

**Public Comments for Arctic-Yukon-Kuskokwim Finfish**  
**January 26-31, 2010**

Yukon Delta Fisheries Development Association (YDFDA) PC1  
Mountain Village Fisheries Working Group (MVFWG) PC2  
Western Interior Alaska Subsistence RAC PC3  
Eastern Interior Alaska Subsistence RAC PC4  
Harry Wilde PC5  
Nick Tucker PC6  
Holy Cross Students PC7  
USFW PC8  
National Parks Service PC9  
Kaltag Fisheries LLC PC10  
John Thompson PC11  
M.P. McCarter PC12  
Kawerak, Inc. PC13  
Organized Village of Kwethluk PC14  
Yukon River Drainage Fisheries Association (YRDFA) PC15  
Naomi Malony PC16  
CFEC PC17  
Yukon Delta Fisheries Development Association (YDFDA) PC18  
Henry Ketzler, Sr. PC19  
Concerned Area M Fishermen PC20  
Pitka's Point Traditional Council PC21

# *Alaska Board of Fisheries Yukon Area Proposals 2010*

## Written Comments

by  
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G.Sandone Consulting, LLC  
For  
Yukon Delta Fisheries Development Association  
(YDFDA)

# *Goals of this Presentation*

- 1. To provide a brief summary of BOF proposals that affect the Yukon Area fisheries;*
- 2. To inform you the effect that each proposal, if adopted, will have on the fisheries and fishers of the Lower Yukon Area;*

***Proposals to the Alaska Board of  
Fisheries, Yukon Area,  
January 2010  
Fairbanks, Alaska***

# ***YUKON AREA PROPOSALS***

- A total of 35 proposals were submitted to the Alaska BOF for the Yukon Area for the 2010 meeting;
- 15 proposals concern ***sport fishing*** regulations;
- 7 proposals concern ***subsistence fishing*** regulations (1 subsistence proposal is concerned with Northern Pike Management);
- 8 proposals concern ***commercial fishing*** regulations;
- 4 proposals concern ***subsistence and commercial fishing*** regulations; and
- 1 proposal concerns regulations for ***all fisheries***;

# ***Petitions to the BOF: Coho Salmon Directed Fishery***

- *Petition to the BOF by YDFDA in September 2009 to allow a directed coho salmon fishery.*
- *Resulted in a BOF-generated proposal to fully discuss the Coho Salmon Management Plan during the January AYK BOF Meeting.*
- *Proposal 199: Modify the Yukon Coho salmon Management Plan to provide for a late season harvest*

# ***Petitions to the BOF: Summer and Fall Chum Salmon Management Plans***

- *Petition to the BOF by YDFDA in October 2009 to allow discussion of the Summer and Fall Chum Salmon Management Plans, including Management Triggers.*
- *Resulted in BOF-generated proposals to fully discuss the Management Plans during the January AYK BOF Meeting.*
- *Proposals 193: Revise the Management Triggers in the Yukon River Summer Chum Management Plan*
- *Proposal 194: Revise the Management Triggers in the Yukon River Fall Chum Salmon Management Plan*

# ***Commercial and/or Subsistence Salmon Related Proposals***

- Proposals 81, 82, and 87
  - Submitted by ADF&G
  - Proposal 81 and 82 are “housekeeping” proposals;
  - Proposal 87 opens the Yukon King Salmon Management Plan for alteration and discussion.
    - The Yukon King Salmon Stock has been designated as a “stock of concern” in 2007 at the “yield level”
    - Therefore, an action plan must be presented by ADF&G to ensure that escapements are achieved.



# ***Commercial and/or Subsistence Salmon Related Proposals***

- **Proposals 83 - 86, 88 - 92, 94-97, and 99 were Submitted by Upper Yukon Area ACs and/or RACs (14 proposals);**
- **Proposal 93 was Submitted by a Private Individual**
- **Proposal 98 was submitted from Lower Yukon interest**

# ***Commercial and/or Subsistence Salmon Related Proposals Not Covered in this Presentation***

- **Proposal 83:**
  - require reporting of subsistence harvest on catch calendars
  - submitted by Fairbanks AC
  
- **Proposal 84:**
  - Allow drift net fishing for kings in a portion of Subdistricts 4B and 4C
  - submitted by Middle Yukon AC
  
- **Proposal 85;**
  - Allow drift net fishing for kings and fall chum salmon in a portion of Subdistricts 4B and 4C.
  - submitted by Middle Yukon AC

# ***Commercial and/or Subsistence Salmon Related Proposals Not Covered in this Presentation***

## ■ ***Proposal 86:***

- *Allow set gillnets to be tied up during closures in Subdistrict 5D*
- *Submitted by Eastern Interior RAC*

## ■ ***Proposal 98;***

- *Allow commercial fishing between Chris Point and Black River.*
- *Submitted by KwikPak Fisheries*

## ■ ***Proposal 99***

- *Allows commercial salmon fishing within the Andreafsky River*
- *submitted by Fairbanks **AC***

# ***Commercial and/or Subsistence Salmon Related Proposals Not Covered in this Presentation***

## ■ ***Proposal 193:***

- *Supplemental Board-Generated Proposal because of a Petition to the BOF in October 2009 by YDFDA.*
- *Seeks to revise the Management Triggers in the Summer Chum Salmon Management Plan*

## ■ ***Proposal 194:***

- *Supplemental Board-Generated Proposal because of a Petition to the BOF in October 2009 by YDFDA*
- *Seeks to revise the Management Triggers in the Fall Chum Salmon Management Plan*

## ■ ***Proposal 199:***

- *Supplemental Board-Generated Proposal because of a Petition to the BOF in September 2009 by YDFDA*
- *Seeks to revise the Coho Salmon Management Plan to provide for a late-season harvest.*

***Commercial and/or  
Subsistence Salmon Related  
Proposals  
Covered in this Presentation***

# ***Commercial and/or Subsistence Salmon Related Proposals***

## ***IF ADOPTED***

- 9 Proposals (88 – 92 and 94 – 97), submitted by Upper Yukon ACs and RACs; and
- 1 Proposal (93), Submitted by a Private Individual,

# ***Commercial and/or Subsistence Salmon Related Proposals***

- 9 Proposals (88 – 92 and 94 – 97), submitted by Upper Yukon ACs and RACs; and
- 1 Proposal (93), Submitted by a Private Individual,

***IF ADOPTED, THESE  
PROPOSALS  
WILL DRAMATICALLY AND  
NEGATIVELY ALTER:***

- 9 Proposals (88 – 92 and 94 – 97), submitted by Upper Yukon ACs and RACs; and
- 1 Proposal (93), Submitted by a Private Individual,

**IF ADOPTED, THESE PROPOSALS**  
**WILL DRAMATICALLY AND**  
**NEGATIVELY ALTER:**

1. **LOWER YUKON SALMON FISHERIES;**
2. **LOWER YUKON FISHERS' ABILITY TO CATCH SALMON FOR SUBSISTENCE; AND**
3. **LOWER YUKON FISHERS' ABILITY TO COMMERCIALY SELL THE SALMON THAT YOU CATCH.**



# ***Commercial and Subsistence Salmon Related Proposals***

- Proposals 88, 89, and 90
  - seek to limit or restrict fishing gear used in the Yukon Area;
- Proposals 91, 92 and 93
  - seek to limit, prohibit the sale of, or retention of incidentally-caught king salmon in non-king directed fisheries;
- Proposal 94
  - seeks to restrict all fishing periods to a specified period of time; and
- Proposals 95, 96, and 97
  - Seek to reallocate the drainage-wide king, summer chum and fall chum salmon commercial harvests

# **PROPOSAL 88:**

## **PROHIBIT DRIFT GILLNET GEAR FOR SUBSISTENCE AND COMMERCIAL FISHING THROUGHOUT THE YUKON AREA.**

- **PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council; Fairbanks AC, Minto-Nenana AC, and Ruby AC
  
- If this proposal is adopted,  
**YUKON AREA FISHERS WILL NOT BE  
ABLE TO USE DRIFT GILLNETS FOR  
ANY SUBSISTENCE OR COMMERCIAL  
FISHING ACTIVITY WITHIN THE YUKON  
AREA.**

**PROPOSAL 89:**  
**RESTRICT DEPTH OF SUBSISTENCE AND  
COMMERCIAL 6-INCH MESH TO 35  
MESHES.**

- **PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council; Fairbanks AC, Minto-Nenana AC, and Ruby AC

- If adopted, this proposal would:

**RESTRICT THE DEPTH OF  
SUBSISTENCE AND COMMERCIAL 6 IN  
MESH NETS GILLNETS TO 35 MESHES  
OR 15 FEET.**

**PROPOSAL 90:**  
**PROHIBIT SUBSISTENCE AND  
COMMERCIAL GILLNETS LARGER  
THAN 6-IN MESH.**

- **PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council; Fairbanks AC, Minto-Nenana AC, and Ruby AC.
- If adopted, this proposal would:  
**PROHIBIT THE USE OF**  
**SUBSISTENCE AND COMMERCIAL**  
**GILLNETS LARGER THAN 6 IN**  
**STRETCH MESH**

# **PROPOSAL 91:**

## **RESTRICT KING SALMON CATCH IN ALL NON-KING DIRECTED FISHERIES TO 3,000 KING SALMON**

- **PROPOSED BY: Eastern Interior Regional Advisory Council**

- If adopted, this proposal would:

1. **LIMIT THE DRAINAGE-WIDE  
INCIDENTAL KING HARVEST IN  
CHUM SALMON FISHERIES TO  
3,000 KINGS:**

## **PROPOSAL 91 (cont.):**

**CLOSE ALL SUMMER CHUM SALMON FISHERIES ONCE THE INCIDENTAL 3,000 KING SALMON CATCH LIMIT IS REACHED.**

- **PROPOSED BY:** Eastern Interior Regional Advisory Council
  
- If adopted, this proposal would:
  2. **CLOSE SUMMER CHUM SALMON FISHERIES ONCE THE LIMIT OF 3,000 INCIDENTALY-CAUGHT KINGS IS REACHED.**

## **PROPOSAL 92:**

# **PROHIBIT THE SALE OF INCIDENTALY- CAUGHT KING SALMON HARVESTED IN NON-KING DIRECTED FISHERIES.**

- **PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council; Fairbanks AC, Minto-Nenana AC, and Ruby AC.
- If adopted, this proposal would:
- **PROHIBIT THE SALE OF KINGS  
CAUGHT IN THE SUMMER AND  
FALL CHUM SALMON-DIRECTED  
FISHERIES.**

**PROPOSAL 93:**  
**PROHIBIT THE RETENTION OF**  
INCIDENTALLY-CAUGHT KING SALMON  
HARVESTED IN NON-KING DIRECTED  
FISHERIES IN DISTRICTS 1-5.

- **PROPOSED BY:** Jude Henzler.
- If adopted, this proposal would:
- **FORCE FISHERS TO RETURN TO THE**  
**WATER ALL KINGS HARVESTED IN**  
**ANY NON-KING DIRECTED FISHERIES,**  
**EVEN IF THE KING WAS DEAD.**



# **PROPOSAL 94:**

**REQUIRE** SCHEDULING OF  
COMMERCIAL AND SUBSISTENCE  
FISHING PERIODS WITHIN THE  
WINDOWS SUBSISTENCE FISHING  
PERIODS IN THE LOWER RIVER.

- PROPOSED BY: Fairbanks AC
- If adopted, this proposal would:
- **REQUIRE THAT ALL SUBSISTENCE  
AND COMMERCIAL FISHING PERIODS  
OCCUR WITHIN THE WINDOW  
FISHING PERIODS IN THE LOWER  
YUKON RIVER.**

**Proposal 95:**  
*Yukon River*  
*King Salmon*  
*Commercial Harvest*  
*Reallocation*

# **PROPOSAL 95:** **REALLOCATE THE COMMERCIAL HARVEST OF KING SALMON**

- **PROPOSED BY:** Eastern Interior Regional Advisory Council .

- If adopted, this proposal would:

- 1. REDUCE THE DISTRICT 1 AND 2  
COMBINED COMMERCIAL  
ALLOCATION OF KING SALMON  
BY APPROXIMATELY 50%.**

# *Yukon River King Salmon GHR*

## ■ CURRENT GHR

### ■ Yukon Drainage

– 67,350 – 129,150

### ■ *Dist. 1&2 Combined*

– 60,000 – 120,000

– **89.1% - 92.9%**

### ■ Below 60,000

– **89.1%**

## ■ PROPOSED GHR

### ■ Yukon Drainage

– 0 – 60,000

### ■ *Dist. 1&2 Combined*

– 0 – 26,700

– **44.5%**

### ■ Below 60,000

– **44.5%**

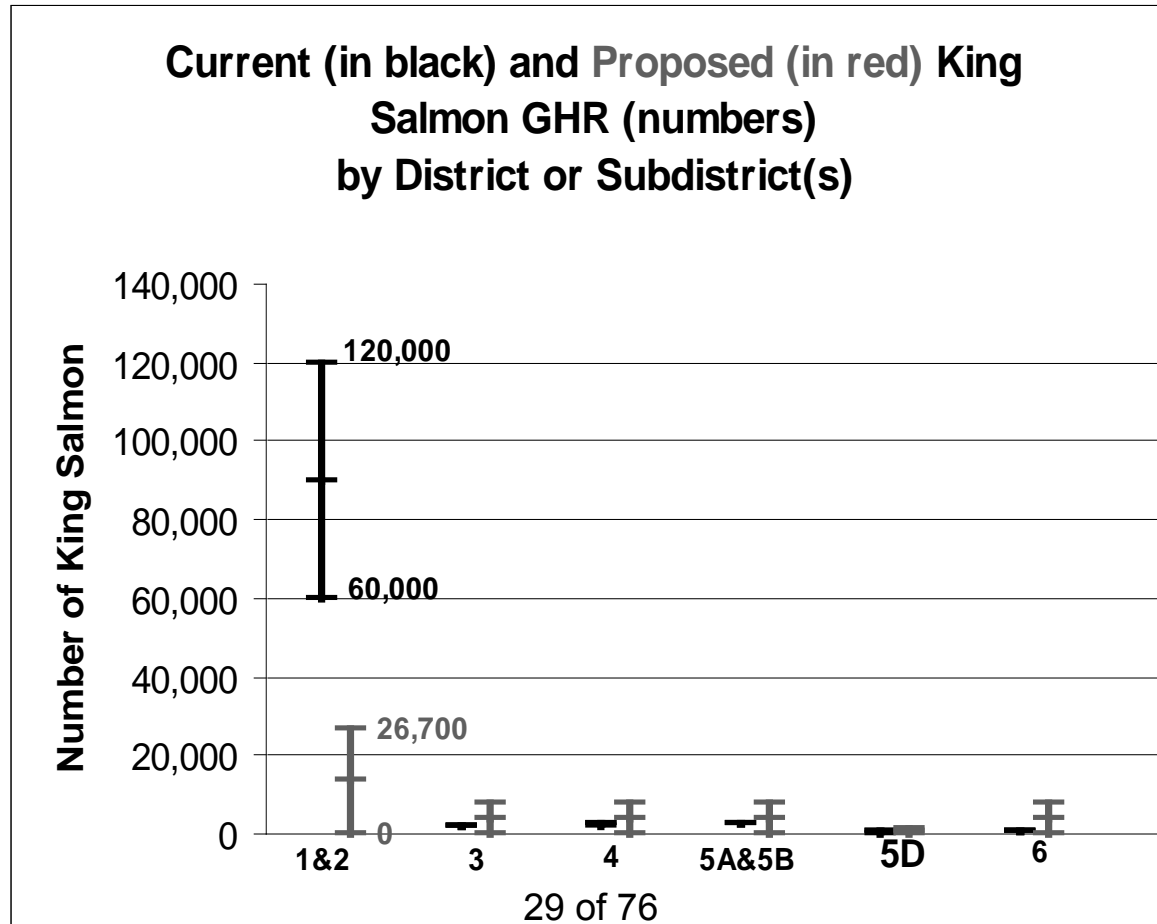
# ***KING SALMON GHR***

<b>DISTRICT OR SUBDISTRICT</b>	<b>CURRENT GHR (numbers)</b>	<b>PROPOSED GHR (numbers)</b>
<b>1 &amp; 2</b>	<b>60,000 – 120,000</b>	<b>0 – 26,700</b>
<b>3</b>	<b>1,800 – 2,200</b>	<b>0 – 8,000</b> (set net only)
<b>4</b>	<b>2,250 – 2,850</b>	<b>0 – 8,000</b>
<b>5B &amp; 5C</b>	<b>2,400 – 2,800</b>	<b>0 – 8,000</b>
<b>5D</b>	<b>300 – 500</b>	<b>0 – 1,300</b>
<b>6</b>	<b>600 - 800</b>	<b>0 – 8,000</b>
<b>Total Drainage</b>	<b>67,350 – 129,150</b>	<b>0 - 60,000</b>

# King Salmon GHR

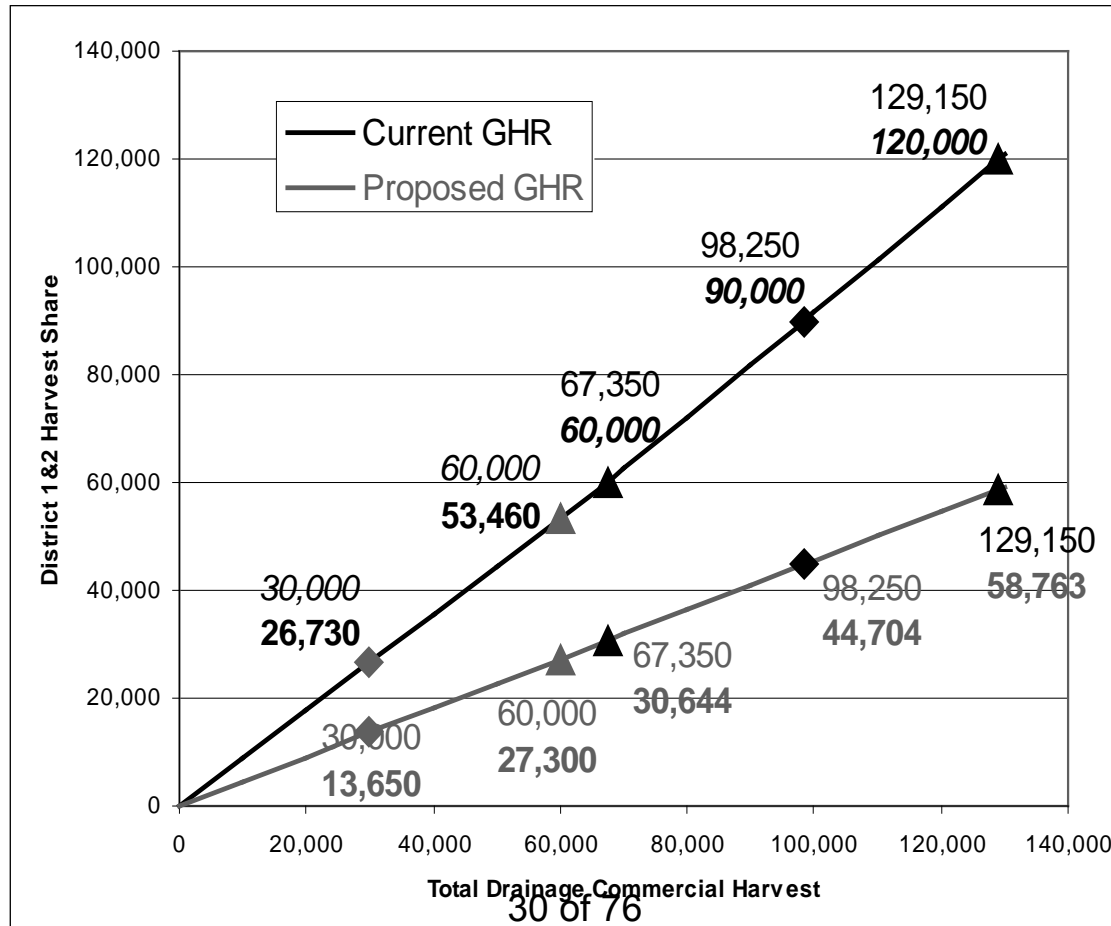
Current GHR = 67,350 – 129,150

Proposed GHR = 0 – 67,135



# King Salmon GHR

## District 1 & 2 Harvest Share



# KING SALMON GHR

## Proposal 95:

### ■ CURRENT GHR

#### ■ Yukon Drainage

– 67,350 – 129,150

#### ■ Dist. 1&2 Combined

– 60,000 – 120,000

– 89.1% - 92.9%

#### ■ *Below 60,000*

– **89.1%**

– **At 60,000 = 53,460**

### ■ PROPOSED GHR

#### ■ Yukon Drainage

– 0 – 60,000

#### ■ Dist. 1&2 Combined

– 0 – 26,700

– 0% - 44.5%

#### ■ *Below 60,000*

– **44.5%**

– **At 60,000 = 26,700**



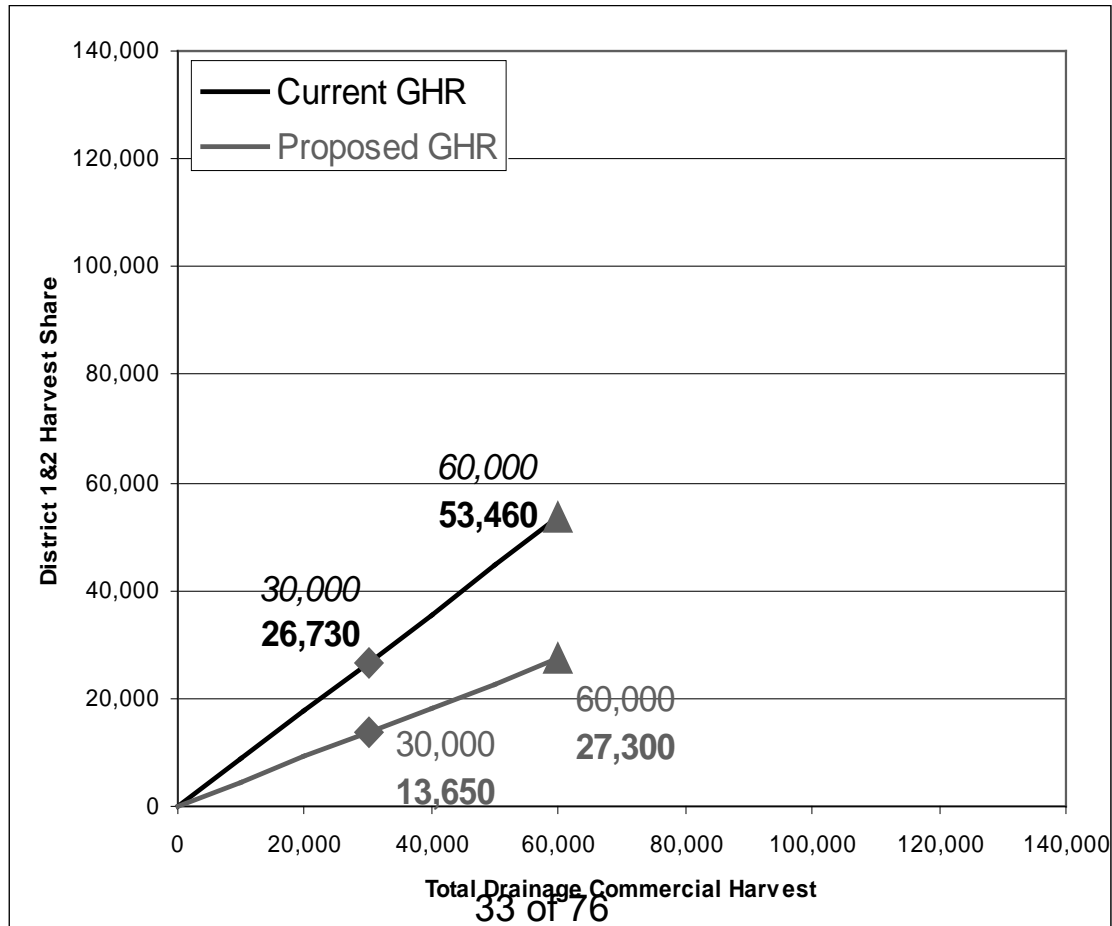
# **KING SALMON GHR**

## Proposal 95:

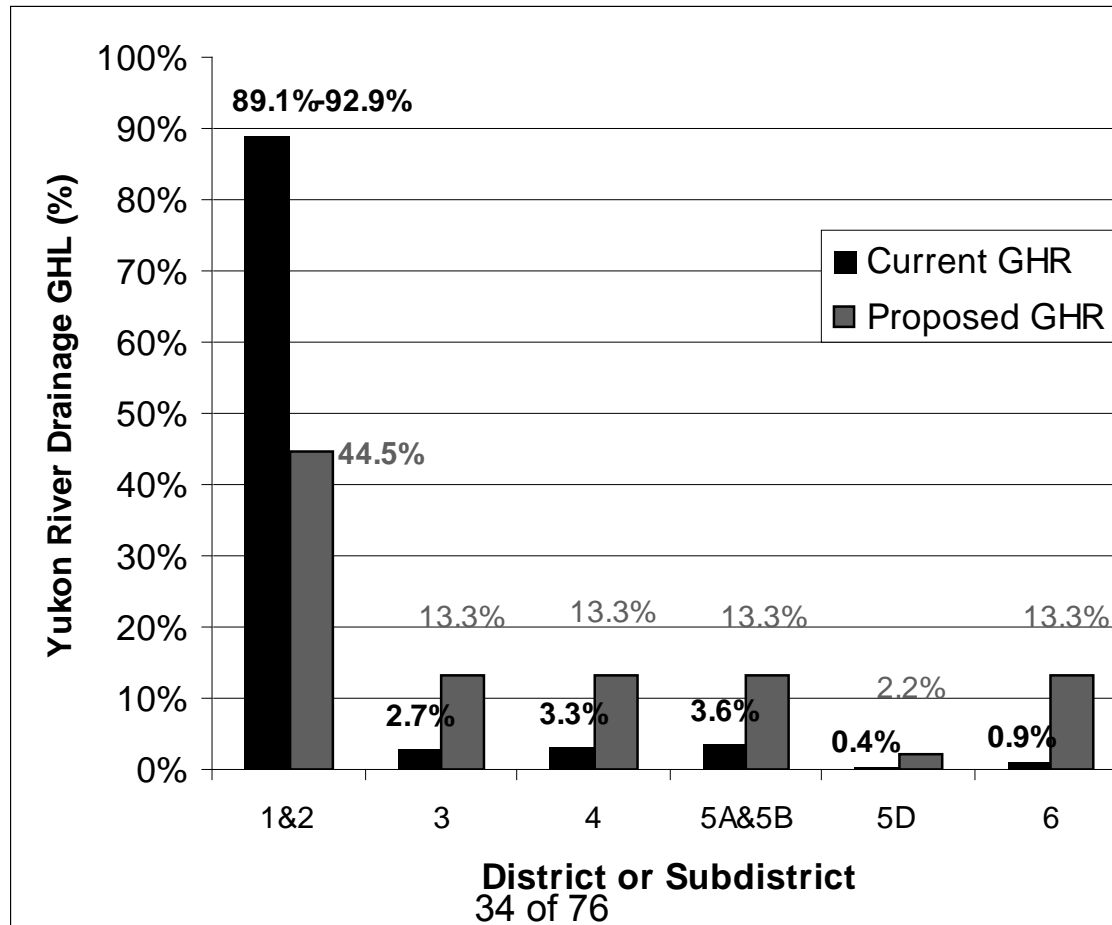
DISTRICT OR SUBDISTRICT	CURRENT % ALLOCATION IF < 60,000	PROPOSED % ALLOCATION IF < 60,000
1 & 2	<b>89.1</b>	<b>44.5</b>
3	2.7	13.3 (set net only)
4	3.3	13.3
5B & 5C	3.6	13.3
5D	0.4	2.2
6	0.9	13.3
<b>Total Drainage</b>	<b>&lt; 60,000</b>	<b>&lt; 60,000</b>

# King Salmon GHR

## District 1 & 2 Harvest Share



# Current and Proposed King Salmon GHR (percent)

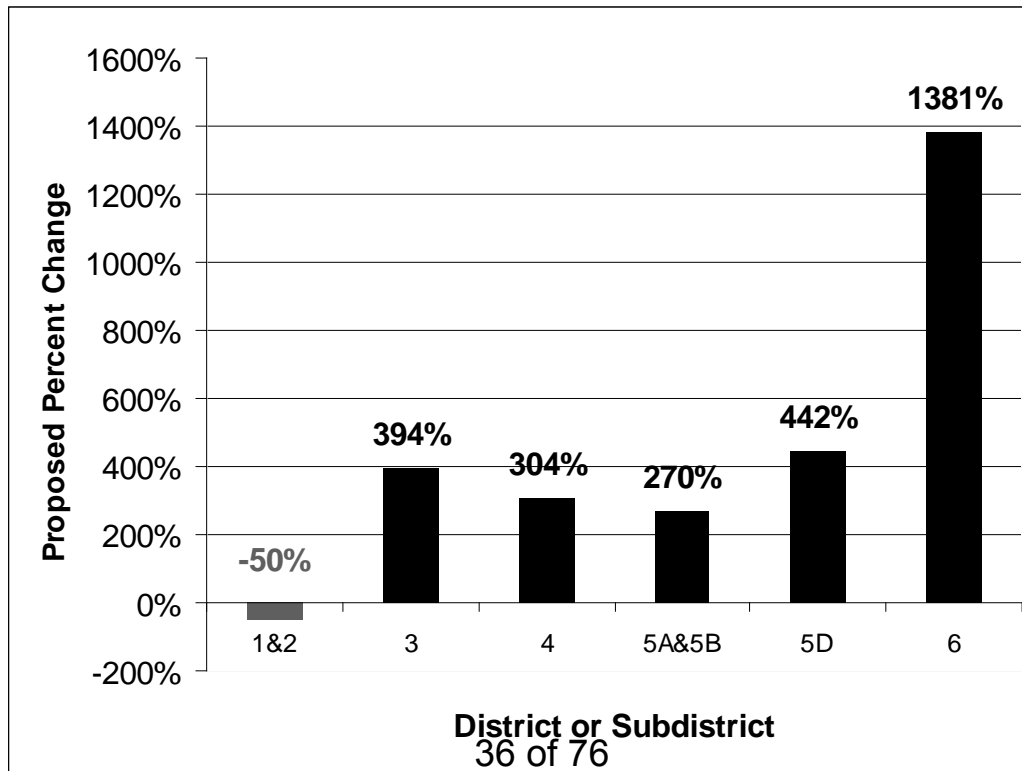


**PROPOSAL 95 (cont.):**  
**REALLOCATE THE KING SALMON  
COMMERCIAL HARVEST  
ALLOCATION**

- **PROPOSED BY:** Eastern Interior Regional Advisory Council .
- If adopted, this proposal would:
  - 2. PROHIBIT DRIFT GILLNETS IN DIST. 3.**
  - 3. INCREASES ALL OTHER DISTRICTS ALLOCATIONS FROM APPROX. 300% TO 1,400%**

# *Percent Change in King Salmon GHR*

Proposed vs Current



# ***Financial Implications District 1 & 2 King Salmon Harvest***

## **Assumptions:**

1. Drainage-Wide Com. Harvest = 60,000 Kings;
2. 20 lb. average weight;
3. \$5.00/lb paid to fishermen; and
4. 600 participating fishermen

# ***Financial Implications*** ***District 1 & 2*** ***King Salmon Harvest*** ***Reallocation***

Dist. 1 & 2 total value of the fishery:

- Current Regulations (89.1%)= ***\$5,346,000***
- Proposed Regulations (44.5%)= ***\$2,670,000***

***Financial Implications***  
***District 1 & 2***  
***King Salmon Harvest***  
***Reallocation***

**Probable Loss of  
Fishery Value =**

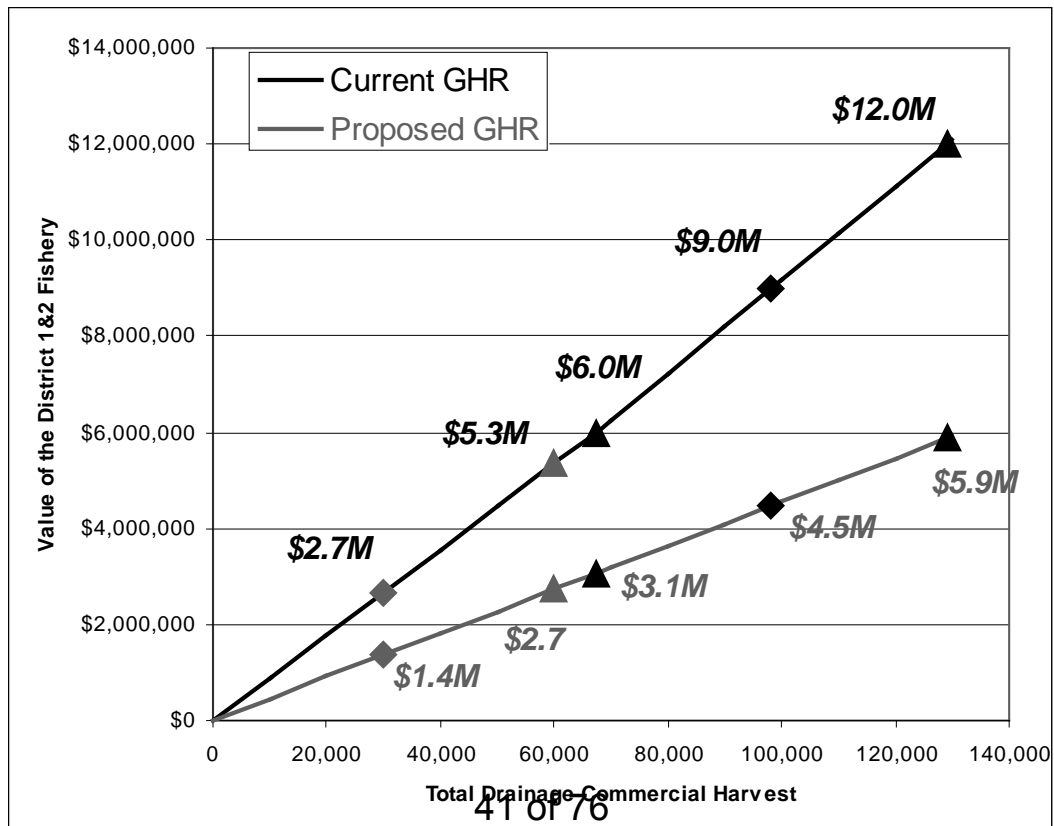
**\$2,676,000 (~50%)**



***Financial Implications***  
***District 1 & 2***  
***King Salmon Harvest***  
***Reallocation***

Probable Average Loss of  
Income to each Fisherman =  
**\$4,460 (~50%)**

# District 1 & 2 Value of the Commercial Fishery



# Proposal 96:

*Yukon River*

*Summer Chum*

*Salmon Commercial*

*Harvest Reallocation*

**PROPOSAL 96:**  
**REALLOCATE THE COMMERCIAL  
HARVEST OF SUMMER CHUM SALMON.**

- **PROPOSED BY:** Fairbanks AC.
- If adopted, this proposal would:
  - 1. REDUCE THE COMBINED  
DISTRICT 1 AND 2 GHR BY  
ABOUT 30%.**

# *Summer Chum Salmon GHL*

## ■ CURRENT GHL

### ■ Yukon Drainage

– 400,000 – 1,120,000

### ■ *Dist. 1&2 Combined*

– 251,000 – 775,000

– **62.8% - 63.5%**

### ■ Below 400,000

– 62.9%

## ■ PROPOSED GHL

### ■ Yukon Drainage

– 400,000 – 1,120,000

### ■ *Dist. 1&2 Combined*

– 180,000 – 540,000

– **45.0%**

### ■ Below 400,000

– 45.0%

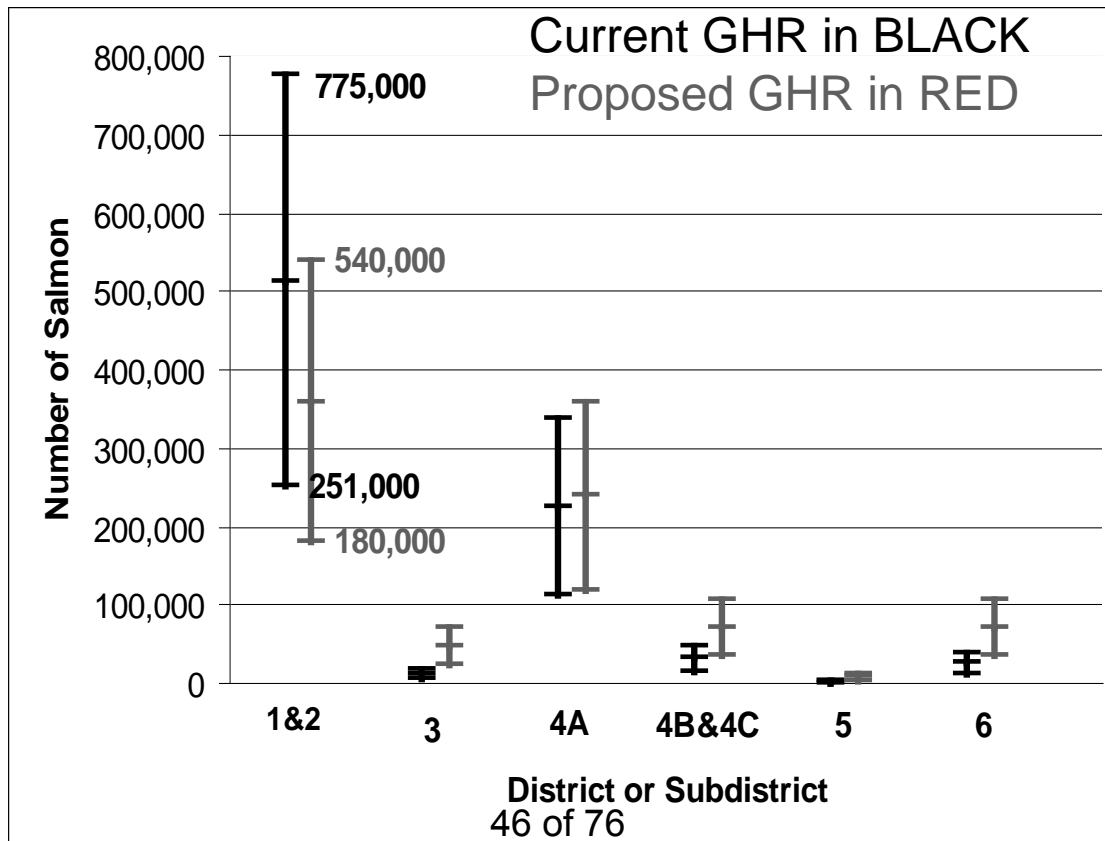
# ***SUMMER CHUM SALMON GHR***

## Proposal 96

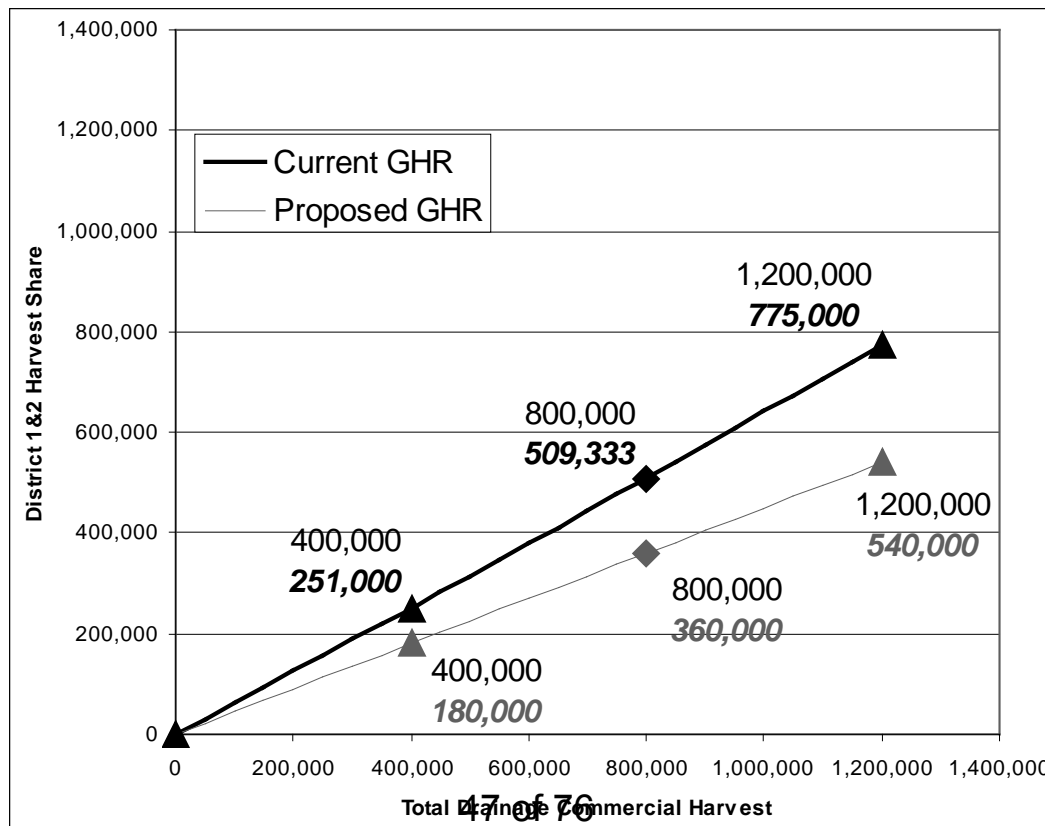
DISTRICT/ SUBDIST.	CURRENT GHR (numbers)	PROPOSED GHR (numbers)
1 & 2	<b>251,000 – 775,000</b>	<b>180,000 – 540,000</b>
3	6,000 – 19,000	24,000 – 72,000
4A	113,000 – 338,000	120,000 – 360,000
4B & 4C	16,000 – 47,000	36,000 – 108,000
5	1,000 – 3,000	4,000 – 12,000
6	13,000 – 38,000	36,000 – 108,000
<b>Total Drainage</b>	<b>400,000 – 1,200,000</b>	<b>400,000 – 1,200,000</b>

# Summer Chum Salmon Current vs Proposed GHR

Current and Proposed Drainage  
GHR = 400,000 – 1,200,000



# Summer Chum Salmon GHR Districts 1&2 Harvest Share





# Summer Chum Salmon GHR

## ■ CURRENT GHR

### ■ Yukon Drainage

– 400,000 – 1,120,000

### ■ Dist. 1&2 Combined

– 251,000 – 775,000

– 62.8% - 63.5%

### ■ *Below 400,000*

– **62.9%**

– **AT 400,000 = 251,600**

## ■ PROPOSED GHR

### ■ Yukon Drainage

– 400,000 – 1,120,000

### ■ Dist. 1&2 Combined

– 180,000 – 540,700

– 45.0% - 45.0%

### ■ *Below 400,000*

– **45.0%**

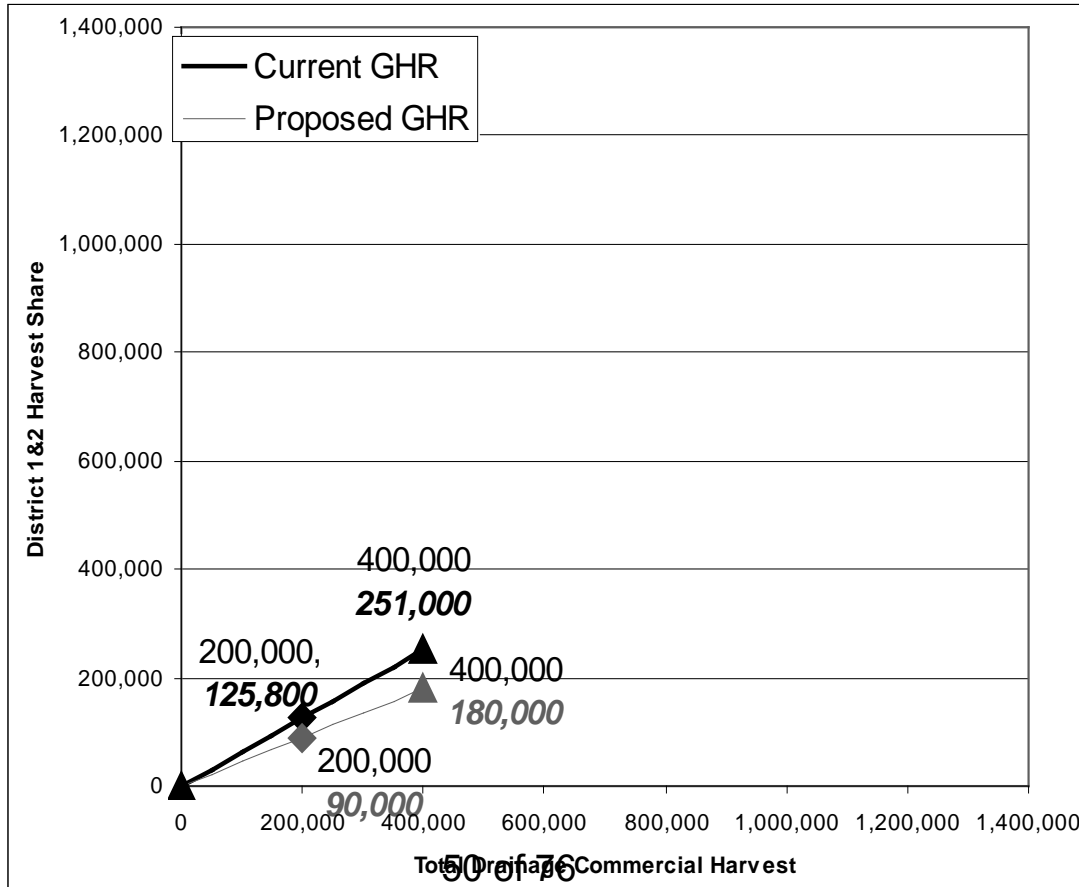
– **AT 400,000 = 180,000**

# **SUMMER CHUM SALMON GHR (Percent)**

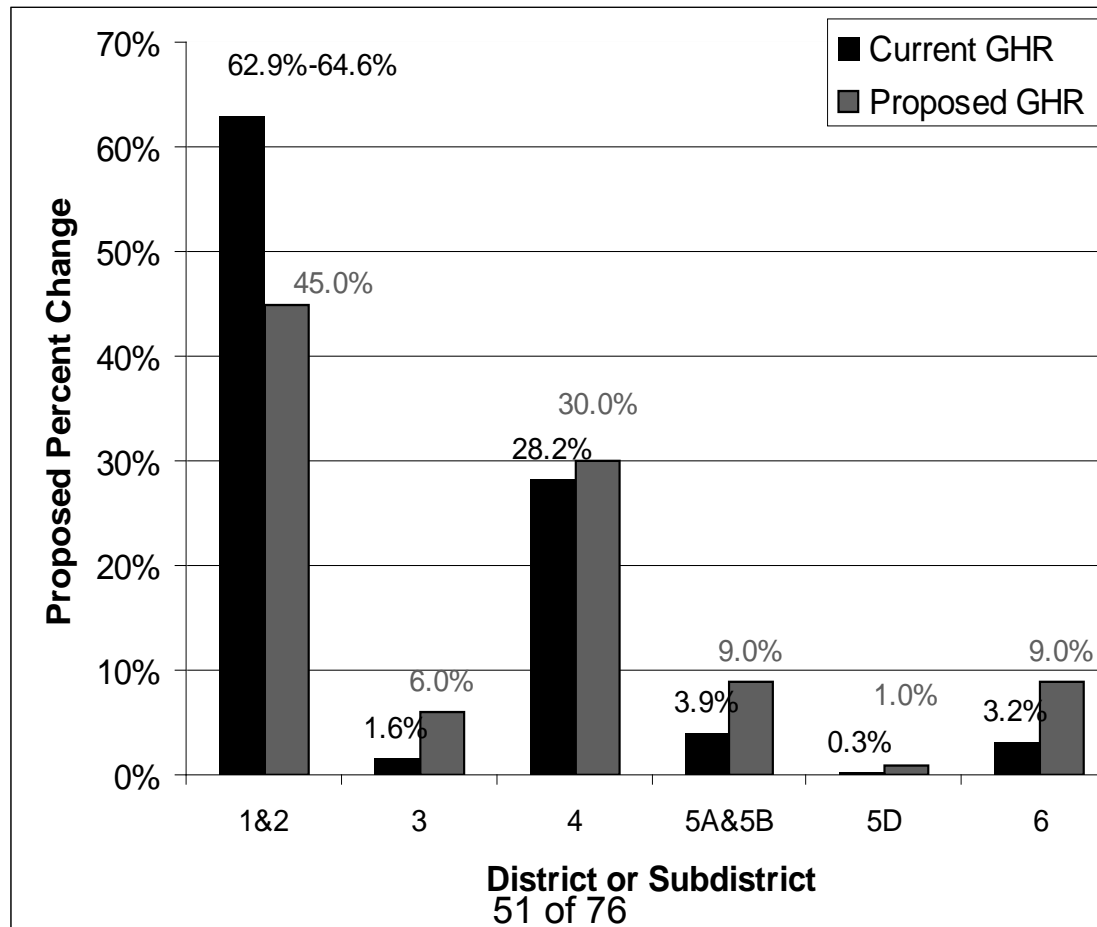
## **Proposal 96**

<b>DISTRICT/ SUBDIST.</b>	<b>CURRENT % ALLOCATION IF &lt; 400,000</b>	<b>PROPOSED % ALLOCATION IF &lt;400,000</b>
<b>1 &amp; 2</b>	<b>62.9</b>	<b>45.0</b>
<b>3</b>	<b>1.6</b>	<b>6.0</b>
<b>4A</b>	<b>28.2</b>	<b>30.0</b>
<b>4B &amp; 4C</b>	<b>3.9</b>	<b>9.0</b>
<b>5</b>	<b>0.3</b>	<b>1.0</b>
<b>6</b>	<b>3.2</b>	<b>9.0</b>
<b>Total Drainage</b>	<b>&lt; 400,000</b>	<b>&lt; 400,000</b>

# Summer Chum Salmon GHR When Drainage Harvest is < 400,000



# Summer Chum Salmon GHR (Percent)



# PROPOSAL 96 (cont.)

## REALLOCATE THE COMMERCIAL HARVEST OF SUMMER CHUM SALMON.

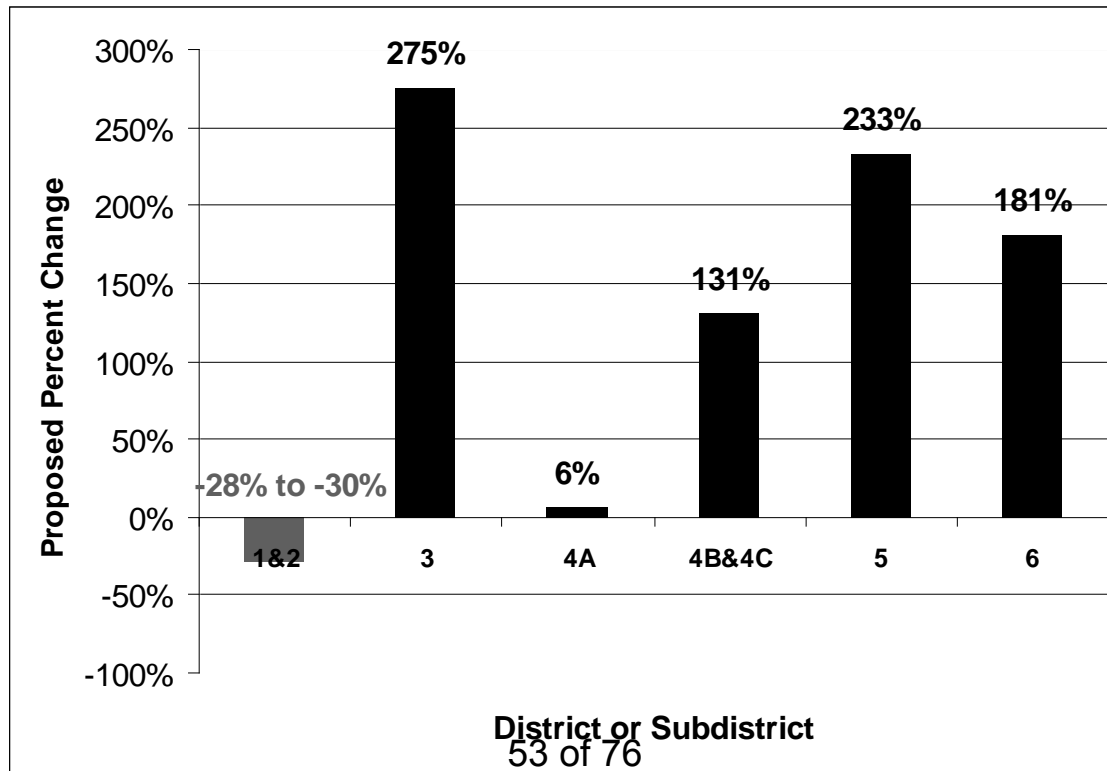
- PROPOSED BY: Fairbanks AC.

