank you. Any
31 questions.

32

33 (No comments)

34

35 CHAIRMAN DEMIENTIEFF: Thank you very
36 much for taking the time to be with us. Karen Dunmall, I
37 think -- oh, I couldn't quite make it out, sorry.

38

39 MS. DUNMALL: Thank you, Mr. Chairman and
40 members of the Board. My name is Karen Dunmall and I'm
41 the fisheries biologist for Kawerak in Nome.

42

43 The fisheries situation in Norton Sound,
44 as you've heard, and especially in northern Norton Sound
45 is dire. Subsistence fishing is heavily regulated and
46 suffers periods of entire closures. Although Norton
47 Sound has Federal public lands, it was not even included
48 in the regular Staff report to the Federal Subsistence
49 Board and it was only mentioned in one paragraph in the
50 appendix. Several villages depend on those Federal

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1 waters for subsistence harvest. Stebbins and St. Michael
2 residents all subsistence fish primarily on Federally-
3 managed waters, as well, Unalakleet Village relies on the
4 Unalakleet River for subsistence, the northern portion of
5 which is Federally-managed. The dire situation in
6 northern Norton Sound began in the rivers surrounding
7 Nome. But it is spreading.

8

9 The lack of fish, even to support
10 subsistence may eventually hit other communities,
11 including those that depend on Federal lands for
12 subsistence harvest. It's just a matter of time at the
13 rate the fish are disappearing in Norton Sound.

14

15 However, in the apparent absence of
16 Federal lands in Norton Sound, the Secretary of Interior
17 on the recommendation of the Federal Subsistence Board
18 can still take action to help, not only Norton Sound chum
19 stocks, but all of Western Alaska summer chums, as they
20 have been grouped. No one to my knowledge disputes the
21 high level of uncertainty and many unknowns when
22 referring to the impacts of the Board of Fish decisions
23 on AYK and Bristol Bay stocks. I believe we need to
24 focus resources on efforts to reduce that uncertainty and
25 that the State and Federal governments have the power to
26 work together and allocate funds specifically to address
27 this uncertainty. Observers could be placed on these
28 commercial fishing vessels so we know more precisely what
29 proportion of catch is chum and what is sockeye and so we
30 know exactly how much chum is harvested is by-catch.

31

32 I respectfully refer to the offer made
33 previously in testimony of a commercial fisherman in Area
34 M hiring an observer and I sincerely hope this offer is
35 followed through.

36

37 Much emphasis and discussion has been
38 placed on a tiding study completed in 1987. In order to
39 reduce uncertainty and harvest projections, the State and
40 Federal governments need to work together to implement a
41 tagging study that would provide recent and thorough
42 stock composition and harvest distribution data to
43 increase confidence in the results.

44

45 Genetic studies are desperately needed
46 that narrow down the rivers of origin from Northwest
47 Alaska summer chum stocks to regions or even rivers of
48 origin. The technology does exist to be able to get this
49 kind of information and with that information and with
50 similar genetic studies on the harvest in Area M we will

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1 know the origin of harvested fish, that way we could
2 direct conservation efforts specifically towards stocks
3 in peril when they travel through Area M.

4

5 Finally, the Federal and State
6 governments could work together to reduce uncertainty
7 around stock aggregation or dispersion in the Area M
8 commercial fishery. Our stocks in Norton Sound are very
9 small compared to Kuskokwim, Yukon and Bristol Bay. If
10 stocks travel through Area M together, one purse gillnet
11 or drift gillnet could easily wipe out an entire stock.
12 For an example, the aerial survey for Penny River for
13 2003 was nine chum salmon. It would not be difficult to
14 harvest nine chum, especially if they were migrating in
15 close proximity. There's no data currently to suggest
16 that stocks indeed migrate dispersed or aggregated for
17 that matter. But given the low returns to the rivers and
18 the uncertainty of many other aspects of this situation
19 it's an issue that must be addressed scientifically.

20

21 I have one last issue that I would like
22 to raise. The lack of Federal water in Norton Sound, not
23 only has an impact on management but it also impacts
24 funding considerations. Norton Sound is very grateful
25 for the Federally-funded projects it currently has been
26 awarded. However, funding from the Office of Subsistence
27 Management is for projects in Federal waters and as a
28 result we, in Norton Sound, are at a strong disadvantage
29 when competing for funding for desperately needed
30 research in Norton Sound.

31

32 Thank you.

33

34 CHAIRMAN DEMIENTIEFF: Thank you. Any
35 questions.

36

37 (No comments)

38

39 CHAIRMAN DEMIENTIEFF: Thank you very
40 much. Austin Ahmasuk.

41

42 MR. AHMASUK: Good afternoon, Mr.
43 Chairman, Members of the Board. My name is Austin
44 Ahmasuk. I'm the Kawerak subsistence director. I've
45 lived in Nome all my life and subsistence fish in the
46 area, again, all my life.

47

48 Mr. Chairman, you have heard various
49 testimony from members from our region who have indicated
50 to you sometimes very strongly that there are impacts

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1 being felt currently and many have indicated those
2 patters over a 20 year period. I feel that the Regional
3 Advisory Councils and Federal Staff and Federal
4 Subsistence Board, over the years, have essentially
5 failed in addressing key terms in ANILCA that are
6 expressly mandated to you and to the Secretary of the
7 Interior.

8

9 It's mentioned numerous times throughout
10 ANILCA and through many acts, the Fish and Wildlife
11 Conservation Act, National Environmental Protection
12 Agency, Environmental Protection Laws, Endangered Species
13 Act, Migratory Birds Act, that in terms of impacts to
14 subsistence and the expressed conviction of the
15 Constitution of the United States that is held in trust
16 by the government to Native people, that subsistence
17 impacts need to be accurately and as indicated in all
18 those acts, a report that has due consideration for all
19 the issues that are brought to you, that you're aware of
20 and are then brought on to the appropriate places.

21

22 The Federal Staff report that was
23 compiled most recently does not, does not include those
24 impacts that you are supposed to be mandated to produce.
25 The impacts or any reference to Norton Sound is non-
26 existent. At least 15 percent of the lands in the GMU 22
27 are Federal lands or Federal waters and what's very
28 peculiar is before I came to this meeting here, I tried
29 to ascertain what portion and exactly where some of these
30 Federal lands and waters are and they still have not come
31 back with me as to an answer as to where these places
32 are.

33

34 I think that you people must know where
35 they are. There are regional directors here of various
36 land management agencies who know where they are. Now,
37 the fact that you have not incorporated the subsistence
38 impacts and all the considerations that is expressly
39 mandated in ANILCA is an absolute failure. And why the
40 Regional Advisory Councils have not had the opportunity
41 to review the Federal Staff report is another failure
42 that I believe is directly related to how this whole
43 process was envisioned in 1980, that consideration, due
44 consideration to Regional Advisory Councils is made and
45 is expressly defined in all your policies. And at this
46 stage, regarding the information you have, that process
47 hasn't been followed.

48

49 Before I came here I spoke with some old-
50 timers and some of those old-timers are rather stubborn

00133

1 in their ways and they'll never come to these meetings.
2 They'll never come before people like yourselves and talk
3 about their subsistence way of living. They know what it
4 was like before statehood in the territorial days and
5 were much more happy with situations that occurred during
6 those time periods.

7

8 This government has an expressed
9 conviction in its Constitution to protect our people.
10 But our people, over these years since statehood, are
11 essentially living under an imperialistic, capitalistic
12 situation. And I think it's absolutely reflected in the
13 Secretary of Interior's most recent news article, that
14 she's not going to consider these kinds of petitions.
15 It's a direct consequence of imperialism and capitalism
16 that our Native people point to, those are recurring
17 things that they will always say in this new regime and
18 this new management that's affecting our culture.

19

20 Thank you.

21

22 CHAIRMAN DEMIENTIEFF: Any questions.

23

24 (No comments)

25

26 CHAIRMAN DEMIENTIEFF: Thank you very
27 much. Duncan Fields.

28

29 MR. FIELDS: Mr. Chairman. Members of
30 the Subsistence Board. And the various RAC Committees.
31 My name is Duncan Fields. I'm speaking today on behalf
32 of the Coastal Communities Coalition. It's a coalition
33 of small communities across the Gulf of Alaska. Most of
34 the communities, 300 or 400 people. And we're speaking
35 because of what we consider to be possible implications
36 of the implementation of extraterritorial jurisdiction by
37 the Subsistence Board.