- If adopted, this proposal would:

**2. OTHER DISTRICTS**  
**ALLOCATION WOULD**  
**INCREASE FROM 6% TO BY**  
**AS MUCH AS 275%.**

# Summer Chum Salmon GHR

## Proposed vs Current (Percent Change)



# ***Financial Implications***

## ***District 1 & 2***

### ***Summer Chum Salmon Harvest***

#### ***Reallocation***

#### **Assumptions:**

1. Drainage-Wide Com. Harvest. ~800,000;
2. 6.5 lb. average weight;
3. \$0.50/lb paid to fishermen; and
4. 600 participating fishermen

# ***Financial Implications***

## ***District 1 & 2***

### ***Summer Chum Salmon Harvest***

#### ***Reallocation***

Dist. 1 & 2 Fishery Value:

- Current Regulations (510,000 fish)= ***\$1,679,700***
- Proposed Regulations (360,000 fish)= ***\$1,188.000***



***Financial Implications***  
***District 1 & 2***  
***Summer Chum Salmon***  
***Harvest Reallocation***

Probable Loss of  
Fishery Value =  
**\$491,700 (~29%)**

***Financial Implications***  
***District 1 & 2***  
***Summer Chum Salmon***  
***Harvest Reallocation***

Probable Average Loss of  
Income to each Fisherman =  
**\$820 (~29%)**

# Proposal 97:

## *Yukon River Fall Chum Salmon Commercial Harvest Reallocation*

# **PROPOSAL 97.** **REALLOCATE THE COMMERCIAL HARVEST OF FALL CHUM SALMON.**

- **PROPOSED BY: Fairbanks AC.**
- If adopted, this proposal would:
  1. **REDUCE THE DISTRICT 1, 2 & 3 GHL BY NEARLY 64% AT THE LOW END OF THE GHL;**
  2. **AND ABOUT 56% AT THE UPPER END OF THE GHL.**

# FALL CHUM SALMON GHR

## CURRENT GHR

- Yukon Drainage
  - 72,750 – 320,500
- *Dist.1,2&3 Combined*
  - 60,000 – 220,000
  - 82% - 69%
- Below 72,750
  - 71%

## PROPOSED GHR

- Yukon Drainage
  - 72,750 – 320,000
- *Dist.1,2&3 Combined*
  - 26,825 – 96,000
  - 30%
- Below 72,750
  - No provisions
  - (assume 30%)

# ***YUKON RIVER FALL CHUM SALMON GUIDELINE HARVEST RANGE (GHR)***

Proposal 97:

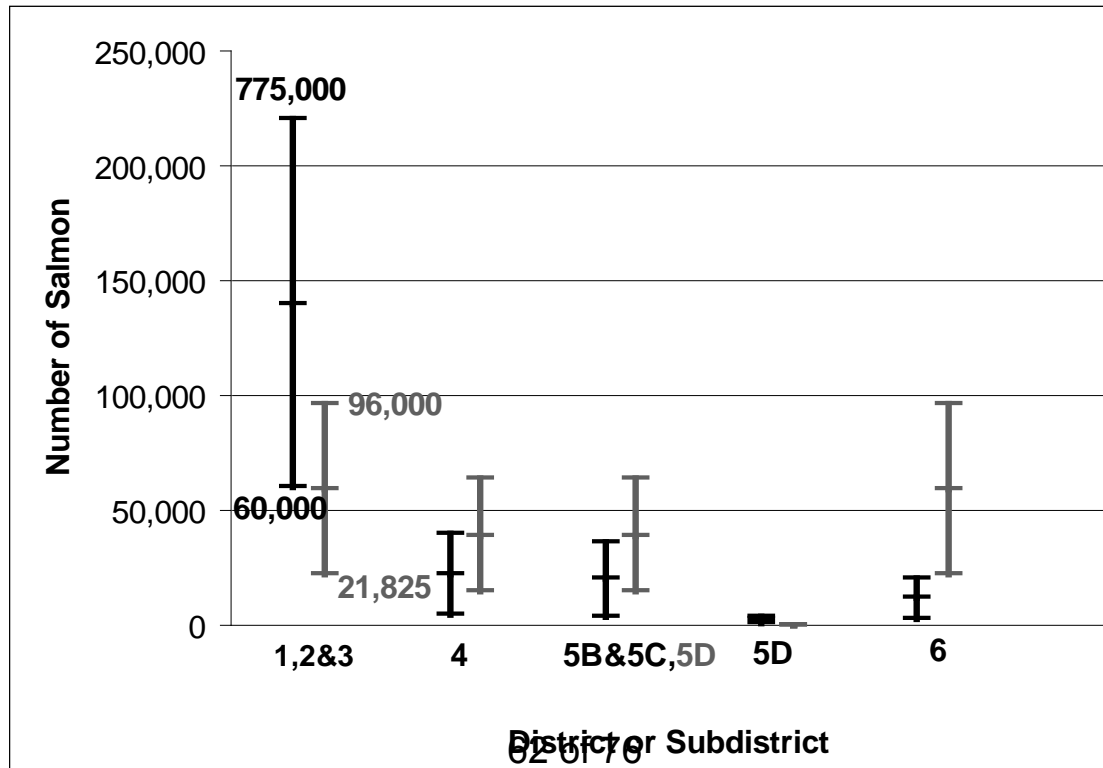
DISTRICT OR SUBDISTRICT	CURRENT GHR	PROPOSED GHR
1, 2, & 3	<b>60,000 – 220,000</b>	<b>21,825 – 96,000</b>
4	5,000 – 40,000	14,550 – 64,000
5B, 5C	4,000 – 36,000	14,550 – 64,000 (includes 5D)
5D	1,000 – 4,000	(deleted)
6	2,750 – 20,500	21,825 – 96,000
<b>Total Drainage</b>	<b>72,750 – 320,500</b>	<b>72,750 – 320,000</b>

# *Fall Chum Salmon*

## *Current vs Proposed GHR*

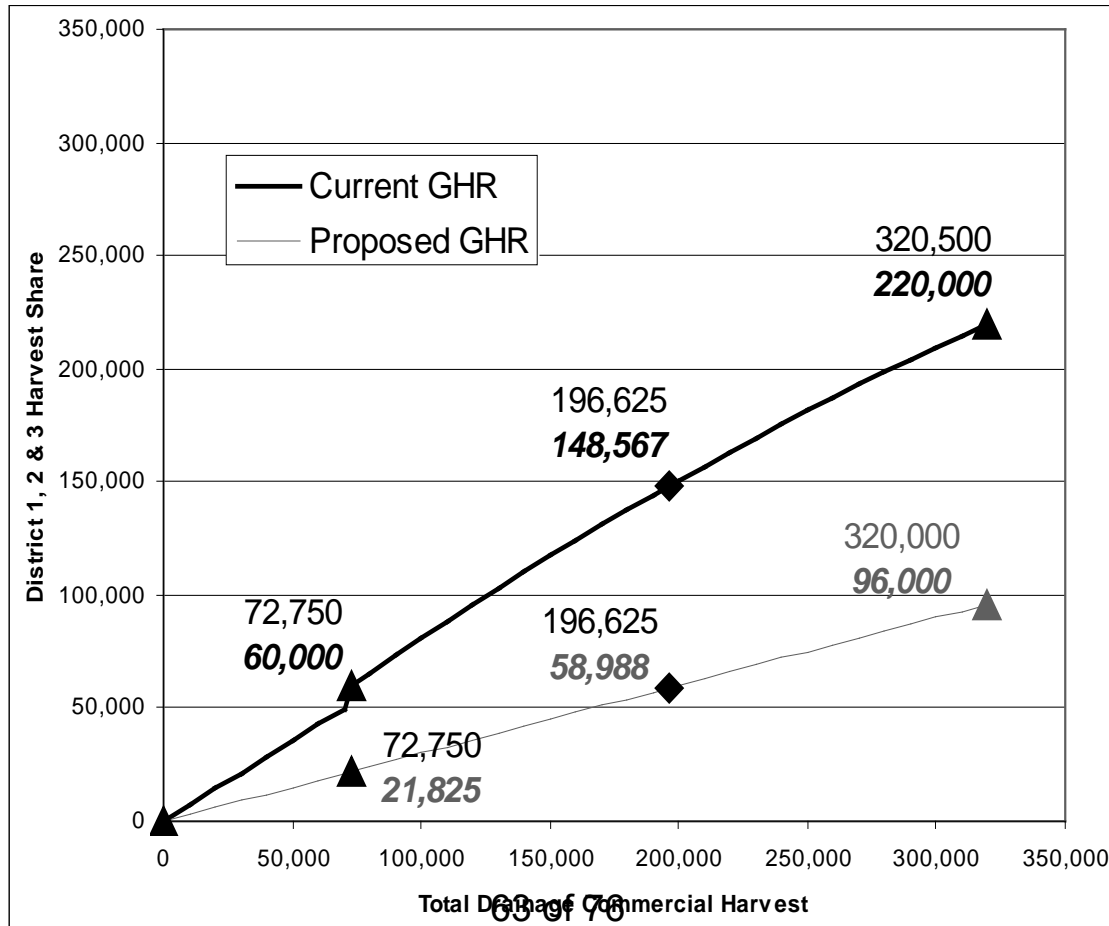
Current Drainage GHR = 72,750 – 320,500

Proposed Drainage GHR = 72,750 – 320,000



# Fall Chum Salmon GHR

## Districts 1, 2 & 3 Harvest Share





# ***YUKON RIVER FALL CHUM SALMON GUIDELINE HARVEST RANGE (GHR)***

## ■ **CURRENT GHR**

- Yukon Drainage
  - 72,750 – 320,500
- Dist. 1,2&3 Combined
  - 60,000 – 220,000
  - 82% - 69%
- *Below 72,750*
  - **71%**

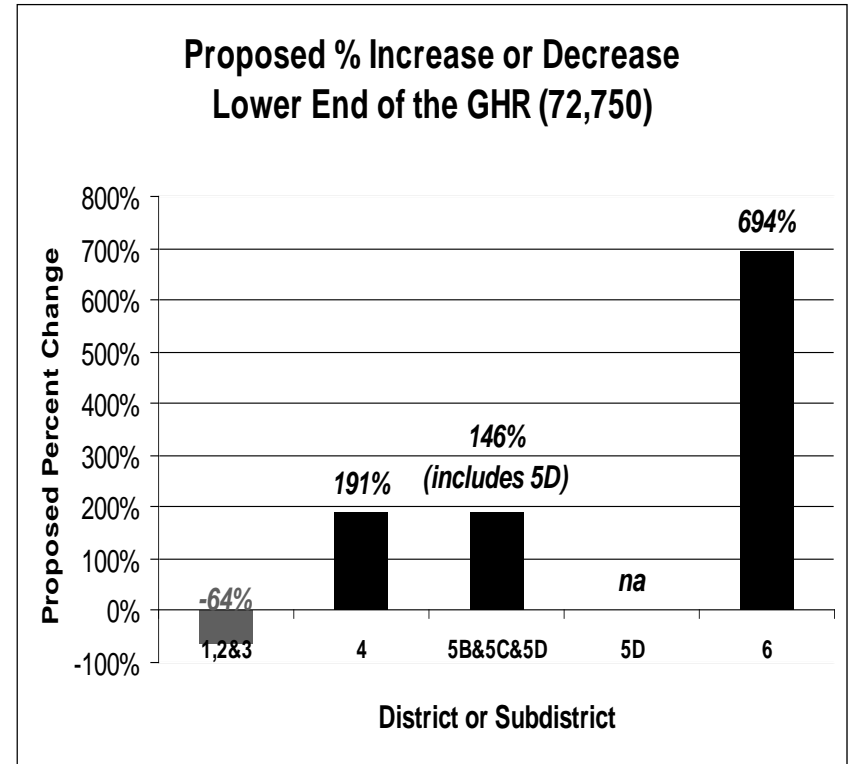
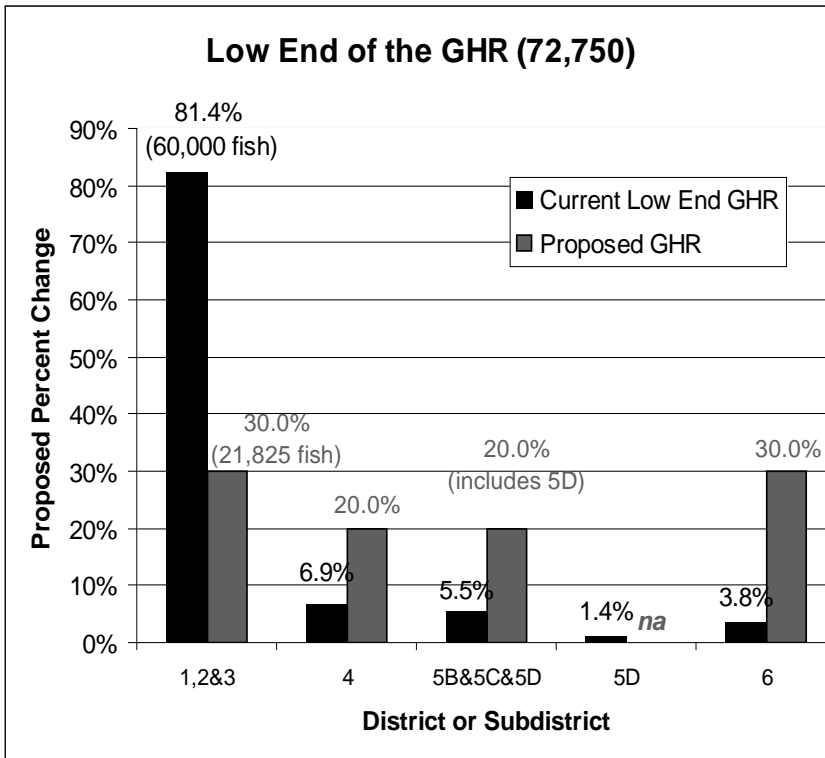
## ■ **PROPOSED GHR**

- Yukon Drainage
  - 72,750 – 320,000
- Dist. 1,2&3 Combined
  - 26,825 – 96,000
  - 30% - 30%
- *Below 72,750*
  - *No provisions*
  - **Assume 30%**

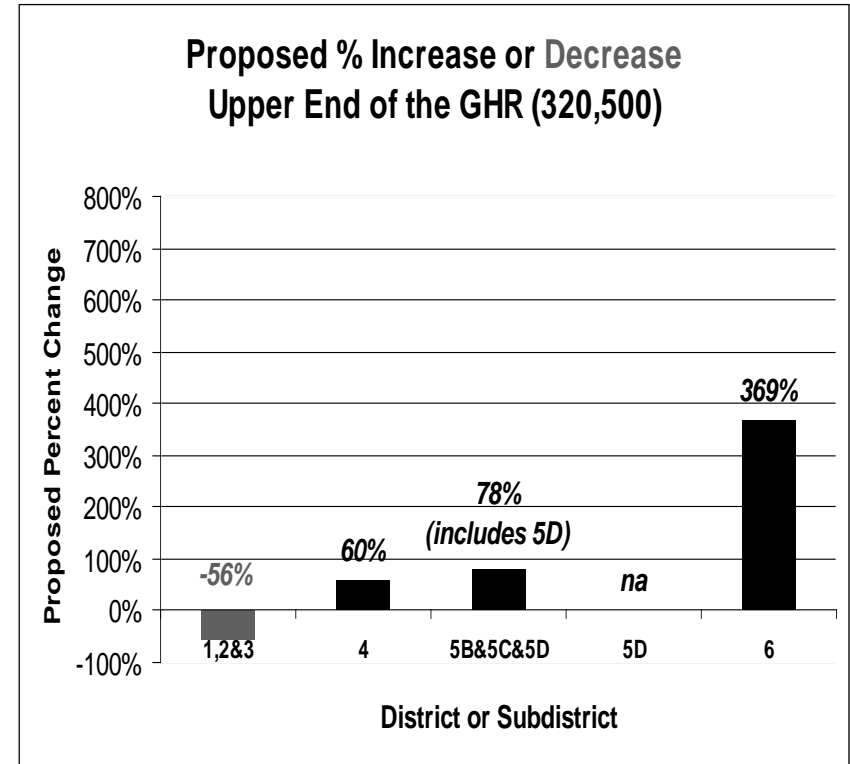
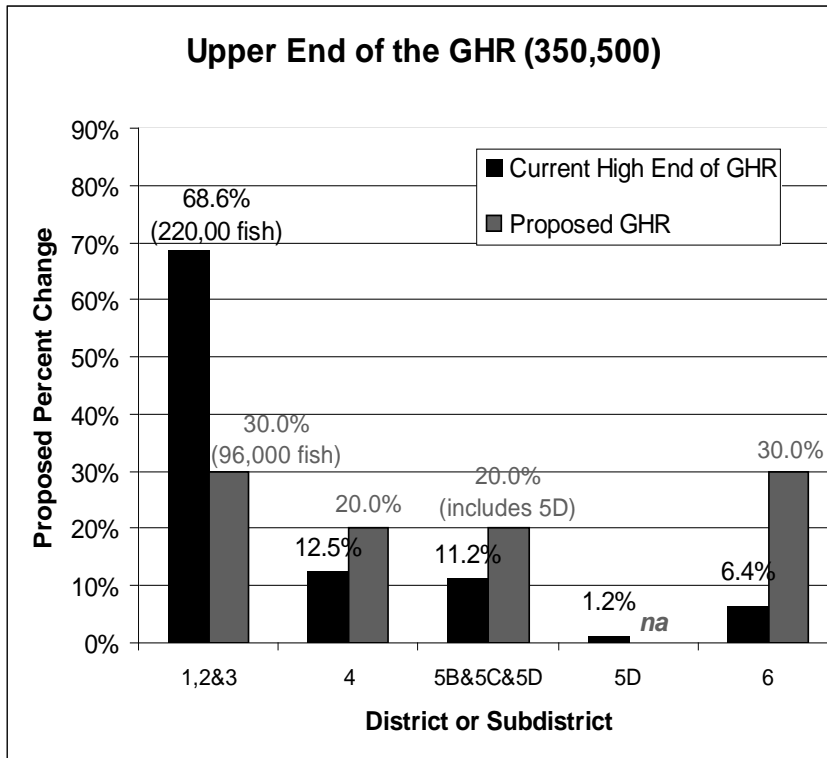
**PROPOSAL 97 (cont).**  
**REALLOCATE THE COMMERCIAL  
HARVEST OF FALL CHUM SALMON.**

- **PROPOSED BY: Fairbanks AC.**
- If adopted, this proposal would:
  1. **INCREASE ALL OTHER DISTRICT'S  
ALLOCATION FROM NEARLY 200% TO  
NEARLY 700% AT THE LOW END OF  
THE GHL**
  2. **AND FROM 60% TO 370% AT THE  
HIGH END OF THE GHL.**

# Fall Chum Salmon GHR % Distribution and % Change



# Fall Chum Salmon GHR % Distribution and % Change



***Financial Implications  
District 1, 2, & 3  
Fall Chum Salmon Harvest  
Reallocation:***

***Assumptions:***

1. Drainage-Wide Com. Harvest. ~197,000;
2. 6.6 lb. average weight;
3. \$0.70/lb paid to fishermen; and
4. 300 participating fishermen

***Financial Implications***  
***District 1, 2, and 3***  
***Fall Chum Salmon Harvest***  
***Reallocation:***

Dist. 1, 2 & 3 value of the fishery:

- Current Regulations (140,000 fish)= \$646,800
- Proposed Regulations (59,100 fish)= **\$273,000**

***Financial Implications***  
***District 1, 2 & 3***  
***Fall Chum Salmon Harvest***  
***Reallocation:***

**Probable Loss of  
Fishery Value =  
\$373,800 (~58%)**

***Financial Implications  
District 1, 2 and 3  
Fall Chum Salmon Harvest  
Reallocation:***

**Probable Average Loss of  
Income to Each Fisherman  
= \$1,246 (~-58%)**



# SUMMARY OF REALLOCATIVE PROPOSALS (#95-97)

Species	Share of the Drainage-wide Harvest (number of fish)		Value of the Commercial Fishery	
	Current	Proposed	Current	Proposed
King	53,460	<b>26,700</b>	\$5.35M	<b>\$2.67M</b>
60,000				
S.Chum	509,000	<b>360,000</b>	\$1.68M	<b>\$1.19M</b>
800,000				
F.Chum	140,000	<b>59,100</b>	\$0.65M	<b>\$0.23M</b>
197,000				
<b>TOTAL</b>	~700,000	<b>~446,000</b>	\$7.67M	<b>\$4.13M</b>

# ***SUMMARY OF REALLOCATIVE PROPOSALS (#95-97)***

	Estimated Income to Average Fisherman		Estimated Average Loss of Income to Each Fisherman
	Current	<b>Proposed</b>	
King 60,000	\$8,910	<b>\$4,450</b>	<b>-\$4,460 (-50%)</b>
S.Chum 800,000	\$2,800	<b>\$1,980</b>	<b>-\$820 (-29%)</b>
F.Chum 197,000	\$2,156	<b>\$910</b>	<b>-\$1,246 (-58%)</b>
Total	\$13,866	<b>\$7,340</b>	<b>-\$6,525 (-47%)</b>

# Summary and Review

# ***Commercial and Subsistence Salmon Related Proposals Review***

- *Proposals 88, 89, and 90*
  - *seek to limit or restrict fishing gear used in the Yukon Area;*
- *Proposals 91, 92 and 93*
  - *seek to limit, prohibit the sale of, or retention of incidentally-caught king salmon in non-king directed fisheries;*
- *Proposal 94*
  - *seeks to restrict all fishing periods to a specified period of time (Windows) in the Lower River; and*
- *Proposals 95, 96, and 97*
  - *Seek to reallocate the drainage-wide king, summer chum and fall chum salmon commercial harvests from the Lower River to the Upper River.*

***The End***

Questions and Comments?

OCT - 7 2009

BOARDS  
ANCHORAGE

Mountain Village Fisheries Working Group  
September 28, 2009

The Mountain Village Fisheries Working Group met and discussed the Yukon River Proposals in Detail. This is the outcome of the meeting.

**Proposal 88**

No. We cannot support this proposal. It is very hard to find any eddies on the lower Yukon to set nets. It is customary that we use drift gill nets each year for Commercial and Subsistence activities.

**Proposal 89**

No. This proposal does not make any sense because Proposal 88 is trying to eliminate the use of drift gill nets altogether. The Yukon in some areas is very deep, as much as 50 feet or more. 35 mesh deep nets are not practical gear type in deep water for Subsistence and Commercial fishing activities.

**Proposal 90**

No. This not a good proposal as shown in the last few years. Wrong fishing gear such as six (6) inch mesh, is not good for the Chinook salmon survival, it damages gills and other organs in the long trip to the spawning grounds.

**Proposal 91**

No. This proposal is prejudiced against the Lower Yukon commercial fisherman. If this proposal passes it should affect all fisheries all the way up the Yukon River. Close Y1-Y6 and Canada once the cap is reached.

**Proposal 92**

No. This proposal does not make any sense because of Proposal 91.

**Proposal 93**

No. This proposal is outrageous, throwing back Chinook salmon to the Yukon River in a chum directed fishery is wanton waste. We are not a North Pacific Pollock Fishery.

**Proposal 94**

No. It seems if subsistence and commercial fishing at the same time, there will be creative abuses. Fish and game will probably hire more personnel and have fun enforcing it.

**Proposal 95**

No. This proposal is not practical. Fish eaters around the world and Alaska prefer bright and shining fish on their menu. The lower Yukon fish have a market due to their omega 3 oil content. Yukon River fish lose their oil content as they swim up the river to spawn.

**Proposal 96**

Same as proposal 95 above.

**Proposal 97**

Same as proposal 95 and 96 above.

Submitted this 29th day of September, 2009.

By: Stanislaus Sheppard  
Stanislaus Sheppard chairperson

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Public Comment # 2

# Western Interior Alaska Subsistence Regional Advisory Council

c/o Office of Subsistence Management

101 12th Avenue, Room 110, Fairbanks, Alaska 99701

Phone: 1-(907)-456-0277 or 1-800-267-3997, Fax: 1-(907)-456-0208

E-mail: Vince\_Mathews@fws.gov

December 2, 2009

John Jensen, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
Post Office Box 115526  
Juneau, Alaska 99811-5526

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DEC 04 2009

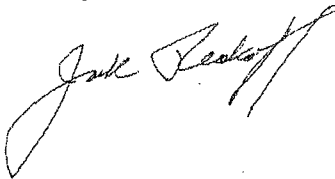
BOARDS

Dear Mr. Jensen:

The Western Interior Alaska Subsistence Regional Advisory Council represents the subsistence users along the Yukon River from Holy Cross past Ruby and the villages along the Koyukuk River. The Council understands the importance of fish resources to all the residents of our region and their concerns about the current status of salmon returns. The Council will be sending its representative, Timothy Gervais of Ruby, to share our recommendations on pending Arctic-Yukon-Kuskokwim fisheries proposals. He will also sit on the Board's subcommittee reviewing these important proposals.

The attached proposal recommendations were from our recent public meeting in Aniak on October 6 - 7, 2009. If you have any questions or need additional information, please call me (1-907-678-2007)

Sincerely,



Jack Reakoff  
Council Chair

cc: Pete Probasco, ARD Subsistence, US Fish and Wildlife Service  
Fred Bue, Federal Inseason Manager, US Fish and Wildlife Service  
Rod Campbell, Office of Subsistence Management  
Nissa Pilcher, Regional Coordinator, Alaska Department of Fish and Game  
Steve Hayes, Area Biologist, Alaska Department of Fish and Game  
Affected State Advisory Committee Chairs  
Western Interior Regional Council members





**WESTERN INTERIOR ALASKA SUBSISTENCE REGIONAL COUNCIL'S  
RECOMMENDATIONS ON  
ALASKA BOARD OF FISHERIES AYK & OTHER PROPOSALS FOR 2009/2010**

Note: All the recommendations below were action items from the Council's public meeting in Aniak on October 6 – 7, 2009. Complete meeting transcripts are available on-line at the Federal Subsistence Management Program's website: <http://alaska.fws.gov/asm/index.cfm>

**Proposal 66 Kuskokwim River Salmon Rebuilding Plan.** Allow retention of chum salmon in Aniak River sport fishery.

**Council recommendation:** Support.

**Justification:** The Council framed the proposal as a housekeeping proposal and supported the possible savings in Chinook salmon harvested with the three fish harvest limit. A majority of the Council members abstained from voting because it being an area issue.

**Proposal 67 Gillnet specifications and operations.** Change the maximum mesh size from 8 inch to 6 inch in the Kuskokwim River.

**Council recommendation:** Support.

**Justification:** The Council did not see a need for the management option to allow 8 inch nets when the Kuskokwim River Chinook salmon has not recovered. When 8 inch nets were allowed with directed fisheries the Chinook salmon bycatch were the large females, which are desired for quality escapement. The Council did not want Chinook salmon to become the desired species in chum salmon directed fisheries.

**Proposal 81 Fishing Seasons and Periods.** Clarify subsistence fishing schedule in Subdistricts 4-B and 4-C. Clarify the subsistence fishing schedule in Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days.

**Council recommendation:** Deferred to the home State Advisory Committees.

**Justification:** The Council was uncomfortable taking a position on this proposal without knowing what the affected advisory committees recommendations, hence deferral to the home advisory committees.

**Proposal 83 Subsistence Fishing Permits.** Require recording subsistence harvest on catch calendars all harvested fish, in ink, before concealing the fish from view. If fish are shared outside the household, the number of fish shared and the name(s) of the person(s) shared with must be recorded on the catch calendar. The catch calendar must be available for inspection at any fish camp, fishing location, or primary residence of the calendar holder.

**Council recommendation:** Oppose.

**Justification:** The Council opposed the proposal because it places an undue hardship on the subsistence fishermen and would be difficult to record due to weather conditions and the challenges of recording in a boat while fishing. Recording with whom a subsistence fisherman shared his/her fish was going too far.

2/5

**Proposal 84 Lawful gear and gear specifications.** Extend Subdistricts 4-B and 4-C drift gillnet area for Chinook salmon into State waters of the subdistricts to the mouth of the Yuki River allowing Chinook salmon to be taken by drift gillnets from June 10 through July 14.

**Council recommendation:** Support with modification to include the entire subdistricts 4-B and 4-C.

**Justification:** The Council supported the expansion of its Federal efforts to allow drift net fishing in Federal waters a few years back. The local communities have asked for this extension of the allowed drift net fishing area for years throughout the entire subdistricts. Council members noted there would a minimal harvest and it would relieve congestion and concentration of fishing in Koyukuk area.

**Proposal 85 Lawful gear and gear specifications.** Extend Subdistricts 4-B and 4-C drift gillnet area for Chinook and fall chum salmon into State waters of the subdistricts to the mouth of the Yuki River allowing Chinook salmon to be taken by drift gillnets from June 10 through July 14.

**Council recommendation:** Support with modification to include the entire subdistricts 4-B and 4-C.

**Justification:** The Council felt there was no reason that people in Subdistricts 4-B and 4-C should not be able to harvest fall chum salmon with drift gillnet gear. They should have the opportunity to utilize harvest methods that they feel are appropriate. And based on the Council's action on proposal 84, the Council supported this proposal with the modification to include the entire area of Subdistricts 4-B and 4-C.

**Proposal 87 Yukon River King Salmon Management Plan.** Review triggers, GHR, fishing schedule in king salmon management plan.

**Council recommendation:** No action with the understanding the Council representative can express and share the conservation concerns of the Western Interior Regional Council as they relate to Chinook salmon and the associated subsistence use and needs.

**Justification:** The Council was concerned about the wide-reaching aspects of this proposal and the lack alternates or suggestions to improve the management plan. The Council was clear it wanted its representative be empowered to share the Council's concerns when the Board addresses this proposal. The Council concerns are regarding protecting the subsistence resource and the subsistence users in the Western Interior Region.

**Proposal 88 Gillnet specifications and operations, and lawful gear and gear specifications.** Prohibit drift gillnet gear for subsistence and commercial fishing. No subsistence or commercial driftnet fishing allowed in the entire Yukon River drainage.

**Council recommendation:** Oppose.

**Justification:** The Council recognizes that drift gillnet fishing is a very important part and method of subsistence harvest. Drift gillnet fishing method economizes time, effort and expense for subsistence fishermen.

**Proposal 89 Gillnet specifications and operations, and lawful gear and gear specifications.** Restrict depth of subsistence and commercial 6 inch mesh to 35 meshes. No commercial or subsistence 6 inch gillnets with a hung depth of more than 15 feet or 35 meshes shall be allowed in the entire Yukon River drainage.

3/5

3

**Council recommendation:** Oppose.

**Justification:** The Council is opposed to a 6 inch mesh requirement for directed commercial or subsistence Chinook salmon harvest. A depth restriction would have variations of effectiveness to protect Chinook salmon depending on wind velocity. Stronger winds bring Chinook to the surface. Fishermen in the lower river may not be able to meet subsistence needs with shallow nets in the relatively short harvest windows.

**Proposal 90 Gillnet specifications and operations, and lawful gear and gear specifications.**

Prohibit subsistence and commercial gillnets over 6 inch mesh size. No commercial or subsistence gillnets with a stretched mesh larger than 6 inch shall be allowed in the entire Yukon River drainage.

**Council recommendation:** Oppose.

**Justification:** The Council opposes this proposal because of the high drop out rate and high mortality of Chinook salmon with the use of this smaller mesh size gear. The 6 inch gear type is far too small for intended Chinook salmon and is detrimental to the subsistence users and the resource.

**Proposal 91 Yukon River Summer Chum Salmon Management Plan.** Limit commercial king salmon harvest during chum directed fisheries with a bycatch of Chinook salmon quota to be set at 3000 fish until such time that border escapements into Canada are achieved for one full life salmon cycle (six years). Upon reaching the quota all commercial chum salmon directed fisheries shall be closed for the remainder of the summer chum season.

**Council recommendation:** Support.

**Justification:** The Council supports this Chinook salmon quota as a disincentive to target Chinook salmon while fishing under directed chum salmon fisheries. This is a necessary conservation measure when there are restricted Chinook runs.

**Proposal 92 Yukon River Summer Chum Salmon Management Plan.** Prohibit sale of kings during non-king directed fisheries. No commercial sales of Chinook salmon caught in non-Chinook directed commercial fisheries in the entire Yukon River drainage. Chinook salmon caught as bycatch shall go into the subsistence fishery only.

**Council recommendation:** Support with modification to remain in effect as long as subsistence restrictions are in place.

**Justification:** The bycatch of Chinook salmon needs to be reduced during these times of suppressed Chinook runs and the needs of escapement and subsistence are top priority. Passage of this proposal allows for the commercial harvest of summer chum without being detrimental to the Chinook returns. It eliminates the incentive to target Chinook salmon during a directed chum fishery.

**Proposal 93 Yukon River King Salmon Management Plan.** Prohibit retention of kings during chum directed main stem fisheries. In commercial openings on the main stem of the Yukon River in Districts 1 – 5 for an other-directed species, a fisherman or fisherwoman participating in those directed fisheries may neither retain nor sell any king salmon he or she bycatches in those directed fishery openings.

**Council recommendation:** Oppose.

3/5

**Justification:** The Council opposes this proposal because discarding Chinook salmon harvested incidentally during directed fisheries for other salmon species is extremely wasteful.

**Proposal 94 Yukon River King Salmon Management Plan.** Require windows schedule during lower river commercial fishery, repeal 5 AAC 05.360(e) (managers must stick to the window schedule).

**Council recommendation:** Oppose.

**Proposal 96 Yukon River Summer Chum Salmon Management Plan.** Reallocate commercial summer chum salmon guideline harvest ranges.

**Council recommendation:** Deferred to the affected advisory committees.

**Proposal 97 Yukon River Fall Chum Salmon Guideline Harvest Rangers.** Reallocate commercial fall chum salmon harvests.

**Council recommendation:** Deferred to the affected advisory committees.

**Proposal 98 Fishing districts and subdistricts.** Open commercial fishing between Chris Point and Black River for both drift and set net.

**Council recommendation:** Oppose.

**Justification:** This proposal provides additional fishing area and allocation of resource to an area that has not had a fishery. The Yukon River salmon resource cannot support additional commercial harvest, with the subsistence restrictions in place.

**Proposal 99 Closed Waters.** Open Andreafsky River to commercial fishing by deleting part (4) of 5 AAC 05.350.

**Council recommendation:** Deferred to the affected advisory committees.

5/5 alt

# Eastern Interior Alaska Subsistence Regional Advisory Council

c/o Office of Subsistence Management

101 12th Avenue, Room 110, Fairbanks, Alaska 99701

Phone: 1-(907)-456-0277 or 1-800-267-3997, Fax: 1-(907)-456-0208

E-mail: Vince\_Mathews@fws.gov

RECEIVED

DEC 15 2009

BOARDS

December 10, 2009

Vince Webster, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
Post Office Box 115526  
Juneau, Alaska 99811-5526

Dear Mr. Jensen:

The Eastern Interior Alaska Subsistence Regional Advisory Council represents the subsistence users along the Yukon River from Tanana to the Canadian border and along the Tanana River. The Council understands the importance of fish resources to all the residents of our region and their concerns about the current status of salmon returns. The Council will be sending its representative, Andrew Firmin of Fort Yukon, to share our recommendations on pending Arctic-Yukon-Kuskokwim fisheries proposals. He will also sit on the Board's subcommittee reviewing these important proposals.

The attached proposal recommendations were from our recent public meeting in Fort Yukon on October 13 – 14, 2009. If you have any questions or need additional information, please call me (1-907-883-2833)

Sincerely,



Sue Entsminger  
Council Chair

cc: Pete Probasco, ARD Subsistence, US Fish and Wildlife Service  
Fred Bue, Federal Inseason Manager, US Fish and Wildlife Service  
Rod Campbell, Office of Subsistence Management  
Nissa Pilcher, Regional Coordinator, Alaska Department of Fish and Game  
Steve Hayes, Area Biologist, Alaska Department of Fish and Game  
Affected State Advisory Committee Chairs  
Eastern Interior Regional Council members



**EASTERN INTERIOR REGIONAL COUNCIL'S RECOMMENDATIONS ON  
ALASKA BOARD OF FISHERIES AYK & OTHER PROPOSALS FOR 2009/2010**

Note: All the recommendations below were action items from the Council's public meeting in Fort Yukon on October 13 – 14, 2009. Complete meeting transcripts are available on-line at the Federal Subsistence Management Program's website: <http://alaska.fws.gov/asm/index.cfm>

**Proposal 63 Minto Flats Northern Pike Management Plan.** Align areas in the Minto Flats Northern Pike Management Plan.

**Council recommendation:** Support.

**Justification:** The Council supports this housekeeping proposal that aligns the sportfish plan with the subsistence plan. Passage of this proposal would reduce confusion and make regulations for pike in the Minto Flats area more user friendly.

**Proposal 64 Minto Flats Northern Pike Management Plan.** Establish subsistence daily household limit of 25 and 50 in possession for winter pike fishery.

**Council recommendation:** Support.

**Justification:** The Council supports setting a harvest and possession limits to eliminate the abuse by fishermen that targeted and overharvested pike in their concentrated winter areas. The older and larger female pike need to be protected for healthy pike populations for future generations of fishermen.

**Proposal 65 Minto Flats Northern Pike Management Plan.** Require single hooks for summer sport and winter pike fishery in the Chatanika River, Minto Lakes, and Goldstream Creek.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because the use of single hooks will make it easier to release caught pike that are under the fisherman's desired size. Using single hooks may also result in less fish mortality when catching and releasing pike.

**Proposal 67 Gillnet specifications and operations.** Change the maximum mesh size from 8 inch to 6 inch in the Kuskokwim River.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it parallels its support for a 6 inch mesh size for the Yukon River. Various Council members have campaigned for years to have a net size restriction on the Yukon River for salmon stock conservation. This proposal shows that a parallel conservation action (6 inch restriction) has been in effect for many years on the Kuskokwim River and the Kuskokwim River Salmon Management Working Group recognize the impact of 8 inch mesh size nets on spawning large female portion of the salmon run.

**Proposal 81 Fishing Seasons and Periods.** Clarify subsistence fishing schedule in Subdistricts 4-B and 4-C. Clarify the subsistence fishing schedule in Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days.

**Council recommendation:** Support.



**Justification:** The Council supports this proposal because it is a house-keeping proposal to put into regulation what the Department has been doing by issuing emergency orders.

**Proposal 82 Fishing Seasons and Periods.** Modify subsistence fishing schedule in Subdistrict 4-A to allow subsistence fishing in Subdistrict 4-A to be open for two 48-hour periods during the commercial fishing season

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it is a house-keeping proposal to put into regulation what the Department has been doing by issuing emergency orders. It also allows the entire Upper Yukon River to operate the same way.

**Proposal 83 Subsistence Fishing Permits.** Require recording subsistence harvest on catch calendars all harvested fish, in ink, before concealing the fish from view. If fish are shared outside the household, the number of fish shared and the name(s) of the person(s) shared with must be recorded on the catch calendar. The catch calendar must be available for inspection at any fish camp, fishing location, or primary residence of the calendar holder.

**Council recommendation:** Support

**Justification:** The Council supports this mandatory reporting of fish harvested and shared for subsistence purposes because of the conservation concerns with the returning salmon stocks. Accurate and timely information is needed to monitor the runs and to reconstruct the runs for effective fisheries management. The mandatory will also reduce the abuse of the subsistence fishing privileges by helping law enforcement to enforce regulations on those clearly abusing these privileges. Adhering to these reporting requirements will also validate how many fish are actually harvested per household for subsistence needs. The data collected will provide more accurate accountability of the amount of fish needed to meet subsistence needs across the entire Yukon River drainage.

**Proposal 86 Lawful gear and gear specifications.** Allow set gillnets to be tied up during closures in Subdistrict 5-D in a manner to render the nets non-fishing and shall be marked with a black anchor float.

**Council recommendation:** Support.

**Justification:** The current conservation concerns for the salmon returns will require more management actions including closures. Closures cause a hardship and safety concerns for fishermen in Subdistrict 5-D. Fishermen in this subdistrict, set their nets using small boats in areas with strong eddies. Setting and resetting nets presently required with closures is a precarious and dangerous operation especially when a single fisherman is setting the anchor and net. It is common practice in this area for single fisherman to perform this task, many of them being fisherwomen. Management needs to be flexible to address safety concerns of its users. The black floats will allow law enforcement know that the net is tied up and non-fishing. The Council sees this proposal as safety and flexibility solution.

**Proposal 87 Yukon River King Salmon Management Plan.** Review triggers, GHR, fishing schedule in king salmon management plan.

**Council recommendation:** Support with the modification to split District Y5D into three sections: Stevens Village to Beaver, Fort Yukon to Circle, and Circle to Eagle.

**Justification:** The Council supports this proposal as a placeholder proposals that allows the entire Yukon River Chinook Salmon Management Plan to be open for review and action by the Alaska Board of Fisheries. Opening the management plan allows the Board to consider any option to address the conservation concerns associated with Yukon River Chinook salmon management.

**Proposal 88 Gillnet specifications and operations, and lawful gear and gear specifications.**

Prohibit drift gillnet gear for subsistence and commercial fishing. No subsistence or commercial driftnet fishing allowed in the entire Yukon River drainage.

**Council recommendation:** Support.

**Justification:** Setnet fishing was the traditional fishing gear for the lower Yukon River area and with the introduction of drift gillnets in late 1970s or early 1980s fishermen were able to catch more fish more efficiently. The proposal's intent was to get all options available to the Alaska Board of Fisheries. Passage of this proposal would address the conservation concerns of increasingly smaller size fish returning to spawn because drift gillnets target the larger fish which tend to be the older fish and large females. Taking this action would also results in a similar level of fishing efficiency as is current for the Yukon Flats area. Passage of this proposal would allow more fish to reach their spawning grounds and be available to meet subsistence needs of the upper river which have gone unmet for years.

**Proposal 89 Gillnet specifications and operations, and lawful gear and gear specifications.**

Restrict depth of subsistence and commercial 6 inch mesh to 35 meshes. No commercial or subsistence 6 inch gillnets with a hung depth of more than 15 feet or 35 meshes shall be allowed in the entire Yukon River drainage.

**Council recommendation:** Support with modification to have a three year phase in for subsistence only.

**Justification:** The Council supports this proposal to reduce the detrimental effect on the stock composition and quality of escapement for Yukon River Chinook salmon resulting from the deeper nets. Deeper nets tend to target the larger and female Chinook salmon. Fishermen across the drainage have noted the decline in size of returning Chinook salmon because of net depth and size selectivity of drift gillnets. Without this conservation measure complete closure of subsistence use maybe necessary to prevent a collapse of the fishery. The three year phase in will allow time for subsistence fishermen to purchase new 6 inch nets.

**Proposal 90 Gillnet specifications and operations, and lawful gear and gear specifications.**

Prohibit subsistence and commercial gillnets over 6 inch mesh size. No commercial or subsistence gillnets with a stretched mesh larger than 6 inch shall be allowed in the entire Yukon River drainage.

**Council recommendation:** Support with modification to have a three year phase in.

**Justification:** The Council supports this proposal to reduce the detrimental effect on the stock composition and quality of escapement for Yukon River Chinook salmon resulting from the larger mesh size nets. Deeper nets tend to target the larger and female Chinook salmon. Fishermen across the drainage have noted the decline in size of returning Chinook salmon because of net depth and size selectivity of drift gillnets. Without this conservation measure complete closure of subsistence use maybe necessary to prevent a collapse of the fishery. The three year phase in will allow time for fishermen to purchase new nets there by giving subsistence fishermen time to purchase new 6 inch gear.

**Proposal 91 Yukon River Summer Chum Salmon Management Plan.** Limit commercial king salmon harvest during chum directed fisheries with a bycatch of Chinook salmon quota to be set at 3000 fish until such time that border escapements into Canada are achieved for one full life salmon cycle (six years). Upon reaching the quota all commercial chum salmon directed fisheries shall be closed for the remainder of the summer chum season.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it sets a Chinook salmon bycatch cap during directed chum salmon fisheries. This is a necessary conservation measure during these years of poor Chinook salmon returns and to discourage fishermen from targeting the more desired Chinook salmon.

**Proposal 92 Yukon River Summer Chum Salmon Management Plan.** Prohibit sale of kings during non-king directed fisheries. No commercial sales of Chinook salmon caught in non-Chinook directed commercial fisheries in the entire Yukon River drainage. Chinook salmon caught as bycatch shall go into the subsistence fishery only.

**Council recommendation:** Support.

**Justification:** In light of the sacrifices of Canadian and Alaskan fishermen to reduce their catch of Chinook salmon in order to rebuild Chinook stocks, there should be no profit made from the incidental catch of Chinook salmon in a non-Chinook directed commercial fisheries. The decline of Chinook salmon returns and not making border escape and passage emphasizes the need to protect all returning Chinook salmon.

**Proposal 94 Yukon River King Salmon Management Plan.** Require windows schedule during lower river commercial fishery, repeal 5 AAC 05.360(e) (managers must stick to the window schedule).

**Council recommendation:** Support.

**Justification:** The Council firmly supports the "windows" fishing schedule because it allows passage of fish to their spawning without being fished upon. It is the most effective means for conservation by protecting all age and sex classes of fish coming up the river. The use of a windowed fishing schedule is the most effective and fair way to management the Chinook salmon. It affects all users equally across the drainage because it affects every single fisherman equally. The Council's understanding is that when the windowed schedule was established it was to remain in effect for both subsistence and commercial fisheries.

**Proposal 95 Yukon River Salmon Management Plan.** Reallocate commercial king salmon guideline harvest ranges.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it **more** fairly spreads the harvest allocation across the drainage and lessens the impacts to single components of the run. This proposal also allows greater flexibility for the fisheries managers to prosecute the fisheries. This proposal would allow the commercial fishery conducted in accordance with the principles contained in the regulations for sustainable salmon fisheries (5 AAC 39.222).

**Proposal 96 Yukon River Summer Chum Salmon Management Plan.** Reallocate commercial summer chum salmon guideline harvest ranges.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it **more** fairly spreads the harvest allocation across the drainage and lessens the impacts to single components of the run. This proposal also allows greater flexibility for the fisheries managers to prosecute the fisheries.

**Proposal 97 Yukon River Fall Chum Salmon Guideline Harvest Ranges.** Reallocate commercial fall chum salmon harvests.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it **more** fairly spreads the harvest allocation across the drainage and lessens the impacts to single components of the run. This proposal also allows greater flexibility for the fisheries managers to prosecute the fisheries.

**Proposal 98 Fishing districts and subdistricts.** Open commercial fishing between Chris Point and Black River for both drift and set net.

**Council recommendation:** Oppose.

**Justification:** The Council opposes this proposal because it violates the Alaska Board of Fisheries mix stock policy that when fisheries are fully allocated the Board will not allow any new or expanding fisheries. The current Yukon River salmon fisheries are fully allocated and there are serious conservation concerns with salmon stocks. It also goes against the Board's mixed stock salmon fisheries (5 AAC 39.220).

**Proposal 99 Closed Waters.** Open Andreafsky River to commercial fishing by deleting part (4) of 5 AAC 05.350.

**Council recommendation:** Support.

**Justification:** The Council supports opening the Andreafsky River to commercial fishing because it would be a terminal fishery that the department has adequate management tools to manage. Establishing this fishing would take pressure off the Yukon River main stem fisheries which are more complex due to the number of fishermen involved and the length of the river involved.

**Proposal 100 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.** Close the Tok River drainage to sport fishing (coho salmon).

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because the longevity of Yukon River salmon depends on diversity of salmon stocks. Protecting new spawning habitats is good for the overall health of salmon stocks across the drainage. Allowing these fish to establish themselves in the Tok River drainage may provide an additional fishery resource for the area in the future.

**Proposal 164 Unlawful Possession of Subsistence Finfish.** Revise unlawful possession of subsistence finfish by applying limitations on home packs and not allowing commercially caught salmon from salmon caught for subsistence in the same storage and processing areas.

**Council action:** Tabled.

7/7

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DEC 22 2009

BOARDS

December 21, 2009

Mr. Chairman and members of State Board of Fisheries

My name is Harry Wilde, a member of Mountain Village Fisheries working group.

Oppose, Proposal 88

I do not support this proposal because in the Lower Yukon River the eddies are hard to find. We use drift gill nets each year for Commercial and Subsistence activities.

Oppose, Proposal 89

This proposal does not make any sense because Proposal 88 is trying to eliminate the use of drift gill nets altogether. Some places in the Yukon River are 50 feet deep or deeper. 35 mesh deep nets are not the right type of gear in deep water for subsistence and commercial fishing activities.

Oppose, Proposal 90

This is not a good proposal as shown in the last few years. Wrong fishing gear such as six inch mesh, it is not good for the Chinook salmon survival. It damages the gills and other parts of the fish in the long trip to spawning grounds.

Oppose, Proposal 91

This is not a good proposal because it's against the Lower Yukon commercial fishermen. If this proposal passes would affect all fisheries all the way up the Yukon River. Close Y1-Y6 and Canada once the cap is reached.

Oppose, Proposal 92

This proposal does not make sense because of proposal 91.

Oppose, Proposal 93

This proposal is terrible, throwing back Chinook salmon to the Yukon River. Our elders teach us to never waste food.

Oppose, Proposal 94

If subsistence and commercial fishing at the same time it would create abuse. Fish and game will probably hire more workers and have fun enforcing it.

Oppose, Proposal 95

This proposal is not good. Fish eaters around the world and in Alaska like their fish bright and shiny. As the fish enter the Yukon River they start to lose their oil content as they swim up the river to spawn.

Oppose, Proposal 96

Do not support because we use summer chum salmon to pay for gas in commercial and subsistence fishing. If this proposal passed the fishermen would not catch enough fresh salmon.

Oppose, Proposal 97

Do not support because we use fall chum salmon mostly for commercial and subsistence for Districts Y1-2-3. Given more hardship for commercial in Lower Yukon Districts Y1-2-3.

Public Comment #

5

RECEIVED  
JAN 05 2010  
BOARDS

Gentlemen:

How would one find words to what I am about to say? Perhaps what my inner spirit is trying to express have no known words.

We may be very intelligent, or combination thereof, but no one has ever been able to put into words the complete human being. This is such that I am trying to find words for justice and fairness to our people on the Lower Yukon. For me, unless we have turned every existing stone to accomplish what we possibly can do as human beings, we will have not done the wish of our Creator. My personal conviction is that he will account for us what we have done for the poor, the helpless, the suffering - especially those whom we know we can help - and those that cannot help themselves.

As you can see, I doing just that. I am challenging you, the Governor, lawmakers and the justice department along with your commissioners and agencies do that. I've lived long enough to have observed and experienced enough as a Yup'ik Eskimo. It will nearly have been 65 years. Great number of your predecessors and, yes, to some extend, a few of our own people, are responsible for some of the the current social disorders and/or ills. Yet, another matter lingers, that, time after time, our people have experienced trauma one right after the other and, never a moment for healing

Wade Hampton district residents that includes those of our Lower Yukon villages can help themselves. But, if our lawmakers, our executive branch, and everyone else in capacity keep snatching away what we do have or allow ever-irresponsible interference that discourage the continued use of our resources, we can expect to be just that - near helplessness. This is guaranteed.

I want you examine just what commercial fishing is to our people. To date, it is just information and mere words of acknowledgement. It is deeper than that. It is intertwined with our subsistence way of life and cultural. You will be amazed at the depth of this interrelationship and interdependence in our small villages. It is everything. You will discover that it is not a mere profit and loss proposition, as conceived and understood by non-Natives. Take a close look at how we are forever targeted, managed, and not much being done to the coastal and ocean migratory pathways of our salmon and their feeding grounds. Examine, too, all other attacks from different regions.

You would do justice, first, by passing a legislative resolution to recognize the connection, intertwining, interrelation, and interdependence between our subsistence way of life and our meager, small-scale commercial fishery and to protect us. You will need take a good look at the regulatory, policy and public representation processes by our Alaska Board of Fisheries and the Alaska Department of Fish and Game. These are within your reach.

I still maintain that all Alaska Board of Fisheries meetings and process be put on hold until there is a fair and just public representation for the Lower Yukon. I would push to laws recognize our subsistence way of life and commercial fishing are one. There is none other like it anywhere in the world.

Nick Tucker, Sr.,  
Emmonak  
949-1011

1/5/2010

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JAN - 5 2010  
BOARDS  
ANCHORAGE

Public Comment # 6

Nicholas C. Tucker, Sr.,  
P.O. Box 178  
Emmonak, AK 99581  
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January 10, 2010

Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

RECEIVED  
JAN 12 2010  
BOARDS

RE: Comments, AYK Finfish, BOF Meeting, Fairbanks, AK January 26-31, 2010

Mr. Chairman Vince Webster and Respected Board:

I respectfully ask you to first read the attached Comments for Review of Federal Subsistence Program, addressed to our Honorable Ken Salazar, Secretary of the United States Department of the Interior. My comments are baseless and meaningless without this information.

These few moments of your precious time are golden to me. They mean the difference between someone of capacity and wisdom being able to hear me or shut down our cherished way of life. Your iron rod will be felt by the very depths of our spirits and hearts. It will mean whether or not our collapsing region-wide subsistence/commercial fishing economy will survive. It will mean the difference between crushed spirits and hearts or answer to our hopes of checking and/or reducing hunger, homelessness, struggle for warmth, increased joblessness to what is already a bewildering rate at 80%, break down of infrastructures, increased social disorders, and ills. The future sky-rocketed costs associated with these will be a major impact to our state and federal governments. Our villages are already in third world conditions. It calls for our actions follow our wisdom. I refer you to my writing, The First Table, attached.

We have already been referred to as desperately reacting to the current fishery situations we are in. My comments on the Yukon finfish proposals are a cumulative of my years of observations, experience, careful consideration and the knowledge passed on by our parents and elders. By the way, I will have been 65 this August and I was born here. Our salmon resource, culture, traditions and infrastructures are intertwined into one. I have a serious reservation about all concerns over the decline of our Chinook salmon on the Yukon. The causes for this supposed decline all point to our Lower Yukon. Otherwise, we wouldn't have so many proposals directed at us in one setting, would we?

The current Yukon subsistence and commercial finfish proposals will do more harm than good to our depressed region. They will shake our already-collapsing subsistence/commercial fisheries economy. Please note carefully how I wrote "subsistence/commercial fisheries economy." You have read my Comments for Review of Federal Subsistence Program. I hope this gave you further insight into how our subsistence fishing, commercial fishing and our year-round subsistence activities have naturally evolved into one here on the Lower Yukon. This



evolution is extremely difficult for anyone outside our culture to understand, let alone any clear perception. The components just melted into one. When one hurts, other naturally follows.

Our 10,000-year line of ancestors held sacred our subsistence way of life, culture and traditions. Dorothy, my wife of 37 ½ years, our 11 children and 20 grandchildren are a link to this lineage. We and our neighbors are witnesses to a surviving people, where, along the way, the challenges took many forms, some deadly. Our struggles today are a no exception in this continuing journey. But, in this case, it is preventable. Our inner strengths and hope have always sustained us. You are here come at the moment when we most a sustenance, a bridge between the horizon and our crushing spirits. Our strength depends on that link holding salmon along the way. You've seen how our great land. It is harsh and unforgiving, yet, all a while presenting gifts of wildlife, fish, sea mammals and birds along our 10,000-year journey. We have danced to the music of our fresh nutritious diets. Today, that music is barely audible. You alone have access to the volume. You're able to comprehend the way this is expressed because you've gained some insight to the infrastructure of our subsistence way of life. So, I ask that you take one more step, a step closer to our culture, where we are real human beings capable of feelings, hurts, tears, being cold and hungry, whether as an infant or a hundred year-old elder. We look to you in earnest and in hope as you ready yourself with the iron to decide the fate of our villages.

In another perspective, take a moment and reverse this process mentally. We're at the table deciding your future, that of your wives, children and grandchild, and worse, the fate of your city and picture the consequences of all of you losing your businesses and jobs. You know your culture, and think about what this table, in my people's hands, is about to do, with little knowledge and experience of everything that you have and everything that you are. We giving you three minutes, and will decide from all this vague information presented before us...

Every culture has and stands to adapt to each changing generation, while retaining the most essential and driving forces within. That is what we Yup'iks have done. As intelligent as we all are, we have never fully understood each other's cultures. The life within a cultural ecology and environment, whether minute or mammoth, remain crucial to the continuing formation, health and preservation of our great planet. Many of our indigenous cultural roles remain mysterious to many. You are our link during our journey beyond 10,000 years. Perhaps your descendents will admire you for having begun an attempt at unfolding some of these mysteries and will themselves discover the fruits of what contributions we are capable of. You see, we may be silent, but there is lot in us which is not expressed yet. Union of our spirits will unfold that.

Today, the challenges facing our salmon resources and culture are the emerging pollutants that are beyond our boundaries. We have exhausted our resources from much sacrifice. We've cooperated. You are too well aware of that. There is only so much we are capable of contributing at this point in time to the conservation, protection and preservation of our salmon resources.

You've been with us since this board process started and, along the way, you've gained some knowledge, wisdom and fortitude. One of which is to recognize which and when proposals makes sense, are applicable, or are a practical. You've come to see our diverse regions, Native cultures, languages, and dialects.

I believe our indigenous people along the Yukon can contribute to our board process. I do not think that this process alone can save our salmon resources. We need to dig deeper. Right before you, we have 10,000-year seasoned subsistence users from the mouth of the Yukon River all the way up to Eagle. We can offer a new tool to add into the process. We know our way of life best. We've co-existed thousands and thousands years. How we got divided, starting hating each other and angry at each other is another story. I think we all can effectively save our salmon since we can all work together on facts.

Our elders respect each other up and down the river. Time after time, our elders remind us to avoid fighting over our resources. Following that advice may be a difficult task at first, but if it means continued use of our salmon resources and saving, then we have no other choice. The tribes are able to get together and work on the issues intelligibly. We want to be there for you. We best feel we hold the expertise, knowledge, and experience. There is room to explore into options how we may wisely and prudently offer sacrifices rather than have them thrown unto our laps.

I admire a fellow Native in the interior who stated in one of the minutes of a regional meeting that his village is opposed to oil development because an oil spill stands to hurt us down here (in the same breath, he had wondered and couldn't understand why we, downriver fishermen, do not appreciate that). That is good enough for me as an opener.

Involving tribes can be an effective, added tool to our board process. We might consider the Yukon River Drainage Fisheries Association (YRDFA) to work this in. But its work is very broad, more complicated, time consuming and heavy. The tribal process will be a hurdle on its own. We could be an arm of YRDFA, functioning on our own. This approach just might eliminate some concerns over discrimination if we were to form separately. Each village tribe is a multi-user entity. I suggest we explore this.

The process on proposals would, in essence, be deeper, thoughtful, and thorough. It will require more time, but it is beneficial because we would all work on more in detail and in diligence. Right now, I have very grave concern over the rush on the proposals in the way we hand them. One of these days, our rush to judgment will cause an irreversible damage. To look at a 10,000-year way of life in one short setting and determining a future of any given region will have multi-faced bombshells. I would recommend spacing out a year or two longer on each AYK cycle to give the village tribes the opportunity to meet with each other. Following that, representatives can then schedule a regional and/or drainage-wide meeting to discuss the proposals and issues. Something is bound to come out of this added tool. One thing is certain: we will all be better informed. We will also be able to retain factual information coming in or out and, subsequently during testimony before you. Right now, because many of us are not

informed, we would not have certainty about how facts are actually being passed on to us. We will have better educated one another of each others' regions and our ways of life. Although we are formed into one spirit by our Great Spirit, our cultures, traditions, languages, and dialects vary and differ. There is exists so much unknown possibilities. We could accomplish a lot,

I do not think the urgency to rush through the proposals is here. But, we do have a lot to lose in a very short setting at any given cycle meeting – these are but a second in our 10,000-year history and to the 10,000 more we look to in the horizon. Our subsistence ways of life and culture will always remain at stake. One region may have it more than another in any moment during this journey. When we have helped one in one era, the other can turn around and help in the next. As it is, our government can shut down any region, if we don't work together.

We may have expert scientists, but, they are relatively still in infancy, in respect to our salmon resources. They themselves are giving us mixed messages and signals. Surveys do not have any defined base to rely on. Estimates have consistently shown more escapements than not. I believe that our cooperative efforts can result in better solutions.

I hold great admiration for one interior region that recognizes our Lower Yukon's gear types, mesh sizes, and the depth of our nets and to what is best for us to achieve maximum harvest of our salmon in order meet our subsistence needs.

There is advantage to drift net fishing. Over recent years, we have noticed warmer Yukon water. We cannot keep set net-caught salmon in the water too long. It will not retain its texture for long. The potential problem is that the meat will fall off when hung to dry. Driftnet efficiency is conserving in nature. When I get my winter supply of 180 chum salmon within an hour or several hours, I am done. The salmon gets to escape another 164 hours that week and rest of the month. My big family usually just needs just under 200 chum salmon for the winter and following spring.

There is a documented concern by an interior councilman on a regional advisory council for the Federal Subsistence Board. The meeting transcripts of this meeting is 275 pages, so what I will do is to quote the gentleman. His statement is on Page 7, beginning line 42 and ending line 49 and Page 8, starting line 2 and ending line 16 (the quote is in its entirety excluding the line of an applause) of the Eastern Interior Federal Subsistence Board Regional Advisory Council Meeting, Public Meeting, Volume I, in Ft. Yukon, Alaska on October 13, 2009. Because I read the words "...I see a lot of people..." the statement very much appears to be relating to illegal fishing in their region. Quote, unquote: "Yes, I have quite a few concerns about just about everything. One of the problems we're having is we have a lot of laws on the books and, you know, they're not being enforced. And here we are making more laws every time we get together. And it's not doing any good to make more laws if you don't have the original laws enforced. And I have a problem with that...And a lot – these fisheries, I see a lot of people just stripping the roe and throwing the fish overboard and I don't believe in that. And that was – they had a law saying you can't do that, but they just never enforced that law and it's been going on for 25 years. And that's why our salmon run is so poor even on the Tanana River and the Yukon. I've seen

fishermen down there hang fish up and bears are eating off the racks down there. And they don't – they didn't do anything about it, it's been 20 years ago. But I have a lot of other concerns, but I'll quit at that one for now."

In the same transcripts, I found this, to which I will quote another council member on Page 153, beginning line 3 and ending line 18: "So there are people that abuse the system, there's no way to catch them, it's almost impossible to make a case against them. If we have catch – the catch calendars are made up by the State anyway, they're sent out to all the villages anyway, if it's requirement to fill it out, it is an inconvenience, but it's going to do two things. Like I said it's going to show how much fish people really do have so we have the data to better manage the fishery and number 2, it's going to take the people that are using the fish like the one individual that bought a brand new crew cab pickup truck, over \$40,000 in once season off of subsistence fish when you got restricted up here and couldn't get your subsistence needs met. That will put the tool in place so that those people won't be able to do that anymore."

You might want to have your staff verify these two quotes at:

<http://alaska.fws.gov/asm/pdf/ractrans/Region%209%20Transcripts%2013%20Oct%2009.pdf>

It makes one wonder just how many large Chinooks have been taken in a 25-year period. How many Chinook females are in \$40,000? Here in Emmonak, during a 2008 meeting, we heard from ADF&G personnel that there were some lost Chinooks between Pilot Station sonar and the spawning grounds. From my recollection, it was around 20,000.

Then we have heard of some diseased Chinooks. The disease doesn't seem to infect them in the ocean, but they contract the disease near shore as they enter the river systems. Larger Chinooks and females seem to be more susceptible to this disease. Some speculate we may have some lost fish before they reach the spawning grounds and some may have just died off before they reached their spawning grounds. Would some may have been too sick to spawn? Are the disease passed on to eggs?

Just a few years ago, I testified before the Federal Subsistence board. During my preparation, I discovered, I believe it was from the JTC report that something like 83 scientists definitely cannot say whether or not a selective or environmental conditions are a cause of a trend in fewer kings, especially the larger.

I wonder: would tearing apart a subsistence/commercial fishery economy, village infrastructures, and cultures on the Lower Yukon bring back our salmon, while letting aside upper river and/or interior illegal fishing that appears to thriving through sale of roe? At the current rate, it would take me over 13 years to gross \$40,000. How much fish didn't make it to their spawning destinations the last 25 years? Is this the sole \$40,000 illegal activity or is it very large in scope? Where are we here?

Then, we all got so excited about the Chinook bycatch in the ocean fisheries. We all shot for very low caps – an admission that there is indeed a problem affecting all regions and communities along the entire Yukon-wide drainage. What of the Area M 700,000 chum bycatch? Then there are our lingering concerns over the entire migratory pathway of all our salmon stocks, their feeding grounds and habits.

We anticipate that board will do away with our unrestricted mesh sizes, but in consideration of the aforementioned activities and/or incidents, is this justified? To say we are educated and accomplished scientists and do just a three-year field study with a 7 1/2 – inch mesh size doesn't seem to co-relate. All the variables and defining factors aren't there. This is a quick, half-measured study - wouldn't all of us tend to think so? Was the study done with 50-fathom nets or the usual 25-fathom nets. How many meshes deep were they?

I think it will be callousness to further subject the Lower Yukon to unnecessary hunger and deprivation of our other essentials. We have a humanitarian issue, not a salmon resource issue. It is caused by (large?) illegal human predators, rush syndrome, lack of real information and other forces beyond our Lower Yukon borders.

I suggest we settle back. We may find ourselves with other pressing matters than the Lower Yukon or we may have subjected them under ill-advised proceedings?

Respectfully,

Nicholas C. Tucker, Sr.

Cc: file

Interested individuals and parties

Attachments: Comments for Review of Federal Subsistence Program  
The First Table

<sup>6</sup>  
7/12

Public Comment # 6

Nicholas C. Tucker, Sr.  
P.O. Box 178  
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January 3, 2010

Honorable Ken Salazar  
Secretary of the U.S. Department of the Interior  
Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Comments for Review of Federal Subsistence Program

Dear Honorable Ken Salazar:

I begin my comments with this: Since January 2009 until December 2009, our Wade Hampton district, particularly our region, the Lower Yukon River has been in the news – a 12-month period. The news reached statewide, national and through CNN into other countries. We've been on numerous radio talk shows, TV, and online news. This was due to combination of events leading to or occurring: failed commercial fisheries the summers of 2008 and 2009, severely restricted subsistence fishing, extreme high fuel prices that moved our people to a choice between heating fuel or food. Some did the extreme doing without food or barely any, in some instances, without for days.

Important note: Our President Obama's Cabinet secretaries have had the first hand experience in gathering information and seeing the third world condition of our Wade Hampton district villages.

I would be appalled if my comments aren't included in your review of the Federal Subsistence program. They are in themselves are revealing.

My name is Nicholas C. Tucker, Sr., a Yup'ik Eskimo from Emmonak, Alaska, in western Alaska. Our village is located at the mouth of the Yukon River about 12 miles inland from the Bering Sea. My wife, Dorothy, and I will have been married 38 years this coming August. We have 20 grandchildren out of whom we have adopted three which we had added to our 9 children. I will be 65 this year.

I am very proud to say that my family is a family of veterans where my father served in the Alaska Territorial Guard during World War II, myself in Vietnam, and one of our sons in Iraq. We are part of so many untold Alaskan Native families with veterans who have served our country. Alaska holds the largest veterans in the United States per capita. This is no small matter. From my vantage point, just about every one of us Native veterans have returned to our villages. These are our healing grounds. Its people are rich in so many attributes to include thoughtfulness, kindness, and generosity. Our land is calm, serene and wide open. We hold a 10,000-year old subsistence way of life that is intertwined to and holds us together in our culture, traditions, heritages; it upholds our native spirits in dances,

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Public Comment # 6

rituals, beliefs, teachings and values. This way of life is very fragile and sensitive to its surroundings, especially today. Should our subsistence way of life become extinct, we will have lost a sacred set of teachings and values.

Today, many of our children are pursuing higher education, vocational and technical training. Many are successful. My family is in this group. For my part, I've had the pleasure of having lived and worked in Seattle, Washington and Dallas, Texas and traveled the entire Continental United States and into Canada. I am a self-made double entry accountant, a result of my on-the-job training in retail work since at the age of sixteen in 1961. I had early retirement two years ago. For over 64 years, I have observed our people, some with college degrees and others having worked all over our country, return to our villages to do subsistence hunting, fish, or trapping. Some returned for a short period of time while others permanently. They remain attached very close to our culture.

There is a magnet of spirits in our wildlife, plants, land, rivers, sea and the sky that draw all of us back; of our elders, relatives and friends who still hold on dearly to our 10,000-year history. We often miss the warmth of our people when we are away. Subsistence way of life and our culture builds men of character and integrity. When ones sees us for whom we really are, stamina, strength, resolve, endurance, resiliency, creativity, inventiveness, and ingenuity will stand out.

Contrary to the stigmatism as "failed" people, we are very much alive, though embattled with numerous social disorders and ills. This hasn't let us down. We remain filled with hope, instilled over 10,000 years.

Our subsistence activities take us out into our country, the rivers, and the coast and each trip is never the same – generation after generation! We return refreshed and ready to go again. Each trip brings in its own unique story and adventure, sometimes, hilarious! We've attempted living in cities, but they hold us caged in of our eagle-soaring spirits. This is largely the reason we find it difficult to adjust to other types of life. It is not out of ignorance, nor was it ever for being uncivilized or barbaric. It is wisdom. In the remote, distant villages, we are privileged to have nearly every day to ourselves for contemplation of the teachings of our elders, ancestors and our lives. The solidity of our ancestors and elders is derived from content hearts. Today, our way of life is enriched and completed by our Christian faiths. Fresh subsistence-caught fish, birds, game and marine mammals electrify our spirits through healthy diet and nutrition.

Cultures evolve or adapt to changing generations. We are not exempt from that. We have largely remained as we have for 10,000 years, but our subsistence-transportation methods have been forced to change from the way we had traditionally procured our subsistence food. Here is how it was forced upon us:

The Federal Government mandated the education of our young. As opposed to our former way as nomads moving from camp to camp in pursuit of our food, we had no choice but to congregate into larger villages. It was a formation of a city in miniature context, with all the infrastructures necessary to it. It is costly, too. Prior to that, we had no concept of monetary system other than bartering. Yet, our culture remains intact.

In contrast to the rest of Alaska, Lower Yukon is a wide, flat country with many hills that are barely above sea level. It is a rolling beauty during summer and a white desert in winter. We do not have any industries, i.e., timber, gold, oil, gas, minerals, or tourism, to speak of, except for a small-scale, meager commercial fishery, our base economy, during the summer. Today, it is the key to our subsistence way of life. And, it is costly. Our wildlife, the subsistence food, is further away due to the emergence of the noise of modern day terrain vehicles, outboard motors on skiffs, and airplanes.

Though nearly our traditional way of life was quickly in danger of being snatched away, it is revived. Fortunately, salmon commercial fishing made its way into our region around 1900s. It saved our subsistence way of life. The income from our commercial fishing brought in much needed transportation methods, gear, equipment, and supplies and allowed a continued link of our 10,000-year subsistence activities to our culture and traditions. This fishing remains today our community mainstay in eleven villages at the mouth of the mighty Yukon River. But, it is largely misunderstood and wrongly conceptualized, and other times, misconstrued by non-natives who maintain their own set of understanding and principles of commercial fishing, and we, another. To westerners and non-natives, it is a profit and loss proposition. For us Yup'iks, it is a necessary life that is intertwined with and to uphold our subsistence way of life, culture and traditions.

Our Lower Yukon region within the Wade Hampton district remains the poorest in Alaska and our country. It is largely made up of Yup'ik Eskimos. And, there are about 23,000 of us left in the entire world. Like the indigenous peoples of the great Amazon, we are unique culture to our state, country and to our earth – nowhere like it exists elsewhere in the world. Our contributions may not be all tangible or physical, but we bring to our country great and bold people of unmeasured spirits, with such silent, powerful contributions that can make men and women, if allowed to do so. We've survived poverty, famine, diseases, and illness of all forms. Out of these, rose silent men and women of character are among us. Just like your Bible that makes responsible and wise men and women, so do our cultural teachings, traditions, and values. We are very privileged – we both the Bible and ours.

With all this talk and movement about the preservation and protection our subsistence way of life, we cannot be left out in your review. If you do, our fragile and sensitive subsistence way of life is in grave danger of extinction. Our way of life is different from other regions of Alaska. Alaska is vast, with many cultures, languages, and dialects. The connection, intertwining, interrelation, and interdependence of our subsistence/commercial fishing way of life cannot be undermined nor overlooked just because other regions of Alaska and United States does not fully understand it. More than ever, we need your protection to preserve our one-of-a-kind subsistence/commercial fishing, not which is like it anywhere.

When you have lived like our ancestors, where many of our present-day generation had the privilege to do so, and is the only remaining witness, it is only then you will have some sense of this dramatic change which was forced upon us. To some respect, it is traumatic. We are forever struggling to maintain and preserve it. Work with us and our Yup'ik subsistence way of life will be preserved, even though you are not able to fully experience it in your hearts and spirits. We may be very intelligent, but no words exist to adequately express a complete human being.



We look to you on a fair and just process. In Yup'ik, when something is gravely important, it will spell disaster if not attended too.

I challenge you to carry forward a justice for my people. After all, we had wisely managed and preserved for you for ten-thousand years everything within and on this land to which you now proudly live and walk on. Our spirits and hearts may be broken because you have snatched away, or took advantage of our backyard resources. That is in the past. You remain most welcome to share them with us – we held out open arms upon your arrival. That has not changed. Please my writing, The First Table, attached. We need this country.

The time is indeed ripe. It is your prime opportunity to help us Yup'iks on the Lower Yukon. I recommend that you put in a clause recognizing our subsistence/commercial fishing way of life, which is one and both to be persevered as one. They are inseparable. This is indeed unique, just as we and our culture are.

Thank you for elevating us to importance and making us feel very welcome by communicating with us one on one, and your honored respect.

I remain respectful,

Nicholas C. Tucker, Sr.,

Cc: file

## The First Table

Thanksgiving Day - the First Day, the First Table: The Native chief and tribal families and the first guests sat, shared, talked and ate. They recognized each other, each other's worth, dignity, decency, the prospects of living and ruling together, and trusted one another's intelligence and wisdom. Apparently, they agreed on a set of rules or laws to live by. There is no account mentioned or written of them throwing knives and forks at each other. They returned to their homes to go about their own business, having accepted each other. Natives opened up their land and its rich resources to the new guests to share with. For all they knew, this was to be the way of life for the next two hundred years, sharing in every aspect of our American way of life, promoting each other, helping each other, taking care of each other, rebuilding where needed and restoring where necessary.

This was a grand, bold and brave move on each side. And, actually, it isn't too late. We have another two hundred years ahead of us.

As in the recent case with Mr. Eddie Barr, the Native spirit hasn't diminished a bit - two hundred years later. For all America to see, Mr. Barr extended out his hand for the next two hundred years.

The seeds for the present fruits of racial hate or racism were planted generation by generation, becoming plentiful and abundant.

We are all descendants of the People at the First Table. We should have a renewed hope for the next two hundred years. We're Americans.

We all talk about economy and how it can bring down our country. We are fearful of our national debt. But we fail to see just how serious racial hate, its crimes and practices are. It will drastically further burden our country, not strengthen it, and it will drastically build up our national debt. The solution(s) isn't going to be by our government. It is our hearts. The accountability is ours. We had a beginning, - The First Table - but we blew it. We've never returned to it.

Had we not been herded into reservations, had we been trusted, had our human decency and dignity been respected and honored, had we been allowed quality education, had we been accepted into the society, had we not been characterized, demeaned, stigmatized, alienated and put aside as less than intelligent, had we been allowed to leave our villages or reservations and allowed to fully live out our education, and had our qualifications been given a chance than rather than avoided or questioned and had we been given opportunities and free reign to advance, we would have averted big-time public assistance, welfare, public housing, hospitals, Bureau of Indian Affairs, public subsidies, and all other preventable headaches of our federal and state governments. We could have walked on equal basis, and instead as described, contributed big time, be taxpayers - and helped everyone advance.

Mr. Barr encouraged us Natives on by one extension of his hand to handshake. He reminds us of our worth in character, strength, stamina, ability to endure pain and suffering, boldness, spirit, generosity, kindness, compassion, sensitivity, and all other attributes, but above all, mercy and forgiveness. The Natives are at the Second Table, waiting for our fellow Americans to join us. We have no grudges. No revenge, ill-feelings or ill-will. We do not blame - just waiting.

Sadly, as it is, our Native communities need jumpstarts to get out of what we had been forced into. It will cost to rebuild and restore. The cost will be minimal compared to what it will be in the next 200 years if we do not return to the Table.

Nicholas C. Tucker, Sr.  
P.O. Box 178, Emmonak, AK 99581  
(907) 949-1011 [nctucker@hughes.net](mailto:nctucker@hughes.net)

13/12

Public Comment # 6

Dear Alaska Department of Fish and Game,

RECEIVED

JAN 05 2010

BOARDS

I am a student at Holy Cross School. If you make the mesh size smaller it would be a lot harder to catch fish and we would be getting a lot smaller fish . So with the smaller nets it would mean more gas consumed and more time fishing. And with the smaller nets Fish and Game are trying to reduce the number of hours for fishing.

Sincerely,

Holy Cross School

~~Dorinda Peters~~

Ryan Demientieff Jr.

Jiffany Mailbl

Rochelle Yaska-Deck

Kateri Ann Demientieff

Jamann Lapsuel

David Walker

Ross Demientieff  
Lyla White

Maryann Peters

Karen Whitley

Kimberly Hamilton

Elsie Wade

Ronald Demientieff

Corey Baker

Ester Peters!

Ravyn Walker  
Brooke

Demientieff

Ann  
rner

tw

Preston

Demientieff

Deana Kvanne

Joshua

Poua

George Peters

Sierra Walker

Linda Todd

1/5

Austin Caprud

Cedra Turner

Andrea Turner

Katie Turner

Caydalin Demientieff

Peyton Turner

Jeremy Sims

Kathleen Gregory

Emily Sims

Alexander Samuelson

Rodney Demientieff

RECEIVED

JAN 05 2010

BOARDS

Dear, Alaska Fish & Game

Our names are Donald Peters, and Janann Capsul, we are high school students of the Holy Cross school and we are writing to you over one of your proposals (Proposal 88). And we are afraid this proposal will definitely affect our fishing area, and way of our cultural life. Because if you cut off our drift netting, we will not be able to catch as much fish for our families. Also we will only be able to have a set net, that might cause a conflict with our community because there are only certain areas where it is good to have a set net. So the proposal shall not pass because we need fish for the winter.

George Peters

Sierra Walker

Joshua

Paul

Preston

dementieff

Adrienne

Turner

Brooke

Demi Dientieff

Deana Kvanne

Ravyn Walker

Adrienne Wijk

Mary Sims

Andy Burt

3/5

Sincerely,

Donald Peters

and

Janann Capsul

Ross Dementieff

Karen Whitley

Ester Petersle

John Hamilton Alfred Hamilton

David Walker

Maryann Peters

William Chokaw

Jackie Wade

Alexander Samuelson

Andrea Turner

Peyton Turner Cecilia

Emily Sims Turner

Caplain Dementieffs

Katie Turner

Austin Capsul Rodney Dementieff

Jeremy Sims

Keelou

Public Comment #

7

December 17, 2009

RECEIVED

JAN 05 2010

BOARDS

Dear Fish and Game,

Commercial fishing for the residents in the villages means a lot because it helps them with making money they need for their families. If you take commercial fishing away, the people will not have enough money to be putting food on their tables. If people can't find money for food, some of them might leave the community. The less people in a community, the harder life will be. So please don't take away commercial fishing, or limit it to a certain, low amount.

Sincerely,  
Lyle Whitley  
Holy Cross School

Samann Capsul  
Jeffery Muddell

Don Peters

Ryan Demientieff Jr

Kateri Demientieff

Elsie Wade

Bukaw C Bukaw

Ross Demientieff

Karen Whitley

David Walker

Alfred Hamilton

Ester Peters

Jackie Wade

Maryann Peters

Kimberly Hamilton

Public Comment # 7

Raryn Walker

Brooke

Austin  
Capsul

Mary Sims

Demie Nkiff  
Peyton Turner

George Peters  
John Hamilton

Sierra Walker  
Alexander Samuelson

Adrienne  
Capdalin Demientieff

Turner  
Lee Lou B

Andrea Turner

Deana Kuamme

Katie Turner

Rochelle Yaska-Deck

Donna Peters

Emily Sims

Jeremy Sims

Cecilia Turner

Rodney Demientieff

Preston Demientieff

JOSHUA

Paul

4/5

RECEIVED

JAN 05 2010

Wednesday, December 16, 2009

BOARDS

Dear Alaska Department of Fish and Game,

We would like to notify you that we don't like the idea of giving us shorter hours of fishing time. Proposal 94 - 5 AAC 05.360. would not work for us because we would have less fish to eat. If they only opened it when the fish weren't running then we wouldn't get any fish. Which would lead to us buying more food from the store and we would eventually go broke. Our solution would be to open the windows when the fish were running for a short period time would be better for us and for you.

Thank you for taking the time to read our letter.

George Peters  
 John Paul  
 Adrien  
 Brook Demientieff  
 Raven  
 Deana  
 Pres

Elsie Wade  
 Emily Sims  
 L Pelow  
 Alexander Samuelson  
 Austin  
 Jere  
 John Hamilton  
 Rodney Demientieff  
 7/7  
 Pres

From Tiffany Maillelle & Rochelle Yaska-Deck  
 Rochelle Yaska-Deck  
 Tiffany Maillelle  
 Ross Demientieff  
 Karen Whitley  
 Ester Peters!  
 David Walker  
 Alfred Hamilton  
~~Arthur~~  
 Andrea Turner  
 Peyton Turner  
 Capitalin Demientieff

Kateri Demientieff  
 Katie Turner  
 Cecilia Turner  
 Ryan Demientieff Sr.  
 Cindy  
 Donald Peters

Public Comment # 7



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

FWS/OSM/9151/BOF AYK

JAN 5 2010

Mr. Vince Webster, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Chair Webster:

The Alaska Board of Fisheries will deliberate 2009/2010 regulatory proposals that address Arctic-Yukon-Kuskokwim commercial, sport, and subsistence finfish fisheries beginning January 26, 2010. We understand that the Board will be considering approximately 52 proposals at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and developed the enclosed preliminary comments on proposals which may have an impact on Federal subsistence users and fisheries in this area. We may wish to comment on other proposals if issues arise during the meeting which may have an impact on Federal subsistence users and fisheries.

We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

Sincerely,  


Peter J. Probasco  
Assistant Regional Director

Enclosure

cc: Denby S. Lloyd, ADF&G	John Linderman, ADF&G, Anchorage
Michael Fleagle, Chair FSB	Don Roach ADF&G, Fairbanks
John Hilsinger, ADF&G, Anchorage	Jim Simon, ADF&G, Fairbanks
Craig Fleener, ADF&G, Juneau	Tina Cuning, ADF&G, Anchorage
Charles Swanton, ADF&G, Juneau	George Pappas, ADF&G, Anchorage
Rob Bentz, ADF&G, Juneau	Jim Marcotte, ADF&G, Juneau
Marianne See, ADF&G, Anchorage	Interagency Staff Committee



Public Comment #

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**FEDERAL STAFF COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS**

**ARCTIC-YUKON-KUSKOKWIM FINFISH**

**State of Alaska  
Board of Fisheries Meeting  
January 26-31, 2010  
Fairbanks, Alaska**

Public Comment # 9

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## Federal Comments

### **AYK Resident Species**

#### *Sport*

**Proposal 55** requests alignment of sport fish boundaries with commercial/subsistence fish boundaries in northern and northwest Alaska. If adopted, area boundaries of these three State fisheries would be aligned.

#### **Existing State Regulations:**

##### **5 AAC 69.105. Description of the North Slope Area, 70.005. Description of the Northwestern Area, and 73.005. Description of the Yukon River Area.**

*5 AAC 69.105. The North Slope Area consists of all northerly flowing fresh waters, including lakes, draining into, and including, the Arctic Ocean, the Beaufort Sea, and the Chukchi Sea, west of the Canadian border and east of Cape Lisburne.*

*5 AAC 70.005. The Northwestern Area consists of all waters draining into and including the Bering Sea, the Chukchi Sea, Kotzebue Sound, and Norton Sound south of Cape Lisburne and north of Canal Point Light.*

*5 AAC 73.005. The Yukon River Area consists of all waters of the Yukon River drainage, excluding the Tanana River drainage, and all waters draining into, and including, Norton Sound and the Bering Sea south of Canal Point Light and north of the westernmost point of Naskonat Peninsula.*

#### **Existing Federal Regulations:**

*§ \_\_.27(i)(1) Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

*§ \_\_.27(i)(2) Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

*§ \_\_.27(i)(3) Yukon-Northern Area. The Yukon-Northern Area includes all waters of Alaska between the latitude of Point Romanof and the Latitude of the westernmost point of the Naskonat Peninsula, including those waters draining into the Bering Sea and all waters of Alaska north of the latitude of the*

*westernmost tip of Point Hope and west of 141 West longitude, including those waters draining into the Arctic Ocean and Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No

**Impact to Federal subsistence users/fisheries:** Yes. The Federal boundary descriptions for the Kotzebue, Norton Sound-Port Clarence, and Yukon-Northern areas are the same as the State commercial/subsistence boundaries for those areas. If adopted this proposal would align State subsistence/commercial/sport fish boundary descriptions and Federal subsistence boundary descriptions for these areas. This proposed change would clarify boundaries in overlapping areas and fisheries and reduce potential for confusion.

**Federal position/recommended action:** Support. Adoption of this proposal will reduce potential for confusion and aid State commercial, sport and subsistence users and Federally qualified subsistence users in identifying management area boundaries.

## **Kuskokwim, Kotzebue & Norton Sound-Port Clarence Areas Salmon & Herring**

*Kuskokwim Area  
Commercial*

**Proposal 67** requests that in Districts 1 and 2 of the Kuskokwim Management Area, salmon may be taken only with gillnets with six-inch or smaller mesh size.

### **Existing State Regulations:**

#### **5 AAC 07.331. Gillnet specifications and operations.**

*(a) The aggregate length of a set or drift gillnet may not exceed 50 fathoms except that if the commissioner determines that there is a harvestable surplus of salmon, the commissioner may, by emergency order, close the fishing season and immediately reopen a season during which the aggregate length of a set or drift gillnet may not exceed 100 fathoms.*

*(b) The maximum depth of gillnets is as follows:*

*(1) gillnets with six-inch or smaller mesh may not be more than 45 meshes in depth;*

*(2) gillnets with greater than six-inch mesh may not be more than 35 meshes in depth.*

(c) In Districts 1 and 2, salmon may be taken only with gillnets with six-inch or smaller mesh, except that in District 1, the commissioner may open fishing periods, during which the gillnet mesh size may be no greater than eight inches.

(d) In Districts 4 and 5,

(1) repealed 4/15/81;

**Existing Federal Regulations:**

There are no mesh size restrictions for gillnets in the Federal subsistence fishing regulations for the Kuskokwim Area.

§ \_\_.27(i)(4) *Kuskokwim Area.*

(ix) You may only take salmon by gillnet, beach seine, fish wheel, or rod and reel subject to the restrictions set out in this section, except that you may also take salmon by spear in the Kanektok, and Arolik River drainages, and in the drainage of Goodnews Bay.

(xi) You may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, pot, long line, fyke net, dip net, jigging gear, spear, lead, handline, or rod and reel.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of this proposal could potentially increase the number of larger Chinook salmon available for escapement and harvest by upriver Federally qualified subsistence users, although the Alaska Department of Fish and Game (ADF&G) has not authorized the use of gillnets with mesh size larger than six-inches in the District 1 commercial fishery since the Alaska Board of Fisheries adopted this management option during the last AYK regulatory cycle.

**Federal position/recommended action:** Support. If adopted, this proposal could have an effect on Federally qualified subsistence users, depending on specific ADF&G management actions, by potentially increasing the number of larger Chinook salmon available for escapement, thereby improving the quality of escapements and harvest by upriver Federally qualified subsistence users.

*Kotzebue Area*

*Subsistence:*

**Proposal 68** requests to expand hook and line use for the subsistence take of fish other than salmon in State waters from Wales to Point Hope, and include rod and reel as a legal subsistence gear type in that area. However, the proponent states the issue also includes rod and reel as lawful gear for taking salmon [5 AAC 01.120(a)].

**Existing State Regulations:**

**5 AAC 01.120. Lawful gear and gear specifications.**

*(b) Fish other than salmon may be taken by set gillnet, drift gillnet, beach seine, fish wheel, pot, longline, fyke net, dip net, jigging gear, spear, and lead or, as specified in (f) of this section, by a hook and a line attached to a rod or a pole.*

*(f) a person may use a hook and line attached to a rod or a pole when subsistence fishing only*

*(1) in the state waters of, and all flowing waters that drain into, the Chukchi Sea or Kotzebue Sound from Cape Espenberg to Cape Prince of Wales; or*

**Existing Federal Regulations:**

*§ \_\_.25(a) rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

*§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(xix) A rod and reel; and*

*§ \_\_.27(i)(1) Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

*(ii) You may take salmon only by gillnets, beach seines, or a rod and reel.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Rod and reel (includes hook and line) is currently a legal harvest method under Federal regulations for fish, including salmon.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same.

The Kotzebue Area includes both Federal and State waters. Federally qualified subsistence users fishing in Federal public waters may use rod and reel and a license is not required.

People cannot legally subsistence fish with rod and reel in State waters. Anyone fishing with rod and reel in State waters is considered to be a sport fisher and is required to have a sport fishing license and abide by sport fishing regulations.

Adoption of this proposal, as written, would align Federal and State subsistence regulations regarding the use of rod and reel to take fish other than salmon in this area. However, the proponent further states the issue is to allow the subsistence take of fish, including salmon, with rod and reel. If rod and reel were legal gear for the subsistence take of fish, including salmon, under both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Moving the boundary of the area from Cape Espenberg north to Point Hope expands the area affected by this proposal. The proposed expanded area would mirror the Kotzebue Area boundary as defined in Federal regulations.

**Federal position/recommended action:** Support with modification to include rod and reel as a legal subsistence gear type for the take of fish, including salmon. Adoption of this proposal, with modification as noted, would align Federal and State subsistence fishing regulations regarding the use of rod and reel in this area, minimizing or eliminating unintentional violations.

*Norton Sound-Port Clarence Area  
Subsistence:*

**Proposal 69** would expand the use of hook and line as a subsistence gear type for all of Norton Sound, except the Unalakleet Drainage. However, the proponent further states that the issue includes making rod and reel a legal subsistence gear type in this area.

**Existing State Regulation:**

**5 AAC 01.170 Lawful Gear and Gear Specifications.**

*(h) A person may use a hook and line attached to a rod or a pole when subsistence fishing only*

*(1) in the state waters of, and all flowing waters that drain into, the Bering Sea or Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk); or (2) through the ice.*

**5 AAC 01.172 Limitations on Subsistence Fishing Gear.**

*(a) Except when fishing through the ice, for subsistence fishing in state waters of, and all flowing waters that drain into, northern Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk) with a hook and line attached to a rod or a pole, the following provisions apply.*

## Existing Federal Regulations

§ \_\_.25(a) *Rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

§ \_\_.27(c)(1) *Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

(xix) *A rod and reel; and*

§ \_\_.27(i)(2) *Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

(iii) *You may take salmon only by gillnets, beach seines, fish wheel, or a rod and reel.*

(iv) *You may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, pot, long line, fyke net, jigging gear, spear, lead, or a rod and reel.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Hook and line (which includes rod and reel) is currently a legal harvest method under Federal regulation.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same. Norton Sound includes both Federal and State waters. Federally qualified subsistence users fishing in Federal public waters may use rod and reel (includes hook and line) and a license is not required.

As written, the proposal requests expanding the use of hook and line as a legal subsistence gear type in all of Norton Sound, except the Unalakleet River drainage. However, the proponent further states this proposal is meant to make rod and reel a legal subsistence gear in this expanded area. The definition of hook and line in State regulations does not include the use of rod and reel.

Under State regulations 5 AAC 01.170(h) a person may use a hook and line attached to a rod or pole when subsistence fishing in a portion of Norton Sound or through the ice. However, people cannot legally subsistence fish with rod and reel in State waters.

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Anyone fishing with rod and reel in State waters is considered to be a sport fisher and is required to have a sport fishing license and abide by sport fishing regulations.

Adoption of this proposal, amended to address the proponent's intent to allow the use of rod and reel, would align Federal and State subsistence regulations regarding the use of this gear type in this area. If rod and reel were legal gear under both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Defining the area where this regulation would apply as being from Cape Prince of Wales to Point Romanoff would align with the Norton Sound-Port Clarence Area boundaries in Federal regulations.

Exempting the Unalakleet River from this regulatory change respects the wishes of local residents. The Federal Subsistence Management Program concurs with and supports this management approach.

**Federal position/recommended action:** Support with modification to include rod and reel as a legal subsistence gear type in the expanded area. Adoption of this proposal, with modification as noted, would align Federal and State subsistence fishing regulations regarding the use of rod and reel in this area, reducing confusion and minimizing or eliminating unintentional violations.

**Proposal 72** requests a review of the Unalakleet Chinook (king) salmon management plan and a modification to allow, by emergency order, a gillnet mesh size no greater than seven inches.