38

39 The Gulf of Alaska Coastal Communities
40 Coalition believes that a decision the Secretary to
41 exercise extraterritorial jurisdiction to inhibit or
42 modify the Board of Fisheries Area M decisions would have
43 broad and significant negative consequences for Alaska's
44 management of the salmon fisheries. All subsequent Board
45 of Fisheries allocation decisions will, after Alaska's
46 public process, be subject to a two-tier review. First
47 by the Subsistence Board here and then by the Secretary
48 of Interior. This will cause uncertainty about Board of
49 Fish decisions and when overturned undermine Board
50 authority. At some point there may be little distinction

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1 between State and Federal management and that the use of
2 extraterritorial jurisdiction established as a de facto
3 subsistence priority for all Alaska salmon for a select
4 group of rural residents residing on Federal land
5 regardless of how remote that may be from the salmon
6 resource.

7

8 And for example, in the language of some
9 of the testimony today, they're talking about a Federal
10 takeover of the Area M fishery. We believe this is an
11 issue about much more than the Area M regulations. We
12 believe that the Area M dispute provides a context for
13 the Interior Department to decide whether or not the
14 Federal government will use a subsistence priority and
15 implementation of extraterritorial jurisdiction to regain
16 management of Alaska's salmon resources. That's why this
17 decision is of consequences to communities outside of the
18 Area M and the AYK regions.

19

20 With regard to the specific question of
21 extraterritorial jurisdiction we believe it's a very
22 narrow question. It's a question based on your statutory
23 authority, the authority which is listed in Title VIII of
24 ANILCA. It says in order to exercise -- or that the
25 Secretary reserves or retains the authority to limit or
26 inhibit fisheries if they interfere with subsistence
27 fishing to such an extent as to result in a failure to
28 provide the subsistence priority. The language of this
29 enabling legislation assumes that there's some experience
30 with the regulatory structure being challenged. We
31 believe that even if the issue of extraterritorial
32 jurisdiction is appropriate for consideration, it is not
33 timely and would not be timely until after the 2004
34 season based on the experience of the implementation of
35 the regulatory scheme.

36

37 I think that the State, in Item B of
38 their testimony amplifies this point saying that the
39 petitioners have failed to provide anything other than
40 speculation about whether the regulatory scheme is
41 actually going to inhibit or interfere with their
42 subsistence priority.

43

44 The Coalition would also take issue with
45 the Staff report on Page 5 that states that the central
46 issue, and I put central in quotes, is whether the
47 increased harvest in the Area M fishery is expected, I
48 wanted to emphasize, is expected to be the direct cause
49 of the failure to provide the subsistence priority. We
50 don't see that as the central issue. We don't believe

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1 that the Subsistence Board has statutory authority to
2 speculate on what may be expected to happen but that your
3 authority is based on what has actually happened, that is
4 a regulatory structure has inhibited your subsistence
5 priority.

6
7 Mr. Chairman, my second point is is that
8 the exercise of extraterritorial jurisdiction should
9 address a clear and direct link or cause between the
10 interference and the failure to provide the subsistence
11 priority. The information we have regarding the direct
12 between the Area M fishery and many of the subsistence
13 needs in the subsistence areas petitioning for the
14 extraterritorial jurisdiction is ambiguous. There just
15 isn't solid scientific information providing the
16 Secretary with a casual link between the subsistence
17 needs in Western Alaska and the Area M fishery. I think
18 this is amplified in Secretary Norton's letter indicating
19 that the causal reality of this situation is very
20 complex.

21
22 CHAIRMAN DEMIENTIEFF: I'm going to ask
23 you to summarize now, please.

24
25 MR. FIELDS: Okay. I have three more
26 points to summarize.

27
28 CHAIRMAN DEMIENTIEFF: Briefly. I
29 don't.....

30
31 MR. FIELDS: Briefly. Very briefly, Mr.
32 Chair, thank you. Second point is is the focus should be
33 on the fisheries in the Federal jurisdiction rather than
34 extraterritorial jurisdiction.

35
36 Next point would be is the interference
37 should not be focused on the failure to provide
38 subsistence, that is, we've heard so much about
39 subsistence needs, but actual interference with
40 subsistence.

41
42 And finally, Mr. Chairman, a subsistence
43 priority does not mean that you'll have subsistence
44 available within every stream within a region, but it
45 needs to be viewed as a regional priority, Mr. Chairman.

46
47 Thank you, for that summary.

48
49 CHAIRMAN DEMIENTIEFF: Thank you. Is
50 there any questions. Niles.

00136

1 MR. CESAR: Yes. Is there somewhere
2 you've listed these coastal concern communities, I don't
3 have a list of those?

4
5 MR. FIELDS: It's a coalition
6 representing approximately 30 communities in the Gulf of
7 Alaska. It's Gulf of Alaska Coastal Communities
8 Coalitions.

9
10 MR. CESAR: Right. I mean, I understood
11 that part, but I'd like to see a list of those
12 communities.

13
14 MR. FIELDS: I'll try to provide that for
15 you.

16
17 MR. CESAR: Thank you.

18
19 MR. FIELDS: Thank you.

20
21 CHAIRMAN DEMIENTIEFF: Thank you. If you
22 don't get it to us by the time we get back you can send
23 it to OSM and they will distribute it to the Board.
24 Gary, did you have something -- same question, okay.

25
26 MR. EDWARDS: Well, also -- I did have
27 the same question. And I'm assuming there must be a list
28 somewhere and could we have a copy of your notes, please?

29
30 MR. FIELDS: I'll provide that. It's in
31 rough draft. Can I get that to you in the morning as
32 well, Mr. Chair?

33
34 CHAIRMAN DEMIENTIEFF: Yes.

35
36 MR. FIELDS: Thank you.

37
38 CHAIRMAN DEMIENTIEFF: Okay. These are
39 people that weren't here earlier, if they're not here now
40 they will not have the opportunity to testify.

41
42 Amy Foster.

43
44 (No comments)

45
46 CHAIRMAN DEMIENTIEFF: Amy Foster.

47
48 (No comments)

49
50 CHAIRMAN DEMIENTIEFF: Billy Dushkin.

00137

1 MR. DUSHKIN: Good afternoon, Mr. Chair,
2 Board members. My name is William Dushkin. I've been a
3 commercial fisherman since 1959, well, a long time
4 anyway. And I left the dock when I was nine years old and
5 knowing then that's what I was going to do, be a
6 commercial fishermen and that's what I've been in Area M.

7
8 We did pretty good. I guess I did pretty
9 good at it, I'm still fishing. I got to work two jobs in
10 the winter to do my fishing again in the summer but I'm
11 still at it. But kind of a let down here on this
12 reversal or whatever it is from the State's point of view
13 on the fishery down there. I was a little tickled
14 myself, I was going to have more time to work this summer
15 before I was completely broke again. But I would like to
16 -- what I was trying to say was, well, probably Jacobson
17 covered most of it, we don't have any science to lack any
18 -- the subsistence thing, we're shooting from the hip,
19 you know, and all the speculation.

20
21 But I think, you know, the Aleut Region
22 thought they were kind of an endangered species just
23 being Aleut, you know, we're declining fast and if you
24 want to put us completely out of business and make us
25 extinct, that's the way to do it, you shut Area M down.

26
27 Thank you.

28
29 CHAIRMAN DEMIENTIEFF: Thank you. Any
30 questions.

31
32 (No comments)

33
34 CHAIRMAN DEMIENTIEFF: Thank you very
35 much. Betty Dewey.

36
37 (No comments)

38
39 CHAIRMAN DEMIENTIEFF: Betty Dewey.

40
41 (No comments)

42
43 CHAIRMAN DEMIENTIEFF: Rudy Dushkin.

44
45 (No comments)

46
47 CHAIRMAN DEMIENTIEFF: Rudy Dushkin.

48
49 (No comments)

50

00138

1 CHAIRMAN DEMIENTIEFF: Mike Moses.

2

3 (No comments)

4

5 CHAIRMAN DEMIENTIEFF: Mike Moses.

6

7 (No comments)

8

9 CHAIRMAN DEMIENTIEFF: Jack Hobson.

10

11 MR. HOBSON: Hi. I'd like to thank the
12 Federal Subsistence Board and all the other members here
13 for letting me have the opportunity to speak. My name is
14 Jack Hobs and I'm the president of Nondalton Tribal
15 Council. And I'm here to represent all our tribal
16 members.