**Existing State Regulations:**

**5 AAC 01.170. Lawful gear and gear specifications; 5 AAC 04.395. Subdistricts 5 and 6 of the Norton Sound District and the Unalakleet River King Salmon Management Plan.**

*(k) In Subdistricts 5 and 6, the commissioner may, by emergency order, open and close fishing periods during which a gillnet may have a mesh size no greater than*

- (1) six inches;*
- (2) four and one-half inches;*

**Existing Federal Regulations:**

§ 27(i)(2)(ii) *In the Norton Sound District, you may take fish at any time except as follows:*

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Public Comment # 8

- (A) *In Subdistricts 2 through 6, if you are a commercial fishermen, you may not fish for subsistence purposes during the weekly closures of the State commercial salmon fishing season except that from July 15 through August 1, you may take salmon for subsistence purposes 7 days per week in the Unalakleet and Shaktoolik River drainages with gillnets which have a stretched-mesh size that does not exceed 4 ½ inches and with beach seines;*
- (B) *In the Unalakleet River from June 1 through July 15, you may take salmon only from 8:00 a.m. Monday until 8:00 p.m. Saturday*
- (C) *Federal public waters of the Unalakleet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. The BLM field manager is authorized to open the closed area to Federally qualified subsistence users or to all users when run strength warrants*

*§ \_\_.27(i)(2)(v) In the Unalakleet River from June 1 through July 15, you may not operate more than 25 fathoms of gillnet in the aggregate nor may you operate an unanchored gillnet*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Chinook salmon conservation in the Federal public waters of the Unalakleet River was previously addressed by the FSB during its last fishery regulatory meeting of January 13-15, 2009. At that time the FSB adopted FP09-01 that appears above as § \_\_.27(i)(2)(ii)(C). This regulation was in effect for the 2009 open water season and is the most conservative action possible, i.e. Federal public waters are closed to all harvest of Chinook salmon unless run strength warrants liberalization.

**Impact to Federal subsistence users/fisheries:** Yes. The Federal public waters of the Unalakleet River are those waters upstream from the confluence with the Chirosky River. These waters are closed by Federal regulation to the harvest of Chinook salmon by all users unless run strength warrants a relaxation of this closure. Since Federally qualified subsistence users will probably not be allowed to fish in Federal jurisdiction, they will likely fish under State regulations in State waters in the lower river and in marine waters. Adoption of this proposal would affect these users because they may be required by inseason State emergency order to change to 7 inch or smaller mesh gear.

**Federal position/recommended action:** Support. Despite prior conservative management actions, Unalakleet River Chinook salmon remain a stock of yield concern. Adoption of this proposal would provide ADF&G managers more flexibility, by allowing them to restrict, by emergency order, mesh size to seven inches or less, to target smaller Chinook salmon while providing increased opportunity for the larger, more fecund (usually female) Chinook salmon to reach the spawning grounds.

## Yukon Area Salmon and Freshwater Fish

### *Subsistence*

**Proposal 81** requests a clarification of the subsistence fishing schedule in Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days.

#### **Existing State Regulations:**

##### **5 AAC 01.210. Fishing seasons and periods**

*(d) During the commercial salmon fishing season when the department announces a commercial fishing closure that will last longer than five days, salmon may not be taken for subsistence during the following periods in the following districts:*

*(1) in District 4, excluding the Koyukuk River drainage, salmon may not be taken from 6:00 p.m. Sunday until 6:00 p.m. Tuesday;*

#### **Existing Federal Regulations:**

*§ \_\_\_\_ .27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(iv) During any State commercial salmon fishing season closure of greater than five days in duration, you may not take salmon during the following periods in the following districts:*

*(A) In District 4, excluding the Koyukuk River drainage, salmon may not be taken from 6:00 p.m. Friday until 6:00 p.m. Sunday;*

*(viii) In Subdistrict 4A after the opening of the State commercial salmon fishing season, you may not take salmon for subsistence for 12 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period; however, you may take Chinook salmon during the State commercial fishing season, with drift gillnet gear only, from 6:00 p.m. Sunday until 6:00 p.m. Tuesday and from 6:00 p.m. Wednesday until 6:00 p.m. Friday.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** If this proposal were adopted the Federal drift gillnet fishery for Chinook salmon in Subdistrict 4A would be open during the proposed fishing closure. To change this, the Federal inseason manager could issue a special action to temporarily change Federal regulations (effective for a maximum of 60 days) to mirror the State's fishing schedule, or a proposal could be submitted to the

Federal Subsistence Board to request a permanent change to Federal subsistence regulations.

**Federal position/recommended action:** Support. The Alaska Department of Fish and Game submitted this as a “housekeeping” proposal to put a long standing practice into regulation. The proponent stated the fishermen in Subdistricts 4-B and 4-C want to remain on the traditional fishing schedule and therefore support this proposal. The Federal Subsistence Management Program supports clarity and efficiency in the regulatory process and supports this proposal and the wishes of local residents.

**Proposal 83** requests a requirement to record all subsistence harvested fish in the Yukon-Northern Area on catch calendars. The proponent states this proposal addresses concerns for the illegal sales of subsistence caught fish (especially Yukon River Chinook salmon), often sold as smoked strips, and the need to track and account for these fish.

**Existing State Regulations:**

**5 AAC 01.230. Subsistence fishing permits**

*(a) Except as provided in this section and 5 AAC 01.249, fish may be taken for subsistence purposes without a subsistence fishing permit.*

*(b) A subsistence fishing permit is required as follows:*

*(1) for the Yukon River drainage upstream from the westernmost tip of Garnet Island to the mouth of the Dall River;*

*(2) repealed 4/13/80;*

*(3) for the Yukon River drainage from the upstream mouth of Twenty-two Mile Slough to the United States-Canada border;*

*(4) repealed 4/13/80;*

*(5) for the Tanana River drainage above the mouth of the Wood River;*

*(6) for whitefish and suckers in the waters listed in 5 AAC 01.225(a);*

*(7) for the taking of pike in waters of the Tolovana River drainage upstream of its confluence with the Tanana River;*

*(8) for the taking of salmon in Subdistricts 6-A and 6-B;*

*(9) for the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River and the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork.*

*(c) In addition to the subsistence fishing permit conditions set forth in 5 AAC 01.015, permits issued for fish other than salmon may also designate restrictive measures for the protection of salmon.*

*(d) Only one subsistence salmon fishing permit will be issued to each household per year.*

*(e) In addition to the subsistence fishing permit conditions specified in 5 AAC 01.015, and except as provided in 5 AAC 01.249, permits issued for the taking of salmon in Subdistricts 6-A and 6-B must also contain the following requirements:*

*(1) salmon may be taken only by set gillnet or fish wheel; no household may operate more than one fish wheel;*

*(2) each subsistence fisherman shall keep accurate daily records of his or her catch, the number of fish taken by species, location and date of the catch, and other information that the department may require for management or conservation purposes;*

*(3) in that portion of Subdistrict 6-B three miles or more upstream of the mouth of Totchaket Slough, each permittee shall report the number of salmon taken to the department once each week, or as specified on the permit; in the remainder of Subdistrict 6-B and in Subdistrict 6-A, each permittee shall report the total number of salmon taken to the department no later than October 31;*

*(4) the annual harvest limit for the holder of a Subdistrict 6-A or 6-B subsistence salmon fishing permit is 60 king salmon and 500 chum salmon for the period through August 15 of a year, and 2,000 chum and coho salmon combined for the period after August 15; upon request, permits for additional salmon may be issued by the department;*

*(5) unless otherwise provided, from June 20 through September 30, open subsistence salmon fishing periods are concurrent with open commercial salmon fishing periods; during closures of the commercial salmon fishery, open subsistence salmon fishing periods are as specified in 5 AAC 05.367;*

*(6) in the Kantishna River drainage, the open subsistence salmon fishing periods are seven days per week, except as specified in 5 AAC 01.249;*

*(7) in Subdistrict 6-B from the downstream end of Crescent Island to a line three miles upstream from the mouth of Totchaket Slough, the open subsistence salmon fishing periods are from 6:00 p.m. Friday through 6:00 p.m. Wednesday.*

**Existing Federal Regulations:**

There is no requirement under Federal subsistence fishing regulations for individuals to record subsistence harvest on catch calendars. However, subsistence fishing permits are required in a few locations in the Yukon River drainage as follows:

§     .27(i)(3)(xviii) *You must possess a subsistence fishing permit for the following locations:*

*(A) For the Yukon River drainage from the mouth of Hess Creek to the mouth of the Dall River;*

*(B) For the Yukon River drainage from the upstream mouth of 22 Mile Slough to the U.S.-Canada border;*

*(C) Only for salmon in the Tanana River drainage above the mouth of the Wood River.*

*(xix) Only one subsistence fishing permit will be issued to each household per year.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Harvest calendars, as used currently, enhance the accuracy of the post-season surveys. The imposition of calendars as a legal requirement, could compromise this process. In addition, there are no subsistence salmon harvest limits for the Yukon River drainage (however ADF&G permits issued for the upper Yukon River road system include the number of salmon allowed per permit, but another permit may be granted upon request). If adopted, this proposal would not provide a direct approach to solve the problem identified by the proponent. It would increase regulatory complexity, complicate gathering accurate harvest information, and focus enforcement on paperwork compliance rather than illegal sales of subsistence taken fish. A requirement for subsistence users to record their harvest on catch calendars before leaving the fishing site would not solve the problem identified by the proponent.

**Federal position/ recommended action:** Oppose. This proposal appears to be an attempt to use catch calendars as a permit to track subsistence caught fish, but a calendar does not have the regulatory authority or enforceability of a permit. The Federal Subsistence Management Program shares the proponent's desire to reduce/eliminate significant commercial enterprises that sell subsistence taken fish, but this proposal will not likely achieve that goal.

The Federal Subsistence Management Program supports providing fishery managers with the most complete, accurate, and timely subsistence harvest estimates possible. Towards this end, the Fisheries Resource Monitoring Program, within the Office of Subsistence Management, has funded studies of statewide subsistence fishery harvest assessment strategies under the auspices of the Subsistence Fisheries Harvest Assessment

Working Group. These studies were a collaboration between ADF&G and the Alaska Inter-Tribal Council. The Federal Subsistence Management Program recommends a review of the study findings and recommendations prior to the implementation of any new subsistence harvest assessment methods<sup>1,2</sup>.

The initiation of a constructive dialogue to address this issue could begin with the creation of a working group. The working group should consist of a variety of partners including subsistence harvesters, Federal Subsistence Regional Advisory Council members, State Advisory Committee members, State and Federal law enforcement personnel, Department of Fish and Game Subsistence and Commercial Fisheries Divisions, and the Department of Environmental Conservation to develop a more constructive and inclusive approach to address the proponent's concerns. This working group could potentially submit proposals to the Federal and State Boards for regulatory changes to more effectively address this issue.

**Proposals 84 and 85** request allowing (extending) the use of drift gillnet gear into a portion of Subdistricts 4-B and 4-C for the take of Chinook (king) and chum salmon.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications**

*(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

*(b) Repealed 5/15/93.*

*(c) Repealed 5/11/85.*

*(d) In District 4, commercial fishermen may not take salmon for subsistence purposes during the commercial salmon fishing season by gillnets larger than six-inch mesh after a date specified by emergency order issued between July 10 and July 31.*

*(e) In Districts 4, 5, and 6, salmon may not be taken for subsistence purposes by drift gillnets,...*

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<sup>1</sup> Fall, J.A. and R. Shanks. 2000. Statewide Subsistence Fisheries Harvest Monitoring Strategy. Subsistence Fisheries Harvest Assessment Working Group. Final Report Study No. FIS 00-017. Anchorage, AK. 48 pages.

<sup>2</sup> Fall, J.A. 2003. Implementation of Statewide Subsistence Fisheries Harvest Assessment Strategy. ADF&G, Division of Subsistence. Final report No. FIS 01-107. Anchorage, AK. 50 pages.

**Existing Federal Regulations:**

§ .27(i)(3)(xv) *In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*

*(A) In Subdistrict 4A upstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14, and chum salmon by drift gillnets after August 2;*

*(B) In Subdistrict 4A downstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14;*

*(C) In the Yukon River mainstem, Subdistricts 4B and 4C with a Federal subsistence fishing permit, you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Adoption of these proposals could provide additional subsistence fishing opportunity for Federally qualified subsistence users in these subdistricts. Federal Subsistence Regional Advisory Council discussions and comments by subsistence fishermen from these subdistricts have raised the ongoing concern about limited fish wheel and set net sites and increased conflict and competition for available sites. Allowing the use of drift gillnetting through all of Subdistricts 4-B and 4-C would increase harvest opportunity for subsistence fishermen in both State and Federal waters.

**Federal position/recommended action:** Support with modification to include all of Subdistricts 4-B and 4-C. The proposed change would increase subsistence fishing opportunity for residents of these subdistricts, including Federally qualified subsistence users. Under current Federal regulations, qualified subsistence users can use drift gillnets to harvest Chinook salmon in Federal public waters of Subdistricts 4-B and 4-C from June 10-July 14 but must obtain a Federal permit to do so. Adoption of this Federal regulation has not resulted in a significant shift in user effort or increased harvest in these subdistricts. According to USFWS subsistence harvest information, in 2009, 14 permits were issued for the 4B and 4C Federal drift gillnet fishery, 5 permits were fished, with a total harvest of 58 Chinook and 8 chum salmon. In 2008, 25 permits were issued, 10 permits were fished, with a total harvest of 44 Chinook salmon. In 2007, 12 permits were issued, 4 permits were fished, with a total harvest of 13 Chinook salmon. In 2006, 18 permits were issued, 5 permits were fished, with a total harvest of 19 Chinook and 11 chum salmon. In 2005, 70 permits were issued, 9 permits were fished, with a total harvest of 54 Chinook and 1 chum salmon. This proposed change, with modification as noted, would allow subsistence users to use drift gillnets to target Chinook and chum salmon in Federal and State waters of Subdistricts 4B and 4C. The impact of increased effort in

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Federal public waters from an undetermined number of non-Federally qualified users under State subsistence fishing regulations is unknown.

**Proposal 86** would allow set nets to be tied up (rather than being removed from the water) during subsistence fishing closures in Subdistrict 5-D.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications**

*f) Unless otherwise specified in this section, fish other than salmon and halibut may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, or lead, subject to the following restrictions, which also apply to subsistence salmon fishing:*

*(9) during the subsistence fishing closures specified in 5 AAC 01.210(b), all salmon gillnets with a mesh size greater than four inches must be removed from the water and fish wheels may not be operated.*

**Existing Federal Regulations:** There are no Federal regulations requiring gillnets to be removed from the water during subsistence fishing closures.

*§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence schedules, openings, closings, and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Possibly. If the State manager included the tie-up provision in the emergency order issued to establish subsistence fishing periods it would default to Federal regulations. For the Yukon River drainage, Federal subsistence schedules, openings, closings, and fishing methods are the same as those issued by emergency order for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal special action. However, if adopted, this action would be incorporated into State regulations and would not default to Federal regulations by way of emergency order, unless specified. The Federal inseason manager could issue a Special Action to temporarily change Federal regulations (effective for a maximum of 60 days) in Federal public waters to mirror State regulations for this gear

specification. A proposal would need to be submitted to the Federal Subsistence Board to request a permanent change to align the Federal subsistence regulations.

**Federal position/ recommended action:** Neutral. This proposal was prompted by ongoing concerns voiced by residents of the community of Eagle and from the Eastern Interior Alaska Federal Subsistence Regional Advisory Council. The proponent states that current regulations (requiring subsistence fishing nets with a mesh size greater than four inches be removed from the water during subsistence fishing closures) are an undue burden and create a safety risk, especially for older fishers. These concerns were documented in an Office of Subsistence Management funded project (04-255).

No specific management concerns were identified with adoption of this regulation within Federal jurisdiction if the gear is not fishing during subsistence closures. The National Park Service law enforcement staff is generally supportive of this proposal. National Park Service enforcement effort in the Federal public waters of this area is mostly by boat patrol and verification that nets were not fishing would be easier by boat than if conducting aircraft surveys. However, U.S. Fish and Wildlife Service enforcement staff patrols a much larger area mostly with aircraft and has concerns about the difficulties involved in enforcing this regulation. The U.S. Fish and Wildlife Service enforcement concerns include the significant increase in time required to land and verify compliance with nets seen from the air.

### *Subsistence and Commercial*

**Proposals 87 – 90 are addressed together because the issues and actions requested are closely related. The Federal Subsistence Management Program recommendations for Proposals 87-90 are located at the end of Proposal 90.**

**Proposal 87** requests a review of the Yukon River King Salmon Management Plan (5 AAC 05.360). Proposals 88, 89 and 90 offer options for reducing gear efficiency and selectivity.

#### **Existing State Regulations:**

**5 AAC 05.360. Yukon River King Salmon Management Plan**

**Existing Federal Regulations:** None. Commercial fishery management regulations are addressed in regulation through the State's salmon management plans.

**Proposal 88** requests the use of drift gillnet gear be prohibited in the entire Yukon River drainage.

#### **Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

**5 AAC 05.330. Gear**

(a) In Districts 1 - 3, set gillnets and drift gillnets only may be operated, except that...

(b) In Districts 4 - 6, set gillnets and fish wheels only may be operated.

**Existing Federal Regulations:**

§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

(ii) A drift gillnet;

§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, ...

**Proposal 89** requests in the Yukon River drainage all gillnets with six inch mesh size may not exceed 15 feet or 35 meshes in depth. This would apply to both commercial and subsistence salmon fishing gillnets.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

**5 AAC 05.331. Gillnet specifications and operations**

(f) in Districts 4 - 6, gillnets with

(2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) In Districts 1 - 3, gillnets with

(2) six-inch or smaller mesh may not be more than 50 meshes in depth.

**Existing Federal Regulations:**

§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

- (i) A set gillnet;
- (ii) A drift gillnet;

§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

(C) In the Yukon River mainstem, Subdistricts 4B and 4C with a Federal subsistence fishing permit, you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.

**Proposal 90** requests to prohibit subsistence and commercial gillnets over 6-inch mesh size in the Yukon River drainage.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

**5 AAC 05.331. Gillnet specifications and operations**

(a) No person may operate set gillnet gear that exceeds 150 fathoms in length; no person may operate drift gillnet gear that exceeds 50 fathoms in length.

(b) In Districts 1 and 2, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(c) In District 3, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(d) In District 4, salmon may be taken only with gillnets of six-inch or smaller mesh after a date specified by emergency order.

(e) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.

(f) in Districts 4 - 6, gillnets with

(1) greater than six-inch mesh may not be more than 60 meshes in depth;

(2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) In Districts 1 - 3, gillnets with

(1) greater than six-inch mesh may not be more than 45 meshes in depth;

(2) six-inch or smaller mesh may not be more than 50 meshes in depth.

(h) Notwithstanding (b) - (d) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may not take salmon with a gillnet that has a mesh size of less than eight inches.

#### **Existing Federal Regulations:**

§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

- (i) A set gillnet;
- (ii) A drift gillnet;

§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

**Is a similar issue being addressed by the Federal Subsistence Board?** Yes. Two deferred proposals addressing gillnet mesh size and depth for Yukon River Chinook salmon directed fisheries will be considered in April 2010. These proposals were deferred by the Federal Subsistence Board to allow completion of ongoing studies that focus on this issue and to allow the Alaska Board of Fisheries an opportunity to address these issues first. The proposals before the Federal Subsistence Board address the impacts of gear selectivity on stock production, quality of escapement, and genetic characteristics such as size and age. However, the Federal proposals do not specifically address gear efficiency as a means to control the rate of harvest as do the State proposals.

**Impact to Federal subsistence users/fisheries:** The impact on subsistence fisheries will depend on the specific changes to the management plan. Proposal 88 would prohibit drift gillnet fishing by subsistence fishermen. This action would obviously have a major impact on subsistence fishermen who rely on this method of fishing to efficiently harvest salmon. Proposal 89 as written, would restrict the depth of gillnets with 6 inch mesh to a maximum of 15 feet or 35 meshes and would affect subsistence fishermen in areas where a deeper net provides greater efficiency. Proposal 90 would restrict subsistence fishing by disallowing the use of nets greater than 6 inch mesh. This proposal would reduce the efficiency of gillnets to target Chinook salmon. Catches taken with such nets would likely have a higher percentage of chum salmon than larger mesh nets. The deferred proposal which will be considered by the Federal Subsistence Board in April 2010 recommends a maximum mesh size of 7.5 inches and is intended to shift the harvest to smaller Chinook salmon while minimizing increased harvest of chum salmon. Mesh size selectivity data suggest that 7.5 inch mesh could potentially catch fewer of the large size fish. Therefore, it is likely to allow more larger, older females to escape to the spawning grounds. Overall productivity and quality of escapement could be enhanced while protecting the genetic heritability for larger older fish.

**Federal position/ recommended action (Proposals 87-90):** Neutral. The Federal Subsistence Management Program is neutral on these specific proposals, but supports appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. A periodic review of established management plans and their components is one way to help ensure the appropriate and best data is available to achieve these goals.

A comprehensive review of the management plan allows the Alaska Board of Fisheries to consider all aspects of this fishery in order to address significant conservation concerns for these stocks. In response to a request by ADF&G, the Federal Subsistence Board voted to delay action on similar proposals in order to consider the results of additional studies that could aid in understanding the effects of mesh size on the harvest of Chinook salmon, and to allow the Alaska Board of Fisheries an opportunity to address these issues. A review of the management plan should allow the Alaska Board of Fisheries to consider all aspects of management including time and area, gear selectivity and efficiency as well as other measures as it addresses the conservation and sustainability of these important stocks. Proposals 88, 89 and 90 provide possible management options for addressing gear selectivity and efficiency. The Federal Subsistence Management Program strongly encourages the Alaska Board of Fisheries to consider these options, the deferred Federal proposals and other possible changes to the management plan that could effectively address gear efficiency as a means to control harvest and gear selectivity as a significant impact on long term stock productivity and quality of escapement.

**Proposals 193 and 194** requests revision of the management triggers in the Yukon River Summer Chum Salmon Management Plan (5 AAC 05.362) and the Yukon River Drainage Fall Chum Salmon Management Plan (5 AAC 01.249), respectfully.

**Existing State Regulations:**

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan; 5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan**

**Existing Federal Regulations:**

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action*

Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** None are anticipated. Any impact to Federal subsistence users/fisheries will depend on what, if any, specific changes are made to the management plans. The Federal Subsistence Management Program supports maintaining the objectives of these management plans which include ensuring adequate escapement of fall chum salmon into the Yukon River drainage (5 AAC 01.249), to manage for the sustained yield of Yukon River summer chum salmon (5 AAC 05.362), and to provide ADF&G with management guidelines to achieve these objectives.

**Federal position/ recommended action:** Neutral. The Federal Subsistence Management Program is neutral on these specific proposals, but supports maintaining appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. We support and recommend retaining the elements of these plans which require ADF&G to use the best available data; including preseason projections, mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from monitoring projects to assess the run size of chum salmon. We also support triggers in the plans based on projected chum salmon run size to implement restrictions and/or closures when necessary to achieve escapement goals and to provide for subsistence uses.

A periodic review of established management plans and their components is one way to help ensure the appropriate and best data is available to achieve these goals. A comprehensive review of the management plans allows the Board of Fisheries to consider all aspects of this fishery in order to address conservation and allocative concerns for these stocks.

*Commercial*

**Proposal 92** requests prohibition of the sale of Chinook salmon caught in non-Chinook directed commercial fisheries for the entire Yukon River drainage, and requires that Chinook salmon caught incidentally go to the subsistence fishery only.

**Existing State Regulations:** None, however the proponent requests a regulatory change be added to 5 AAC 05.362 Yukon River Summer Chum Salmon Management Plan.

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan**

**Existing Federal Regulations:** §   .19 Special actions.

*(a) The Board may restrict, close, or reopen the taking of fish and wildlife for non-subsistence uses on public lands when necessary to assure the continued viability of a particular fish or wildlife population, to continue subsistence uses of a fish or wildlife population, or for reasons of public safety or administration.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. However, the regulations governing special actions (50 CFR 100.19 and 36 CFR 242.19) are currently under review. Comments on the proposed revisions will be presented to the Federal Subsistence Board for its review and decision in May 2010.

**Impact to Federal subsistence users/fisheries:** Yes. Federally qualified subsistence users who also fish commercially would not be able to sell any Chinook salmon taken in a non-Chinook directed commercial fishery in the entire Yukon River drainage. During years of low Chinook salmon abundance this may be an appropriate approach. However, in years when Chinook salmon runs are adequate for escapement and subsistence uses and provide a surplus for other uses, this would be an unnecessary restriction.

**Federal position/recommended action:** Neutral. An alternative to a total prohibition of Chinook salmon sales in non-directed commercial periods would be to provide the State managers the emergency order authority to restrict sales of commercially caught Yukon River Chinook salmon during critical periods of low abundance, if necessary. This situation occurred during the 2009 summer season, and the Alaska Board of Fisheries adopted an Emergency Regulation specifying that during the commercial summer chum salmon season in Districts 1-5, Chinook salmon taken may be retained but not sold. Fishermen could release live Chinook salmon or keep them for subsistence uses. The emergency order authority would not only allow State managers to help protect Chinook salmon during periods of low run strength but also contribute to subsistence uses in that Chinook that are not sold could be used for subsistence.



**Proposal 99** requests that the Andreafsky River be opened to commercial salmon fishing.

**Existing State regulations:**

**5 AAC 05.350. Closed waters.** *Salmon may not be taken in the following waters:*

*(4) waters of the Andreafsky River upstream of a line between ADF&G regulatory markers placed on each side of the river at its mouth;*

**Existing Federal regulations:**

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No, commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Impact to Federal subsistence users/fisheries:** The Andreafsky River is relatively small in size and its salmon stocks would be vulnerable to over exploitation if subjected to a directed commercial fishery. The number of salmon returning to this river has declined in recent years providing for the minimum number needed to meet escapement requirements. Allowing commercial fishing in this system would reduce both the number of salmon available for escapement, and subsistence harvest by Federally qualified subsistence users.

**Federal position/recommended action:** Oppose. Providing commercial exploitation opportunities should be accompanied by improved or expanded assessment information. The Andreafsky River is relatively small in size and its salmon stocks are vulnerable to over exploitation. The number of salmon returning to this river has declined in recent years, providing just the minimum number needed to meet escapement requirements following harvest in the mainstem Yukon River. Allowing commercial fishing in this system would make it difficult to meet escapement objectives/goals for this river.

**Proposal 199** requests to modify the Yukon River Coho Salmon Management Plan (5 AAC 05.369) for late season harvest.

**Existing State Regulations:**

**5 AAC 05.369. Yukon River Coho Salmon Management Plan**

**Existing Federal Regulations:**

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action*

Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** None are anticipated. Any impact to Federal subsistence users/fisheries will depend on what, if any, specific changes are made to the management plan. Any revisions to this plan need to maintain the elements designed to achieve escapement goals and provide for subsistence uses.

**Federal position/ recommended action:** Neutral. The Federal Subsistence Management Program is neutral on this specific proposal, but supports maintaining appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. We support and recommend retaining the aspects of this plan which require ADF&G to use the best available data to assess coho salmon abundance; including mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from monitoring projects. We also support triggers in the plan based on assessing fall chum salmon run size and determining if a harvestable surplus of coho salmon exists prior to opening a directed commercial coho salmon fishery. We recommend retaining elements of this plan necessary to achieve escapement goals and to provide for subsistence uses.

A periodic review of established management plans and their components is one way to help ensure the appropriate and best data is available to achieve these goals. A comprehensive review of the management plans allows the Alaska Board of Fisheries to consider all aspects of this fishery in order to address conservation and allocative concerns for these stocks.



# United States Department of the Interior

## NATIONAL PARK SERVICE

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

IN REPLY REFER TO:

L30 (AKRO-SUBS)

JAN 17 2010

ATTN: BOF COMMENTS  
Mr. Vince Webster, Chairman  
Alaska Board of Fisheries  
Boards Support Section  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, Alaska 99811-5526

Dear Chairman Webster:

During your January 2010 meeting in Fairbanks you will be addressing proposed regulatory changes to Arctic-Yukon-Kuskokwim (AYK) commercial, sport and subsistence finfish fisheries. The National Park Service is the managing agency for Gates of the Arctic National Park and Preserve, Noatak National Preserve, Kobuk Valley National Park, Cape Krusenstern National Monument, Bering Land Bridge National Preserve, Yukon-Charley Rivers National Preserve, Denali National Park and Preserve and Wrangell-St. Elias National Park and Preserve. These Conservation Units are totally or partially within the State's AYK Management Area.

We share your desire to implement a sound management strategy for the fishery resources of this large and diverse management area. Our enclosed comments address 12 of the approximately 52 proposals you will deliberate at your meeting. These proposals affect fishery resources within National Parks, Preserves and Monuments.

In January 2009, the Federal Subsistence Board (FSB) deferred action on Yukon River Chinook salmon regulatory proposals until after the Alaska Board of Fisheries reviewed the results of studies and considered similar regulatory proposals. The National Park Service (NPS), as a part of the FSB, will consider the information and outcomes of your January meeting and, in April, the FSB will address the Yukon River fisheries proposals it deferred last January. During past FSB deliberations, due to conservation concerns, we supported proposals that would allow for a greater number of larger Chinook salmon to reach the spawning grounds, including proposals to reduce net mesh size.

Conservation of the fishery resource is the primary objective of both State and Federal regulators and managers. We therefore offer our comments in the spirit of cooperation with the State regulatory process. We believe that through a cooperative State/Federal regulatory and

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management process that emphasizes fishery conservation, that the fishery resources will be perpetuated for the use and enjoyment of all user groups for this and future generations.

Thank you for considering our comments. If you or your staff has questions, please contact Nancy Swanton, Subsistence Program Manager (Fisheries), at 644-3597 or Dave Nelson, Fishery Biologist, at 644-3529.

Sincerely,



Sue E. Masica  
Regional Director

Enclosures

cc:

Denby Lloyd, Commissioner, ADF&G

Debra Cooper, Associate Regional Director, NPS

Paul Anderson, Superintendent, Denali National Park and Preserve

George Helfrich, Superintendent, Cape Krusenstern National Monument, Noatak  
National Preserve and Kobuk Valley National Park

Jeanette Pomrenke, Superintendent, Bering Land Bridge National Preserve

Meg Jensen, Superintendent, Wrangell St. Elias National Park and Preserve

Greg Dudgeon, Superintendent, Yukon-Charley Rivers National Preserve and Gates of  
the Arctic National Park and Preserve

David Mills, Subsistence Team Leader, NPS

Nancy Swanton, Subsistence Program Manager (Fisheries), NPS

Dave Nelson, Fishery Biologist, NPS

Rod Campbell, Fisheries Liaison to ADF&G, Office of Subsistence Management

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**NATIONAL PARK SERVICE (NPS)  
COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS**

**For The**

**Arctic-Yukon-Kuskokwim Management Area**

**State of Alaska  
Board of Fisheries Meeting  
January 26-31, 2010  
Fairbanks, Alaska**



**United States Department of the Interior**

**NATIONAL PARK SERVICE**

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

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## National Park Service (NPS) Comments

### **AYK Resident Species**

#### *Sport*

**Proposal 55** requests alignment of sport fish boundaries with commercial/subsistence fish boundaries in northern and northwest Alaska. If adopted, boundaries of these three State fisheries would be aligned.

#### **Current State regulations: 5 AAC 69.105. Description of the North Slope Area, 70.005. Description of the Northwestern Area, and 73.005. Description of the Yukon River Area.**

**5 AAC 69.105.** The North Slope Area consists of all northerly flowing fresh waters, including lakes, draining into, and including, the Arctic Ocean, the Beaufort Sea, and the Chukchi Sea, west of the Canadian border and east of **Point Hope** [CAPE LISBURNE];

**5 AAC 70.005.** The Northwestern Area consists of all waters draining into and including the Bering Sea, the Chukchi Sea, Kotzebue Sound, and Norton Sound south of **Point Hope** [CAPE LISBURNE] and north of **Point Romanof** [CANAL POINT LIGHT];

**5 AAC 73.005.** The Yukon River Area consists of all waters of the Yukon River drainage, excluding the Tanana River drainage, and all waters draining into, and including, Norton Sound and the Bering Sea south of **Point Romanof** [CANAL POINT LIGHT] and north of the westernmost point of Naskonat Peninsula.

#### **Current Federal regulations:**

§\_\_27(i) (1) *Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

§\_\_27(i) (2) *Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

§\_\_27(i)(3) *Yukon-Northern Area. The Yukon-Northern Area includes all waters of Alaska between the latitude of Point Romanof and the Latitude of the westernmost point of the Naskonat Peninsula, including those waters draining*

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*into the Bering Sea and all waters of Alaska north of the latitude of the westernmost tip of Point Hope and west of 141 West longitude, including those waters draining into the Arctic Ocean and Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. The Federal boundary descriptions for the Kotzebue, Norton Sound-Port Clarence, and Yukon-Northern areas are the same as the State commercial/subsistence boundaries for those areas. If adopted this proposal would align State subsistence/commercial/sport fish boundary descriptions and Federal subsistence boundary descriptions for these areas. This proposed change would clarify boundaries in overlapping areas and fisheries and reduce confusion among all user groups.

**NPS position/recommended action:** Support. Adoption of this proposal will reduce the potential for confusion and aid State commercial, sport and subsistence users and Federal subsistence users identify management area boundaries.

### *Kotzebue Area Subsistence*

**Proposal 68** requests to expand hook and line use for subsistence in State waters from Wales to Point Hope, and include rod and reel as a legal subsistence gear type in that area.

#### **Current State regulation:**

##### **5 AAC 01.120. Lawful gear and gear specifications.**

(b) Fish other than salmon may be taken by set gillnet, drift gillnet, beach seine, fish wheel, pot, longline, fyke net, dip net, jigging gear, spear, and lead or, as specified in (f) of this section, by **rod and reel or by** a hook and a line attached to a rod or a pole.

(f) a person may use a **rod and reel or a** hook and line attached to a rod or a pole when subsistence fishing only

(1) in the state waters of, and all flowing waters that drain into, the Chukchi Sea or Kotzebue Sound from **Point Hope** [CAPE ESPENBERG] to Cape Prince of Wales; or

#### **Current Federal regulation**

§ 25(a) *rod and reel* means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or

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*lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

*§ 27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(xix) A rod and reel; and*

§ 27(i)(1)(ii) You may take salmon only by gillnets, beach seines, or a rod and reel.

§ 27(i) (1) *Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.  
Rod and reel is currently a legal harvest method under Federal regulation.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same individuals.

Kotzebue Sound is comprised of both Federal as well as State waters. Federal subsistence users fishing in Federal waters may currently use rod and reel. No license is required.

State subsistence users fishing in State waters may not use rod and reel. If they do use a rod and reel they are then de facto sport fishers and are required to have a sport fishing license and abide by sport fishing regulations.

Adoption of this proposal would align Federal and State subsistence regulations regarding the use of rod and reel in this area. If rod and reel were legal gear in both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Moving the boundary of the area from Cape Espenberg north to Point Hope expands the area affected by this proposal. This area then mirrors the Kotzebue Area as defined in Federal regulation. This expansion is positive in that Federal and State regulatory alignment would occur over a greater area.

**NPS position/recommended action:** Support with modification. Adoption of this proposal would align Federal and State subsistence fishing regulations regarding the use of rod and reel in this area reducing confusion and minimizing or eliminating unintentional violations. Although the proponent cites “fish other than salmon” in the requested regulatory change, they reference “salmon and other fish” as being the issue.

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The NPS assumes that the proponent requests the proposal be all inclusive and be modified to include “salmon and other fish.”

*Norton Sound-Port Clarence Area  
Subsistence*

**Proposal 69** would expand the use of hook and line as a subsistence gear type in Norton Sound.

**Current State Regulation:**

5 AAC 01.170 Lawful Gear and Gear Specifications.

(b) A person may use a hook and line attached to a rod or a pole when subsistence fishing only

**(3) in the state waters of, and all flowing waters that drain into, the Bering Sea or Norton Sound from Bald Point to Point Romanoff, except the Unalakleet River drainage:**

5 AAC 01.172 Limitations on Subsistence Fishing Gear.

(a) Except when fishing through the ice, for subsistence fishing in state waters of, and all flowing waters that drain into, northern Norton Sound from Cape Prince of Wales to **Point Romanoff, except the Unalakleet River Drainage** [BALD POINT (BETWEEN ELIM AND KOYUK)] and with a hook and line attached to a rod or a pole, the following provisions apply.

**Current Federal regulation**

§\_\_25(a) *rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

§\_\_27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

(xix) A rod and reel; and

§\_\_27(i)(2) *Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

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§ 27(i)(2)(iii) You may take salmon only by gillnets, beach seines, or a rod and reel.

§ 27(i)(2)(iv) You may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, pot, long line, fyke net, jigging gear, spear, lead, or a rod and reel.

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.  
Rod and reel, and hook and line, is a legal harvest method under Federal regulation.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same individuals.

Norton Sound is comprised of Federal and State waters. Federal subsistence users fishing in Federal waters may use rod and reel and hook and line. No license is required.

State subsistence users fishing in State waters may currently not use rod and reel. If they do use a rod and reel they are then de facto sport fishers and are required to have a sport fishing license and abide by sport fishing regulations.

The proponent states the intent of the proposal is to make rod and reel legal subsistence gear for all of Norton Sound, except the Unalakleet River drainage. However, as written the proposal only addresses expanding the use of hook and line, but nothing about allowing rod and reel for subsistence. The definition of hook and line in State regulations does not include the use of rod and reel.

Under State regulations 5 AAC 01.170(h) a person may use a hook and line attached to a rod or pole when subsistence fishing in a portion of Norton Sound or through the ice. However, people cannot legally subsistence fish with rod and reel in State waters.

Adoption of this proposal, amended to address the proponent's intent to allow the use of rod and reel, would align Federal and State subsistence regulations regarding the use of this gear type in this area. If rod and reel were legal gear under both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Defining the area where this regulation would apply as being from Cape Prince of Wales to Point Romanoff would align with the Norton Sound-Port Clarence Area boundaries in Federal regulations.

Exempting the Unalakleet River from this regulatory change respects the wishes of local residents. The NPS concurs and supports this management approach.

**NPS position/recommended action:** Support. Regulatory alignment would be instrumental in reducing confusion and minimize or eliminate unintentional violations.

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**Proposal 72** requests a review of the Unalakleet king salmon management plan and modification of mesh size as follows:

**Current State regulation**

**5 AAC 01.170. Lawful gear and gear specifications; 5 AAC 04.395. Subdistricts 5 and 6 of the Norton Sound District and the Unalakleet River King Salmon Management Plan.**

(k) In Subdistricts 5 and 6, the commissioner may, by emergency order, open and close fishing periods during which a gillnet may have a mesh size no greater than

- (1) six inches;
- (2) four and one-half inches;
- (3) seven inches**

**Current Federal regulation**

§\_\_27(i)(2)(ii) *In the Norton Sound District, you may take fish at any time except as follows:*

- (A) *In Subdistricts 2 through 6, if you are a commercial fishermen, you may not fish for subsistence purposes during the weekly closures of the State commercial salmon fishing season except that from July 15 through August 1, you may take salmon for subsistence purposes 7 days per week in the Unalakleet and Shaktoolik River drainages with gillnets which have a stretched-mesh size that does not exceed 4 ½ inches and with beach seines;*
- (B) *In the Unalakleet River from June 1 through July 15, you may take salmon only from 8:00 a.m. Monday until 8:00 p.m. Saturday*
- (C) *Federal public waters of the Unalakleet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. The BLM field manager is authorized to open the closed area to Federally qualified subsistence users or to all users when run strength warrants*

§\_\_27(i)(2)(v) *In the Unalakleet River from June 1 through July 15, you may not operate more than 25 fathoms of gillnet in the aggregate nor may you operate an unanchored gillnet*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.  
Chinook salmon conservation in the Federal waters of the Unalakleet River was previously addressed by the FSB during its last fishery meeting of January 13-15, 2009.

At that time the Board adopted FP09-01 that appears above as §\_\_27(i)(2)(ii)(C). This regulation was in affect for the 2009 open water season and is the most conservative action possible, i.e. Federal waters are closed to all harvest of Chinook salmon unless run strength warrants liberalization.

**Impact to Federal subsistence users/fisheries:** Yes. The Federal waters of the Unalakleet River are those waters upstream from the confluence with the Chirosky River. These waters are closed by Federal regulation to the harvest of king salmon to all users unless run strength warrants a relaxation of this closure. Since Federally qualified subsistence users will probably not be able to fish in Federal waters, they fish under State regulation in State waters in the lower river and in marine waters. Adoption of this proposal would affect these users because they may be required by inseason State emergency order to change to 7 inch or smaller mesh gear

**NPS position/recommended action:** Support. Despite prior conservative management actions, Unalakleet River Chinook salmon remain a stock of yield concern. Adoption of this proposal would provide ADF&G managers more flexibility, by allowing them to restrict mesh size to seven inches or less, to target smaller Chinook salmon while providing increased opportunity for the larger, more fecund female Chinook salmon to reach the spawning grounds.

## **Yukon River Salmon and Freshwater Fish Subsistence**

**Proposal 83** requests a requirement to record subsistence harvest on catch calendars.

### **Current State Regulations:**

#### **5 AAC 01.230. Subsistence fishing permits**

*(a) Except as provided in this section and 5 AAC 01.249, fish may be taken for subsistence purposes without a subsistence fishing permit.*

*(b) A subsistence fishing permit is required as follows:*

*(1) for the Yukon River drainage upstream from the westernmost tip of Garnet Island to the mouth of the Dall River;*

*(2) repealed 4/13/80;*

*(3) for the Yukon River drainage from the upstream mouth of Twenty-two Mile Slough to the United States-Canada border;*

*(4) repealed 4/13/80;*

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(5) for the Tanana River drainage above the mouth of the Wood River;

(6) for whitefish and suckers in the waters listed in 5 AAC 01.225(a) ;

(7) for the taking of pike in waters of the Tolovana River drainage upstream of its confluence with the Tanana River;

(8) for the taking of salmon in Subdistricts 6-A and 6-B;

(9) for the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River and the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork.

(c) In addition to the subsistence fishing permit conditions set forth in 5 AAC 01.015, permits issued for fish other than salmon may also designate restrictive measures for the protection of salmon.

(d) Only one subsistence salmon fishing permit will be issued to each household per year.

(e) In addition to the subsistence fishing permit conditions specified in 5 AAC 01.015, and except as provided in 5 AAC 01.249, permits issued for the taking of salmon in Subdistricts 6-A and 6-B must also contain the following requirements:

(1) salmon may be taken only by set gillnet or fish wheel; no household may operate more than one fish wheel;

(2) each subsistence fisherman shall keep accurate daily records of his or her catch, the number of fish taken by species, location and date of the catch, and other information that the department may require for management or conservation purposes;

(3) in that portion of Subdistrict 6-B three miles or more upstream of the mouth of Totchaket Slough, each permittee shall report the number of salmon taken to the department once each week, or as specified on the permit; in the remainder of Subdistrict 6-B and in Subdistrict 6-A, each permittee shall report the total number of salmon taken to the department no later than October 31;

(4) the annual harvest limit for the holder of a Subdistrict 6-A or 6-B subsistence salmon fishing permit is 60 king salmon and 500 chum salmon for the period through August 15 of a year, and 2,000 chum and coho salmon combined for the period after August 15; upon request, permits for additional salmon may be issued by the department;

(5) unless otherwise provided, from June 20 through September 30, open subsistence salmon fishing periods are concurrent with open commercial salmon fishing periods; during closures of the commercial salmon fishery, open subsistence salmon fishing periods are as specified in 5 AAC 05.367;

(6) in the Kantishna River drainage, the open subsistence salmon fishing periods are seven days per week, except as specified in 5 AAC 01.249;

(7) in Subdistrict 6-B from the downstream end of Crescent Island to a line three miles upstream from the mouth of Totchaket Slough, the open subsistence salmon fishing periods are from 6:00 p.m. Friday through 6:00 p.m. Wednesday.

Neither State nor Federal customary trade regulations exempt sellers of processed fish products from State food safety regulations. For this reason, regulations from the Alaska Department of Environmental Conservation are included here.

**Existing Federal Regulations:**

There is no requirement under Federal subsistence fishing regulations to require individuals to record subsistence harvest on catch calendars. However, subsistence fishing permits are required in a few locations in the Yukon River drainage as follows:

§ \_\_.27 (i)(3)(xviii) You must possess a subsistence fishing permit for the following locations:

(A) For the Yukon River drainage from the mouth of Hess Creek to the mouth of the Dall River;

(B) For the Yukon River drainage from the upstream mouth of 22 Mile Slough to the U.S.-Canada border;

(C) Only for salmon in the Tanana River drainage above the mouth of the Wood River.

(xix) Only one subsistence fishing permit will be issued to each household per year.

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

**Impact to Federal subsistence users/fisheries:** Yes. If adopted, this proposal would not provide a direct approach to solve the problem identified by the proponent. It would increase regulatory complexity, complicate gathering accurate harvest estimates, and focus enforcement on paperwork compliance rather than illegal sales of subsistence taken fish. Harvest calendars, as used currently, enhance the accuracy of the post-season surveys. The imposition of calendars, as a legal requirement, could compromise this process. In addition, there are no subsistence salmon harvest limits for the Yukon River drainage (however ADF&G permits issued for upper Yukon River road system include the number of salmon allowed per permit but another permit may be granted upon request).

**NPS position/ recommended action:** Oppose. The NPS supports providing the fishery managers and regulatory bodies with the most complete, accurate, and timely subsistence harvest estimates possible. However, this proposal does not appear to be the appropriate venue to achieve accurate reporting and eliminate the purported unlawful sales of subsistence caught fish.

This proposal appears to be an attempt to use a catch calendar as a permit to track subsistence caught fish, but a calendar does not have the regulatory authority or enforceability of a permit. The NPS and the Federal Subsistence Management Program (FSMP) share the proponent's desire to reduce/eliminate any commercialization of subsistence taken fish. The Federal program has funded collaborative studies of statewide subsistence fishery harvest assessment strategies under the auspices of the Subsistence Fisheries Harvest Assessment Working Group (SFHAWG). An evaluation of the results of these studies is recommended prior to the implementation of any new subsistence harvest assessment methods (SFHAWG 2000, Fall and Shanks 2000, Fall 2003).

**Proposal 86** would allow set nets to be tied up during subsistence fishing closures in Subdistrict 5-D.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications.**

*(f) Unless otherwise specified in this section, fish other than salmon and halibut may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, or lead, subject to the following restrictions, which also apply to subsistence salmon fishing:*

*(9) during the subsistence fishing closures specified in 5 AAC 10.210(b), all salmon gillnets with a mesh size greater than four inches must be removed from the water and fish wheels may not be operated.*

**Current Federal Regulations:**

*§ 27(i)(3) Yukon-Northern Area. (You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

*(ii) For the Yukon River drainage, Federal subsistence schedules, openings, closings, and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.050.060), unless superseded by a Federal Special Action.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No**

**Impact to Federal subsistence users/fisheries.** Possibly. For the Yukon River drainage, Federal subsistence schedules, openings, closings and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action. However, if adopted this action would be incorporated into State regulations, and if the "tie-up" provision is not specifically



mentioned in a State's Emergency Order(s) to open and close the subsistence fishery it would not default to Federal regulations by way of emergency order. The Federal inseason manager could issue a Special Action to temporarily change Federal regulations (effective for a maximum of 60 days) in Federal public waters to mirror State regulation. If this proposal were adopted, a similar proposal would have to be submitted to the Federal Subsistence Board to request a permanent change to Federal subsistence regulations to align Federal and State regulations.

Therefore, adoption of this proposal could have a direct affect on Federally qualified subsistence users fishing in Subdistrict 5D by allowing them to tie up their set gillnets during subsistence closures rather than completely removing them from the water as is now required. The proponent states that tying up nets during subsistence fishing closures would pose less of a hazard to fishers than pulling and later resetting their nets when the fishery reopens.

**NPS position/recommended action:** Neutral. This proposal was prompted by on-going concerns voiced by residents of Eagle and the Eastern Interior Federal Subsistence Regional Advisory Council (EIRAC). The Council states that current regulation (requiring subsistence fishing nets with a mesh size greater than four inches be removed from the water during subsistence fishing closures) is an undue burden and creates a safety risk, especially for older fishers. These concerns were documented in a Federally funded research project (04-255).

The Federal Yukon River inseason manager had no management concerns with adoption of this proposal within Federal jurisdiction as long as the gear is not fishing during closures. NPS law enforcement effort in the Federal public waters of this area is mostly water patrols and verification that the nets were not fishing would be easier than using aircraft. However, US Fish and Wildlife Service Law Enforcement (LE) patrols a much larger area mostly with aircraft and has concerns about the difficulties involved in enforcing this proposal if it is adopted as regulation. Their enforcement concerns include the significant increase in time required to land and verify compliance.

### *Subsistence and Commercial*

**Proposals 87 – 90 are commented on together because the issues and actions requested are similar. The NPS recommendations for Proposals 87-90 are at the conclusion of Proposal 90.**

**Proposal 87** requests a review of the Yukon River King Salmon Management Plan (5 AAC 05.360). **Proposals 88, 89 and 90** offer options for reducing gear efficiency and selectivity primarily for king salmon.