17

18 The salmon has been important to our
19 subsistence way of life. In the last five years in our
20 area, in the Iliamna, Lake Clark area the fish have
21 declined, there's rivers that there ain't no salmons
22 anymore and we are forced to be conservative too and just
23 take what we need now. I hear that now there's -- the
24 Kvichak River, it's a management concern. There's been a
25 low return in our area and Fish and Game for the last
26 eight years, nine years been predicting fish and the fish
27 never did come back. And like somebody else said
28 earlier, as far as I'm concerned, the Fish and Game are a
29 bunch of liars.

30

31 Preserving the salmon for our future is
32 what we all should be concerned about. There's a lot of
33 different user groups here that use the salmon, not only
34 for subsistence but for commercial use to gather their
35 winter supplies such as fuel and stuff like that.

36

37 Listening to all the testimonies here
38 today, you know, it seems like the groups are willing to
39 work together in some way to come up with some kind of
40 plan in regard to conservation that would be -- that all
41 the groups would be able to abide by and agree upon.

42

43 One of the other thing that I never heard
44 any issue about is the spawning grounds. What are the
45 spawning grounds doing, what is happening in the spawning
46 grounds? I don't know if there's been any studies done
47 on the spawning grounds or not, but, without the spawning
48 grounds and the fish getting to the spawning grounds we
49 ain't going to have no fish. I don't care what any group
50 says, you know, they're saying, well, this group is

00139

1 taking too much fish, this other group is taking too much
2 fish, but without the spawning ground and the fish
3 returning there, there ain't going to be no fish.

4

5 But like I said before, is that it's
6 going to take all of working together to come up with
7 some kind of a plan that will be -- that all the users
8 will be able to abide by.

9

10 And I'd like to go on record to say that
11 we support the Bristol Bay Subsistence Regional Advisory
12 Council petition and we'd also like to go on record to
13 say that we support Resolution No. 22.

14

15 And again I'd like to thank the Federal
16 Subsistence Board for allowing me the time to speak.

17

18 CHAIRMAN DEMIENTIEFF: Any questions.

19

20 (No comments)

21

22 CHAIRMAN DEMIENTIEFF: Thank you very
23 much.

24

25 MR. HOBSON: Thanks.

26

27 CHAIRMAN DEMIENTIEFF: Norman Kuztkin.

28

29 (No comments)

30

31 CHAIRMAN DEMIENTIEFF: Norman Kuztkin.

32

33 (No comments)

34

35 CHAIRMAN DEMIENTIEFF: Walt Mesich.

36

37 MR. MESICH: Mr. Chairman, Board, the
38 Council. My name is Walt Mesich. I'm an Alaska
39 resident. I have four children, fourth generation. I'm
40 a commercial fishermen and I have been so for 42 years.

41

42 Mr. Chairman, I have some paperwork here,
43 there's a copy for each one of you to -- could I just
44 leave it here, could I pass it out?

45

46 CHAIRMAN DEMIENTIEFF: Yeah, we'll make
47 sure we get somebody to pass it out.

48

49 MR. MESICH: Okay. I'd like to have each
50 Council member have one of these.

00140

1 CHAIRMAN DEMIENTIEFF: Right behind you,
2 we got one sneaking up on you.

3
4 MR. MESICH: I'm sorry for not being here
5 earlier, but I have four children that had to go to
6 school, pick them up and bring them home. I am a mother,
7 father and hopefully still a commercial fishermen.

8
9 A little about me, I'm a partially
10 disabled Vietnam veteran, I served with the 101st
11 Airborne in Vietnam in 1968, Ashaw Valley, I served my
12 country to do my best, I fought for my country and for my
13 survival to come home, I was there for 365 days. And the
14 past 10 years I've been fishing Area M and I am fighting
15 for my rights to fish, to continue to do what I know
16 best, what I've done all my life and that is fishing.
17 I'm also a crab fisherman. In the past couple of years,
18 I'm sure you're aware of, we've had problems there in the
19 king crab fishery in the Bristol Bay and Bering Sea.

20
21 I tell you what it seems like I spend
22 more time in here than I do out fishing because our
23 fishing has been cut short.

24
25 But I commercial fished for salmon in
26 Bristol Bay for 20 years, from the '70s to the '80s, and
27 several times during those seasons, we've had anywhere
28 from five to 20 million fish disappear under what the
29 ADF&G predicted would show up in Bristol Bay. And I know
30 that Area M couldn't have caught that many fish. I am an
31 Area M fishermen. Back then we never blamed Area M
32 fishermen for five to 20 million fish. Something else is
33 intercepting those fish.