### **Current State Regulations:**

**5 AAC 05.360. Yukon River King Salmon Management Plan**

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(a) *The objective of this management plan is to provide the department with guidelines to manage for the sustained yield of Yukon River king salmon. The department shall use the best available data, including preseason run projections, test fishing indices, age and sex composition, subsistence and commercial harvest reports, and passage estimates from escapement monitoring projects to assess the run size for the purpose of implementing this plan.*

(b) *The department shall manage commercial fishing as follows:*

(1) *the department may open a directed commercial king salmon fishery when increases in subsistence or test fishery net catches of king salmon have occurred over a seven to ten day period;*

(2) *the department shall manage the Yukon River commercial king salmon fishery for a guideline harvest range of 67,350 - 129,150 king salmon, distributed as follows:*

(A) *Districts 1 and 2: 60,000 - 120,000 king salmon;*

(B) *District 3: 1,800 - 2,200 king salmon;*

(C) *District 4: 2,250 - 2,850 king salmon;*

(D) *District 5:*

(i) *Subdistrict 5-B and 5-C: 2,400 - 2,800 king salmon;*

(ii) *Subdistrict 5-D: 300 - 500 king salmon; and*

(E) *District 6: 600 - 800 king salmon;*

(3) *when the projected king salmon harvest range for Districts 1 - 6 combined is below the low end harvest level from zero to 67,350 fish, the department shall allocate the commercial harvest available by percentage for each district as follows:*

(A) *Districts 1 and 2: 89.1 percent;*

(B) *District 3: 2.7 percent;*

(C) *District 4: 3.3 percent;*

(D) *Subdistricts 5-B and 5-C: 3.6 percent;*

(E) *Subdistrict 5-D: 0.4 percent; and*

(F) *District 6: 0.9 percent.*

**Current Federal Regulations:** None. Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Proposal 88** requests the use of drift gillnet gear be prohibited in the entire Yukon River drainage.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

*(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

**5 AAC 05.330. Gear**

*(a) In Districts 1 - 3, set gillnets and drift gillnets only may be operated, except that...*

*(b) In Districts 4 - 6, set gillnets and fish wheels only may be operated.*

**Current Federal Regulation**

§ \_\_.27(c) (1) *Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(ii) A drift gillnet;*

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*

**Proposal 89** requests in the Yukon River drainage all gillnets with six inch mesh size may not exceed 15 feet or 35 meshes in depth. This would apply to both commercial and subsistence salmon fishing gillnets.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

*a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

**5 AAC 05.331. Gillnet specifications and operations**

*(f) in Districts 4 - 6, gillnets with*

*(2) six-inch or smaller mesh may not be more than 70 meshes in depth.*

*(g) In Districts 1 - 3, gillnets with*

*(2) six-inch or smaller mesh may not be more than 50 meshes in depth.*

**Current Federal Regulations:**

§ \_\_\_\_ .27(c) (1) *Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(i) A set gillnet;*

*(ii) A drift gillnet;*

§ \_\_\_\_ .27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(C) In the Yukon River mainstem, Subdistricts 4B and 4C with a Federal subsistence fishing permit, you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.*

**Proposal 90** requests to prohibit subsistence and commercial gillnets over 6-inch mesh size in the Yukon River drainage.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

*a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

**5 AAC 05.331. Gillnet specifications and operations**

*(a) No person may operate set gillnet gear that exceeds 150 fathoms in length; no person may operate drift gillnet gear that exceeds 50 fathoms in length.*

*In Districts 1 and 2, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.*

*(c) In District 3, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.*

*(d) In District 4, salmon may be taken only with gillnets of six-inch or smaller mesh after a date specified by emergency order.*

*(e) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.*

*(f) in Districts 4 - 6, gillnets with*

*(1) greater than six-inch mesh may not be more than 60 meshes in depth;*

*(2) six-inch or smaller mesh may not be more than 70 meshes in depth.*

*(g) In Districts 1 - 3, gillnets with*

*(1) greater than six-inch mesh may not be more than 45 meshes in depth;*

*(2) six-inch or smaller mesh may not be more than 50 meshes in depth.*

*(h) Notwithstanding (b) - (d) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may not take salmon with a gillnet that has a mesh size of less than eight inches.*

**Current Federal Regulations:**

*§ \_\_.27(c) (1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

- (i) A set gillnet;*
- (ii) A drift gillnet;*

*§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** Yes. Two deferred proposals, FP09-12 and FP09-13, addressing gill net mesh size and depth for Yukon River Chinook salmon directed fisheries will be considered in April 2010. These proposals were deferred to allow completion of ongoing studies that focus on this issue and to allow the Alaska Board of Fisheries an opportunity address these issues first from a river wide perspective. The proposals before the FSB address the impacts of gear selectivity on stock production, quality of escapement, and genetic characteristics such as size and age. However, the Federal proposals do not specifically address gear efficiency as a means to control the rate of harvest as do the State proposals.

**Impact to Federal subsistence users/fisheries:** The degree of impact on subsistence fisheries will depend on the specific changes, if any, to the King Salmon Management Plan (Proposal 87) and to actions, if any, taken on Proposals 88, 89 and 90 that offer options for reducing gear efficiency and gillnet selectivity primarily for king salmon. Proposal 88 would prohibit drift gillnet fishing by subsistence fishermen. This action would strongly impact subsistence fishermen who rely on this gear type to harvest Chinook salmon. Proposal 89 limits the depth of gillnets with 6 inch mesh and would impact subsistence fishermen in areas where a deeper net provides greater efficiency. Proposal 90 would prohibit subsistence fishing with nets greater than 6 inch mesh. This proposal would reduce the efficiency of gillnets targeting Chinook salmon and would increase the by-catch of summer chum salmon. Shifting the harvest to summer chum salmon would decrease Chinook salmon exploitation and reduce selective pressure on larger, older, usually female Chinook salmon resulting in improved long term conservation and sustainability of this species.

The deferred Federal proposals which will be considered by the Federal Subsistence Board in April 2010 recommend a maximum mesh size of 7.5 inches and are intended to shift harvest to smaller Chinooks salmon while minimizing increased harvest of summer chum salmon. This action is intended to increase the harvest rate for smaller, usually male Chinook salmon. Conversely, harvest rates for larger usually female salmon would be expected to decrease. This would allow more, larger, older females to escape the fishery and return to the spawning ground. Future productivity could be enhanced while protecting the genetic heritability for larger older fish.

**NPS position/ recommended action (Proposals 87-90):** Neutral. The NPS is neutral on these specific proposals but supports conservation of the resource and using the best scientific data to make management decisions and ensure a subsistence priority. A periodic review of established management plans and their components is appropriate to help ensure the best scientific data are available to achieve management goals and objectives.

A comprehensive review of the King Salmon Management Plan allows the Alaska Board of Fisheries to consider all aspects of this fishery in order to address significant conservation concerns. The Alaska Department of Fish and Game requested that the Federal Subsistence Board delay action on the two aforementioned gear proposals that would address the impact of gear selectivity on the productivity, escapement quality and

genetic resiliency of Yukon River Chinook salmon. The Federal Board approved this delay to allow the State Board of Fisheries an opportunity to address these issues. A review of the Management Plan should allow the Alaska Board of Fisheries to consider all aspects of management including time and area, gear selectivity, and gear efficiency as it addresses the conservation and sustainability of these important stocks. Proposals 88, 89 and 90 provide additional management options for addressing gear selectivity and efficiency. The NPS strongly encourages the Board of Fisheries to consider these options, the deferred Federal proposals and other appropriate management options that could effectively address gear efficiency, selectivity, productivity and the quality of the Yukon River Chinook salmon escapement.

**Proposals 193, 194 and 199** requests the revision of the management triggers in the Yukon River Summer Chum Salmon Management Plan (5 AAC 05.362), the Yukon River Drainage Fall Chum Salmon Management Plan (5 AAC 01.249) and to modify the Yukon River Coho Salmon Management Plan (5 AAC 05.369).

**Current State Regulations:**

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan**

**5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan**

**5 AAC 05.369. Yukon River Coho Salmon Management Plan**

**Current Federal Regulations:** §\_\_\_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action*

Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

**Impact to Federal subsistence users/fisheries:** The impact on subsistence fisheries will depend on the specific changes, if any, to the respective Management Plan.

**NPS position/ recommended action:** Neutral. The NPS supports conservation of the resource and use of the best available data to craft management decisions and ensure a subsistence priority. A periodic review of established management plans is appropriate to ensure the best data are available to achieve these goals. A comprehensive review of the aforementioned Management Plans allows the Board of Fisheries to consider all aspects of these fisheries in order to address conservation concerns for these stocks.

21/22

Public Comment #

9

Commercial

**Proposal 92** requests a prohibition on the sale of Chinook salmon caught in non-Chinook salmon directed commercial fisheries in the Yukon River drainage. Incidentally caught Chinook salmon may only be released or retained as part of the subsistence catch.

**Current State Regulations:** None, however the proponent requests a regulatory change be added to 5 AAC 05.362 Yukon River Summer Chum Salmon Management Plan.

**Current Federal Regulations:** § 100.19 Special actions.

*(a) The Board may restrict, close, or reopen the taking of fish and wildlife for non-subsistence uses on public lands when necessary to assure the continued viability of a particular fish or wildlife population, to continue subsistence uses of a fish or wildlife population, or for reasons of public safety or administration.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. Federally qualified subsistence users, who also fish commercially, would not be able to sell Chinook salmon taken in a non-Chinook directed commercial fishery in the Yukon River drainage. During years of low Chinook salmon abundance this may be an appropriate approach. However, in years when Chinook salmon runs are adequate for escapement and subsistence requirements and provide a surplus for other uses this action would unnecessarily restrict Federal users who participate in the commercial fishery.

**NPS/Recommended Action:** Neutral. An alternative to a total prohibition of Chinook salmon sales would be to provide the State managers the emergency order authority to restrict/limit the sales of commercially caught Yukon River Chinook salmon during periods of low abundance. Chinook salmon conservation was required during the 2009 summer season. In response, the Alaska Board of Fisheries adopted an emergency regulation specifying that during the commercial summer chum salmon season in Districts 1-5, Chinook salmon taken could be retained but not sold. Commercial fishers had the option of releasing live Chinook salmon or retaining them for subsistence uses. If State managers could implement this action by emergency order, management would be streamlined as emergency orders issued by State managers are automatically incorporated as Federal regulation. The emergency order authority would not only allow State managers to conserve Chinook salmon during periods of low run strength but would also contribute to subsistence uses.

END



RECEIVED  
JAN 11 2010  
BOARDS

**TO: BOARD OF FISHERIES**

**FROM: KALTAG FISHERIES LLC / DOUG KARLBERG**

**RE: AYK Area Proposals**

**PROPOSALS: 91 - OPPOSE**  
**92 - NEUTRAL**  
**93 - OPPOSE**

- ✓ Kaltag Fisheries operates the fish plant in Kaltag, AK.
- ✓ Plant is located in Yukon Harvest District 4-A
- ✓ Harvest is by **FISHWHEEL ONLY**
- ✓ Salmon is the **SOLE** significant local economic resource
- ✓ 100% local labor and fishermen
- ✓ Harvest District Y-4A has recent new investment in excess of \$3,000,000, to restart this historical fishery. This new investment is at risk.
- ✓ Restarting this Y-4A fishery will provide the first significant private, local, employment in 14 years.
- ✓
- ✓ Additional private capital is awaiting Board decisions which provide a predictable investment environment.

**COMMENTS:** With the re-starting of the Y-4A fishwheel fishery after over a decade, it is timely that the Board takes notice of this fishery, and tailors their regulations with this change in mind.

Harvesting with fishwheels is inherently one of the cleanest fishery harvest methods available to man. Non-target species captured can be returned to the Yukon within literally seconds, alive and well. Fishwheels have been the preferred choice by fisheries managers worldwide for biological assessment, due to their superior low mortality characteristics.

The critical key to low mortality resides in ensuring that non-target (Chinook) are returned immediately to the water, which requires full time monitoring of the wheel harvest.

Adding to this low mortality is a 25 year harvest data record which indicates clearly that fishwheels, because of their operational locations, simply do not come into contact with Chinook salmon in the quantities that the gill net fishery in Yukon Areas Y- 1-3 do.

Twenty-five years of harvest data (1970-1995) indicates a harvest ratio of 89 chums for every 1 Chinook. This compares to an encounter ratio of approximately 7 to 1 in the Lower Yukon gillnet fishery.

As if this were not enough, the handful of Chinook that fishwheels do catch, are predominantly immature jacks.

All of these fact laid out above have been presented to ADFG staff, and there has not been a single person there that has disputed these facts.

### **RECOMMENDATIONS:**

With this in mind, we would recommend the following for fishwheel operation on ALL harvest areas of the Yukon. All fishwheels harvesting salmon must be manned constantly and in a fashion which enables the gentlest handling possible of non-target species which must be returned to the river immediately upon capture. This was our informal agreement with ADFG for operations in 2009.

This recommendation is simple to enforce; if the wheel is turning, there better be someone onboard. Zero Chinooks could be transported for sale, processing, or subsistence. Maintenance of Chinook logbooks, would not be opposed.

Fishing has inherent risks associated with the variability and unpredictability of fish abundance and market conditions. The Yukon in particular suffers from a high cost environment.

We can do nothing about these risks and accept them, but there is much that we can do to remove some of the other risks, which are too often political in nature. Clear direction and regulations from the Board can do much to reduce these risks.

We only ask two things from the Board, in order to support a reasonable chance of success in enabling economic development to occur, in an extremely depressed area.

One; we would like to fish when the fish are present and realistically harvestable with the limited equipment, limited participation, and limited processing, that we have.

Two; we would like our full quota, if biologically prudent.

Much has changed since the “Good old days” when dozens of processors, over a hundred wheels, fish farming and industrial hatcheries did not exist, and only 5% of the fish had to be processed.

It is timely that we revisit these regulations with an eye towards changed conditions, and the economically dire local circumstances that clearly exist. There is a healthy chum salmon resource, and it is desperately needed for local employment. The time for the State to demonstrate with action, responsiveness to the needs of the people of the Yukon, is now.

Virtually all the processors have long abandoned the Yukon. This is not an accident, but a clear proof of economic distress.

It may be helpful to understand the basic economics of re-establishing a viable salmon market on the Yukon. In the 80's salmon caviar wholesaled for \$25 a pound and gas was \$2. Today caviar is wholesaling for \$8 and gas is \$8 a gallon. This is a very challenging economic environment, and the only solutions lie with sufficient volumes to spread the cost of operations over more pounds. It really is as simple as that.

Commercial investment will hinge on whether there is a written commitment by the Board and ADFG to ensure that if the chum runs have sufficient strength that harvesting will occur starting early, and spreading out the harvest. The major change requiring processing of the carcass presents a particularly difficult challenge, as this requirement necessitates processing to food safety standards 95% more flesh, than in prior history.

This challenge can only be met by consistent deliveries of fish over as long a period of time as is possible. The Yukon already has a very short harvesting window, and artificially shortening it for political reasons, will doom the fishery, before it starts.

The “roe-stripping” Gold Rush is over and due to economics not likely to ever return, but memories haunt the biologists, and stoke their fears. We are coming up on two decades since the roe-stripping Gold Rush occurred. It is time that we recognized that conditions have changed, and the fears are no longer realistic, and producing management decisions based upon this ancient history, is producing real suffering.

Frankly, if there does not appear to be the commitment from the State that harvesting will occur early and of sufficient duration to ensure a high quality, and a high quantity, the re-starting of the Y-4 fishery will fail because of lack of the private investment.

In my opinion, this would be an unnecessary economic disaster, not because of a lack of resource, or real conservation needs, but a lack of

political backbone, which in turn makes the extinction of these communities inevitable.

It is time to take stock of the facts that exist today. Where 134 fishwheels operated, there now are 8 marginal wheels operating, harvesting a fraction of their historical harvest, the chum runs have been returning in record strength for years now, and the processing, harvesting, and human resources infrastructure has evaporated. The "real" risks of this fishery exploding into the wild and woolly Gold Rush days, are virtually non-existent.

It is time that people got some needed employment from their only resource; a resource which is undeniably healthy. It is time that fishery managers applied themselves to alleviate the desperate poverty, so painfully evident to any objective observer, along this river.

Communities without resources cease to exist, and these river communities only have one resource.

This would be a tragedy, when there are clear practical, scientifically defensible, methods of harvesting this resource, with a little political backbone.

I appreciate the difficulty of the task in front of you, and the opportunity to have my comments heard. Good luck in your deliberations.

Warmest regards,



Doug Karlberg / President  
Kaltag Fisheries LLC

TO: BOARD OF FISHERIES

FROM: KALTAG FISHERIES LLC / DOUG KARLBERG

RECEIVED

RE: AYK Area Proposals

JAN 11 10

PROPOSALS: 95 - OPPOSE

96 - OPPOSE

97 - OPPOSE

BOARDS

- ✓ Kaltag Fisheries operates the fish plant in Kaltag, AK.
- ✓ Plant is located in Yukon Harvest District 4-A
- ✓ Harvest is by **FISHWHEEL ONLY**
- ✓ Salmon is the **SOLE** significant local economic resource
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- ✓ Restarting this Y-4A fishery will provide the first significant private, local, employment in 14 years.
- ✓
- ✓ Additional private capital is awaiting Board decisions which provide a *predictable* investment environment.

**COMMENTS:** With the re-starting of the Y-4A fishwheel fishery after over a decade, it is timely that the Board takes notice of this fishery, and tailors their regulations with this change in mind.

While each of these proposals actually benefits Y-4A with higher quotas, we are against the re-allocation.

Ironically even though we benefit, we reject these proposals. The political war that over these historical harvests ended decades ago, we have no interest in re-opening them. Once this door is opened, there will be a non-stop stream of re-allocation proposals in the future, *an uncertainty we don't need.*

Our second major reason for not re-opening these allocations is that more than anything, uncertainty destroys the environment for commercial investment. These types of re-allocations can devastate needed and well intentioned investment. Long term monetary commitments are based upon these allocations, and if the allocations are subject to a high degree of

political variability, then investments required to provide the infrastructure to support these fisheries, will not occur.

Our third point is that thousands of people depend upon these resource quotas, and most of the harvest today is accomplished by people so remotely located, that there are not reasonable alternative employment opportunities for these people, if their quotas are reduced. Upriver folks have a much better access to the broad job market provided by Fairbanks, which leaves them much less vulnerable to lose of the only private employment available locally, like most down river villages.

Fourth, these quotas were based upon historical participation, like most allocations within Alaska. If a new allocation regime is considered, it would be our feeling that during the more recent harvest history, the upriver people would fare even worse today. Considering the enormous increases in upriver allocations, this appears to be a simple resource grab by the politically more powerful Fairbanks interest groups, with little concern over the plight of the downriver villages, and all for a salmon that is has lost 90% of its value if it had been harvested down river.

Fifth. as a basis for this re-allocation proponents point to the luxury of prosecuting the fishery after the sonar has counted the fish coming up river. This position reveals a lack of knowledge of the use of salmon counting sonars in use in Alaska. Virtually all the salmon counting sonars in use in Alaska count fish upriver from the harvest area, and these fisheries are able to manage these fisheries appropriately.

Focusing on improving the accuracy of the sonar and other salmon counting tools would do more for the resource than these proposals.

Sixth, This type of reallocation to upriver makes no economic sense. It has been well established that at some point salmon traveling up a river decrease in value. To harvest salmon that are worth 90% less money when harvested upriver makes no sense whatsoever, and flies in the face of the salmon harvesting trends in all other areas of the State.

These proposals would economically devastate, downriver fisheries, and return dramatically lower economic returns to the State of Alaska. This is a waste of economic resources to benefit a few select people.

Communities without resources cease to exist, and these down-river communities only have one resource.

I appreciate the difficulty of the task in front of you, and the opportunity to have my comments heard. Good luck in your deliberations.

*Doug Karlberg*

6/6

Public Comment # <sup>2</sup> 10

To: The Alaska Department of Fish and Game and State Subsistence Board

From: John Thompson, Elder St. Mary's Alaska

Date: January 6, 2010

RECEIVED  
JAN 11 2010  
BOARDS

I am writing this letter because I want to help all of the people of the Yukon River and because I want to help prevent additional proposals from hurting the people of the Lower Yukon River.

In the early 1960's I worked for the Department of Fish and Game for six seasons surveying the subsistence salmon caught along the Yukon River. I worked for five months at a time each season where I conducted subsistence surveys from the mouth of the Yukon all the way to Ft. Yukon. I traveled by boat and surveyed each fish camp along the Yukon River. During those days the people along the Yukon River were very cooperative and worked with the Fish and Game to make sure that the surveys were complete and accurate. The People who live along the Yukon always worked together and cooperated to take care of the river and the fish.

Our surveys looked at all types of gear the types of gear that caught the most fish were the drift nets, beach seine, and the fish wheels. These types of gear all are driven by the river current. Proposal 88 is recommending that drift nets not be allowed to be utilized by subsistence and commercial fishermen. This is not justice, the fish wheels and beach seine are driven by the current and if we are going to do away with drift nets we should do away with fish wheels and beach seines as they too are driven by the current and catch the most fish.

People who do not live along the Yukon and do not rely on the fish from the Yukon to feed their families are now trying to create conflict among those of us who live along the Yukon. They are writing proposals that are not fair and single out the people of the Lower Yukon. The Lower Yukon does not have a road system, rail road system, Cargo Hubs, borough system, timber, gold, pipeline, or large city infrastructure. All of these things help to create jobs and generate revenue or money. The Lower Yukon does not have any of these things which makes it very difficult for families to make money and to provide food for their families. This is why it is so important to the people of the Lower Yukon that they are allowed to subsistence fish to provide food for their families and to commercial fish to provide some income for the family to purchase the basic necessities. All of the goods, gas, and heating oil that we purchase here in the Lower Yukon Villages have to be brought in by barge in the summer or flown in to each village. This makes things very expensive and adds a

huge expense to the price of everything we purchase. So not only do we have very little means of making a living, but we have the highest cost for gas, heating fuel, and other goods brought into the Lower Yukon Villages. The people of the Lower Yukon live in Wade Hampton County, which has been designated by the State and Federal governments as one of the poorest counties in the United States, yet we have the most expensive items to purchase due to our remote location. This again helps to explain why it is vital that the people of the Lower Yukon River be able to fish for subsistence fish to feed our families and to commercial fish to provide some income to purchase the basic necessities for our families.

Proposal 89 restricts the depth of the net and the size of the mesh. If the depth of the net and the size of the mesh is going to be restricted then the depth of the fish wheel must be restricted as well. We have to be fair to the whole Yukon River and if these restrictions are going to be put in place they have to apply to the whole Yukon River, not just the people of the Lower Yukon River.

There are many proposals that have been approved in the past that worked for everyone on the river and are now sitting on the shelf. These proposals should be looked at and put to use one proposal at a time. These proposals cannot compete against each other. These days it seems like there are so many proposals being presented to place restrictions on the Lower Yukon River and it is like a game to see how many proposals can be written to try to place restrictions on the Lower Yukon River. Are these proposals being written to truly help the Yukon River or to help a specific population of people who do not even live on the Yukon River? Think about it and look at the number of proposals written to try to restrict the Lower Yukon. Why not take the proposals that were approved in the past off the shelf and put them to use one proposal at a time for the whole Yukon.

False Pass has only one window and Canada has a certain number of fish that have to pass before commercial fishing in the Lower Yukon is permitted. It is over 1,000 miles from the mouth to Canada, how can we know for certain the number of fish that have passed. Last year is a perfect example where the Fish and Game sonar read that a small number of Chinook or king salmon passed the Pilot Station sonar and they thought that so few had passed that they restricted the people who live on the river from even being allowed to get their subsistence kings and restricted subsistence fishing to chum only. Later, once the fish were gone they realized that they made a big mistake and that in fact a large number of king salmon had passed through, enough to even surpass the number of fish that Canada needed. All of the sudden they had a whole bunch of excess king salmon in Canada and the people of the Lower Yukon were not even allowed to harvest their subsistence fish. This is not justice for all and is not fair to our people. There were plenty of king salmon for the people of the



Lower Yukon to harvest for subsistence use yet the Fish and Game restricted the harvest of these fish and instead Canada ended up with more fish than they asked for.

The fact is that there were enough King Salmon for a commercial opener yet people who caught king salmon during a chum opener were not even allowed to sell the incidental caught kings. The Board of Fish has to wait 30 days after they notify the people to place a restriction on the sale of king salmon that are incidentally caught. I am 87 years old and I have lived on the Yukon River all of my life and never before in the history of the Yukon has the sale of incidental caught King salmon been restricted.

I would ask all of you to concentrate on the facts presented in this letter. I appreciate the opportunity to present the facts from the Lower Yukon and to verify what is happening on the Yukon River. I want to thank you for listening to me and ask that you listen to both sides and make decisions that are in the best interest of the whole Yukon River and the people who live along the Yukon River and have for many generations.

RECEIVED

JAN 11 2010

BOARDS

01-10-2010

To Alaska Board of Fisheries,

Hello! Am writing in response to PROPOSAL 64-5AAC 01.244. I as a regular subsistence Pike fisherman, during the winter portion of that season, SUPPORT the proposal currently under consideration. I feel the 25 daily household limit with 50 fish in possession is more than adequate. The harvest of hundreds of Pike during any one outing is ridiculous. No one family or even groups of families could hope to consume this amount, nor store it well, less they canned/smoked it. If on the other hand, its use is for dogs then shame on them, for such fish as the Pike i.e. white fish, have little by way of protein value of which mushing dogs require. I have seen the harvest data while in conversation with ADF&G and there are but several individuals which report these numbers of fish slaughtered. While the bulk of the users keep well under the suggested limit, I feel the 25/50 proposal is plenty and well worth the sixty mile round trip from Murphy Dome. I have been a long time hunter and sport fisherman and can see no way someone could need several hundred Pike..... even if they ran a soup kitchen! Continued abuse of this subsistence permit will eventually result in damage to the Minto Pike as a whole as well as reduced allowances during other seasons. Best regards.

Sincerely,  
M.P.McCarter



Public Comment #

12



**KAWERAK, INC. • P.O. Box 948 • Nome, AK 99762**

TEL: (907) 443-5231 • FAX: (907) 443-4452

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 SHISHMAREF  
 SOLOMON  
 STEBBINS  
 ST. MICHAEL  
 TELLER  
 UNALAKLEET  
 WALES  
 WHITE MOUNTAIN

January 11, 2010

Mr. Vince Webster, Chairman  
 Alaska Board of Fisheries  
 P.O. Box 115526  
 Juneau, Alaska 99811-5526

RECEIVED

JAN 11 2010

BOARDS

Re: Comments to 2010 AYK Fisheries Proposals

Dear Mr. Webster,

Kawerak requests the Alaska Board of Fisheries (BOF) to consider the following comments on Arctic-Yukon-Kuskokwim (AYK) finfish proposals currently under consideration at the BOF meeting in January. Many of these proposals affect subsistence users in our region that have been negatively impacted by some of the most restrictive fishery regulations in the state, and Kawerak would like to emphasize the importance of subsistence salmon fishing to the culture and well-being our Alaska Native communities.

**Proposal 68** – Add “hook and line” to existing subsistence gear types. Kawerak supports this proposal, since it would remove the requirement for subsistence users using hook and line to obtain a sport fishing license. This will remove an existing hardship on subsistence users. Proposed by Kotzebue AC.

**Proposal 69** – Expansion of “hook and line” as legal gear type for subsistence in Norton Sound, except Unalakleet River drainage. Kawerak supports this proposal, since it will expand hook and line as legal subsistence gear in most areas of Norton Sound. Currently, hook and line is legal subsistence gear in the portion of Norton Sound west of Bald Point. Proposal would allow users in Koyuk, Shaktoolik, Stebbins and St. Michael to use hook and line gear for subsistence without obtaining a sport fishing license. Proposed by Frank Kavairlook Sr.

**Proposal 71** – Allow seining for salmon in Nome Subdistrict where it is currently closed. Kawerak supports this proposal since it would allow a more selective gear type than gill nets, which are currently allowed for subsistence users in the Nome Subdistrict. Seine nets are less harmful to captured fish, and non-target species can often be removed from net with minimal injury. Proposed by Tom Sparks.

**Proposal 72** – Adds an additional mesh size restriction for Subdistricts 5 and 6. Kawerak supports this proposal, as it will give ADF&G managers an additional management tool that should reduce the impacts of subsistence users targeting Chinook salmon in the Unalakleet River and North River. Mesh size restrictions currently available to ADF&G managers are 4.5”, 6”, and 8.25”, and this proposal would add 7” to existing mesh size restriction options. The addition of a 7” mesh size should allow subsistence users to harvest males while allowing larger females

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to escape. Downside is that subsistence users may have to purchase 7" mesh gillnet or risk being shut out of potential openings. Proposed by ADF&G.

**Proposal 73** – Changes the opening date for the Port Clarence commercial sockeye fishery. Kawerak opposes this proposal as it forces ADF&G managers to make a decision regarding opening the commercial sockeye fishery earlier, to the detriment of subsistence users and meeting escapement goals if early forecasts prove to be inaccurate. We should recognize that an earlier start date for the commercial fishery may result in less chum salmon bycatch, however, the first priority is insuring that escapement and the subsistence sockeye fishery is not shortchanged in the process of jumping the gun on the commercial fishery. NSEDC's goal is to develop this into a regular commercial fishery. An earlier commercial sockeye fishery may harvest increased numbers of sockeye bound for the Pilgrim River, which had the lowest weir-based counts for all salmon species (sockeye = 953, Chinook = 52, chum = 5,427, coho = 18, and pinks = 483) during 2009. Proposed by NSEDC.

**Proposal 74** – Expands the boundaries of Nome Subdistrict 3. Kawerak supports this proposal, since the expansion of Nome Subdistrict 3 boundaries would give commercial fishermen a greater area in which to search for selective fish species. It would also give greater access for fishermen to harvest fish in better condition than after they move into the river, and it may also prevent commercial fishermen from being forced to forego harvests of abundant species in order to protect weak runs of other salmon species. Proposed by Morris Nakarak.

**Proposal 75** – Would expand use of drift gillnets to the Port Clarence Subdistrict. Kawerak opposes this proposal, since it would expand use of a non-discriminate gear type in an area where bycatch of chum and sockeye salmon is a concern. There is an increased risk of "ghost" fishing, when gillnet gear is lost and continues to indiscriminately fish and pose a risk of entanglement for marine mammals. Proposed by Nome Fishermen's Association.

**Proposal 76** – Allow fishermen to use purse seine nets with size restrictions to harvest pink salmon in Norton Sound. Kawerak opposes this proposal, since it may result in conflicts with other existing commercial fishing activities, such as gill netting. Proposed by Adem Boeckmann.

**Proposal 77** – Allow purse and beach seines in the Port Clarence Subdistrict for harvesting salmon. Kawerak supports this proposal, as it promotes use of a gear type that is less damaging and produces increased fish value. Since seine nets would normally be restricted during low abundance, this proposed action should have no negative effects on users or fish stocks. Proposed by Nome Fishermen's Association.

**Proposal 78** – Allow closed impoundments for spawn on kelp herring roe fishery in Norton Sound District. Kawerak supports this proposal, as it allows for better value of an underutilized fishery resource and should increase the profitability of the spawn on kelp, herring roe fishery. If passed, ADF&G should carefully monitor this fishery and propose additional management measures as the fishery develops to avoid affecting the herring sac roe fishery. Proposed by Eric Osborne.

**Proposal 79** – Allow closed impoundments for spawn on kelp herring roe fishery in Port Clarence Subdistrict. Kawerak supports this proposal, as it allows for better value of an underutilized fishery resource and should increase the profitability of the spawn on kelp, herring roe fishery. If passed, ADF&G should carefully monitor this fishery and propose additional management measures as the fishery develops to avoid affecting the herring sac roe fishery. Proposed by Nome Fishermen's Association.

**Proposal 80** – Allow chum salmon bag limits for sport fishermen in Nome Subdistrict. Kawerak opposes this proposal, as it appears to be justified by the improved abundance of chum stocks in the Nome Subdistrict. Improved chum abundance in the Nome Subdistrict is not supported by escapement data, and therefore there is not justification for increasing access for sport fishermen at this time. Proposed by Fred DeCicco.

Thank you for considering our comments on these important fisheries issues. If you require any additional information, please contact Michael L. Sloan, Fisheries Biologist, at 907-443-4384 or [msloan@kawerak.org](mailto:msloan@kawerak.org).

Sincerely,  
KAWERAK, INC.



Loretta Bullard, President



ADOPTED THIS 30<sup>th</sup> day of DECEMBER 2009 at Kwethluk, Alaska at which a duly constituted quorum of council members were present.

Martin Andrew

Martin Andrew, President, OVK, KIRAC

Chariton Epchook

Chariton Epchook, Chairman, KI

Attest: Max Olick Sr.

Max Olick, Sr., Secretary/Treasurer, OVK, KIRAC

Attest: Martha E. Jackson

Martha E. Jackson, Secretary, KI

YUKON RIVER DRAINAGE FISHERIES ASSOCIATION

January 12, 2010

Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526

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**Re: Comments on 2010 AYK Board of Fisheries Proposals**

Dear Mr. Webster and Board of Fisheries Members:

The Yukon River Drainage Fisheries Association (YRDFA) appreciates the opportunity to comment on the 2009-2010 Alaska Board of Fisheries proposals for the AYK region. YRDFA is an association of commercial and subsistence fishermen and women on the Yukon River in Alaska with a mission of promoting healthy, wild salmon fisheries on the Yukon River. The salmon of the Yukon River provide a primary source of food for humans and the dogs which are essential to the subsistence way of life on the Yukon River. For many residents the commercial salmon harvest also provides the only means of income for those who live in the remote villages along the Yukon River.

YRDFA's Board of Directors is composed of sixteen board members and fourteen alternates representing every fishing district within the Yukon River watershed. Our board operates on a full consensus basis: unless there is riverwide consensus on a proposal we do not support it. As you know, many of the proposals for this board cycle addressing the low Chinook salmon run sizes on the Yukon River and the quality of the returning runs are highly controversial. The YRDFA board did not have consensus on these proposals because there is a substantial difference of opinion among fishers from different parts of the river. Where we did not have consensus, we have included the rationale from those on both sides of the issue in our comments.

The YRDFA Board met in October 2009 to review the Board of Fisheries proposals. The attached comments reflect the Board's positions at this time. We will continue to work closely with fishers during the Board of Fisheries meeting to try to reach consensus on these proposals. We ask the Board of Fisheries to consider the many complex aspects of the issues at hand and to work with all fishers on the Yukon River to address these proposals.

Sincerely,

Jill Klein  
Executive Director

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Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
January 12, 2010

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**YRDFA BOARD POSITIONS:  
Arctic-Yukon-Kuskowim Finfish Proposals  
Alaska Board of Fisheries 2010**

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**PROPOSAL 81:** *Clarify the subsistence fishing schedule in Subdistricts 4-B and 4-C. In Subdistrict 4-A, salmon may not be taken from 6:00pm Sunday until 6:00pm Tuesday. In Subdistricts 4-B and 4-C, salmon may not be taken from 6:00pm Friday until 6:00pm Sunday.*

**YRDFA Board Position: Support**

**Justification:** This proposal would put into regulation what has been done by emergency order since 2004. Local users in Subdistricts 4-B and 4-C are not concerned with when the closure is, so long as the current amount of time for the closure and opening remains the same. Subdistrict 4-A, where concerns about when the closures do exist, is not affected by this proposal.

**PROPOSAL 82:** *Modify subsistence fishing schedule in Subdistrict 4-A to allow subsistence fishing in Subdistrict 4-A to be open for two 48-hour periods during the commercial fishing season.*

**YRDFA Board Position: Support**

**Justification:** At this point in time there is not a great deal of concern in District 4-A with subsistence fish entering the commercial fishery. The two fisheries are distinct; the subsistence fishery which is primarily drift nets occurs on the eastern shore, while the commercial fishery occurs on the western shore. Subsistence fishers should not be penalized because a commercial fishery is opened.

**PROPOSAL 83:** *Require recording subsistence harvest on catch calendars in ink, before concealing the fish from plain view, transported from the fishing site or off loaded from a vessel.*

**YRDFA Board Position: Do Not Support**

**Justification:** This proposal seems to be targeted at monitoring customary trade, but there was some question over how the proposal would address this issue. Marking calendars while fishing is not practical, nor is the requirement to use ink as many do not carry pens while fishing. While some felt that getting better catch records was a good idea, the specific manner proposed here is not practical.

Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
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**PROPOSALS 84 AND 85:** *Extend Subdistricts 4-B and 4-C drift gillnet area for king salmon (84) OR king and fall chum salmon (85) upriver into Subdistrict 4-B and 4-C to the mouth of the Yuki River.*

**YRDEFA Board Position: No Consensus**

**Justification:** Some supported this proposal because it would alleviate crowding in some areas, and would allow fishers in Galena to fish closer to home. Others did not support the proposal because it would increase harvest potential for an already fully subscribed fishery. In times of low returns we should not be expanding drift net opportunities, particularly when driftnets catch larger fish.

**PROPOSAL 86:** *Allow setnets to be tied up during closures in Subdistrict 5-D.*

**YRDEFA Board Position: Support**

**Justification:** This is primarily a safety issue. This will not affect the fish as it is in a small area and only applies to a few people. The river is different in different parts of the river, it's important to support the safety of our elders. This is primarily a subsistence use area only and it is appropriate to allow this change to make subsistence fishing safer in this area.

**PROPOSAL 87:** *Review the king salmon management plan.*

**YRDEFA Board Position: No Action**

**Justification:** This proposal does not outline specific changes to the king salmon management plan, so the YRDEFA Board was not able to take a position. Discussion about the king salmon management plan did include concerns that the restrictions put in place this year are going to become the norm as we see more poor salmon returns, and that restrictions will be necessary to meet escapement.

**PROPOSAL 88:** *Prohibit subsistence and commercial driftnet fishing in the entire Yukon River drainage, including all upriver and downriver driftnet areas.*

**YRDEFA Board Position: No Consensus**

**Justification:** There was no consensus amongst the YRDEFA Board about this proposal. Some thought that prohibiting drift gillnet gear would drastically hurt the lower river as there is a limited number of setnet sites. There are many places where driftnet fishing is the only real choice for subsistence users. Others thought that eliminating drift gillnets is necessary to allow more Chinook salmon, and particularly more large female Chinook salmon, to spawn, improving the quality of escapement. Because drift nets are not allowed in the entire river, and weren't used historically, this would even the playing field for all users.

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**PROPOSAL 89:** *Restrict depth of subsistence and commercial 6 inch mesh gill nets to a hung depth of no more than 15 feet or 35 meshes.*

**YRDFA Board Position: No Consensus**

**Justification:** There was no consensus amongst the YRDFA Board about this proposal. Some thought that because the Yukon River differs greatly by location, there are places where mesh deeper than 35 meshes is necessary to catch fish. Others thought that restricting mesh depth was necessary to protect the larger and female Chinook salmon which swim deeper to ensure the future of the run.

**PROPOSAL 90:** *Prohibit subsistence and commercial gillnets over 6 inch mesh in the entire Yukon River drainage.*

**YRDFA Board Position: No Consensus**

**Justification:** The YRDFA Board discussed this proposal at length. No consensus was reached on mesh size reductions. Some felt that mesh size reductions are necessary to protect the older, larger and female fish and the future of the run. The proposal is designed to conserve fish for the future - we have to do something before we have to sit on the bank and watch the fish go by. Others were concerned with the costs to fishers of changing mesh size and having to purchase new nets. Drop-off of larger Chinook salmon with a switch to smaller mesh was a concern, and some felt that smaller mesh would do more harm to larger fish. Others felt that dropout will occur regardless of the mesh size. There was some discussion of applying the restriction only to commercial fisheries, which would cause less impact on subsistence fishers. However, there was also concern that this would be the greatest impact as size of the fish matters more in commercial fisheries than subsistence. Many were interested in seeking a compromise - there is consistent scientific evidence that fish size is going down and we can't just stick our heads in the sand and ignore it. There was also a great deal of concern over the current state of the runs, and the need to do something to protect the fish. Some felt like these proposals were attacks on the lower river, others emphasized that the proposals are designed to protect the fish, not to attack anyone, and that a mesh size restriction affects the upper river as well as the lower river as many people fish with nets upriver too.

**PROPOSAL 91:** *Limit incidental catch of Chinook salmon during commercial chum directed fisheries to 3,000 Chinook salmon. Once 3,000 Chinook salmon have been caught as bycatch in the commercial chum salmon fishery, the commercial chum salmon fishery will be closed for the remainder of the season.*

**YRDFA Board Position: No Consensus**

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**Justification:** The YRDFA Board did not have consensus on this proposal. Some felt that it was wasteful to restrict the sale of kings during directed chum fisheries – last summer when the sale of kings was restricted and people had already met their subsistence needs they had nothing to do with the fish. Others felt that when subsistence harvests are restricted it is appropriate to limit the sale of kings caught incidentally in the directed chum harvest. This proposal is less drastic than some of the other proposals which allow no sale of kings caught incidentally because it limits sales, but does still allow for some sale of kings. The proposal also has a sunset clause which removes the restriction if escapement goals have consistently been met.

**PROPOSAL 92:** *Prohibit commercial sale of Chinook salmon caught in non-Chinook directed commercial fisheries in the entire Yukon River drainage. Chinook salmon caught as bycatch in non-Chinook fisheries can be kept for subsistence only.*

**YRDFA Board Position:** No Consensus

**Justification:** The YRDFA Board did not have consensus on this proposal. Some felt that in years where there are subsistence restrictions it is appropriate to restrict the commercial sale of kings caught incidentally. Others had concern with what would be done with kings caught in the commercial fishery if they could not be sold and subsistence needs were already met.

**PROPOSAL 93:** *Prohibit retention of king salmon during chum salmon directed fisheries in the mainstem of the Yukon River (Districts 1-5 of the Yukon River management district).*

**YRDFA Board Position:** Do Not Support

**Justification:** This proposal prohibits the retention of king salmon caught during chum directed fisheries. The YRDFA Board felt that this proposal mandates wasting fish, which goes against all of our principles and beliefs. This proposal would require wasting a lot of king salmon, whether dead or alive.

**PROPOSAL 94:** *Require windows schedule be implemented for subsistence fisheries even if commercial fisheries are allowed.*

**YRDFA Board Position:** No Consensus

**Justification:** The YRDFA Board did not have consensus on this proposal. Some thought that changing the current windows schedule could promote abuse if subsistence fishing was allowed near commercial openings in the lower river. Others thought that it was important to have true “windows” as in 2001 with a long enough period of time that fish can pass through. Once there is enough fish for commercial we should not be restricting subsistence.

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**PROPOSALS 95, 96 AND 97:** *Reallocate the commercial king salmon/summer chum/fall chum harvests.*

**YRDFA Board Position:** **No Consensus**

**Justification:** The YRDFA Board did not have consensus on this proposal. Some felt that reallocating now did not make sense both because we don't have very many fish and because the upper river fisheries cannot utilize the full allocation they have now. If the markets improve for the upper river in the future it would make sense to look at this, but not now. Others felt that the intent of the proposal to move allocations around to more fairly distribute the commercial harvest of salmon and make management decisions easier was valid and important.

**PROPOSAL 98:** *Open commercial fishing between Black River and Chris Point – fishing would be permitted for both drift and setnet between Chris Point and Black River.*

**YRDFA Board Position:** **No Action**

**Justification:** The YRDFA Board took no action on this proposal because they did not have enough information about why the area was originally closed to recommend opening the area or not. There was concern that fish caught in this area might be from Norton Sound or the Kuskokwim River since it's beyond the Yukon River mouth.

**PROPOSAL 99:** *Open Andraefsky River to commercial fishing.*

**YRDFA Board Position:** **Do Not Support**

**Justification:** The YRDFA Board opposed this proposal. People from the area do not want commercial fishing there. The Andraefsky River is a resting spot for salmon heading upstream. It is a wide, freshwater tributary with hardly any current and is not a good fishing spot. Salmon entering the Andraefsky River are spawners which are not of the best quality for commercial markets. These fish are needed to sustain the Andraefsky River salmon stock.

**PROPOSAL 100:** *Close the Tok River drainage to sport fishing for salmon.*

**YRDFA Board Position:** **Support**

**Justification:** The YRDFA Board supported this proposal. This is a newly documented population and we shouldn't be exploiting a population which we don't know much about.

Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
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**FALL CHUM AND SUMMER CHUM MANAGEMENT PLANS: Consensus to support summer chum and fall chum management plans as currently in regulation.**

Justification: The YRDFA Board supported the summer chum and fall chum plans as they stand right now. The Board felt that the plans are working, and now is not the appropriate time to lower the threshold harvest or escapement numbers on any of these plans given the current status of the runs.

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**Comments to the 2009 Board of Fisheries Proposals**

I preface my comments by a quote derived from an Environmental Planning meeting of the Confederated Tribes of Warm Springs with this truth **"Our actions and decisions not only have short-term consequences, but can impact the environment for generations."** -(Confederated Tribes of Warm Springs)

I am in opposition to proposals 69, 71, 73, 75, 76, 77 and 80 primarily because our stocks of fish, whether they are king salmon or salmon smelt, are important to our survival as a people. Subjecting these stocks to further use, whether it is for economic or subsistence reasons, can irrevocably change our lifestyles forever in a positive, negative, or neutral way.

I have spent two thirds of my life in this region and was fortunate to have been raised in 4-5 subsistence gathering sites on a yearly basis. There were years when our rivers ran black while boiling with humpies. Our fish racks were full of fish. Grayling were so numerous, and their bellies were fat with fish fry. Now I see sterile rivers with little or no fish for miles, and if I am fortunate enough to eat a grayling, their bellies are now filled with voles and mice.

We would go on day trips with several families with close familial ties and seine for salmon, skip jacks, dollies and white fish. It would often take no more than several beach seines to fill the front of all our boats. These outings provided fish for our large families and for those families who were not able to participate in these activities. There were so many of us that we would catch, clean, and hang hundreds of fish in one outing. Not only did we put away fish for the later consumption, but we maintained, nurtured and strengthened relationships with one another. I have very fond memories of those times.

Now when I witness subsistence activities, I see families and their friends and neighbors who 20 years ago wouldn't consider participating in any amount of subsistence gathering activities. I now notice that I rarely see my relations, those in the native community, participating in these activities. Some of my relations cannot afford the boats, nets, and other implements needed to gather, much less the gas to go out if they had the opportunity. They sometimes choose not to bother, because their neighbor with his state of the art fishing/hunting equipment has already taxed the food source so much that my relations won't even bother to try. Instead, my relatives must supplement his diet with store bought food using Quest cards instead.

For many of us subsistence is all we have left; we've already lost our language, our singing and our dancing. Are we going to be given a chance to retain some of our cultural traditions and dignity and be allowed to access our traditional food source, or are we going to continue to compete with our neighbor, who has everything, who can well afford to buy his food from the market, sans Quest card?

Lastly, I am inundated by new sources lauding the inevitable and irrevocable change in climate which threatens to eliminate life as we know it. I believe we need to proceed with caution, study and observe the impact climate change has before we consider placing higher demands on our valuable food sources.

**"Survival of the world depends on our sharing what we have, and working together. If we don't the whole world will die. First the planet, and next the people."** -(Fools Crow - Ceremonial Chief - Teton Sioux)

**"It does not require many words to speak the truth."** -(Chief Joseph - Nez Perce)

Respectfully submitted,

Naomi Malony  
01/11/10

Public Comment # 16

# STATE OF ALASKA

Commercial Fisheries Entry Commission

SEAN PARNELL, GOVERNOR

8800 Glacier Hwy., #109  
P.O. Box 110302  
Juneau, AK 99811-0302

(907) 789-6150 Licensing Calls  
(907) 789-6160 Other Business  
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INTERNET: [www.cfec.state.ak.us](http://www.cfec.state.ak.us)

## MEMORANDUM

To: Jim Marcotte  
Executive Director of Alaska Board  
of Fisheries

Date: January 12, 2010

Phone: (907) 789-6160

From:   
Frank Homan, Chairman  
Peter Froehlich, Commissioner  
Bruce Twomley, Commissioner  
Commercial Fisheries Entry  
Commission

Subject: Proposals 76 & 77 for the Arctic-  
Yukon-Kuskokwim Finfish  
Meeting of the Board of Fisheries

RECEIVED  
JAN 12 2010  
BOARDS

For the Arctic-Yukon-Kuskokwim Finfish Meeting of the Board of Fisheries (BOF), proposals 76 and 77 both seek to establish purse seines or beach seines as a permissible gear type for salmon fisheries operating in the Norton Sound – Port Clarence management area. Currently, the S04Z gillnet fishery, titled the Norton Sound Salmon Gillnet Fishery, is the only salmon fishery in the Norton Sound and Port Clarence Districts, and gillnets are the only permissible gear. The S04Z gillnet fishery was limited to entry in 1976 by the CFEC. In 2008, there were 167 permanent permits, all held by Alaskan residents, the majority (151)<sup>1</sup> of which were local.

As written, proposals 76 and 77 do not specify whether the purse seine gear would be established as a new fishery, in addition to the current S04Z gillnet fishery in the Norton Sound – Port Clarence management area. Any new fishery would be an open access fishery. As such, the CFEC suggests that any BOF action explicitly specify whether the proposed use of purse seine gear would be an additional alternative gear type for the existing fishery, or whether it is intended to be a new open access fishery. Also, the CFEC is concerned about any BOF action that would infringe upon the interests of current S04Z permit holders. The CFEC recommends that any BOF action on these proposals create additional alternative gear options for existing limited entry permit holders, rather than create a new open access seine fishery.

Such an action would be similar to past actions taken by the BOF in which alternative gear types have been authorized for use in limited fisheries. These include the following:

<sup>1</sup> *Changes in the Distribution of Alaska's Commercial Fisheries Entry Permits, 1975-2008.*



Anvik River Chum Salmon Fishery Management Plan. In the Upper Yukon River salmon gillnet fishery, regulations were amended in 1994 to allow the gillnet and fish wheel permit holders in Area P the opportunity to use alternative-gear authorized under 5AAC 05.368. In the Anvik River, the set gillnet fishery includes fish wheels, hand beach seines, and hand purse seines. The fish wheel fishery includes set gillnets, hand beach seines, and hand purse seines.

Management Plan for Herring Pound Spawn-on-Kelp Fishery in the Norton Sound District. Regulations were adopted in 1998 allowing Norton Sound herring gillnet and beach seine permit holders to participate in a herring spawn-on-kelp pound fishery. Permit holders were required to obtain a commissioner's permit to be able to participate in the pound fishery. Those permit holders choosing to participate in the pound fishery could not participate in the herring gillnet or beach seine fishery in the same year. (5AAC 27.965).

As always, the CFEC appreciates the opportunity to provide input to the Board during its consideration of proposals like these. Although we are unable to attend the meeting in person, we will be available prior to and during the meeting by telephone and email to help address any questions that may arise.

cc: Lance Nelson, Alaska Attorney General, Department of Law

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WRITTEN COMMENTS ON  
YUKON AREA PROPOSALS  
TO THE ALASKA BOARD OF FISHERIES, 2010

BY

GENE J SANDONE

G. SANDONE CONSULTING, LLC

FOR

YUKON DELTA FISHERIES DEVELOPMENT ASSOCIATION (YDFDA)

JANUARY 12, 2010

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Public Comment # 18

Written Comments

81. PROPOSAL 81 – 5 AAC 01.210. Fishing seasons and periods.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to change the subsistence salmon fishing schedule in Yukon Area Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days to a weekly closure of 6:00 p.m. Friday until 6:00 p.m. Sunday. Therefore, subsistence salmon fishing would be open from 6:00 p.m. Sunday until 6:00 p.m. Friday.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would return Subdistricts 4-B and 4-C to the traditional weekday subsistence fishing schedule.

RECOMMENDATION: Support

DISCUSSION: We agree with and reference the Alaska Department of Fish and Game Comments, RC2.

82. PROPOSAL 82 – 5 AAC 01.210. Fishing seasons and periods.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a subsistence salmon fishing schedule in Subdistrict 4-A of two 48-hour periods per week during the commercial fishing season, without interruption, due to commercial salmon fishing periods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow subsistence salmon fishing in Subdistrict 4-A to be open for two 48-hour periods per week which may be concurrent with commercial fishing periods.

RECOMMENDATION: Support

DISCUSSION: We agree with and reference the Alaska Department of Fish and Game Comments, RC2.

83. PROPOSAL 83 – 5 AAC 01.230. Subsistence fishing permits.

PROPOSED BY: Fairbanks AC.

WHAT WOULD THE PROPOSAL DO? This proposal would require recording the subsistence harvest of all fish species throughout the Yukon River drainage on catch calendars, which would effectively be a subsistence fishing permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? All subsistence fishermen in the Yukon Area would be required to record all fish caught on harvest calendars all year long and similar to requirements under existing subsistence fishing permit regulations.

RECOMMENDATION: OPPOSE

DISCUSSION: We agree with and reference the Alaska Department of Fish and Game Comments RC2. However, we see the need for more accurate subsistence harvest information that captures the number of salmon taken under subsistence regulations that are sold for cash in waters where the state is the sole management authority and also where the federal and state

governments both claim management responsibility. Additionally, YDFDA requests that the Alaska Board of Fisheries (BOF) request that the Federal Subsistence Board (FSB) to suspend customary trade within the Alaskan portion of the Yukon River Drainage for the 2010 season because of the anticipated poor run of Chinook next year. We have grave concern about the undue expansion of the federal subsistence priority and customary trade. Current customary trade under federal regulations within the Yukon River drainage is basically unlimited, unregulated and unenforceable.

**84. PROPOSAL 84 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Middle Yukon AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow use of drift gillnets as a legal subsistence fishing gear for king salmon within Subdistricts 4-B and 4-C downstream of the mouth of the Yuki River (Figure 84-1).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, subsistence fishing with drift gillnets in 4-B and 4-C will likely result in increased harvest of upper drainage-bound king salmon and larger female king salmon than the existing set gillnet and fish wheel harvest.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2. The Yukon River Chinook salmon stock is fully allocated. No additional fisheries should be allowed on any Yukon River Chinook salmon stocks. We also have a concern regarding about a non traditional expansion of the subsistence fishery on Chinook salmon

**85. PROPOSAL 85 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Middle Yukon AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow use of drift gillnets as a legal subsistence fishing gear for king and fall chum salmon within Subdistricts 4-B and 4-C downstream of the mouth of the Yuki River (Figure 84-1).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the proposal would allow subsistence fishing with drift gillnets in 4-B and 4-C and likely result in increased harvest of upper drainage-bound king salmon and larger female salmon than the existing set gillnet and fish wheel harvest.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2. The Yukon River Chinook salmon and fall chum stock are fully allocated. No additional fisheries should be allowed on Yukon River Chinook or fall chum salmon stocks. We also have a concern regarding about a non traditional expansion of the subsistence fishery on Chinook salmon

86. **PROPOSAL 86 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Eastern Interior Alaska Subsistence Regional Advisory Council.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow fishermen to tie up their set gillnets instead of pulling them out of the water during subsistence fishing closures in Subdistrict 5-D.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow subsistence fishermen to be able to leave set gillnets in the water during subsistence salmon fishing closures in Subdistrict 5-D rather than pulling them completely out of the water.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2.

87. **PROPOSAL 87 – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks review of fishery management triggers, guideline harvest ranges for the commercial fishery, and subsistence fishing schedules in the *Yukon River King Salmon Management Plan*.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, new management triggers, different guideline harvest ranges, or a different subsistence fishing schedule would be inserted into the management plan.

**RECOMMENDATION: SUPPORT**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2. Unless the Department can more accurately assess the Yukon Chinook salmon run, there is no need to modify the current management plan.

88. **PROPOSAL 88 – 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would prohibit drift gillnet gear for subsistence and commercial fishing in the Yukon River drainage.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would affect a great number of subsistence and commercial salmon fishermen in Districts 1-3 and Subdistrict 4-A, as well as subsistence fishermen fishing for fish other than salmon and halibut in the remainder of the Yukon River drainage where drift gillnet is legal subsistence gear (5 AAC 01.220(f)).

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments, except for the NEUTRAL recommendation on the allocative aspects of this proposal RC2. We also **OPPOSE** the allocative aspects of this proposal. ADF&G argues that “there

appears to be no biological basis for prohibiting use of drift gillnet gear for all fisheries year round.”. We agree with the rest of the Department of Fish and Game’s comments. They present a strong argument for **opposing** all aspects of this proposal although they don’t come out and say so.

**89. PROPOSAL 89 – 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would restrict the depth of subsistence and commercial gillnets of 6-inch mesh to no more than 15 feet or 35 meshes for the entire drainage.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would decrease efficiency of fishermen operating gillnet gear; thus, it may require increased effort by commercial and subsistence fishers to harvest king, summer chum, fall chum, and coho salmon.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments, except for their NEUTRAL stance on the allocative aspects of this project, RC2. We **OPPOSE** the allocative aspects of this proposal that will allocate more fish to upper river districts.

**90. PROPOSAL 90 – 5 AAC 05.331. Gillnet specifications and operations and 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would restrict subsistence and commercial gillnets in the Yukon River drainage to no more than 6-inch mesh size.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would likely change subsistence harvest patterns and would result in a substantial increase in the harvest of chum salmon during subsistence and commercial fishing activities targeting king salmon. Subsistence fishermen only need so many chum salmon, which may result in wastage of the resource.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments except for their NEUTRAL stance on the allocative aspects of this project, RC2. We **oppose** the allocative aspects of this proposal that will allocate more fish to upper river districts.

The proposer misuses the Bromaghin, Nielson, and Hard paper, *An Investigation of the Potential Effects of Selective Exploitation on the Demography and Productivity of Yukon River Chinook Salmon*. This is a modeling exercise under assumed conditions. Under the scenario that the proposers conveniently select, the assumption that all the large Chinook Salmon fish have been expiated. This is not true. Additionally, this paper presents modeling scenarios using only

selective harvests as the treatment but there is also much discussion and uncertainty regarding the causes of the decline in size at age of the Yukon River Chinook salmon. Environment may play a much larger role than indicated. Further, this decline in size at age is seen in other stocks in Western Alaska. One scenario in the modeling exercise (Bromaghin et al. ) indicates full recovery of the stock will occur when the exploitation rate is reduced to 50% and net mesh size is limited to 7.5".,

**193. PROPOSAL 193 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Alaska Board of Fisheries.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to review the *Yukon River Summer Chum Salmon Management Plan*. It would remove the OEG of 600,000 fish and replace specified numerical threshold triggers for management actions with thresholds that would be relative to a minimum necessary drainagewide escapement goal, SEG, or BEG, and the midpoint of the ANS range. Additionally, this proposal would allow commercial fishing at lower run sizes.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would be difficult to use because numeric threshold levels are replaced with terminology relative to minimum drainagewide escapement, and optimum, biological, or sustainable escapement goal levels. As written, it appears there would be no OEG as this number is established in regulation by board. Additionally, there is no established minimum drainagewide escapement goal, SEG, or BEG for summer chum salmon to use in this plan.

**RECOMMENDATION: Oppose**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments, RC2. However, to facilitate management, we suggest that management use the appropriate estimated summer chum salmon passage at the Pilot Station to manage the summer chum salmon fisheries rather than using the total run estimate. The total summer chum salmon run estimate includes the unknown subsistence harvest and the escapement below the Pilot Station sonar site in addition to the Pilot Station passage estimate. Using an unknown harvest and escapement is problematic for inseason management..

**194. PROPOSAL 194 – 5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan.**

**PROPOSED BY:** Alaska Board of Fisheries.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to review the *Yukon River Drainage Fall Chum Salmon Management Plan* with options of replacing specified numerical threshold triggers for management actions with terminology relative to current biological escapement goals and consideration for existing ANS levels. Additionally, this proposal would allow commercial fishing at lower run sizes.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would replace numeric threshold levels with terminology relative to biological or sustainable escapement goal levels (BEG or SEG). The low end of the escapement goal would continue to be the minimum threshold, whereby all uses would be closed. Subsistence fishermen

would continue their highest priority use and be afforded opportunities to harvest amounts relative to the board ANS findings. The difference under this proposal is that the buffer of passing additional fish in order to bolster escapement during lower runs would be removed.

**RECOMMENDATION: Support**

**DISCUSSION:** We support the intent of this proposal, that is, to provide for a priority subsistence use and increased opportunity for other uses by removal of the buffer in the current management plan, while continuing to manage for the established BEG. We are **NEUTRAL** on the wording, but would like to see the escapement buffer removed from the triggers. The escapement buffer unnecessarily restricts the commercial fishery. The Department points out *that recent swings in run sizes have demonstrated that adherence to strict thresholds and buffered escapement does not benefit future runs as much as production rates, which are thought to be more environmentally influenced. Spawner-recruit analysis of fall chum salmon indicates there is a wide range of escapement that will provide similar yield. To maintain commercial markets, it is necessary to have some harvest when biologically allowable.* We agree with these statements.

91. **PROPOSAL 91 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Eastern Interior Alaska Subsistence Regional Advisory Council.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to limit incidental harvest of king salmon in summer chum salmon-directed commercial fishing periods by establishing a quota of 3,000 fish harvest for the summer season. This proposal would close all commercial summer chum salmon fisheries once the quota was reached. Furthermore, this proposal seeks to implement the quota system until border escapements into Canada are achieved for six years.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would establish a 3,000 fish cap on the incidental harvest of king salmon and mandate the closure of the summer chum salmon commercial fishery upon reaching the quota.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2

92. **PROPOSAL 92 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to prohibit the sale of king salmon during summer chum salmon-directed commercial fisheries in the entire Yukon River drainage. This proposal mandates that king salmon harvested incidentally in non-king salmon-directed commercial fisheries be used for subsistence purposes.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would prohibit the sale of king salmon during non-king salmon-directed



commercial fisheries and mandate that the incidentally-harvested king salmon harvested be used for subsistence purposes, no matter how large the king salmon run.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2. We also agree and support providing emergency order authority to ADF&G to require that king salmon taken may be retained, but not sold.

**93. PROPOSAL 93 – 5 AAC 05.360. Yukon River King Salmon  
Management Plan.**

**PROPOSED BY:** Jude Henzler.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to prohibit any retention and sale of king salmon during chum salmon-directed commercial fisheries in the mainstem Yukon River drainage.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to prohibit any retention and sale of king salmon during chum salmon-directed commercial fisheries in the mainstem Yukon River drainage.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2.

**94. PROPOSAL 94 – 5 AAC 05.360. Yukon River King Salmon  
Management Plan.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would impose a windowed fishing schedule for both commercial and subsistence fishing throughout the Alaskan portion of the Yukon River all year long.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would only allow subsistence and commercial fishing during set windowed openings. This proposal would restrict fishermen from harvesting salmon outside of established fishing schedules regardless of inseason run assessment information. Concurrent commercial and subsistence openings in Districts 1-3 would be very difficult to enforce. This proposal may place additional limitations on fishermen in areas currently allowed to subsistence fish 7 days per week.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2.

**95. PROPOSAL 95 – 5 AAC 05.360. Yukon River King Salmon  
Management Plan.**

**PROPOSED BY:** Eastern Interior Alaska Subsistence Regional Advisory Council.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the GHR and harvest allocation percentages (when total commercial harvest is 400,000 salmon or less) are established in regulation as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	251,000-755,000	62.9
3	6,000-19,000	1.6
4-A	113,000-338,000	28.2
4-B, C	16,000-47,000	3.9
5-B, C, D	1,000-3,000	0.3
6	13,000-38,000	3.2

**WHAT WOULD THE PROPOSAL DO?** This proposal would reallocate the commercial king salmon harvest for Districts 1-6. A commercial king salmon harvest of 0-60,000 fish would be reallocated as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	0-26,700	44.5
3	0-8,000	13.33
4	0-8,000	13.33
5B-C	0-8,000	13.33
5 D	0-1,300	2.16
6	0-8,000	13.33

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the king salmon harvest allocation for Districts 1, 2, and 3 would be reduced by more than one half and transferred to Districts 4-6. Adoption of this proposal would be a major fishery shift from lower to upper river fishermen and fishery infrastructure.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** The Department must be neutral on this proposal because it is allocative. However, when the BOF considers allocations among fisheries, they must consider the "Allocation Criteria", AS 16.05.251 (e).

*The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as*

- (1) the history of each personal use, sport, guided sport, and commercial fishery;*
- (2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;*
- (3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;*
- (4) the availability of alternative fisheries resources;*
- (5) the importance of each fishery to the economy of the state;*

*(6) the importance of each fishery to the economy of the region and local area in which the fishery is located;*

*(7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.*

With respect to the above factors:

- (1) Guideline harvest ranges replaced quotas in 1979. The current guideline harvest ranges for king salmon were established in 1981 based upon historical harvests. The history of the commercial fishery in the Yukon River is that the lower river has received the bulk of the commercial harvest since inception of the commercial fishery.
- (2) There are approximately 700 CFEC permits issued for the Lower Yukon Area (Districts 1-3) and 230 CFEC permits for the Upper Yukon Area (Districts 4-6). However, during the period 2004-2008 77% of the Lower Yukon Area permits were fished while only 9% were fished in the Upper Yukon Area.
  - a. An average of 541 fishers from the Lower Yukon Area and 20 from the Upper Yukon Area participated in their area's respective summer season fisheries during 2004-2008.
  - b. During 2009, a total of 376 fishers from the Lower Yukon Area and 11 fishers from the Upper Yukon Area participated in the 2009 Summer Season commercial fisheries.
- (3) NA
- (4) In the Lower Yukon Yukon Area, there is a very small Commissioner's permit fishery for whitefish. There is a small Commissioner's permit for a lamprey fishery in both the Lower and Upper Yukon Areas.
- (5) During the period 2004-2008 the value of the Yukon River commercial Chinook salmon fishery, by Area was:
  - a. Lower Yukon Area \$2,114,145
  - b. Upper Yukon Area: \$ 24,505
  - c. In 2009 Lower Yukon Area value: \$20,970
  - d. In 2009 Upper Yukon Area value: \$ 0
- (6) The Lower Yukon Area within the Wade Hampton district remains the poorest in Alaska and the U.S. Accordingly, the Lower Yukon Area fishery is extremely important to the people of the region. The Lower Yukon Area commercial fishery is the mainstay in eleven villages at the mouth of the Yukon River. For the residents of the Lower Yukon Area it is a necessary life that is intertwined with and to sustain their subsistence way of life, culture and traditions.
- (7) NA

If passed, this proposal would result in the complete disruption of the Yukon Area Chinook salmon fishery. During most Chinook salmon runs, current fishing effort and processing capacity in upper river districts will not be able to harvest the surplus available. Additionally, the commercial harvest would result in a lower overall value of the fishery because of the much lower price paid per pound for Chinook salmon. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$3.71. The price paid to fishers during 2009 was \$5.00 per pound. In the Upper River Area the average price paid per pound to fishers during 2004-2008 was \$1.07. No Chinook were purchased in the Upper Yukon Area in 2005

and 2004. The passage of this proposal would cause further negative economic impacts to the poorest area of the state and nation. Further, the disruption of earnings from the commercial sale of Chinook salmon would severely hamper the people of Lower Yukon Area to participate in subsistence activities.

**96. PROPOSAL 96 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to reallocate the commercial summer chum salmon harvest for Districts 1-6 as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	180,000-540,000	45
3	24,000-72,000	6
4-A	120,000-360,000	30
4-B, C	36,000-108,000	9
5-B, C, D	4,000-12,000	1
6	36,000-108,000	9

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the GHR and harvest allocation percentages (when total commercial harvest is 400,000 salmon or less) are established in regulation as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	251,000-755,000	62.9
3	6,000-19,000	1.6
4-A	113,000-338,000	28.2
4-B, C	16,000-47,000	3.9
5-B, C, D	1,000-3,000	0.3
6	13,000-38,000	3.2

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal would be a major fishery shift from lower to upper river fishermen and fishery infrastructure

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** The Department must be neutral on this proposal because it is allocative. However, when the BOF considers allocations among fisheries, they must consider the "Allocation Criteria", AS 16.05.251 (e).

*The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as*

- (1) the history of each personal use, sport, guided sport, and commercial fishery;

*(2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;*

*(3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;*

*(4) the availability of alternative fisheries resources;*

*(5) the importance of each fishery to the economy of the state;*

*(6) the importance of each fishery to the economy of the region and local area in which the fishery is located;*

*(7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.*

With respect to the above factors:

- (1) Guideline harvest ranges replaced quotas in 1979. The current guideline harvest ranges are based upon historical harvests and have been in effect since 1989. Districts 1, 2, and 3 have had an allocated harvest that ranges from 69% to 82% of the total catch
- (2) There are approximately 700 CFEC permits issued for the Lower Yukon Area (Districts 1-3) and 230 CFEC permits for the Upper Yukon Area (Districts 4-6). However, during the period 2004-2008 77% of the Lower Yukon Area permits were fished during the summer season while only 9% were fished in the Upper Yukon Area.
  - a. An average of 541 fishers from the Lower Yukon Area and 20 from the Upper Yukon Area participated in their area's respective summer season fisheries during 2004-2008.
  - b. During 2009, a total of 376 fishers from the Lower Yukon Area and 11 fishers from the Upper Yukon Area participated in the 2009 Summer Season commercial fisheries.
- (3) NA
- (4) In the Lower Yukon Area, there is a very small Commissioner's permit fishery for whitefish. There is a small Commissioner's permit for a lamprey fishery in both the Lower and Upper Yukon.
- (5) During the period 2004-2008 the value of the Yukon River commercial summer chum salmon fishery, by Area was:
  - a. Lower Yukon Area \$118,279
  - b. Upper Yukon Area: \$ 33,275
  - c. In 2009 Lower Yukon Area value: \$514,856
  - d. In 2009 Upper Yukon Area value: \$ 20,430
- (6) The Lower Yukon Area within the Wade Hampton district remains the poorest in Alaska and the U.S. Accordingly, the Lower Yukon Area fishery is extremely important to the people of the region. The Lower Yukon Area commercial fishery is the mainstay in

eleven villages at the mouth of the Yukon River. For the residents of the Lower Yukon Area it is a necessary life that is intertwined with and to sustain their subsistence way of life, culture and traditions.

(7) NA

If passed, this proposal would result in the complete disruption of the Yukon Area summer chum salmon fishery. During most summer chum salmon runs, current fishing effort and processing capacity in upper river districts will not be able to harvest the surplus available. Additionally, the commercial harvest would result in a lower overall value of the fishery because of the much lower number of chum salmon able to be harvested and purchased in the Upper River Area. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$0.15. The price paid to Lower River Area fishers during 2009 was \$.50 per pound. In the Upper River Area the average price paid per pound to fishers during 2004-2008 was \$0.24. Roe was purchased in the Upper River Area in 2007 and 2008 for \$2.36 and \$3.00 per pound, respectively. However, the roe market has not been able to absorb much of the recent harvestable surplus in the Yukon. The price paid to Upper River Area fishers during 2009 was \$.26 per pound for fish in the round and \$3.00 per pound of roe. A renewed interest in the flesh market has sparked interest in the Lower River Area harvest. If adopted, this proposal would also cause further negative economic impacts to the poorest area of the state and nation. Further, the disruption of earnings from the commercial sale of summer chum salmon would severely hamper the people of Lower Yukon Area to participate in subsistence activities.

**97. PROPOSAL 97 – 5 AAC 05.365. Yukon River fall chum salmon guideline harvest ranges.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to reallocate commercial fall chum salmon harvests as follows:

- (1) District 1, 2, and 3: 21,825 to 96,000
- (2) District 4: 14,559 to 64,000
- (3) Subdistricts 5 B, C, and D: 14,550 to 64,000
- (4) Subdistrict 5 D: Delete
- (5) District 6: 21,825 to 96,000

**WHAT ARE THE CURRENT REGULATIONS?** Under current commercial fishing regulations (5 AAC 05.365(a)), the department shall manage the Yukon River commercial fall chum salmon fishery for a guideline harvest range of 72,750 to 320,500 chum salmon, distributed as follows:

- (1) District 1, 2, and 3: 60,000 to 220,000
- (2) District 4: 5,000 to 40,000
- (3) Subdistricts 5 B, C, and D: 4,000 to 36,000
- (4) Subdistrict 5 D: 1,000 to 4,000
- (5) District 6: 2,750 to 20,500

Under current subsistence fishing regulations (5 AAC 01.249(5)), the department shall distribute the commercial harvest levels below the low end of guideline harvest range by district or subdistrict proportional to the midpoint of the guideline harvest range.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, the fall chum salmon harvest allocation for Districts 1, 2, and 3 would be

reduced by more than two thirds and transferred to Districts 4-6. Adoption of this proposal would be a major fishery shift from lower to upper river fishermen and fishery infrastructure.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** The Department must be neutral on this proposal because it is allocative. However, when the BOF considers allocations among fisheries, they must consider the "Allocation Criteria", AS 16.05.251 (e).

*The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as*

- (1) the history of each personal use, sport, guided sport, and commercial fishery;*
- (2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;*
- (3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;*
- (4) the availability of alternative fisheries resources;*
- (5) the importance of each fishery to the economy of the state;*
- (6) the importance of each fishery to the economy of the region and local area in which the fishery is located;*
- (7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.*

With respect to the above factors:

- (1) Guideline harvest ranges replaced quotas in 1979. The current guideline harvest ranges are based upon historical harvests and have been in effect since 1989. Districts 1, 2, and 3 have had an allocated harvest that ranges from 69% to 82% of the total catch
- (2) There are approximately 700 CFEC permits issued for the Lower Yukon Area (Districts 1-3) and 230 CFEC permits for the Upper Yukon Area (Districts 4-6). However, during the period 2004-2008 35% of the Lower Yukon Area permits were fished during the fall season while only 4% were fished in the Upper Yukon Area.
  - a. An average of 243 fishers from the Lower Yukon Area and 10 from the Upper Yukon Area participated in their area's respective fall season fisheries during 2004-2008.
  - b. During 2009, a total of 292 fishers from the Lower Yukon Area and 2 fishers from the Upper Yukon Area participated in the 2009 Fall Season commercial fisheries.

- (3) NA
- (4) In the Lower Yukon Yukon Area, there is a very small Commissioner's permit fishery for whitefish. There is a small Commissioner's permit for a lamprey fishery in both the Lower and Upper Yukon.
- (5) During the period 2004-2008 the value of the Yukon River commercial fall chum salmon fishery, by Area was:
- a. Lower Yukon Area \$218,735
  - b. Upper Yukon Area: \$ 24,362
  - c. In 2009 Lower Yukon Area value: \$110,408
  - d. In 2009 Upper Yukon Area value: \$ 1,262
- (6) The Lower Yukon Area within the Wade Hampton district remains the poorest in Alaska and the U.S. Accordingly, the Lower Yukon Area fishery is extremely important to the people of the region. The Lower Yukon Area commercial fishery is the mainstay in eleven villages at the mouth of the Yukon River. For the residents of the Lower Yukon Area it is a necessary life that is intertwined with and to sustain their subsistence way of life, culture and traditions.
- (7) NA

If passed, this proposal would result in the complete disruption of the Yukon Area fall chum salmon fishery. During most fall chum salmon runs, current fishing effort and processing capacity in upper river districts will not be able to harvest the surplus available. Additionally, the commercial harvest would result in a lower overall value of the fishery because of the much lower number of fall chum salmon price per pound and the relatively few fall chum that can be harvested and purchased in the Upper River Area. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$0.32. The price paid to Lower River Area fishers during 2009 was \$.70 per pound. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$0.16. The price paid to Upper River Area fishers during 2009 was \$.19 per pound for fish in the round. A renewed interest in the flesh market has sparked interest in the Lower River Area fall chum salmon harvest. If adopted, this proposal would also cause further negative economic impacts to the poorest area of the state and nation. Further, the disruption of earnings from the commercial sale of summer chum salmon would severely hamper the people of Lower Yukon Area Area to participate in subsistence activities.

98. **PROPOSAL 98 – 5 AAC 05.200. Fishing districts and subdistricts.**

**PROPOSED BY:** KwikPak Fisheries.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to open commercial fishing in the coastal area between Black River and Chris Point (south mouth) in District 1.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the waters between Black River and south mouth (Chris Point) are closed to commercial fishing.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would increase the geographic size of District 1 by adding coastal waters between Black River and the south mouth of the Yukon River. This change may affect commercial fishing patterns in District 1.

**RECOMMENDATION: SUPPORT**



**DISCUSSION:** Opening this area will reduce crowding and may increase the harvest along the coast and would likely improve fish quality. The opportunity to operate fisheries that target higher quality pink salmon could become available. Pink salmon are currently underutilized due to the low flesh quality observed in the river.

**PROPOSAL 99 – 5 AAC 05.350(4). Closed Waters.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to open the Andraefsky River to commercial fishing.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, waters of the Andraefsky River upstream of a line between ADF&G regulatory markers placed on each side of the river at its mouth are closed to commercial fishing.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal may result in higher exploitation of Andraefsky River salmon stocks.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2.

**Fishery Restructuring Proposals: PROPOSALS 88, 90, 95, 96, and 97**

We believe that Proposals 88, 90, 95, 96, and 97 are fishery restructuring proposals. These proposals are very likely to have substantial economic and social and possibly biological impacts and will require significant changes to the management of the fishery, if passed. Therefore these proposals should be reviewed with extra scrutiny and an examination of the possible benefits and impacts to the stakeholders, communities, regions and the state as a whole.



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JAN 12 2010

BOARDS

# Board Member's

My name HENRY KETZLER 82 year  
resident of NENANA. Sixty five years  
fishing TANANA River. Currently sit on  
Minto, NENANA advisory board. My  
wife and I have run fishcamp right  
here in NENANA for many years. Teaching  
younger people how generations.

Plain and simple the size of King  
salmon are smaller. We prided our work  
with the big and better King salmon.

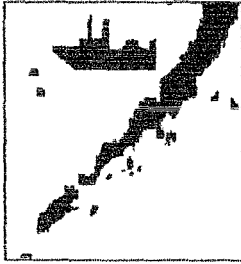
King salmon broke fishwheel boxes  
up, when I was a kid in NENANA.  
I hope there are not gone.

days

28/1/10 H.K.

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JAN 12 2010  
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## **C.A.M.F.**

### **Concerned Area M Fishermen**

35717 Walkabout Rd.  
Homer, AK 99603 907-235-2631

Dear Board of Fisheries Member:

Much of the impetus for the Bering-Aleutian Salmon International Survey (BASIS) came from concerns heard at the Alaska Board of Fisheries about the reasons for fluctuations in western Alaska salmon populations. For decades the lament of a procession of Board members was the lack of scientific information about the variables that might be contributing to those fluctuations. Alaska Lieutenant Governor Fran Ulmer laid the groundwork for the research that would begin to provide answers to some of these concerns.

The first major publication of results from BASIS is in press and will be released in February of 2010 as NPAFC Bulletin No. 5 but the content is available online now at ([http://www.npafc.org/new/pub\\_bulletin5.html](http://www.npafc.org/new/pub_bulletin5.html)).

It is a feast of 'fresh fruit' bearing directly on the topic of ocean survival of western Alaska salmon. While the introduction and summary do provide some context for the results the real substance is in the papers themselves. Some of the scientific jargon and technical details can be a little intimidating but there is plenty that can be gleaned from the abstracts, discussion and conclusions of the papers. And of course the figures (pictures) are a quick way to get a feel for any paper. So scan the titles in the index, pick a paper that looks interesting and dive in.

It may seem a little strange that in one sense this work was undertaken because of issues before the Board of Fisheries but due to the international effort required to conduct the work and changes over time in personnel at ADF&G, the information comes directly to the Board (and the public) rather than from ADF&G. But the advantage is that the science is unfiltered too. Maybe it's a little like drinking from a fire hose but at least we can't complain about the vacuum of data that frustrated previous Boards. Enjoy.

Sincerely,

A handwritten signature in black ink that reads "Steve Brown". The signature is written in a cursive, flowing style.

Steve Brown, Concerned Area M Fishermen

1/5

Public Comment # 20

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Pitka's Point Traditional Council  
P.O. Box 127  
St. Mary's Ak 99658  
(907) 438-2833 (907) 438-2569 fax

RECEIVED  
JAN 12 2010  
BOARDS

Resolution 10-01-01

**A RESOLUTION AFFIRMING OUR POSITIONS ON THE ALASKA STATE  
BOARD OF FISHERIES PROPOSALS FOR THE A-Y-K REGION**

WHEREAS, The Pitka's Point Traditional Council is the recognized tribal organization of the Village of Pitka's Point; and

WHEREAS, Our Tribe works closely with AVCP and other Tribes and regional native organizations in the AVCP Region in maintaining and protecting our Subsistence Way of Life and our commercial fisheries; and

WHEREAS, The Subsistence Way of Life is an inalienable right of Tribes; and

WHEREAS, Communities in Western Alaska are reliant upon both the subsistence and commercial salmon Fisheries as they are very much intertwined; and

NOW THEREFORE BE IT RESOLVED THAT The Pitka's Point Traditional Council, determined to Protect our Subsistence Way of Life and/or our commercial fisheries, hereby vote in the Following manner on the Alaska State Board of Fisheries proposals:

In Support of:

Proposal Numbers: Proposal No.98

In Opposition of:

Proposal Numbers: No. 66, No. 67, No. 83, No. 84, No. 85, No. 86, No. 87, No. 88, No. 89, No. 90, No. 91, No. 92, No. 93, No. 94, No. 95, No. 96, No. 97, No. 99

; and

BE IT FURTHER RESOLVED THAT AVCP is authorized to present our positions in any testimony or Comments to the Alaska State Board of Fisheries at the AYK Region meeting in Fairbanks, January 26 through 31, 2010.

ADOPTED THIS 5 day of January, 2010 at Pitka's Point, Ak at which a duly constituted Quorum of council members was present.

Betty G. Riley  
President

Attest:

Anna L. Sinko  
Secretary

Public Comment #

21



OCT - 7 2009

BOARDS  
ANCHORAGE

Mountain Village Fisheries Working Group  
September 28, 2009

The Mountain Village Fisheries Working Group met and discussed the Yukon River Proposals in Detail. This is the outcome of the meeting.

**Proposal 88**

No. We cannot support this proposal. It is very hard to find any eddies on the lower Yukon to set nets. It is customary that we use drift gill nets each year for Commercial and Subsistence activities.

**Proposal 89**

No. This proposal does not make any sense because Proposal 88 is trying to eliminate the use of drift gill nets altogether. The Yukon in some areas is very deep, as much as 50 feet or more. 35 mesh deep nets are not practical gear type in deep water for Subsistence and Commercial fishing activities.

**Proposal 90**

No. This not a good proposal as shown in the last few years. Wrong fishing gear such as six (6) inch mesh, is not good for the Chinook salmon survival, it damages gills and other organs in the long trip to the spawning grounds.

**Proposal 91**

No. This proposal is prejudiced against the Lower Yukon commercial fisherman. If this proposal passes it should affect all fisheries all the way up the Yukon River. Close Y1-Y6 and Canada once the cap is reached.

**Proposal 92**

No. This proposal does not make any sense because of Proposal 91.

**Proposal 93**

No. This proposal is outrageous, throwing back Chinook salmon to the Yukon River in a chum directed fishery is wanton waste. We are not a North Pacific Pollock Fishery.

**Proposal 94**

No. It seems if subsistence and commercial fishing at the same time, there will be creative abuses. Fish and game will probably hire more personnel and have fun enforcing it.

**Proposal 95**

No. This proposal is not practical. Fish eaters around the world and Alaska prefer bright and shining fish on their menu. The lower Yukon fish have a market due to their omega 3 oil content. Yukon River fish lose their oil content as they swim up the river to spawn.

**Proposal 96**

Same as proposal 95 above.

**Proposal 97**

Same as proposal 95 and 96 above.

Submitted this 29th day of September, 2009.

By: Stanislaus Sheppard  
Stanislaus Sheppard chairperson

42

Public Comment # 2

# Western Interior Alaska Subsistence Regional Advisory Council

c/o Office of Subsistence Management

101 12th Avenue, Room 110, Fairbanks, Alaska 99701

Phone: 1-(907)-456-0277 or 1-800-267-3997, Fax: 1-(907)-456-0208

E-mail: Vince\_Mathews@fws.gov

December 2, 2009

John Jensen, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
Post Office Box 115526  
Juneau, Alaska 99811-5526

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DEC 04 2009

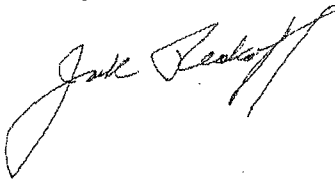
BOARDS

Dear Mr. Jensen:

The Western Interior Alaska Subsistence Regional Advisory Council represents the subsistence users along the Yukon River from Holy Cross past Ruby and the villages along the Koyukuk River. The Council understands the importance of fish resources to all the residents of our region and their concerns about the current status of salmon returns. The Council will be sending its representative, Timothy Gervais of Ruby, to share our recommendations on pending Arctic-Yukon-Kuskokwim fisheries proposals. He will also sit on the Board's subcommittee reviewing these important proposals.

The attached proposal recommendations were from our recent public meeting in Aniak on October 6 - 7, 2009. If you have any questions or need additional information, please call me (1-907-678-2007)

Sincerely,



Jack Reakoff  
Council Chair

cc: Pete Probasco, ARD Subsistence, US Fish and Wildlife Service  
Fred Bue, Federal Inseason Manager, US Fish and Wildlife Service  
Rod Campbell, Office of Subsistence Management  
Nissa Pilcher, Regional Coordinator, Alaska Department of Fish and Game  
Steve Hayes, Area Biologist, Alaska Department of Fish and Game  
Affected State Advisory Committee Chairs  
Western Interior Regional Council members



**WESTERN INTERIOR ALASKA SUBSISTENCE REGIONAL COUNCIL'S  
RECOMMENDATIONS ON  
ALASKA BOARD OF FISHERIES AYK & OTHER PROPOSALS FOR 2009/2010**

Note: All the recommendations below were action items from the Council's public meeting in Aniak on October 6 – 7, 2009. Complete meeting transcripts are available on-line at the Federal Subsistence Management Program's website: <http://alaska.fws.gov/asm/index.cfm>

**Proposal 66 Kuskokwim River Salmon Rebuilding Plan.** Allow retention of chum salmon in Aniak River sport fishery.

**Council recommendation:** Support.

**Justification:** The Council framed the proposal as a housekeeping proposal and supported the possible savings in Chinook salmon harvested with the three fish harvest limit. A majority of the Council members abstained from voting because it being an area issue.

**Proposal 67 Gillnet specifications and operations.** Change the maximum mesh size from 8 inch to 6 inch in the Kuskokwim River.

**Council recommendation:** Support.

**Justification:** The Council did not see a need for the management option to allow 8 inch nets when the Kuskokwim River Chinook salmon has not recovered. When 8 inch nets were allowed with directed fisheries the Chinook salmon bycatch were the large females, which are desired for quality escapement. The Council did not want Chinook salmon to become the desired species in chum salmon directed fisheries.

**Proposal 81 Fishing Seasons and Periods.** Clarify subsistence fishing schedule in Subdistricts 4-B and 4-C. Clarify the subsistence fishing schedule in Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days.

**Council recommendation:** Deferred to the home State Advisory Committees.

**Justification:** The Council was uncomfortable taking a position on this proposal without knowing what the affected advisory committees recommendations, hence deferral to the home advisory committees.

**Proposal 83 Subsistence Fishing Permits.** Require recording subsistence harvest on catch calendars all harvested fish, in ink, before concealing the fish from view. If fish are shared outside the household, the number of fish shared and the name(s) of the person(s) shared with must be recorded on the catch calendar. The catch calendar must be available for inspection at any fish camp, fishing location, or primary residence of the calendar holder.

**Council recommendation:** Oppose.

**Justification:** The Council opposed the proposal because it places an undue hardship on the subsistence fishermen and would be difficult to record due to weather conditions and the challenges of recording in a boat while fishing. Recording with whom a subsistence fisherman shared his/her fish was going too far.

2/5

**Proposal 84 Lawful gear and gear specifications.** Extend Subdistricts 4-B and 4-C drift gillnet area for Chinook salmon into State waters of the subdistricts to the mouth of the Yuki River allowing Chinook salmon to be taken by drift gillnets from June 10 through July 14.

**Council recommendation:** Support with modification to include the entire subdistricts 4-B and 4-C.

**Justification:** The Council supported the expansion of its Federal efforts to allow drift net fishing in Federal waters a few years back. The local communities have asked for this extension of the allowed drift net fishing area for years throughout the entire subdistricts. Council members noted there would a minimal harvest and it would relieve congestion and concentration of fishing in Koyukuk area.

**Proposal 85 Lawful gear and gear specifications.** Extend Subdistricts 4-B and 4-C drift gillnet area for Chinook and fall chum salmon into State waters of the subdistricts to the mouth of the Yuki River allowing Chinook salmon to be taken by drift gillnets from June 10 through July 14.

**Council recommendation:** Support with modification to include the entire subdistricts 4-B and 4-C.

**Justification:** The Council felt there was no reason that people in Subdistricts 4-B and 4-C should not be able to harvest fall chum salmon with drift gillnet gear. They should have the opportunity to utilize harvest methods that they feel are appropriate. And based on the Council's action on proposal 84, the Council supported this proposal with the modification to include the entire area of Subdistricts 4-B and 4-C.

**Proposal 87 Yukon River King Salmon Management Plan.** Review triggers, GHR, fishing schedule in king salmon management plan.

**Council recommendation:** No action with the understanding the Council representative can express and share the conservation concerns of the Western Interior Regional Council as they relate to Chinook salmon and the associated subsistence use and needs.

**Justification:** The Council was concerned about the wide-reaching aspects of this proposal and the lack alternates or suggestions to improve the management plan. The Council was clear it wanted its representative be empowered to share the Council's concerns when the Board addresses this proposal. The Council concerns are regarding protecting the subsistence resource and the subsistence users in the Western Interior Region.

**Proposal 88 Gillnet specifications and operations, and lawful gear and gear specifications.** Prohibit drift gillnet gear for subsistence and commercial fishing. No subsistence or commercial driftnet fishing allowed in the entire Yukon River drainage.

**Council recommendation:** Oppose.

**Justification:** The Council recognizes that drift gillnet fishing is a very important part and method of subsistence harvest. Drift gillnet fishing method economizes time, effort and expense for subsistence fishermen.

**Proposal 89 Gillnet specifications and operations, and lawful gear and gear specifications.** Restrict depth of subsistence and commercial 6 inch mesh to 35 meshes. No commercial or subsistence 6 inch gillnets with a hung depth of more than 15 feet or 35 meshes shall be allowed in the entire Yukon River drainage.

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**Council recommendation:** Oppose.

**Justification:** The Council is opposed to a 6 inch mesh requirement for directed commercial or subsistence Chinook salmon harvest. A depth restriction would have variations of effectiveness to protect Chinook salmon depending on wind velocity. Stronger winds bring Chinook to the surface. Fishermen in the lower river may not be able to meet subsistence needs with shallow nets in the relatively short harvest windows.

**Proposal 90 Gillnet specifications and operations, and lawful gear and gear specifications.**

Prohibit subsistence and commercial gillnets over 6 inch mesh size. No commercial or subsistence gillnets with a stretched mesh larger than 6 inch shall be allowed in the entire Yukon River drainage.

**Council recommendation:** Oppose.

**Justification:** The Council opposes this proposal because of the high drop out rate and high mortality of Chinook salmon with the use of this smaller mesh size gear. The 6 inch gear type is far too small for intended Chinook salmon and is detrimental to the subsistence users and the resource.

**Proposal 91 Yukon River Summer Chum Salmon Management Plan.** Limit commercial king salmon harvest during chum directed fisheries with a bycatch of Chinook salmon quota to be set at 3000 fish until such time that border escapements into Canada are achieved for one full life salmon cycle (six years). Upon reaching the quota all commercial chum salmon directed fisheries shall be closed for the remainder of the summer chum season.

**Council recommendation:** Support.

**Justification:** The Council supports this Chinook salmon quota as a disincentive to target Chinook salmon while fishing under directed chum salmon fisheries. This is a necessary conservation measure when there are restricted Chinook runs.

**Proposal 92 Yukon River Summer Chum Salmon Management Plan.** Prohibit sale of kings during non-king directed fisheries. No commercial sales of Chinook salmon caught in non-Chinook directed commercial fisheries in the entire Yukon River drainage. Chinook salmon caught as bycatch shall go into the subsistence fishery only.

**Council recommendation:** Support with modification to remain in effect as long as subsistence restrictions are in place.

**Justification:** The bycatch of Chinook salmon needs to be reduced during these times of suppressed Chinook runs and the needs of escapement and subsistence are top priority. Passage of this proposal allows for the commercial harvest of summer chum without being detrimental to the Chinook returns. It eliminates the incentive to target Chinook salmon during a directed chum fishery.

**Proposal 93 Yukon River King Salmon Management Plan.** Prohibit retention of kings during chum directed main stem fisheries. In commercial openings on the main stem of the Yukon River in Districts 1 – 5 for an other-directed species, a fisherman or fisherwoman participating in those directed fisheries may neither retain nor sell any king salmon he or she bycatches in those directed fishery openings.

**Council recommendation:** Oppose.

3/5

**Justification:** The Council opposes this proposal because discarding Chinook salmon harvested incidentally during directed fisheries for other salmon species is extremely wasteful.

**Proposal 94 Yukon River King Salmon Management Plan.** Require windows schedule during lower river commercial fishery, repeal 5 AAC 05.360(e) (managers must stick to the window schedule).

**Council recommendation:** Oppose.

**Proposal 96 Yukon River Summer Chum Salmon Management Plan.** Reallocate commercial summer chum salmon guideline harvest ranges.

**Council recommendation:** Deferred to the affected advisory committees.

**Proposal 97 Yukon River Fall Chum Salmon Guideline Harvest Rangers.** Reallocate commercial fall chum salmon harvests.

**Council recommendation:** Deferred to the affected advisory committees.

**Proposal 98 Fishing districts and subdistricts.** Open commercial fishing between Chris Point and Black River for both drift and set net.

**Council recommendation:** Oppose.

**Justification:** This proposal provides additional fishing area and allocation of resource to an area that has not had a fishery. The Yukon River salmon resource cannot support additional commercial harvest, with the subsistence restrictions in place.

**Proposal 99 Closed Waters.** Open Andreafsky River to commercial fishing by deleting part (4) of 5 AAC 05.350.

**Council recommendation:** Deferred to the affected advisory committees.

5/5 alt



# Eastern Interior Alaska Subsistence Regional Advisory Council

c/o Office of Subsistence Management

101 12th Avenue, Room 110, Fairbanks, Alaska 99701

Phone: 1-(907)-456-0277 or 1-800-267-3997, Fax: 1-(907)-456-0208

E-mail: Vince\_Mathews@fws.gov

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DEC 15 2009

BOARDS

December 10, 2009

Vince Webster, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
Post Office Box 115526  
Juneau, Alaska 99811-5526

Dear Mr. Jensen:

The Eastern Interior Alaska Subsistence Regional Advisory Council represents the subsistence users along the Yukon River from Tanana to the Canadian border and along the Tanana River. The Council understands the importance of fish resources to all the residents of our region and their concerns about the current status of salmon returns. The Council will be sending its representative, Andrew Firmin of Fort Yukon, to share our recommendations on pending Arctic-Yukon-Kuskokwim fisheries proposals. He will also sit on the Board's subcommittee reviewing these important proposals.

The attached proposal recommendations were from our recent public meeting in Fort Yukon on October 13 – 14, 2009. If you have any questions or need additional information, please call me (1-907-883-2833)

Sincerely,



Sue Entsminger  
Council Chair

cc: Pete Probasco, ARD Subsistence, US Fish and Wildlife Service  
Fred Bue, Federal Inseason Manager, US Fish and Wildlife Service  
Rod Campbell, Office of Subsistence Management  
Nissa Pilcher, Regional Coordinator, Alaska Department of Fish and Game  
Steve Hayes, Area Biologist, Alaska Department of Fish and Game  
Affected State Advisory Committee Chairs  
Eastern Interior Regional Council members



**EASTERN INTERIOR REGIONAL COUNCIL'S RECOMMENDATIONS ON  
ALASKA BOARD OF FISHERIES AYK & OTHER PROPOSALS FOR 2009/2010**

Note: All the recommendations below were action items from the Council's public meeting in Fort Yukon on October 13 – 14, 2009. Complete meeting transcripts are available on-line at the Federal Subsistence Management Program's website: <http://alaska.fws.gov/asm/index.cfm>

**Proposal 63 Minto Flats Northern Pike Management Plan.** Align areas in the Minto Flats Northern Pike Management Plan.

**Council recommendation:** Support.

**Justification:** The Council supports this housekeeping proposal that aligns the sportfish plan with the subsistence plan. Passage of this proposal would reduce confusion and make regulations for pike in the Minto Flats area more user friendly.

**Proposal 64 Minto Flats Northern Pike Management Plan.** Establish subsistence daily household limit of 25 and 50 in possession for winter pike fishery.

**Council recommendation:** Support.

**Justification:** The Council supports setting a harvest and possession limits to eliminate the abuse by fishermen that targeted and overharvested pike in their concentrated winter areas. The older and larger female pike need to be protected for healthy pike populations for future generations of fishermen.

**Proposal 65 Minto Flats Northern Pike Management Plan.** Require single hooks for summer sport and winter pike fishery in the Chatanika River, Minto Lakes, and Goldstream Creek.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because the use of single hooks will make it easier to release caught pike that are under the fisherman's desired size. Using single hooks may also result in less fish mortality when catching and releasing pike.

**Proposal 67 Gillnet specifications and operations.** Change the maximum mesh size from 8 inch to 6 inch in the Kuskokwim River.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it parallels its support for a 6 inch mesh size for the Yukon River. Various Council members have campaigned for years to have a net size restriction on the Yukon River for salmon stock conservation. This proposal shows that a parallel conservation action (6 inch restriction) has been in effect for many years on the Kuskokwim River and the Kuskokwim River Salmon Management Working Group recognize the impact of 8 inch mesh size nets on spawning large female portion of the salmon run.