34
35 I talked to the fish biologist over on
36 64th Street there here in Anchorage and they said it
37 could be El Nino, La Nina, it could be the draggers
38 catching our salmon, or intercepting the salmon. I know
39 when I used to fish out in Bristol Bay, I fished Barda
40 out there and I'd be there for, oh, all the way to June
41 and I'd see other vessels probably two, 300 feet long
42 with salmon lined up and down both sides of the boat
43 hanging to dry and they were not close to shore, they
44 were five, 10, 15 miles out from shore, so to blame one
45 area for intercepting other people's fish until we have
46 the facts is an atrocity. I cannot see limiting one area
47 to protect another area when they don't have all the
48 facts.

49
50 Now, to get back to my message, you'll be

00141

1 happy to hear I had 10 pages, but most of the people
2 covered everything I had to say so now it's down to two
3 so I won't go much further.

4

(Laughter)

5

6

7 MR. MEZICH: I've scratched, I don't even
8 know where to begin. The other reasons, this man from
9 Port Heiden said he sees fishermen, the Area M fishermen
10 up by Stroganoff, I am known as the northern most
11 fisherman in Area M, I don't like being behind anybody, I
12 like being in front, well, Stroganoff is our line, from
13 there down to Port Moller, I haven't been there for five
14 years. But I do know flying from King Salmon to Port
15 Moller to King Cove, which I have done, I average eight
16 to 10 times a year, if I fly over Port Heiden I stop
17 there many times, if it's low water this man from Port
18 Heiden testified, too, there are thousands and thousands
19 of seals which are predators of salmon. Sea lions are a
20 predator. Seals are predators. And fishermen are
21 predators, all kinds of predators, not just drifters.

22

23 CHAIRMAN DEMIENTIEFF: You will have to
24 summarize right now.

25

26 MR. MEZICH: I'll summarize real quick.
27 Hopefully -- the last two seasons Area M fishermen have
28 commercial fished a total of 16 hours a day for three
29 days a week and two years ago we were on strike so we
30 didn't fish hardly at all, maybe 16 hours total.

31

32 On my reports, the paperwork that I gave
33 you, you will see that there is not much -- hardly
34 difference at all in the AYK, if you look on the
35 paperwork, on it's third or fourth page, look at
36 2001/2002 and if you look at the previous years, from
37 that, from 1990 on you're going to see something very
38 interesting -- if you start from the very first page and
39 read to the last page, you'll see something very
40 interesting, I will not bring up because I don't have
41 time, but since we were limited to 48 hours a week, and
42 with very little difference in the AYK catch -- or
43 escapement, I find it hard to blame the Area M fishery.

44

45 But I hope we can all work together. I'd
46 rather see the State, the government, the AYK, the Area
47 M, Bristol Bay, if we could all work together and just
48 figure this out instead of doing the finger pointing, I'd
49 really appreciate it, and I know we can do it.

50

00142

1 I don't want to lose my family or go
2 bankrupt and I feel sorry for the people in AYK when the
3 runs are small, but we're not making a fortune down in
4 Area M either. We're doing our best and hopefully we can
5 all get together and work this thing out.

6
7 Thank you, Mr. Chairman.

8
9 CHAIRMAN DEMIENTIEFF: I think we've got
10 a question for you.

11
12 MR. CESAR: Just a comment, Mr. Chairman.
13 I didn't quite make the connection, but just so you don't
14 feel along, I spent a year in Vietnam, too, okay, thank
15 you.

16
17 MR. MEZICH: Thanks.

18
19 CHAIRMAN DEMIENTIEFF: Thank you.

20
21 MR. MEZICH: I'm not a good speaker,
22 could I tell you one more thing?

23
24 CHAIRMAN DEMIENTIEFF: No.

25
26 MR. MEZICH: I was just.....

27
28 CHAIRMAN DEMIENTIEFF: We've got to move
29 on.

30
31 MR. MEZICH: Okay.

32
33 CHAIRMAN DEMIENTIEFF: Thank you. If you
34 have written text that you want to turn in, it will go on
35 the record, the full text, I'll tell you that much.