**Proposal 81 Fishing Seasons and Periods.** Clarify subsistence fishing schedule in Subdistricts 4-B and 4-C. Clarify the subsistence fishing schedule in Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it is a house-keeping proposal to put into regulation what the Department has been doing by issuing emergency orders.

**Proposal 82 Fishing Seasons and Periods.** Modify subsistence fishing schedule in Subdistrict 4-A to allow subsistence fishing in Subdistrict 4-A to be open for two 48-hour periods during the commercial fishing season

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it is a house-keeping proposal to put into regulation what the Department has been doing by issuing emergency orders. It also allows the entire Upper Yukon River to operate the same way.

**Proposal 83 Subsistence Fishing Permits.** Require recording subsistence harvest on catch calendars all harvested fish, in ink, before concealing the fish from view. If fish are shared outside the household, the number of fish shared and the name(s) of the person(s) shared with must be recorded on the catch calendar. The catch calendar must be available for inspection at any fish camp, fishing location, or primary residence of the calendar holder.

**Council recommendation:** Support

**Justification:** The Council supports this mandatory reporting of fish harvested and shared for subsistence purposes because of the conservation concerns with the returning salmon stocks. Accurate and timely information is needed to monitor the runs and to reconstruct the runs for effective fisheries management. The mandatory will also reduce the abuse of the subsistence fishing privileges by helping law enforcement to enforce regulations on those clearly abusing these privileges. Adhering to these reporting requirements will also validate how many fish are actually harvested per household for subsistence needs. The data collected will provide more accurate accountability of the amount of fish needed to meet subsistence needs across the entire Yukon River drainage.

**Proposal 86 Lawful gear and gear specifications.** Allow set gillnets to be tied up during closures in Subdistrict 5-D in a manner to render the nets non-fishing and shall be marked with a black anchor float.

**Council recommendation:** Support.

**Justification:** The current conservation concerns for the salmon returns will require more management actions including closures. Closures cause a hardship and safety concerns for fishermen in Subdistrict 5-D. Fishermen in this subdistrict, set their nets using small boats in areas with strong eddies. Setting and resetting nets presently required with closures is a precarious and dangerous operation especially when a single fisherman is setting the anchor and net. It is common practice in this area for single fisherman to perform this task, many of them being fisherwomen. Management needs to be flexible to address safety concerns of its users. The black floats will allow law enforcement know that the net is tied up and non-fishing. The Council sees this proposal as safety and flexibility solution.

**Proposal 87 Yukon River King Salmon Management Plan.** Review triggers, GHR, fishing schedule in king salmon management plan.

**Council recommendation:** Support with the modification to split District Y5D into three sections: Stevens Village to Beaver, Fort Yukon to Circle, and Circle to Eagle.

**Justification:** The Council supports this proposal as a placeholder proposals that allows the entire Yukon River Chinook Salmon Management Plan to be open for review and action by the Alaska Board of Fisheries. Opening the management plan allows the Board to consider any option to address the conservation concerns associated with Yukon River Chinook salmon management.

**Proposal 88 Gillnet specifications and operations, and lawful gear and gear specifications.**

Prohibit drift gillnet gear for subsistence and commercial fishing. No subsistence or commercial driftnet fishing allowed in the entire Yukon River drainage.

**Council recommendation:** Support.

**Justification:** Setnet fishing was the traditional fishing gear for the lower Yukon River area and with the introduction of drift gillnets in late 1970s or early 1980s fishermen were able to catch more fish more efficiently. The proposal's intent was to get all options available to the Alaska Board of Fisheries. Passage of this proposal would address the conservation concerns of increasingly smaller size fish returning to spawn because drift gillnets target the larger fish which tend to be the older fish and large females. Taking this action would also results in a similar level of fishing efficiency as is current for the Yukon Flats area. Passage of this proposal would allow more fish to reach their spawning grounds and be available to meet subsistence needs of the upper river which have gone unmet for years.

**Proposal 89 Gillnet specifications and operations, and lawful gear and gear specifications.**

Restrict depth of subsistence and commercial 6 inch mesh to 35 meshes. No commercial or subsistence 6 inch gillnets with a hung depth of more than 15 feet or 35 meshes shall be allowed in the entire Yukon River drainage.

**Council recommendation:** Support with modification to have a three year phase in for subsistence only.

**Justification:** The Council supports this proposal to reduce the detrimental effect on the stock composition and quality of escapement for Yukon River Chinook salmon resulting from the deeper nets. Deeper nets tend to target the larger and female Chinook salmon. Fishermen across the drainage have noted the decline in size of returning Chinook salmon because of net depth and size selectivity of drift gillnets. Without this conservation measure complete closure of subsistence use maybe necessary to prevent a collapse of the fishery. The three year phase in will allow time for subsistence fishermen to purchase new 6 inch nets.

**Proposal 90 Gillnet specifications and operations, and lawful gear and gear specifications.**

Prohibit subsistence and commercial gillnets over 6 inch mesh size. No commercial or subsistence gillnets with a stretched mesh larger than 6 inch shall be allowed in the entire Yukon River drainage.

**Council recommendation:** Support with modification to have a three year phase in.

**Justification:** The Council supports this proposal to reduce the detrimental effect on the stock composition and quality of escapement for Yukon River Chinook salmon resulting from the larger mesh size nets. Deeper nets tend to target the larger and female Chinook salmon. Fishermen across the drainage have noted the decline in size of returning Chinook salmon because of net depth and size selectivity of drift gillnets. Without this conservation measure complete closure of subsistence use maybe necessary to prevent a collapse of the fishery. The three year phase in will allow time for fishermen to purchase new nets there by giving subsistence fishermen time to purchase new 6 inch gear.

**Proposal 91 Yukon River Summer Chum Salmon Management Plan.** Limit commercial king salmon harvest during chum directed fisheries with a bycatch of Chinook salmon quota to be set at 3000 fish until such time that border escapements into Canada are achieved for one full life salmon cycle (six years). Upon reaching the quota all commercial chum salmon directed fisheries shall be closed for the remainder of the summer chum season.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it sets a Chinook salmon bycatch cap during directed chum salmon fisheries. This is a necessary conservation measure during these years of poor Chinook salmon returns and to discourage fishermen from targeting the more desired Chinook salmon.

**Proposal 92 Yukon River Summer Chum Salmon Management Plan.** Prohibit sale of kings during non-king directed fisheries. No commercial sales of Chinook salmon caught in non-Chinook directed commercial fisheries in the entire Yukon River drainage. Chinook salmon caught as bycatch shall go into the subsistence fishery only.

**Council recommendation:** Support.

**Justification:** In light of the sacrifices of Canadian and Alaskan fishermen to reduce their catch of Chinook salmon in order to rebuild Chinook stocks, there should be no profit made from the incidental catch of Chinook salmon in a non-Chinook directed commercial fisheries. The decline of Chinook salmon returns and not making border escape and passage emphasizes the need to protect all returning Chinook salmon.

**Proposal 94 Yukon River King Salmon Management Plan.** Require windows schedule during lower river commercial fishery, repeal 5 AAC 05.360(e) (managers must stick to the window schedule).

**Council recommendation:** Support.

**Justification:** The Council firmly supports the "windows" fishing schedule because it allows passage of fish to their spawning without being fished upon. It is the most effective means for conservation by protecting all age and sex classes of fish coming up the river. The use of a windowed fishing schedule is the most effective and fair way to management the Chinook salmon. It affects all users equally across the drainage because it affects every single fisherman equally. The Council's understanding is that when the windowed schedule was established it was to remain in effect for both subsistence and commercial fisheries.

**Proposal 95 Yukon River Salmon Management Plan.** Reallocate commercial king salmon guideline harvest ranges.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it **more** fairly spreads the harvest allocation across the drainage and lessens the impacts to single components of the run. This proposal also allows greater flexibility for the fisheries managers to prosecute the fisheries. This proposal would allow the commercial fishery conducted in accordance with the principles contained in the regulations for sustainable salmon fisheries (5 AAC 39.222).

**Proposal 96 Yukon River Summer Chum Salmon Management Plan.** Reallocate commercial summer chum salmon guideline harvest ranges.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it **more** fairly spreads the harvest allocation across the drainage and lessens the impacts to single components of the run. This proposal also allows greater flexibility for the fisheries managers to prosecute the fisheries.

**Proposal 97 Yukon River Fall Chum Salmon Guideline Harvest Ranges.** Reallocate commercial fall chum salmon harvests.

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because it **more** fairly spreads the harvest allocation across the drainage and lessens the impacts to single components of the run. This proposal also allows greater flexibility for the fisheries managers to prosecute the fisheries.

**Proposal 98 Fishing districts and subdistricts.** Open commercial fishing between Chris Point and Black River for both drift and set net.

**Council recommendation:** Oppose.

**Justification:** The Council opposes this proposal because it violates the Alaska Board of Fisheries mix stock policy that when fisheries are fully allocated the Board will not allow any new or expanding fisheries. The current Yukon River salmon fisheries are fully allocated and there are serious conservation concerns with salmon stocks. It also goes against the Board's mixed stock salmon fisheries (5 AAC 39.220).

**Proposal 99 Closed Waters.** Open Andreafsky River to commercial fishing by deleting part (4) of 5 AAC 05.350.

**Council recommendation:** Support.

**Justification:** The Council supports opening the Andreafsky River to commercial fishing because it would be a terminal fishery that the department has adequate management tools to manage. Establishing this fishing would take pressure off the Yukon River main stem fisheries which are more complex due to the number of fishermen involved and the length of the river involved.

**Proposal 100 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.** Close the Tok River drainage to sport fishing (coho salmon).

**Council recommendation:** Support.

**Justification:** The Council supports this proposal because the longevity of Yukon River salmon depends on diversity of salmon stocks. Protecting new spawning habitats is good for the overall health of salmon stocks across the drainage. Allowing these fish to establish themselves in the Tok River drainage may provide an additional fishery resource for the area in the future.

**Proposal 164 Unlawful Possession of Subsistence Finfish.** Revise unlawful possession of subsistence finfish by applying limitations on home packs and not allowing commercially caught salmon from salmon caught for subsistence in the same storage and processing areas.

**Council action:** Tabled.

7/7



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DEC 22 2009

BOARDS

December 21, 2009

Mr. Chairman and members of State Board of Fisheries

My name is Harry Wilde, a member of Mountain Village Fisheries working group.

Oppose, Proposal 88

I do not support this proposal because in the Lower Yukon River the eddies are hard to find. We use drift gill nets each year for Commercial and Subsistence activities.

Oppose, Proposal 89

This proposal does not make any sense because Proposal 88 is trying to eliminate the use of drift gill nets altogether. Some places in the Yukon River are 50 feet deep or deeper. 35 mesh deep nets are not the right type of gear in deep water for subsistence and commercial fishing activities.

Oppose, Proposal 90

This is not a good proposal as shown in the last few years. Wrong fishing gear such as six inch mesh, it is not good for the Chinook salmon survival. It damages the gills and other parts of the fish in the long trip to spawning grounds.

Oppose, Proposal 91

This is not a good proposal because it's against the Lower Yukon commercial fishermen. If this proposal passes would affect all fisheries all the way up the Yukon River. Close Y1-Y6 and Canada once the cap is reached.

Oppose, Proposal 92

This proposal does not make sense because of proposal 91.

Oppose, Proposal 93

This proposal is terrible, throwing back Chinook salmon to the Yukon River. Our elders teach us to never waste food.

Oppose, Proposal 94

If subsistence and commercial fishing at the same time it would create abuse. Fish and game will probably hire more workers and have fun enforcing it.

Oppose, Proposal 95

This proposal is not good. Fish eaters around the world and in Alaska like their fish bright and shiny. As the fish enter the Yukon River they start to lose their oil content as they swim up the river to spawn.

Oppose, Proposal 96

Do not support because we use summer chum salmon to pay for gas in commercial and subsistence fishing. If this proposal passed the fishermen would not catch enough fresh salmon.

Oppose, Proposal 97

Do not support because we use fall chum salmon mostly for commercial and subsistence for Districts Y1-2-3. Given more hardship for commercial in Lower Yukon Districts Y1-2-3.

Public Comment #

5

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JAN 05 2010  
BOARDS

Gentlemen:

How would one find words to what I am about to say? Perhaps what my inner spirit is trying to express have no known words.

We may be very intelligent, or combination thereof, but no one has ever been able to put into words the complete human being. This is such that I am trying to find words for justice and fairness to our people on the Lower Yukon. For me, unless we have turned every existing stone to accomplish what we possibly can do as human beings, we will have not done the wish of our Creator. My personal conviction is that he will account for us what we have done for the poor, the helpless, the suffering - especially those whom we know we can help - and those that cannot help themselves.

As you can see, I doing just that. I am challenging you, the Governor, lawmakers and the justice department along with your commissioners and agencies do that. I've lived long enough to have observed and experienced enough as a Yup'ik Eskimo. It will nearly have been 65 years. Great number of your predecessors and, yes, to some extend, a few of our own people, are responsible for some of the the current social disorders and/or ills. Yet, another matter lingers, that, time after time, our people have experienced trauma one right after the other and, never a moment for healing

Wade Hampton district residents that includes those of our Lower Yukon villages can help themselves. But, if our lawmakers, our executive branch, and everyone else in capacity keep snatching away what we do have or allow ever-irresponsible interference that discourage the continued use of our resources, we can expect to be just that - near helplessness. This is guaranteed.

I want you examine just what commercial fishing is to our people. To date, it is just information and mere words of acknowledgement. It is deeper than that. It is intertwined with our subsistence way of life and cultural. You will be amazed at the depth of this interrelationship and interdependence in our small villages. It is everything. You will discover that it is not a mere profit and loss proposition, as conceived and understood by non-Natives. Take a close look at how we are forever targeted, managed, and not much being done to the coastal and ocean migratory pathways of our salmon and their feeding grounds. Examine, too, all other attacks from different regions.

You would do justice, first, by passing a legislative resolution to recognize the connection, intertwining, interrelation, and interdependence between our subsistence way of life and our meager, small-scale commercial fishery and to protect us. You will need take a good look at the regulatory, policy and public representation processes by our Alaska Board of Fisheries and the Alaska Department of Fish and Game. These are within your reach.

I still maintain that all Alaska Board of Fisheries meetings and process be put on hold until there is a fair and just public representation for the Lower Yukon. I would push to laws recognize our subsistence way of life and commercial fishing are one. There is none other like it anywhere in the world.

Nick Tucker, Sr.,  
Emmonak  
949-1011

1/5/2010

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JAN - 5 2010  
BOARDS  
ANCHORAGE

Public Comment # 6

Nicholas C. Tucker, Sr.,  
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January 10, 2010

Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

RECEIVED  
JAN 12 2010  
BOARDS

RE: Comments, AYK Finfish, BOF Meeting, Fairbanks, AK January 26-31, 2010

Mr. Chairman Vince Webster and Respected Board:

I respectfully ask you to first read the attached Comments for Review of Federal Subsistence Program, addressed to our Honorable Ken Salazar, Secretary of the United States Department of the Interior. My comments are baseless and meaningless without this information.

These few moments of your precious time are golden to me. They mean the difference between someone of capacity and wisdom being able to hear me or shut down our cherished way of life. Your iron rod will be felt by the very depths of our spirits and hearts. It will mean whether or not our collapsing region-wide subsistence/commercial fishing economy will survive. It will mean the difference between crushed spirits and hearts or answer to our hopes of checking and/or reducing hunger, homelessness, struggle for warmth, increased joblessness to what is already a bewildering rate at 80%, break down of infrastructures, increased social disorders, and ills. The future sky-rocketed costs associated with these will be a major impact to our state and federal governments. Our villages are already in third world conditions. It calls for our actions follow our wisdom. I refer you to my writing, The First Table, attached.

We have already been referred to as desperately reacting to the current fishery situations we are in. My comments on the Yukon finfish proposals are a cumulative of my years of observations, experience, careful consideration and the knowledge passed on by our parents and elders. By the way, I will have been 65 this August and I was born here. Our salmon resource, culture, traditions and infrastructures are intertwined into one. I have a serious reservation about all concerns over the decline of our Chinook salmon on the Yukon. The causes for this supposed decline all point to our Lower Yukon. Otherwise, we wouldn't have so many proposals directed at us in one setting, would we?

The current Yukon subsistence and commercial finfish proposals will do more harm than good to our depressed region. They will shake our already-collapsing subsistence/commercial fisheries economy. Please note carefully how I wrote "subsistence/commercial fisheries economy." You have read my Comments for Review of Federal Subsistence Program. I hope this gave you further insight into how our subsistence fishing, commercial fishing and our year-round subsistence activities have naturally evolved into one here on the Lower Yukon. This

evolution is extremely difficult for anyone outside our culture to understand, let alone any clear perception. The components just melted into one. When one hurts, other naturally follows.

Our 10,000-year line of ancestors held sacred our subsistence way of life, culture and traditions. Dorothy, my wife of 37 ½ years, our 11 children and 20 grandchildren are a link to this lineage. We and our neighbors are witnesses to a surviving people, where, along the way, the challenges took many forms, some deadly. Our struggles today are a no exception in this continuing journey. But, in this case, it is preventable. Our inner strengths and hope have always sustained us. You are here come at the moment when we most a sustenance, a bridge between the horizon and our crushing spirits. Our strength depends on that link holding salmon along the way. You've seen how our great land. It is harsh and unforgiving, yet, all a while presenting gifts of wildlife, fish, sea mammals and birds along our 10,000-year journey. We have danced to the music of our fresh nutritious diets. Today, that music is barely audible. You alone have access to the volume. You're able to comprehend the way this is expressed because you've gained some insight to the infrastructure of our subsistence way of life. So, I ask that you take one more step, a step closer to our culture, where we are real human beings capable of feelings, hurts, tears, being cold and hungry, whether as an infant or a hundred year-old elder. We look to you in earnest and in hope as you ready yourself with the iron to decide the fate of our villages.

In another perspective, take a moment and reverse this process mentally. We're at the table deciding your future, that of your wives, children and grandchild, and worse, the fate of your city and picture the consequences of all of you losing your businesses and jobs. You know your culture, and think about what this table, in my people's hands, is about to do, with little knowledge and experience of everything that you have and everything that you are. We giving you three minutes, and will decide from all this vague information presented before us...

Every culture has and stands to adapt to each changing generation, while retaining the most essential and driving forces within. That is what we Yup'iks have done. As intelligent as we all are, we have never fully understood each other's cultures. The life within a cultural ecology and environment, whether minute or mammoth, remain crucial to the continuing formation, health and preservation of our great planet. Many of our indigenous cultural roles remain mysterious to many. You are our link during our journey beyond 10,000 years. Perhaps your descendents will admire you for having begun an attempt at unfolding some of these mysteries and will themselves discover the fruits of what contributions we are capable of. You see, we may be silent, but there is lot in us which is not expressed yet. Union of our spirits will unfold that.

Today, the challenges facing our salmon resources and culture are the emerging pollutants that are beyond our boundaries. We have exhausted our resources from much sacrifice. We've cooperated. You are too well aware of that. There is only so much we are capable of contributing at this point in time to the conservation, protection and preservation of our salmon resources.

You've been with us since this board process started and, along the way, you've gained some knowledge, wisdom and fortitude. One of which is to recognize which and when proposals makes sense, are applicable, or are a practical. You've come to see our diverse regions, Native cultures, languages, and dialects.

I believe our indigenous people along the Yukon can contribute to our board process. I do not think that this process alone can save our salmon resources. We need to dig deeper. Right before you, we have 10,000-year seasoned subsistence users from the mouth of the Yukon River all the way up to Eagle. We can offer a new tool to add into the process. We know our way of life best. We've co-existed thousands and thousands years. How we got divided, starting hating each other and angry at each other is another story. I think we all can effectively save our salmon since we can all work together on facts.

Our elders respect each other up and down the river. Time after time, our elders remind us to avoid fighting over our resources. Following that advice may be a difficult task at first, but if it means continued use of our salmon resources and saving, then we have no other choice. The tribes are able to get together and work on the issues intelligibly. We want to be there for you. We best feel we hold the expertise, knowledge, and experience. There is room to explore into options how we may wisely and prudently offer sacrifices rather than have them thrown unto our laps.

I admire a fellow Native in the interior who stated in one of the minutes of a regional meeting that his village is opposed to oil development because an oil spill stands to hurt us down here (in the same breath, he had wondered and couldn't understand why we, downriver fishermen, do not appreciate that). That is good enough for me as an opener.

Involving tribes can be an effective, added tool to our board process. We might consider the Yukon River Drainage Fisheries Association (YRDFA) to work this in. But its work is very broad, more complicated, time consuming and heavy. The tribal process will be a hurdle on its own. We could be an arm of YRDFA, functioning on our own. This approach just might eliminate some concerns over discrimination if we were to form separately. Each village tribe is a multi-user entity. I suggest we explore this.

The process on proposals would, in essence, be deeper, thoughtful, and thorough. It will require more time, but it is beneficial because we would all work on more in detail and in diligence. Right now, I have very grave concern over the rush on the proposals in the way we hand them. One of these days, our rush to judgment will cause an irreversible damage. To look at a 10,000-year way of life in one short setting and determining a future of any given region will have multi-faced bombshells. I would recommend spacing out a year or two longer on each AYK cycle to give the village tribes the opportunity to meet with each other. Following that, representatives can then schedule a regional and/or drainage-wide meeting to discuss the proposals and issues. Something is bound to come out of this added tool. One thing is certain: we will all be better informed. We will also be able to retain factual information coming in or out and, subsequently during testimony before you. Right now, because many of us are not

informed, we would not have certainty about how facts are actually being passed on to us. We will have better educated one another of each others' regions and our ways of life. Although we are formed into one spirit by our Great Spirit, our cultures, traditions, languages, and dialects vary and differ. There is exists so much unknown possibilities. We could accomplish a lot,

I do not think the urgency to rush through the proposals is here. But, we do have a lot to lose in a very short setting at any given cycle meeting – these are but a second in our 10,000-year history and to the 10,000 more we look to in the horizon. Our subsistence ways of life and culture will always remain at stake. One region may have it more than another in any moment during this journey. When we have helped one in one era, the other can turn around and help in the next. As it is, our government can shut down any region, if we don't work together.

We may have expert scientists, but, they are relatively still in infancy, in respect to our salmon resources. They themselves are giving us mixed messages and signals. Surveys do not have any defined base to rely on. Estimates have consistently shown more escapements than not. I believe that our cooperative efforts can result in better solutions.

I hold great admiration for one interior region that recognizes our Lower Yukon's gear types, mesh sizes, and the depth of our nets and to what is best for us to achieve maximum harvest of our salmon in order meet our subsistence needs.

There is advantage to drift net fishing. Over recent years, we have noticed warmer Yukon water. We cannot keep set net-caught salmon in the water too long. It will not retain its texture for long. The potential problem is that the meat will fall off when hung to dry. Driftnet efficiency is conserving in nature. When I get my winter supply of 180 chum salmon within an hour or several hours, I am done. The salmon gets to escape another 164 hours that week and rest of the month. My big family usually just needs just under 200 chum salmon for the winter and following spring.

There is a documented concern by an interior councilman on a regional advisory council for the Federal Subsistence Board. The meeting transcripts of this meeting is 275 pages, so what I will do is to quote the gentleman. His statement is on Page 7, beginning line 42 and ending line 49 and Page 8, starting line 2 and ending line 16 (the quote is in its entirety excluding the line of an applause) of the Eastern Interior Federal Subsistence Board Regional Advisory Council Meeting, Public Meeting, Volume I, in Ft. Yukon, Alaska on October 13, 2009. Because I read the words "...I see a lot of people..." the statement very much appears to be relating to illegal fishing in their region. Quote, unquote: "Yes, I have quite a few concerns about just about everything. One of the problems we're having is we have a lot of laws on the books and, you know, they're not being enforced. And here we are making more laws every time we get together. And it's not doing any good to make more laws if you don't have the original laws enforced. And I have a problem with that...And a lot – these fisheries, I see a lot of people just stripping the roe and throwing the fish overboard and I don't believe in that. And that was – they had a law saying you can't do that, but they just never enforced that law and it's been going on for 25 years. And that's why our salmon run is so poor even on the Tanana River and the Yukon. I've seen

fishermen down there hang fish up and bears are eating off the racks down there. And they don't – they didn't do anything about it, it's been 20 years ago. But I have a lot of other concerns, but I'll quit at that one for now."

In the same transcripts, I found this, to which I will quote another council member on Page 153, beginning line 3 and ending line 18: "So there are people that abuse the system, there's no way to catch them, it's almost impossible to make a case against them. If we have catch – the catch calendars are made up by the State anyway, they're sent out to all the villages anyway, if it's requirement to fill it out, it is an inconvenience, but it's going to do two things. Like I said it's going to show how much fish people really do have so we have the data to better manage the fishery and number 2, it's going to take the people that are using the fish like the one individual that bought a brand new crew cab pickup truck, over \$40,000 in once season off of subsistence fish when you got restricted up here and couldn't get your subsistence needs met. That will put the tool in place so that those people won't be able to do that anymore."

You might want to have your staff verify these two quotes at:

<http://alaska.fws.gov/asm/pdf/ractrans/Region%209%20Transcripts%2013%20Oct%2009.pdf>

It makes one wonder just how many large Chinooks have been taken in a 25-year period. How many Chinook females are in \$40,000? Here in Emmonak, during a 2008 meeting, we heard from ADF&G personnel that there were some lost Chinooks between Pilot Station sonar and the spawning grounds. From my recollection, it was around 20,000.

Then we have heard of some diseased Chinooks. The disease doesn't seem to infect them in the ocean, but they contract the disease near shore as they enter the river systems. Larger Chinooks and females seem to be more susceptible to this disease. Some speculate we may have some lost fish before they reach the spawning grounds and some may have just died off before they reached their spawning grounds. Would some may have been too sick to spawn? Are the disease passed on to eggs?

Just a few years ago, I testified before the Federal Subsistence board. During my preparation, I discovered, I believe it was from the JTC report that something like 83 scientists definitely cannot say whether or not a selective or environmental conditions are a cause of a trend in fewer kings, especially the larger.

I wonder: would tearing apart a subsistence/commercial fishery economy, village infrastructures, and cultures on the Lower Yukon bring back our salmon, while letting aside upper river and/or interior illegal fishing that appears to thriving through sale of roe? At the current rate, it would take me over 13 years to gross \$40,000. How much fish didn't make it to their spawning destinations the last 25 years? Is this the sole \$40,000 illegal activity or is it very large in scope? Where are we here?

Then, we all got so excited about the Chinook bycatch in the ocean fisheries. We all shot for very low caps – an admission that there is indeed a problem affecting all regions and communities along the entire Yukon-wide drainage. What of the Area M 700,000 chum bycatch? Then there are our lingering concerns over the entire migratory pathway of all our salmon stocks, their feeding grounds and habits.

We anticipate that board will do away with our unrestricted mesh sizes, but in consideration of the aforementioned activities and/or incidents, is this justified? To say we are educated and accomplished scientists and do just a three-year field study with a 7 1/2 – inch mesh size doesn't seem to co-relate. All the variables and defining factors aren't there. This is a quick, half-measured study - wouldn't all of us tend to think so? Was the study done with 50-fathom nets or the usual 25-fathom nets. How many meshes deep were they?

I think it will be callousness to further subject the Lower Yukon to unnecessary hunger and deprivation of our other essentials. We have a humanitarian issue, not a salmon resource issue. It is caused by (large?) illegal human predators, rush syndrome, lack of real information and other forces beyond our Lower Yukon borders.

I suggest we settle back. We may find ourselves with other pressing matters than the Lower Yukon or we may have subjected them under ill-advised proceedings?

Respectfully,

Nicholas C. Tucker, Sr.

Cc: file

Interested individuals and parties

Attachments: Comments for Review of Federal Subsistence Program  
The First Table

<sup>6</sup>  
7/12

Public Comment # 6



Nicholas C. Tucker, Sr.  
P.O. Box 178  
Emmonak, AK 99581  
(907) 949-1011 [nctucker@hughes.net](mailto:nctucker@hughes.net)

January 3, 2010

Honorable Ken Salazar  
Secretary of the U.S. Department of the Interior  
Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Comments for Review of Federal Subsistence Program

Dear Honorable Ken Salazar:

I begin my comments with this: Since January 2009 until December 2009, our Wade Hampton district, particularly our region, the Lower Yukon River has been in the news – a 12-month period. The news reached statewide, national and through CNN into other countries. We've been on numerous radio talk shows, TV, and online news. This was due to combination of events leading to or occurring: failed commercial fisheries the summers of 2008 and 2009, severely restricted subsistence fishing, extreme high fuel prices that moved our people to a choice between heating fuel or food. Some did the extreme doing without food or barely any, in some instances, without for days.

Important note: Our President Obama's Cabinet secretaries have had the first hand experience in gathering information and seeing the third world condition of our Wade Hampton district villages.

I would be appalled if my comments aren't included in your review of the Federal Subsistence program. They are in themselves are revealing.

My name is Nicholas C. Tucker, Sr., a Yup'ik Eskimo from Emmonak, Alaska, in western Alaska. Our village is located at the mouth of the Yukon River about 12 miles inland from the Bering Sea. My wife, Dorothy, and I will have been married 38 years this coming August. We have 20 grandchildren out of whom we have adopted three which we had added to our 9 children. I will be 65 this year.

I am very proud to say that my family is a family of veterans where my father served in the Alaska Territorial Guard during World War II, myself in Vietnam, and one of our sons in Iraq. We are part of so many untold Alaskan Native families with veterans who have served our country. Alaska holds the largest veterans in the United States per capita. This is no small matter. From my vantage point, just about every one of us Native veterans have returned to our villages. These are our healing grounds. Its people are rich in so many attributes to include thoughtfulness, kindness, and generosity. Our land is calm, serene and wide open. We hold a 10,000-year old subsistence way of life that is intertwined to and holds us together in our culture, traditions, heritages; it upholds our native spirits in dances,

<sup>1</sup>  
8/12

Public Comment # 6

rituals, beliefs, teachings and values. This way of life is very fragile and sensitive to its surroundings, especially today. Should our subsistence way of life become extinct, we will have lost a sacred set of teachings and values.

Today, many of our children are pursuing higher education, vocational and technical training. Many are successful. My family is in this group. For my part, I've had the pleasure of having lived and worked in Seattle, Washington and Dallas, Texas and traveled the entire Continental United States and into Canada. I am a self-made double entry accountant, a result of my on-the-job training in retail work since at the age of sixteen in 1961. I had early retirement two years ago. For over 64 years, I have observed our people, some with college degrees and others having worked all over our country, return to our villages to do subsistence hunting, fish, or trapping. Some returned for a short period of time while others permanently. They remain attached very close to our culture.

There is a magnet of spirits in our wildlife, plants, land, rivers, sea and the sky that draw all of us back; of our elders, relatives and friends who still hold on dearly to our 10,000-year history. We often miss the warmth of our people when we are away. Subsistence way of life and our culture builds men of character and integrity. When ones sees us for whom we really are, stamina, strength, resolve, endurance, resiliency, creativity, inventiveness, and ingenuity will stand out.

Contrary to the stigmatism as "failed" people, we are very much alive, though embattled with numerous social disorders and ills. This hasn't let us down. We remain filled with hope, instilled over 10,000 years.

Our subsistence activities take us out into our country, the rivers, and the coast and each trip is never the same – generation after generation! We return refreshed and ready to go again. Each trip brings in its own unique story and adventure, sometimes, hilarious! We've attempted living in cities, but they hold us caged in of our eagle-soaring spirits. This is largely the reason we find it difficult to adjust to other types of life. It is not out of ignorance, nor was it ever for being uncivilized or barbaric. It is wisdom. In the remote, distant villages, we are privileged to have nearly every day to ourselves for contemplation of the teachings of our elders, ancestors and our lives. The solidity of our ancestors and elders is derived from content hearts. Today, our way of life is enriched and completed by our Christian faiths. Fresh subsistence-caught fish, birds, game and marine mammals electrify our spirits through healthy diet and nutrition.

Cultures evolve or adapt to changing generations. We are not exempt from that. We have largely remained as we have for 10,000 years, but our subsistence-transportation methods have been forced to change from the way we had traditionally procured our subsistence food. Here is how it was forced upon us:

The Federal Government mandated the education of our young. As opposed to our former way as nomads moving from camp to camp in pursuit of our food, we had no choice but to congregate into larger villages. It was a formation of a city in miniature context, with all the infrastructures necessary to it. It is costly, too. Prior to that, we had no concept of monetary system other than bartering. Yet, our culture remains intact.

In contrast to the rest of Alaska, Lower Yukon is a wide, flat country with many hills that are barely above sea level. It is a rolling beauty during summer and a white desert in winter. We do not have any industries, i.e., timber, gold, oil, gas, minerals, or tourism, to speak of, except for a small-scale, meager commercial fishery, our base economy, during the summer. Today, it is the key to our subsistence way of life. And, it is costly. Our wildlife, the subsistence food, is further away due to the emergence of the noise of modern day terrain vehicles, outboard motors on skiffs, and airplanes.

Though nearly our traditional way of life was quickly in danger of being snatched away, it is revived. Fortunately, salmon commercial fishing made its way into our region around 1900s. It saved our subsistence way of life. The income from our commercial fishing brought in much needed transportation methods, gear, equipment, and supplies and allowed a continued link of our 10,000-year subsistence activities to our culture and traditions. This fishing remains today our community mainstay in eleven villages at the mouth of the mighty Yukon River. But, it is largely misunderstood and wrongly conceptualized, and other times, misconstrued by non-natives who maintain their own set of understanding and principles of commercial fishing, and we, another. To westerners and non-natives, it is a profit and loss proposition. For us Yup'iks, it is a necessary life that is intertwined with and to uphold our subsistence way of life, culture and traditions.

Our Lower Yukon region within the Wade Hampton district remains the poorest in Alaska and our country. It is largely made up of Yup'ik Eskimos. And, there are about 23,000 of us left in the entire world. Like the indigenous peoples of the great Amazon, we are unique culture to our state, country and to our earth – nowhere like it exists elsewhere in the world. Our contributions may not be all tangible or physical, but we bring to our country great and bold people of unmeasured spirits, with such silent, powerful contributions that can make men and women, if allowed to do so. We've survived poverty, famine, diseases, and illness of all forms. Out of these, rose silent men and women of character are among us. Just like your Bible that makes responsible and wise men and women, so do our cultural teachings, traditions, and values. We are very privileged – we both the Bible and ours.

With all this talk and movement about the preservation and protection our subsistence way of life, we cannot be left out in your review. If you do, our fragile and sensitive subsistence way of life is in grave danger of extinction. Our way of life is different from other regions of Alaska. Alaska is vast, with many cultures, languages, and dialects. The connection, intertwining, interrelation, and interdependence of our subsistence/commercial fishing way of life cannot be undermined nor overlooked just because other regions of Alaska and United States does not fully understand it. More than ever, we need your protection to preserve our one-of-a-kind subsistence/commercial fishing, not which is like it anywhere.

When you have lived like our ancestors, where many of our present-day generation had the privilege to do so, and is the only remaining witness, it is only then you will have some sense of this dramatic change which was forced upon us. To some respect, it is traumatic. We are forever struggling to maintain and preserve it. Work with us and our Yup'ik subsistence way of life will be preserved, even though you are not able to fully experience it in your hearts and spirits. We may be very intelligent, but no words exist to adequately express a complete human being.

We look to you on a fair and just process. In Yup'ik, when something is gravely important, it will spell disaster if not attended too.

I challenge you to carry forward a justice for my people. After all, we had wisely managed and preserved for you for ten-thousand years everything within and on this land to which you now proudly live and walk on. Our spirits and hearts may be broken because you have snatched away, or took advantage of our backyard resources. That is in the past. You remain most welcome to share them with us – we held out open arms upon your arrival. That has not changed. Please my writing, The First Table, attached. We need this country.

The time is indeed ripe. It is your prime opportunity to help us Yup'iks on the Lower Yukon. I recommend that you put in a clause recognizing our subsistence/commercial fishing way of life, which is one and both to be persevered as one. They are inseparable. This is indeed unique, just as we and our culture are.

Thank you for elevating us to importance and making us feel very welcome by communicating with us one on one, and your honored respect.

I remain respectful,

Nicholas C. Tucker, Sr.,

Cc: file

## The First Table

Thanksgiving Day - the First Day, the First Table: The Native chief and tribal families and the first guests sat, shared, talked and ate. They recognized each other, each other's worth, dignity, decency, the prospects of living and ruling together, and trusted one another's intelligence and wisdom. Apparently, they agreed on a set of rules or laws to live by. There is no account mentioned or written of them throwing knives and forks at each other. They returned to their homes to go about their own business, having accepted each other. Natives opened up their land and its rich resources to the new guests to share with. For all they knew, this was to be the way of life for the next two hundred years, sharing in every aspect of our American way of life, promoting each other, helping each other, taking care of each other, rebuilding where needed and restoring where necessary.

This was a grand, bold and brave move on each side. And, actually, it isn't too late. We have another two hundred years ahead of us.

As in the recent case with Mr. Eddie Barr, the Native spirit hasn't diminished a bit - two hundred years later. For all America to see, Mr. Barr extended out his hand for the next two hundred years.

The seeds for the present fruits of racial hate or racism were planted generation by generation, becoming plentiful and abundant.

We are all descendants of the People at the First Table. We should have a renewed hope for the next two hundred years. We're Americans.

We all talk about economy and how it can bring down our country. We are fearful of our national debt. But we fail to see just how serious racial hate, its crimes and practices are. It will drastically further burden our country, not strengthen it, and it will drastically build up our national debt. The solution(s) isn't going to be by our government. It is our hearts. The accountability is ours. We had a beginning, - The First Table - but we blew it. We've never returned to it.

Had we not been herded into reservations, had we been trusted, had our human decency and dignity been respected and honored, had we been allowed quality education, had we been accepted into the society, had we not been characterized, demeaned, stigmatized, alienated and put aside as less than intelligent, had we been allowed to leave our villages or reservations and allowed to fully live out our education, and had our qualifications been given a chance than rather than avoided or questioned and had we been given opportunities and free reign to advance, we would have averted big-time public assistance, welfare, public housing, hospitals, Bureau of Indian Affairs, public subsidies, and all other preventable headaches of our federal and state governments. We could have walked on equal basis, and instead as described, contributed big time, be taxpayers - and helped everyone advance.

Mr. Barr encouraged us Natives on by one extension of his hand to handshake. He reminds us of our worth in character, strength, stamina, ability to endure pain and suffering, boldness, spirit, generosity, kindness, compassion, sensitivity, and all other attributes, but above all, mercy and forgiveness. The Natives are at the Second Table, waiting for our fellow Americans to join us. We have no grudges. No revenge, ill-feelings or ill-will. We do not blame - just waiting.

Sadly, as it is, our Native communities need jumpstarts to get out of what we had been forced into. It will cost to rebuild and restore. The cost will be minimal compared to what it will be in the next 200 years if we do not return to the Table.

Nicholas C. Tucker, Sr.  
P.O. Box 178, Emmonak, AK 99581  
(907) 949-1011 [nctucker@hughes.net](mailto:nctucker@hughes.net)

13/12

Public Comment # 6

Dear Alaska Department of Fish and Game,

RECEIVED

JAN 05 2010

BOARDS

I am a student at Holy Cross School. If you make the mesh size smaller it would be a lot harder to catch fish and we would be getting a lot smaller fish . So with the smaller nets it would mean more gas consumed and more time fishing. And with the smaller nets Fish and Game are trying to reduce the number of hours for fishing.

Sincerely,

Holy Cross School

~~Doreen Peters~~

Ryan Demientieff Jr.

Jiffany Mailbl

Rochelle Yaska-Deck

Kateri Ann Demientieff

Jamann Lapsuel

David Walker

Ross Demientieff  
Lyla White

Maryann Peters

Karen Whitley

Kimberly Hamilton

Elsie Wade

Ronald Demientieff

Corey Baker

Ester Peters!

Ravyn Walker  
Brooke

Demientieff

Ann  
rner

tw

Preston

Demientieff

Deana Kvanne

Joshua

Poua

George Peters

Sierra Walker

Linda Todd

1/5

Public Comment #

7

Austin Caprud

Cedra Turner

Andrea Turner

Katie Turner

Caydalin Demientieff

Peyton Turner

Jeremy Sims

Kathleen Gregory

Emily Sims

Alexander Samuelson

Rodney Demientieff

RECEIVED

JAN 05 2010

BOARDS

Dear, Alaska Fish & Game

Our names are Donald Peters, and Janann Capsul, we are high school students of the Holy Cross school and we are writing to you over one of your proposals (Proposal 88). And we are afraid this proposal will definitely affect our fishing area, and way of our cultural life. Because if you cut off our drift netting, we will not be able to catch as much fish for our families. Also we will only be able to have a set net, that might cause a conflict with our community because there are only certain areas where it is good to have a set net. So the proposal shall not pass because we need fish for the winter.

George Peters

Sierra Walker

Joshua

Paul

Preston

dementieff

Adrienne

Turner

Brooke

Demi Dientieff

Deana Kvanne

Ravyn Walker

Adrienne Wijk

Mary Sims

Andy Burt

3/5

Sincerely,

Donald Peters

and

Janann Capsul

Ross Dementieff

Karen Whitley

Ester Petersle

John Hamilton Alfred Hamilton

David Walker

Maryann Peters

William Chokaw

Jackie Wade

Alexander Samuelson

Andrea Turner

Peyton Turner Cecilia

Emily Sims Turner

Caplain Dementieffs

Katie Turner

Austin Capsul Rodney Dementieff

Jeremy Sims

Keelou

Public Comment #

7



December 17, 2009

RECEIVED

JAN 05 2010

BOARDS

Dear Fish and Game,

Commercial fishing for the residents in the villages means a lot because it helps them with making money they need for their families. If you take commercial fishing away, the people will not have enough money to be putting food on their tables. If people can't find money for food, some of them might leave the community. The less people in a community, the harder life will be. So please don't take away commercial fishing, or limit it to a certain, low amount.

Sincerely,  
*Lyle Whitley*  
Holy Cross School

*Samann Capsul*  
*Jeffery Muddell*

*Jim Peters*

*Ryan Demientieff Jr*

*Kateri Demientieff*

*Elsie Wade*

*Bukaw C Bukaw*

*Ross Demientieff*

*Karen Whitley*

*David Walker*

*Alfred Hamilton*

*Ester Peters*

*Jackie Wade*

*Maryann Peters*

*Kimberly Hamilton*

Public Comment # 7

*Raryn Walker*

*Brooke*

*Austin Capsul* *Mary Sims*

*Demie Nkiff* *Peyton Turner*

*George Peters* *John Hamilton*  
*Sierra Walker* *Alexander Samuelson*

*Adrienne Turmen* *Capdalin Demientieff*

*Lee Lou B*  
*Andrea Turner*

*Deana Kuamme* *Katie Turner*

*Rochelle Yaska-Deck*

*Donald Peters*

*Emily Sims*

*Jeremy Sims*

*Cecilia Turner*

*Rodney Demientieff*

*Preston Demientieff*

*JOSHUA*

*Paul*

4/5

RECEIVED

JAN 05 2010

Wednesday, December 16, 2009

BOARDS

Dear Alaska Department of Fish and Game,

We would like to notify you that we don't like the idea of giving us shorter hours of fishing time. Proposal 94 - 5 AAC 05.360. would not work for us because we would have less fish to eat. If they only opened it when the fish weren't running then we wouldn't get any fish. Which would lead to us buying more food from the store and we would eventually go broke. Our solution would be to open the windows when the fish were running for a short period time would be better for us and for you.

Thank you for taking the time to read our letter.

George Peters  
 John Paul  
 Adrie Turner  
 Brook Demientieff  
 Raven Walker  
 Deana Kramme  
 Pres run demientieff

Elsie Wade  
 Emily Sims  
 L Pelow B  
 Alexander Samuelson  
 Austin Caspell  
 Jerey Sins  
 John Hamilton  
 Rodney Demientieff  
 7/7  
 Capitalin Demientieff

From Tiffany Maillelle & Rochelle Yaska-Deck  
 Rochelle Yaska-Deck  
 Tiffany Maillelle  
 Ross Demientieff  
 Karen Whitley  
 Ester Peters!  
 David Walker  
 Alfred Hamilton  
~~Arthur Baskin~~  
 Andrea Turner  
 Peyton Turner  
 Donald Peters

Kateri DEMIENTIEFF  
 Katie Turner  
 Cecelia Turner  
 Ryan Demientieff Sr.

Public Comment # 7



United States Department of the Interior



FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

FWS/OSM/9151/BOF AYK

JAN 5 2010

Mr. Vince Webster, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Chair Webster:

The Alaska Board of Fisheries will deliberate 2009/2010 regulatory proposals that address Arctic-Yukon-Kuskokwim commercial, sport, and subsistence finfish fisheries beginning January 26, 2010. We understand that the Board will be considering approximately 52 proposals at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and developed the enclosed preliminary comments on proposals which may have an impact on Federal subsistence users and fisheries in this area. We may wish to comment on other proposals if issues arise during the meeting which may have an impact on Federal subsistence users and fisheries.

We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

Sincerely,

Peter J. Probasco  
Assistant Regional Director

Enclosure

- |                                  |                                  |
|----------------------------------|----------------------------------|
| cc: Denby S. Lloyd, ADF&G        | John Linderman, ADF&G, Anchorage |
| Michael Fleagle, Chair FSB       | Don Roach ADF&G, Fairbanks       |
| John Hilsinger, ADF&G, Anchorage | Jim Simon, ADF&G, Fairbanks      |
| Craig Fleener, ADF&G, Juneau     | Tina Cuning, ADF&G, Anchorage    |
| Charles Swanton, ADF&G, Juneau   | George Pappas, ADF&G, Anchorage  |
| Rob Bentz, ADF&G, Juneau         | Jim Marcotte, ADF&G, Juneau      |
| Marianne See, ADF&G, Anchorage   | Interagency Staff Committee      |



Public Comment #

8

1/27

**FEDERAL STAFF COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS**

**ARCTIC-YUKON-KUSKOKWIM FINFISH**

**State of Alaska  
Board of Fisheries Meeting  
January 26-31, 2010  
Fairbanks, Alaska**

Public Comment # 9

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Public Comment #

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## Federal Comments

### **AYK Resident Species**

#### *Sport*

**Proposal 55** requests alignment of sport fish boundaries with commercial/subsistence fish boundaries in northern and northwest Alaska. If adopted, area boundaries of these three State fisheries would be aligned.

#### **Existing State Regulations:**

##### **5 AAC 69.105. Description of the North Slope Area, 70.005. Description of the Northwestern Area, and 73.005. Description of the Yukon River Area.**

*5 AAC 69.105. The North Slope Area consists of all northerly flowing fresh waters, including lakes, draining into, and including, the Arctic Ocean, the Beaufort Sea, and the Chukchi Sea, west of the Canadian border and east of Cape Lisburne.*

*5 AAC 70.005. The Northwestern Area consists of all waters draining into and including the Bering Sea, the Chukchi Sea, Kotzebue Sound, and Norton Sound south of Cape Lisburne and north of Canal Point Light.*

*5 AAC 73.005. The Yukon River Area consists of all waters of the Yukon River drainage, excluding the Tanana River drainage, and all waters draining into, and including, Norton Sound and the Bering Sea south of Canal Point Light and north of the westernmost point of Naskonat Peninsula.*

#### **Existing Federal Regulations:**

*§ \_\_.27(i)(1) Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

*§ \_\_.27(i)(2) Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

*§ \_\_.27(i)(3) Yukon-Northern Area. The Yukon-Northern Area includes all waters of Alaska between the latitude of Point Romanof and the Latitude of the westernmost point of the Naskonat Peninsula, including those waters draining into the Bering Sea and all waters of Alaska north of the latitude of the*

*westernmost tip of Point Hope and west of 141 West longitude, including those waters draining into the Arctic Ocean and Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No

**Impact to Federal subsistence users/fisheries:** Yes. The Federal boundary descriptions for the Kotzebue, Norton Sound-Port Clarence, and Yukon-Northern areas are the same as the State commercial/subsistence boundaries for those areas. If adopted this proposal would align State subsistence/commercial/sport fish boundary descriptions and Federal subsistence boundary descriptions for these areas. This proposed change would clarify boundaries in overlapping areas and fisheries and reduce potential for confusion.

**Federal position/recommended action:** Support. Adoption of this proposal will reduce potential for confusion and aid State commercial, sport and subsistence users and Federally qualified subsistence users in identifying management area boundaries.

## **Kuskokwim, Kotzebue & Norton Sound-Port Clarence Areas Salmon & Herring**

*Kuskokwim Area  
Commercial*

**Proposal 67** requests that in Districts 1 and 2 of the Kuskokwim Management Area, salmon may be taken only with gillnets with six-inch or smaller mesh size.

### **Existing State Regulations:**

#### **5 AAC 07.331. Gillnet specifications and operations.**

*(a) The aggregate length of a set or drift gillnet may not exceed 50 fathoms except that if the commissioner determines that there is a harvestable surplus of salmon, the commissioner may, by emergency order, close the fishing season and immediately reopen a season during which the aggregate length of a set or drift gillnet may not exceed 100 fathoms.*

*(b) The maximum depth of gillnets is as follows:*

*(1) gillnets with six-inch or smaller mesh may not be more than 45 meshes in depth;*

*(2) gillnets with greater than six-inch mesh may not be more than 35 meshes in depth.*

(c) In Districts 1 and 2, salmon may be taken only with gillnets with six-inch or smaller mesh, except that in District 1, the commissioner may open fishing periods, during which the gillnet mesh size may be no greater than eight inches.