36
37 MR. MEZICH: You won't be able to read
38 it, I'll have to redo it.

39
40 CHAIRMAN DEMIENTIEFF: Okay. Frederick
41 Murray.

42
43 (No comments)

44
45 CHAIRMAN DEMIENTIEFF: Frederick Murray.

46
47 (No comments)

48
49 CHAIRMAN DEMIENTIEFF: Simon Kinneen.

50

00143

1 (No comments)

2

3 CHAIRMAN DEMIENTIEFF: Simon Kinneen.

4

5 (No comments)

6

7 CHAIRMAN DEMIENTIEFF: I know earlier I
8 said we were going to listen to the State report but
9 we're already way past 5:00 and I think we've kind of hit
10 the wall. Everybody's been paying attention doing their
11 job and there's been quite a bit of testimony, so we'll
12 just go ahead and open with that in the morning. It is
13 in your books, okay, so you do have the opportunity to
14 read it. And my understanding from Mr. Bedford is that
15 we're going to -- they're just going to hit the high
16 points of that presentation.

17

18 MR. CESAR: What time do we start?

19

20 CHAIRMAN DEMIENTIEFF: 8:30. Wait a
21 minute. I've got a couple of the late requests that came
22 in after 12, I'll see if they're here. Edward Paul.

23

24 (No comments)

25

26 CHAIRMAN DEMIENTIEFF: Edward Paul.

27

28 (No comments)

29

30 CHAIRMAN DEMIENTIEFF: Peter.....

31

32 UNIDENTIFIED VOICE: He'll be here in the
33 morning.

34

35 CHAIRMAN DEMIENTIEFF: We're not going to
36 testify in the morning, we're done.

37

38 Peter Tuluk.

39

40 UNIDENTIFIED VOICE: He's here.

41

42 CHAIRMAN DEMIENTIEFF: Tuluk, where are
43 you? Where are you buddy, oh, there he is.

44

45 MR. TULUK: Good afternoon, thank you for
46 letting me speak, Mr. Chairman, and Federal Subsistence
47 Board. I'm really nervous.

48

49 But I'm Peter Tuluk and I'm the Chairman
50 of the Chevak Traditional Council representing the Chevak

00144

1 people. The people of Cushoonuk (ph), that's what we
2 call ourselves, we've been subsisting fish all our lives
3 and for many years from two bays, one from Hooper Bay,
4 the other one Hazen Bay, that Choonuk River connects to
5 Yukon River.

6
7 In past few years, you know, fish in that
8 area, especially Hazen Bay has kind of declined and a lot
9 of families go fish camps in that river. I'll make it
10 short but, you know, if I may ask the Subsistence Board a
11 couple of questions, these questions are always in my
12 mind concerning, is the Federal agencies, like your Fish
13 and Wildlife, are they going to be involved in regulating
14 the rules and regulations of subsistence and who's going
15 to be enforcing this, this subsistence on our elders and
16 our people?

17
18 CHAIRMAN DEMIENTIEFF: Peter, we're not
19 going to have no dialogue.

20
21 MR. TULUK: Okay.

22
23 CHAIRMAN DEMIENTIEFF: That's one of the
24 rules we set out. We will -- we just want your opinion
25 on the issue.

26
27 MR. TULUK: Okay, and that's all I had to
28 say but I wanted to make sure that you, the people of
29 Chevak they support your causes and, you know, we need
30 help out there.

31
32 Thank you.

33
34 CHAIRMAN DEMIENTIEFF: Thank you very
35 much. Anyway, I just want to thank the RAC people and
36 the Board people. I mean everybody worked real hard
37 today paying attention, we've never had, I don't think,
38 this long testimony, at least in this forum, and
39 sometimes it gets real tricky to stay on top of it so
40 everybody did a real good job. We will open up at 8:30
41 in the morning with the State overview and then we will
42 go into the RAC discussion right after that.

43
44 Thank you.

45
46 (PROCEEDINGS TO BE CONTINUED)

00145

C E R T I F I C A T E

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UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and reporter for Computer Matrix Court Reporters, do hereby certify:

THAT the foregoing pages numbered 2 through 144 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME I taken electronically by Nathan Hile on the 27th day of April 2004, beginning at the hour of 8:30 o'clock a.m. at the Egan Convention Center in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 2nd day of May 2004.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08 _