(d) In Districts 4 and 5,

(1) repealed 4/15/81;

**Existing Federal Regulations:**

There are no mesh size restrictions for gillnets in the Federal subsistence fishing regulations for the Kuskokwim Area.

§ \_\_.27(i)(4) *Kuskokwim Area.*

(ix) You may only take salmon by gillnet, beach seine, fish wheel, or rod and reel subject to the restrictions set out in this section, except that you may also take salmon by spear in the Kanektok, and Arolik River drainages, and in the drainage of Goodnews Bay.

(xi) You may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, pot, long line, fyke net, dip net, jigging gear, spear, lead, handline, or rod and reel.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of this proposal could potentially increase the number of larger Chinook salmon available for escapement and harvest by upriver Federally qualified subsistence users, although the Alaska Department of Fish and Game (ADF&G) has not authorized the use of gillnets with mesh size larger than six-inches in the District 1 commercial fishery since the Alaska Board of Fisheries adopted this management option during the last AYK regulatory cycle.

**Federal position/recommended action:** Support. If adopted, this proposal could have an effect on Federally qualified subsistence users, depending on specific ADF&G management actions, by potentially increasing the number of larger Chinook salmon available for escapement, thereby improving the quality of escapements and harvest by upriver Federally qualified subsistence users.

*Kotzebue Area*

*Subsistence:*

**Proposal 68** requests to expand hook and line use for the subsistence take of fish other than salmon in State waters from Wales to Point Hope, and include rod and reel as a legal subsistence gear type in that area. However, the proponent states the issue also includes rod and reel as lawful gear for taking salmon [5 AAC 01.120(a)].



**Existing State Regulations:**

**5 AAC 01.120. Lawful gear and gear specifications.**

*(b) Fish other than salmon may be taken by set gillnet, drift gillnet, beach seine, fish wheel, pot, longline, fyke net, dip net, jigging gear, spear, and lead or, as specified in (f) of this section, by a hook and a line attached to a rod or a pole.*

*(f) a person may use a hook and line attached to a rod or a pole when subsistence fishing only*

*(1) in the state waters of, and all flowing waters that drain into, the Chukchi Sea or Kotzebue Sound from Cape Espenberg to Cape Prince of Wales; or*

**Existing Federal Regulations:**

*§ \_\_.25(a) rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

*§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(xix) A rod and reel; and*

*§ \_\_.27(i)(1) Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

*(ii) You may take salmon only by gillnets, beach seines, or a rod and reel.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Rod and reel (includes hook and line) is currently a legal harvest method under Federal regulations for fish, including salmon.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same.

The Kotzebue Area includes both Federal and State waters. Federally qualified subsistence users fishing in Federal public waters may use rod and reel and a license is not required.

People cannot legally subsistence fish with rod and reel in State waters. Anyone fishing with rod and reel in State waters is considered to be a sport fisher and is required to have a sport fishing license and abide by sport fishing regulations.

Adoption of this proposal, as written, would align Federal and State subsistence regulations regarding the use of rod and reel to take fish other than salmon in this area. However, the proponent further states the issue is to allow the subsistence take of fish, including salmon, with rod and reel. If rod and reel were legal gear for the subsistence take of fish, including salmon, under both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Moving the boundary of the area from Cape Espenberg north to Point Hope expands the area affected by this proposal. The proposed expanded area would mirror the Kotzebue Area boundary as defined in Federal regulations.

**Federal position/recommended action:** Support with modification to include rod and reel as a legal subsistence gear type for the take of fish, including salmon. Adoption of this proposal, with modification as noted, would align Federal and State subsistence fishing regulations regarding the use of rod and reel in this area, minimizing or eliminating unintentional violations.

*Norton Sound-Port Clarence Area  
Subsistence:*

**Proposal 69** would expand the use of hook and line as a subsistence gear type for all of Norton Sound, except the Unalakleet Drainage. However, the proponent further states that the issue includes making rod and reel a legal subsistence gear type in this area.

**Existing State Regulation:**

**5 AAC 01.170 Lawful Gear and Gear Specifications.**

*(h) A person may use a hook and line attached to a rod or a pole when subsistence fishing only*

*(1) in the state waters of, and all flowing waters that drain into, the Bering Sea or Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk); or (2) through the ice.*

**5 AAC 01.172 Limitations on Subsistence Fishing Gear.**

*(a) Except when fishing through the ice, for subsistence fishing in state waters of, and all flowing waters that drain into, northern Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk) with a hook and line attached to a rod or a pole, the following provisions apply.*

## Existing Federal Regulations

§ \_\_.25(a) *Rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

§ \_\_.27(c)(1) *Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

(xix) *A rod and reel; and*

§ \_\_.27(i)(2) *Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

(iii) *You may take salmon only by gillnets, beach seines, fish wheel, or a rod and reel.*

(iv) *You may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, pot, long line, fyke net, jigging gear, spear, lead, or a rod and reel.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Hook and line (which includes rod and reel) is currently a legal harvest method under Federal regulation.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same. Norton Sound includes both Federal and State waters. Federally qualified subsistence users fishing in Federal public waters may use rod and reel (includes hook and line) and a license is not required.

As written, the proposal requests expanding the use of hook and line as a legal subsistence gear type in all of Norton Sound, except the Unalakleet River drainage. However, the proponent further states this proposal is meant to make rod and reel a legal subsistence gear in this expanded area. The definition of hook and line in State regulations does not include the use of rod and reel.

Under State regulations 5 AAC 01.170(h) a person may use a hook and line attached to a rod or pole when subsistence fishing in a portion of Norton Sound or through the ice. However, people cannot legally subsistence fish with rod and reel in State waters.

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Anyone fishing with rod and reel in State waters is considered to be a sport fisher and is required to have a sport fishing license and abide by sport fishing regulations.

Adoption of this proposal, amended to address the proponent's intent to allow the use of rod and reel, would align Federal and State subsistence regulations regarding the use of this gear type in this area. If rod and reel were legal gear under both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Defining the area where this regulation would apply as being from Cape Prince of Wales to Point Romanoff would align with the Norton Sound-Port Clarence Area boundaries in Federal regulations.

Exempting the Unalakleet River from this regulatory change respects the wishes of local residents. The Federal Subsistence Management Program concurs with and supports this management approach.

**Federal position/recommended action:** Support with modification to include rod and reel as a legal subsistence gear type in the expanded area. Adoption of this proposal, with modification as noted, would align Federal and State subsistence fishing regulations regarding the use of rod and reel in this area, reducing confusion and minimizing or eliminating unintentional violations.

**Proposal 72** requests a review of the Unalakleet Chinook (king) salmon management plan and a modification to allow, by emergency order, a gillnet mesh size no greater than seven inches.

**Existing State Regulations:**

**5 AAC 01.170. Lawful gear and gear specifications; 5 AAC 04.395. Subdistricts 5 and 6 of the Norton Sound District and the Unalakleet River King Salmon Management Plan.**

*(k) In Subdistricts 5 and 6, the commissioner may, by emergency order, open and close fishing periods during which a gillnet may have a mesh size no greater than*

- (1) six inches;*
- (2) four and one-half inches;*

**Existing Federal Regulations:**

§ 27(i)(2)(ii) *In the Norton Sound District, you may take fish at any time except as follows:*

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- (A) *In Subdistricts 2 through 6, if you are a commercial fishermen, you may not fish for subsistence purposes during the weekly closures of the State commercial salmon fishing season except that from July 15 through August 1, you may take salmon for subsistence purposes 7 days per week in the Unalakleet and Shaktoolik River drainages with gillnets which have a stretched-mesh size that does not exceed 4 ½ inches and with beach seines;*
- (B) *In the Unalakleet River from June 1 through July 15, you may take salmon only from 8:00 a.m. Monday until 8:00 p.m. Saturday*
- (C) *Federal public waters of the Unalakleet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. The BLM field manager is authorized to open the closed area to Federally qualified subsistence users or to all users when run strength warrants*

*§ \_\_.27(i)(2)(v) In the Unalakleet River from June 1 through July 15, you may not operate more than 25 fathoms of gillnet in the aggregate nor may you operate an unanchored gillnet*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Chinook salmon conservation in the Federal public waters of the Unalakleet River was previously addressed by the FSB during its last fishery regulatory meeting of January 13-15, 2009. At that time the FSB adopted FP09-01 that appears above as § \_\_.27(i)(2)(ii)(C). This regulation was in effect for the 2009 open water season and is the most conservative action possible, i.e. Federal public waters are closed to all harvest of Chinook salmon unless run strength warrants liberalization.

**Impact to Federal subsistence users/fisheries:** Yes. The Federal public waters of the Unalakleet River are those waters upstream from the confluence with the Chirosky River. These waters are closed by Federal regulation to the harvest of Chinook salmon by all users unless run strength warrants a relaxation of this closure. Since Federally qualified subsistence users will probably not be allowed to fish in Federal jurisdiction, they will likely fish under State regulations in State waters in the lower river and in marine waters. Adoption of this proposal would affect these users because they may be required by inseason State emergency order to change to 7 inch or smaller mesh gear.

**Federal position/recommended action:** Support. Despite prior conservative management actions, Unalakleet River Chinook salmon remain a stock of yield concern. Adoption of this proposal would provide ADF&G managers more flexibility, by allowing them to restrict, by emergency order, mesh size to seven inches or less, to target smaller Chinook salmon while providing increased opportunity for the larger, more fecund (usually female) Chinook salmon to reach the spawning grounds.

## Yukon Area Salmon and Freshwater Fish

### *Subsistence*

**Proposal 81** requests a clarification of the subsistence fishing schedule in Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days.

#### **Existing State Regulations:**

##### **5 AAC 01.210. Fishing seasons and periods**

*(d) During the commercial salmon fishing season when the department announces a commercial fishing closure that will last longer than five days, salmon may not be taken for subsistence during the following periods in the following districts:*

*(1) in District 4, excluding the Koyukuk River drainage, salmon may not be taken from 6:00 p.m. Sunday until 6:00 p.m. Tuesday;*

#### **Existing Federal Regulations:**

*§ \_\_\_\_ .27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(iv) During any State commercial salmon fishing season closure of greater than five days in duration, you may not take salmon during the following periods in the following districts:*

*(A) In District 4, excluding the Koyukuk River drainage, salmon may not be taken from 6:00 p.m. Friday until 6:00 p.m. Sunday;*

*(viii) In Subdistrict 4A after the opening of the State commercial salmon fishing season, you may not take salmon for subsistence for 12 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period; however, you may take Chinook salmon during the State commercial fishing season, with drift gillnet gear only, from 6:00 p.m. Sunday until 6:00 p.m. Tuesday and from 6:00 p.m. Wednesday until 6:00 p.m. Friday.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** If this proposal were adopted the Federal drift gillnet fishery for Chinook salmon in Subdistrict 4A would be open during the proposed fishing closure. To change this, the Federal inseason manager could issue a special action to temporarily change Federal regulations (effective for a maximum of 60 days) to mirror the State's fishing schedule, or a proposal could be submitted to the

Federal Subsistence Board to request a permanent change to Federal subsistence regulations.

**Federal position/recommended action:** Support. The Alaska Department of Fish and Game submitted this as a “housekeeping” proposal to put a long standing practice into regulation. The proponent stated the fishermen in Subdistricts 4-B and 4-C want to remain on the traditional fishing schedule and therefore support this proposal. The Federal Subsistence Management Program supports clarity and efficiency in the regulatory process and supports this proposal and the wishes of local residents.

**Proposal 83** requests a requirement to record all subsistence harvested fish in the Yukon-Northern Area on catch calendars. The proponent states this proposal addresses concerns for the illegal sales of subsistence caught fish (especially Yukon River Chinook salmon), often sold as smoked strips, and the need to track and account for these fish.

**Existing State Regulations:**

**5 AAC 01.230. Subsistence fishing permits**

*(a) Except as provided in this section and 5 AAC 01.249, fish may be taken for subsistence purposes without a subsistence fishing permit.*

*(b) A subsistence fishing permit is required as follows:*

*(1) for the Yukon River drainage upstream from the westernmost tip of Garnet Island to the mouth of the Dall River;*

*(2) repealed 4/13/80;*

*(3) for the Yukon River drainage from the upstream mouth of Twenty-two Mile Slough to the United States-Canada border;*

*(4) repealed 4/13/80;*

*(5) for the Tanana River drainage above the mouth of the Wood River;*

*(6) for whitefish and suckers in the waters listed in 5 AAC 01.225(a);*

*(7) for the taking of pike in waters of the Tolovana River drainage upstream of its confluence with the Tanana River;*

*(8) for the taking of salmon in Subdistricts 6-A and 6-B;*

*(9) for the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River and the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork.*

*(c) In addition to the subsistence fishing permit conditions set forth in 5 AAC 01.015, permits issued for fish other than salmon may also designate restrictive measures for the protection of salmon.*

*(d) Only one subsistence salmon fishing permit will be issued to each household per year.*

*(e) In addition to the subsistence fishing permit conditions specified in 5 AAC 01.015, and except as provided in 5 AAC 01.249, permits issued for the taking of salmon in Subdistricts 6-A and 6-B must also contain the following requirements:*

*(1) salmon may be taken only by set gillnet or fish wheel; no household may operate more than one fish wheel;*

*(2) each subsistence fisherman shall keep accurate daily records of his or her catch, the number of fish taken by species, location and date of the catch, and other information that the department may require for management or conservation purposes;*

*(3) in that portion of Subdistrict 6-B three miles or more upstream of the mouth of Totchaket Slough, each permittee shall report the number of salmon taken to the department once each week, or as specified on the permit; in the remainder of Subdistrict 6-B and in Subdistrict 6-A, each permittee shall report the total number of salmon taken to the department no later than October 31;*

*(4) the annual harvest limit for the holder of a Subdistrict 6-A or 6-B subsistence salmon fishing permit is 60 king salmon and 500 chum salmon for the period through August 15 of a year, and 2,000 chum and coho salmon combined for the period after August 15; upon request, permits for additional salmon may be issued by the department;*

*(5) unless otherwise provided, from June 20 through September 30, open subsistence salmon fishing periods are concurrent with open commercial salmon fishing periods; during closures of the commercial salmon fishery, open subsistence salmon fishing periods are as specified in 5 AAC 05.367;*

*(6) in the Kantishna River drainage, the open subsistence salmon fishing periods are seven days per week, except as specified in 5 AAC 01.249;*

*(7) in Subdistrict 6-B from the downstream end of Crescent Island to a line three miles upstream from the mouth of Totchaket Slough, the open subsistence salmon fishing periods are from 6:00 p.m. Friday through 6:00 p.m. Wednesday.*



**Existing Federal Regulations:**

There is no requirement under Federal subsistence fishing regulations for individuals to record subsistence harvest on catch calendars. However, subsistence fishing permits are required in a few locations in the Yukon River drainage as follows:

§     .27(i)(3)(xviii) *You must possess a subsistence fishing permit for the following locations:*

*(A) For the Yukon River drainage from the mouth of Hess Creek to the mouth of the Dall River;*

*(B) For the Yukon River drainage from the upstream mouth of 22 Mile Slough to the U.S.-Canada border;*

*(C) Only for salmon in the Tanana River drainage above the mouth of the Wood River.*

*(xix) Only one subsistence fishing permit will be issued to each household per year.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Harvest calendars, as used currently, enhance the accuracy of the post-season surveys. The imposition of calendars as a legal requirement, could compromise this process. In addition, there are no subsistence salmon harvest limits for the Yukon River drainage (however ADF&G permits issued for the upper Yukon River road system include the number of salmon allowed per permit, but another permit may be granted upon request). If adopted, this proposal would not provide a direct approach to solve the problem identified by the proponent. It would increase regulatory complexity, complicate gathering accurate harvest information, and focus enforcement on paperwork compliance rather than illegal sales of subsistence taken fish. A requirement for subsistence users to record their harvest on catch calendars before leaving the fishing site would not solve the problem identified by the proponent.

**Federal position/ recommended action:** Oppose. This proposal appears to be an attempt to use catch calendars as a permit to track subsistence caught fish, but a calendar does not have the regulatory authority or enforceability of a permit. The Federal Subsistence Management Program shares the proponent's desire to reduce/eliminate significant commercial enterprises that sell subsistence taken fish, but this proposal will not likely achieve that goal.

The Federal Subsistence Management Program supports providing fishery managers with the most complete, accurate, and timely subsistence harvest estimates possible. Towards this end, the Fisheries Resource Monitoring Program, within the Office of Subsistence Management, has funded studies of statewide subsistence fishery harvest assessment strategies under the auspices of the Subsistence Fisheries Harvest Assessment



Working Group. These studies were a collaboration between ADF&G and the Alaska Inter-Tribal Council. The Federal Subsistence Management Program recommends a review of the study findings and recommendations prior to the implementation of any new subsistence harvest assessment methods<sup>1,2</sup>.

The initiation of a constructive dialogue to address this issue could begin with the creation of a working group. The working group should consist of a variety of partners including subsistence harvesters, Federal Subsistence Regional Advisory Council members, State Advisory Committee members, State and Federal law enforcement personnel, Department of Fish and Game Subsistence and Commercial Fisheries Divisions, and the Department of Environmental Conservation to develop a more constructive and inclusive approach to address the proponent's concerns. This working group could potentially submit proposals to the Federal and State Boards for regulatory changes to more effectively address this issue.

**Proposals 84 and 85** request allowing (extending) the use of drift gillnet gear into a portion of Subdistricts 4-B and 4-C for the take of Chinook (king) and chum salmon.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications**

(a) *Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

(b) *Repealed 5/15/93.*

(c) *Repealed 5/11/85.*

(d) *In District 4, commercial fishermen may not take salmon for subsistence purposes during the commercial salmon fishing season by gillnets larger than six-inch mesh after a date specified by emergency order issued between July 10 and July 31.*

(e) *In Districts 4, 5, and 6, salmon may not be taken for subsistence purposes by drift gillnets,...*

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<sup>1</sup> Fall, J.A. and R. Shanks. 2000. Statewide Subsistence Fisheries Harvest Monitoring Strategy. Subsistence Fisheries Harvest Assessment Working Group. Final Report Study No. FIS 00-017. Anchorage, AK. 48 pages.

<sup>2</sup> Fall, J.A. 2003. Implementation of Statewide Subsistence Fisheries Harvest Assessment Strategy. ADF&G, Division of Subsistence. Final report No. FIS 01-107. Anchorage, AK. 50 pages.

**Existing Federal Regulations:**

§ .27(i)(3)(xv) *In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*

*(A) In Subdistrict 4A upstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14, and chum salmon by drift gillnets after August 2;*

*(B) In Subdistrict 4A downstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14;*

*(C) In the Yukon River mainstem, Subdistricts 4B and 4C with a Federal subsistence fishing permit, you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Adoption of these proposals could provide additional subsistence fishing opportunity for Federally qualified subsistence users in these subdistricts. Federal Subsistence Regional Advisory Council discussions and comments by subsistence fishermen from these subdistricts have raised the ongoing concern about limited fish wheel and set net sites and increased conflict and competition for available sites. Allowing the use of drift gillnetting through all of Subdistricts 4-B and 4-C would increase harvest opportunity for subsistence fishermen in both State and Federal waters.

**Federal position/recommended action:** Support with modification to include all of Subdistricts 4-B and 4-C. The proposed change would increase subsistence fishing opportunity for residents of these subdistricts, including Federally qualified subsistence users. Under current Federal regulations, qualified subsistence users can use drift gillnets to harvest Chinook salmon in Federal public waters of Subdistricts 4-B and 4-C from June 10-July 14 but must obtain a Federal permit to do so. Adoption of this Federal regulation has not resulted in a significant shift in user effort or increased harvest in these subdistricts. According to USFWS subsistence harvest information, in 2009, 14 permits were issued for the 4B and 4C Federal drift gillnet fishery, 5 permits were fished, with a total harvest of 58 Chinook and 8 chum salmon. In 2008, 25 permits were issued, 10 permits were fished, with a total harvest of 44 Chinook salmon. In 2007, 12 permits were issued, 4 permits were fished, with a total harvest of 13 Chinook salmon. In 2006, 18 permits were issued, 5 permits were fished, with a total harvest of 19 Chinook and 11 chum salmon. In 2005, 70 permits were issued, 9 permits were fished, with a total harvest of 54 Chinook and 1 chum salmon. This proposed change, with modification as noted, would allow subsistence users to use drift gillnets to target Chinook and chum salmon in Federal and State waters of Subdistricts 4B and 4C. The impact of increased effort in

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Federal public waters from an undetermined number of non-Federally qualified users under State subsistence fishing regulations is unknown.

**Proposal 86** would allow set nets to be tied up (rather than being removed from the water) during subsistence fishing closures in Subdistrict 5-D.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications**

*f) Unless otherwise specified in this section, fish other than salmon and halibut may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, or lead, subject to the following restrictions, which also apply to subsistence salmon fishing:*

*(9) during the subsistence fishing closures specified in 5 AAC 01.210(b), all salmon gillnets with a mesh size greater than four inches must be removed from the water and fish wheels may not be operated.*

**Existing Federal Regulations:** There are no Federal regulations requiring gillnets to be removed from the water during subsistence fishing closures.

*§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence schedules, openings, closings, and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Possibly. If the State manager included the tie-up provision in the emergency order issued to establish subsistence fishing periods it would default to Federal regulations. For the Yukon River drainage, Federal subsistence schedules, openings, closings, and fishing methods are the same as those issued by emergency order for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal special action. However, if adopted, this action would be incorporated into State regulations and would not default to Federal regulations by way of emergency order, unless specified. The Federal inseason manager could issue a Special Action to temporarily change Federal regulations (effective for a maximum of 60 days) in Federal public waters to mirror State regulations for this gear

specification. A proposal would need to be submitted to the Federal Subsistence Board to request a permanent change to align the Federal subsistence regulations.

**Federal position/ recommended action:** Neutral. This proposal was prompted by ongoing concerns voiced by residents of the community of Eagle and from the Eastern Interior Alaska Federal Subsistence Regional Advisory Council. The proponent states that current regulations (requiring subsistence fishing nets with a mesh size greater than four inches be removed from the water during subsistence fishing closures) are an undue burden and create a safety risk, especially for older fishers. These concerns were documented in an Office of Subsistence Management funded project (04-255).

No specific management concerns were identified with adoption of this regulation within Federal jurisdiction if the gear is not fishing during subsistence closures. The National Park Service law enforcement staff is generally supportive of this proposal. National Park Service enforcement effort in the Federal public waters of this area is mostly by boat patrol and verification that nets were not fishing would be easier by boat than if conducting aircraft surveys. However, U.S. Fish and Wildlife Service enforcement staff patrols a much larger area mostly with aircraft and has concerns about the difficulties involved in enforcing this regulation. The U.S. Fish and Wildlife Service enforcement concerns include the significant increase in time required to land and verify compliance with nets seen from the air.

### *Subsistence and Commercial*

**Proposals 87 – 90 are addressed together because the issues and actions requested are closely related. The Federal Subsistence Management Program recommendations for Proposals 87-90 are located at the end of Proposal 90.**

**Proposal 87** requests a review of the Yukon River King Salmon Management Plan (5 AAC 05.360). Proposals 88, 89 and 90 offer options for reducing gear efficiency and selectivity.

#### **Existing State Regulations:**

**5 AAC 05.360. Yukon River King Salmon Management Plan**

**Existing Federal Regulations:** None. Commercial fishery management regulations are addressed in regulation through the State's salmon management plans.

**Proposal 88** requests the use of drift gillnet gear be prohibited in the entire Yukon River drainage.

#### **Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

**5 AAC 05.330. Gear**

(a) In Districts 1 - 3, set gillnets and drift gillnets only may be operated, except that...

(b) In Districts 4 - 6, set gillnets and fish wheels only may be operated.

**Existing Federal Regulations:**

§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

(ii) A drift gillnet;

§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, ...

**Proposal 89** requests in the Yukon River drainage all gillnets with six inch mesh size may not exceed 15 feet or 35 meshes in depth. This would apply to both commercial and subsistence salmon fishing gillnets.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

**5 AAC 05.331. Gillnet specifications and operations**

(f) in Districts 4 - 6, gillnets with

(2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) In Districts 1 - 3, gillnets with

(2) six-inch or smaller mesh may not be more than 50 meshes in depth.

**Existing Federal Regulations:**

§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

- (i) A set gillnet;
- (ii) A drift gillnet;

§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

(C) In the Yukon River mainstem, Subdistricts 4B and 4C with a Federal subsistence fishing permit, you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.

**Proposal 90** requests to prohibit subsistence and commercial gillnets over 6-inch mesh size in the Yukon River drainage.

**Existing State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

**5 AAC 05.331. Gillnet specifications and operations**

(a) No person may operate set gillnet gear that exceeds 150 fathoms in length; no person may operate drift gillnet gear that exceeds 50 fathoms in length.

(b) In Districts 1 and 2, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(c) In District 3, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(d) In District 4, salmon may be taken only with gillnets of six-inch or smaller mesh after a date specified by emergency order.

(e) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.

(f) in Districts 4 - 6, gillnets with

(1) greater than six-inch mesh may not be more than 60 meshes in depth;

(2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) In Districts 1 - 3, gillnets with

(1) greater than six-inch mesh may not be more than 45 meshes in depth;

(2) six-inch or smaller mesh may not be more than 50 meshes in depth.

(h) Notwithstanding (b) - (d) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may not take salmon with a gillnet that has a mesh size of less than eight inches.

#### **Existing Federal Regulations:**

§ \_\_.27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

- (i) A set gillnet;
- (ii) A drift gillnet;

§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

**Is a similar issue being addressed by the Federal Subsistence Board?** Yes. Two deferred proposals addressing gillnet mesh size and depth for Yukon River Chinook salmon directed fisheries will be considered in April 2010. These proposals were deferred by the Federal Subsistence Board to allow completion of ongoing studies that focus on this issue and to allow the Alaska Board of Fisheries an opportunity to address these issues first. The proposals before the Federal Subsistence Board address the impacts of gear selectivity on stock production, quality of escapement, and genetic characteristics such as size and age. However, the Federal proposals do not specifically address gear efficiency as a means to control the rate of harvest as do the State proposals.

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**Impact to Federal subsistence users/fisheries:** The impact on subsistence fisheries will depend on the specific changes to the management plan. Proposal 88 would prohibit drift gillnet fishing by subsistence fishermen. This action would obviously have a major impact on subsistence fishermen who rely on this method of fishing to efficiently harvest salmon. Proposal 89 as written, would restrict the depth of gillnets with 6 inch mesh to a maximum of 15 feet or 35 meshes and would affect subsistence fishermen in areas where a deeper net provides greater efficiency. Proposal 90 would restrict subsistence fishing by disallowing the use of nets greater than 6 inch mesh. This proposal would reduce the efficiency of gillnets to target Chinook salmon. Catches taken with such nets would likely have a higher percentage of chum salmon than larger mesh nets. The deferred proposal which will be considered by the Federal Subsistence Board in April 2010 recommends a maximum mesh size of 7.5 inches and is intended to shift the harvest to smaller Chinook salmon while minimizing increased harvest of chum salmon. Mesh size selectivity data suggest that 7.5 inch mesh could potentially catch fewer of the large size fish. Therefore, it is likely to allow more larger, older females to escape to the spawning grounds. Overall productivity and quality of escapement could be enhanced while protecting the genetic heritability for larger older fish.

**Federal position/ recommended action (Proposals 87-90):** Neutral. The Federal Subsistence Management Program is neutral on these specific proposals, but supports appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. A periodic review of established management plans and their components is one way to help ensure the appropriate and best data is available to achieve these goals.

A comprehensive review of the management plan allows the Alaska Board of Fisheries to consider all aspects of this fishery in order to address significant conservation concerns for these stocks. In response to a request by ADF&G, the Federal Subsistence Board voted to delay action on similar proposals in order to consider the results of additional studies that could aid in understanding the effects of mesh size on the harvest of Chinook salmon, and to allow the Alaska Board of Fisheries an opportunity to address these issues. A review of the management plan should allow the Alaska Board of Fisheries to consider all aspects of management including time and area, gear selectivity and efficiency as well as other measures as it addresses the conservation and sustainability of these important stocks. Proposals 88, 89 and 90 provide possible management options for addressing gear selectivity and efficiency. The Federal Subsistence Management Program strongly encourages the Alaska Board of Fisheries to consider these options, the deferred Federal proposals and other possible changes to the management plan that could effectively address gear efficiency as a means to control harvest and gear selectivity as a significant impact on long term stock productivity and quality of escapement.

**Proposals 193 and 194** requests revision of the management triggers in the Yukon River Summer Chum Salmon Management Plan (5 AAC 05.362) and the Yukon River Drainage Fall Chum Salmon Management Plan (5 AAC 01.249), respectfully.

**Existing State Regulations:**

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan; 5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan**

**Existing Federal Regulations:**

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action*

Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** None are anticipated. Any impact to Federal subsistence users/fisheries will depend on what, if any, specific changes are made to the management plans. The Federal Subsistence Management Program supports maintaining the objectives of these management plans which include ensuring adequate escapement of fall chum salmon into the Yukon River drainage (5 AAC 01.249), to manage for the sustained yield of Yukon River summer chum salmon (5 AAC 05.362), and to provide ADF&G with management guidelines to achieve these objectives.

**Federal position/ recommended action:** Neutral. The Federal Subsistence Management Program is neutral on these specific proposals, but supports maintaining appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. We support and recommend retaining the elements of these plans which require ADF&G to use the best available data; including preseason projections, mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from monitoring projects to assess the run size of chum salmon. We also support triggers in the plans based on projected chum salmon run size to implement restrictions and/or closures when necessary to achieve escapement goals and to provide for subsistence uses.

A periodic review of established management plans and their components is one way to help ensure the appropriate and best data is available to achieve these goals. A comprehensive review of the management plans allows the Board of Fisheries to consider all aspects of this fishery in order to address conservation and allocative concerns for these stocks.

*Commercial*

**Proposal 92** requests prohibition of the sale of Chinook salmon caught in non-Chinook directed commercial fisheries for the entire Yukon River drainage, and requires that Chinook salmon caught incidentally go to the subsistence fishery only.

**Existing State Regulations:** None, however the proponent requests a regulatory change be added to 5 AAC 05.362 Yukon River Summer Chum Salmon Management Plan.

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan**

**Existing Federal Regulations:** §   .19 Special actions.

*(a) The Board may restrict, close, or reopen the taking of fish and wildlife for non-subsistence uses on public lands when necessary to assure the continued viability of a particular fish or wildlife population, to continue subsistence uses of a fish or wildlife population, or for reasons of public safety or administration.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. However, the regulations governing special actions (50 CFR 100.19 and 36 CFR 242.19) are currently under review. Comments on the proposed revisions will be presented to the Federal Subsistence Board for its review and decision in May 2010.

**Impact to Federal subsistence users/fisheries:** Yes. Federally qualified subsistence users who also fish commercially would not be able to sell any Chinook salmon taken in a non-Chinook directed commercial fishery in the entire Yukon River drainage. During years of low Chinook salmon abundance this may be an appropriate approach. However, in years when Chinook salmon runs are adequate for escapement and subsistence uses and provide a surplus for other uses, this would be an unnecessary restriction.

**Federal position/recommended action:** Neutral. An alternative to a total prohibition of Chinook salmon sales in non-directed commercial periods would be to provide the State managers the emergency order authority to restrict sales of commercially caught Yukon River Chinook salmon during critical periods of low abundance, if necessary. This situation occurred during the 2009 summer season, and the Alaska Board of Fisheries adopted an Emergency Regulation specifying that during the commercial summer chum salmon season in Districts 1-5, Chinook salmon taken may be retained but not sold. Fishermen could release live Chinook salmon or keep them for subsistence uses. The emergency order authority would not only allow State managers to help protect Chinook salmon during periods of low run strength but also contribute to subsistence uses in that Chinook that are not sold could be used for subsistence.

**Proposal 99** requests that the Andreafsky River be opened to commercial salmon fishing.

**Existing State regulations:**

**5 AAC 05.350. Closed waters.** *Salmon may not be taken in the following waters:*

*(4) waters of the Andreafsky River upstream of a line between ADF&G regulatory markers placed on each side of the river at its mouth;*

**Existing Federal regulations:**

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No, commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Impact to Federal subsistence users/fisheries:** The Andreafsky River is relatively small in size and its salmon stocks would be vulnerable to over exploitation if subjected to a directed commercial fishery. The number of salmon returning to this river has declined in recent years providing for the minimum number needed to meet escapement requirements. Allowing commercial fishing in this system would reduce both the number of salmon available for escapement, and subsistence harvest by Federally qualified subsistence users.

**Federal position/recommended action:** Oppose. Providing commercial exploitation opportunities should be accompanied by improved or expanded assessment information. The Andreafsky River is relatively small in size and its salmon stocks are vulnerable to over exploitation. The number of salmon returning to this river has declined in recent years, providing just the minimum number needed to meet escapement requirements following harvest in the mainstem Yukon River. Allowing commercial fishing in this system would make it difficult to meet escapement objectives/goals for this river.

**Proposal 199** requests to modify the Yukon River Coho Salmon Management Plan (5 AAC 05.369) for late season harvest.

**Existing State Regulations:**

**5 AAC 05.369. Yukon River Coho Salmon Management Plan**

**Existing Federal Regulations:**

§ \_\_\_\_27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action*

Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** None are anticipated. Any impact to Federal subsistence users/fisheries will depend on what, if any, specific changes are made to the management plan. Any revisions to this plan need to maintain the elements designed to achieve escapement goals and provide for subsistence uses.

**Federal position/ recommended action:** Neutral. The Federal Subsistence Management Program is neutral on this specific proposal, but supports maintaining appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. We support and recommend retaining the aspects of this plan which require ADF&G to use the best available data to assess coho salmon abundance; including mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from monitoring projects. We also support triggers in the plan based on assessing fall chum salmon run size and determining if a harvestable surplus of coho salmon exists prior to opening a directed commercial coho salmon fishery. We recommend retaining elements of this plan necessary to achieve escapement goals and to provide for subsistence uses.

A periodic review of established management plans and their components is one way to help ensure the appropriate and best data is available to achieve these goals. A comprehensive review of the management plans allows the Alaska Board of Fisheries to consider all aspects of this fishery in order to address conservation and allocative concerns for these stocks.



# United States Department of the Interior

## NATIONAL PARK SERVICE

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

IN REPLY REFER TO:

L30 (AKRO-SUBS)

JAN 17 2010

ATTN: BOF COMMENTS  
Mr. Vince Webster, Chairman  
Alaska Board of Fisheries  
Boards Support Section  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, Alaska 99811-5526

Dear Chairman Webster:

During your January 2010 meeting in Fairbanks you will be addressing proposed regulatory changes to Arctic-Yukon-Kuskokwim (AYK) commercial, sport and subsistence finfish fisheries. The National Park Service is the managing agency for Gates of the Arctic National Park and Preserve, Noatak National Preserve, Kobuk Valley National Park, Cape Krusenstern National Monument, Bering Land Bridge National Preserve, Yukon-Charley Rivers National Preserve, Denali National Park and Preserve and Wrangell-St. Elias National Park and Preserve. These Conservation Units are totally or partially within the State's AYK Management Area.

We share your desire to implement a sound management strategy for the fishery resources of this large and diverse management area. Our enclosed comments address 12 of the approximately 52 proposals you will deliberate at your meeting. These proposals affect fishery resources within National Parks, Preserves and Monuments.

In January 2009, the Federal Subsistence Board (FSB) deferred action on Yukon River Chinook salmon regulatory proposals until after the Alaska Board of Fisheries reviewed the results of studies and considered similar regulatory proposals. The National Park Service (NPS), as a part of the FSB, will consider the information and outcomes of your January meeting and, in April, the FSB will address the Yukon River fisheries proposals it deferred last January. During past FSB deliberations, due to conservation concerns, we supported proposals that would allow for a greater number of larger Chinook salmon to reach the spawning grounds, including proposals to reduce net mesh size.

Conservation of the fishery resource is the primary objective of both State and Federal regulators and managers. We therefore offer our comments in the spirit of cooperation with the State regulatory process. We believe that through a cooperative State/Federal regulatory and

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management process that emphasizes fishery conservation, that the fishery resources will be perpetuated for the use and enjoyment of all user groups for this and future generations.

Thank you for considering our comments. If you or your staff has questions, please contact Nancy Swanton, Subsistence Program Manager (Fisheries), at 644-3597 or Dave Nelson, Fishery Biologist, at 644-3529.

Sincerely,



Sue E. Masica  
Regional Director

Enclosures

cc:

Denby Lloyd, Commissioner, ADF&G

Debra Cooper, Associate Regional Director, NPS

Paul Anderson, Superintendent, Denali National Park and Preserve

George Helfrich, Superintendent, Cape Krusenstern National Monument, Noatak  
National Preserve and Kobuk Valley National Park

Jeanette Pomrenke, Superintendent, Bering Land Bridge National Preserve

Meg Jensen, Superintendent, Wrangell St. Elias National Park and Preserve

Greg Dudgeon, Superintendent, Yukon-Charley Rivers National Preserve and Gates of  
the Arctic National Park and Preserve

David Mills, Subsistence Team Leader, NPS

Nancy Swanton, Subsistence Program Manager (Fisheries), NPS

Dave Nelson, Fishery Biologist, NPS

Rod Campbell, Fisheries Liaison to ADF&G, Office of Subsistence Management

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**NATIONAL PARK SERVICE (NPS)  
COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS**

**For The**

**Arctic-Yukon-Kuskokwim Management Area**

**State of Alaska  
Board of Fisheries Meeting  
January 26-31, 2010  
Fairbanks, Alaska**



**United States Department of the Interior**

**NATIONAL PARK SERVICE**

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

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## National Park Service (NPS) Comments

### **AYK Resident Species**

#### *Sport*

**Proposal 55** requests alignment of sport fish boundaries with commercial/subsistence fish boundaries in northern and northwest Alaska. If adopted, boundaries of these three State fisheries would be aligned.

**Current State regulations: 5 AAC 69.105. Description of the North Slope Area, 70.005. Description of the Northwestern Area, and 73.005. Description of the Yukon River Area.**

**5 AAC 69.105.** The North Slope Area consists of all northerly flowing fresh waters, including lakes, draining into, and including, the Arctic Ocean, the Beaufort Sea, and the Chukchi Sea, west of the Canadian border and east of **Point Hope** [CAPE LISBURNE];

**5 AAC 70.005.** The Northwestern Area consists of all waters draining into and including the Bering Sea, the Chukchi Sea, Kotzebue Sound, and Norton Sound south of **Point Hope** [CAPE LISBURNE] and north of **Point Romanof** [CANAL POINT LIGHT];

**5 AAC 73.005.** The Yukon River Area consists of all waters of the Yukon River drainage, excluding the Tanana River drainage, and all waters draining into, and including, Norton Sound and the Bering Sea south of **Point Romanof** [CANAL POINT LIGHT] and north of the westernmost point of Naskonat Peninsula.

#### **Current Federal regulations:**

§\_\_27(i) (1) *Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

§\_\_27(i) (2) *Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

§\_\_27(i)(3) *Yukon-Northern Area. The Yukon-Northern Area includes all waters of Alaska between the latitude of Point Romanof and the Latitude of the westernmost point of the Naskonat Peninsula, including those waters draining*

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*into the Bering Sea and all waters of Alaska north of the latitude of the westernmost tip of Point Hope and west of 141 West longitude, including those waters draining into the Arctic Ocean and Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. The Federal boundary descriptions for the Kotzebue, Norton Sound-Port Clarence, and Yukon-Northern areas are the same as the State commercial/subsistence boundaries for those areas. If adopted this proposal would align State subsistence/commercial/sport fish boundary descriptions and Federal subsistence boundary descriptions for these areas. This proposed change would clarify boundaries in overlapping areas and fisheries and reduce confusion among all user groups.

**NPS position/recommended action:** Support. Adoption of this proposal will reduce the potential for confusion and aid State commercial, sport and subsistence users and Federal subsistence users identify management area boundaries.

*Kotzebue Area  
Subsistence*

**Proposal 68** requests to expand hook and line use for subsistence in State waters from Wales to Point Hope, and include rod and reel as a legal subsistence gear type in that area.

**Current State regulation:**

**5 AAC 01.120. Lawful gear and gear specifications.**

(b) Fish other than salmon may be taken by set gillnet, drift gillnet, beach seine, fish wheel, pot, longline, fyke net, dip net, jigging gear, spear, and lead or, as specified in (f) of this section, by rod and reel or by a hook and a line attached to a rod or a pole.

(f) a person may use a rod and reel or a hook and line attached to a rod or a pole when subsistence fishing only

(1) in the state waters of, and all flowing waters that drain into, the Chukchi Sea or Kotzebue Sound from Point Hope [CAPE ESPENBERG] to Cape Prince of Wales; or

**Current Federal regulation**

§ 25(a) *rod and reel* means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or

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*lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

*§ 27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(xix) A rod and reel; and*

§ 27(i)(1)(ii) You may take salmon only by gillnets, beach seines, or a rod and reel.

§ 27(i) (1) *Kotzebue Area. The Kotzebue Area includes all waters of Alaska between the latitude of the westernmost tip of Point Hope and the latitude of the westernmost tip of Cape Prince of Wales, including those waters draining into the Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.  
Rod and reel is currently a legal harvest method under Federal regulation.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same individuals.

Kotzebue Sound is comprised of both Federal as well as State waters. Federal subsistence users fishing in Federal waters may currently use rod and reel. No license is required.

State subsistence users fishing in State waters may not use rod and reel. If they do use a rod and reel they are then de facto sport fishers and are required to have a sport fishing license and abide by sport fishing regulations.

Adoption of this proposal would align Federal and State subsistence regulations regarding the use of rod and reel in this area. If rod and reel were legal gear in both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Moving the boundary of the area from Cape Espenberg north to Point Hope expands the area affected by this proposal. This area then mirrors the Kotzebue Area as defined in Federal regulation. This expansion is positive in that Federal and State regulatory alignment would occur over a greater area.

**NPS position/recommended action:** Support with modification. Adoption of this proposal would align Federal and State subsistence fishing regulations regarding the use of rod and reel in this area reducing confusion and minimizing or eliminating unintentional violations. Although the proponent cites “fish other than salmon” in the requested regulatory change, they reference “salmon and other fish” as being the issue.

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The NPS assumes that the proponent requests the proposal be all inclusive and be modified to include “salmon and other fish.”

*Norton Sound-Port Clarence Area  
Subsistence*

**Proposal 69** would expand the use of hook and line as a subsistence gear type in Norton Sound.

**Current State Regulation:**

5 AAC 01.170 Lawful Gear and Gear Specifications.

(b) A person may use a hook and line attached to a rod or a pole when subsistence fishing only

**(3) in the state waters of, and all flowing waters that drain into, the Bering Sea or Norton Sound from Bald Point to Point Romanoff, except the Unalakleet River drainage:**

5 AAC 01.172 Limitations on Subsistence Fishing Gear.

(a) Except when fishing through the ice, for subsistence fishing in state waters of, and all flowing waters that drain into, northern Norton Sound from Cape Prince of Wales to **Point Romanoff, except the Unalakleet River Drainage** [BALD POINT (BETWEEN ELIM AND KOYUK)] and with a hook and line attached to a rod or a pole, the following provisions apply.

**Current Federal regulation**

§\_\_25(a) *rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.*

§\_\_27(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:

(xix) A rod and reel; and

§\_\_27(i)(2) *Norton Sound–Port Clarence Area. The Norton Sound–Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

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§ 27(i)(2)(iii) You may take salmon only by gillnets, beach seines, or a rod and reel.

§ 27(i)(2)(iv) You may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, pot, long line, fyke net, jigging gear, spear, lead, or a rod and reel.

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.  
Rod and reel, and hook and line, is a legal harvest method under Federal regulation.

**Impact to Federal subsistence users/fisheries:** Yes. Federal and State subsistence users in this area are often one and the same individuals.

Norton Sound is comprised of Federal and State waters. Federal subsistence users fishing in Federal waters may use rod and reel and hook and line. No license is required.

State subsistence users fishing in State waters may currently not use rod and reel. If they do use a rod and reel they are then de facto sport fishers and are required to have a sport fishing license and abide by sport fishing regulations.

The proponent states the intent of the proposal is to make rod and reel legal subsistence gear for all of Norton Sound, except the Unalakleet River drainage. However, as written the proposal only addresses expanding the use of hook and line, but nothing about allowing rod and reel for subsistence. The definition of hook and line in State regulations does not include the use of rod and reel.

Under State regulations 5 AAC 01.170(h) a person may use a hook and line attached to a rod or pole when subsistence fishing in a portion of Norton Sound or through the ice. However, people cannot legally subsistence fish with rod and reel in State waters.

Adoption of this proposal, amended to address the proponent's intent to allow the use of rod and reel, would align Federal and State subsistence regulations regarding the use of this gear type in this area. If rod and reel were legal gear under both Federal and State subsistence regulations, unintentional violations regarding this gear type would be minimized or eliminated.

Defining the area where this regulation would apply as being from Cape Prince of Wales to Point Romanoff would align with the Norton Sound-Port Clarence Area boundaries in Federal regulations.

Exempting the Unalakleet River from this regulatory change respects the wishes of local residents. The NPS concurs and supports this management approach.

**NPS position/recommended action:** Support. Regulatory alignment would be instrumental in reducing confusion and minimize or eliminate unintentional violations.

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**Proposal 72** requests a review of the Unalakleet king salmon management plan and modification of mesh size as follows:

**Current State regulation**

**5 AAC 01.170. Lawful gear and gear specifications; 5 AAC 04.395. Subdistricts 5 and 6 of the Norton Sound District and the Unalakleet River King Salmon Management Plan.**

(k) In Subdistricts 5 and 6, the commissioner may, by emergency order, open and close fishing periods during which a gillnet may have a mesh size no greater than

- (1) six inches;
- (2) four and one-half inches;
- (3) seven inches**

**Current Federal regulation**

§\_\_27(i)(2)(ii) *In the Norton Sound District, you may take fish at any time except as follows:*

- (A) *In Subdistricts 2 through 6, if you are a commercial fishermen, you may not fish for subsistence purposes during the weekly closures of the State commercial salmon fishing season except that from July 15 through August 1, you may take salmon for subsistence purposes 7 days per week in the Unalakleet and Shaktoolik River drainages with gillnets which have a stretched-mesh size that does not exceed 4 ½ inches and with beach seines;*
- (B) *In the Unalakleet River from June 1 through July 15, you may take salmon only from 8:00 a.m. Monday until 8:00 p.m. Saturday*
- (C) *Federal public waters of the Unalakleet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. The BLM field manager is authorized to open the closed area to Federally qualified subsistence users or to all users when run strength warrants*

§\_\_27(i)(2)(v) *In the Unalakleet River from June 1 through July 15, you may not operate more than 25 fathoms of gillnet in the aggregate nor may you operate an unanchored gillnet*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.  
Chinook salmon conservation in the Federal waters of the Unalakleet River was previously addressed by the FSB during its last fishery meeting of January 13-15, 2009.

At that time the Board adopted FP09-01 that appears above as §\_\_27(i)(2)(ii)(C). This regulation was in affect for the 2009 open water season and is the most conservative action possible, i.e. Federal waters are closed to all harvest of Chinook salmon unless run strength warrants liberalization.

**Impact to Federal subsistence users/fisheries:** Yes. The Federal waters of the Unalakleet River are those waters upstream from the confluence with the Chirosky River. These waters are closed by Federal regulation to the harvest of king salmon to all users unless run strength warrants a relaxation of this closure. Since Federally qualified subsistence users will probably not be able to fish in Federal waters, they fish under State regulation in State waters in the lower river and in marine waters. Adoption of this proposal would affect these users because they may be required by inseason State emergency order to change to 7 inch or smaller mesh gear

**NPS position/recommended action:** Support. Despite prior conservative management actions, Unalakleet River Chinook salmon remain a stock of yield concern. Adoption of this proposal would provide ADF&G managers more flexibility, by allowing them to restrict mesh size to seven inches or less, to target smaller Chinook salmon while providing increased opportunity for the larger, more fecund female Chinook salmon to reach the spawning grounds.

## **Yukon River Salmon and Freshwater Fish**

### *Subsistence*

**Proposal 83** requests a requirement to record subsistence harvest on catch calendars.

#### **Current State Regulations:**

##### **5 AAC 01.230. Subsistence fishing permits**

(a) *Except as provided in this section and 5 AAC 01.249, fish may be taken for subsistence purposes without a subsistence fishing permit.*

(b) *A subsistence fishing permit is required as follows:*

(1) *for the Yukon River drainage upstream from the westernmost tip of Garnet Island to the mouth of the Dall River;*

(2) *repealed 4/13/80;*

(3) *for the Yukon River drainage from the upstream mouth of Twenty-two Mile Slough to the United States-Canada border;*

(4) *repealed 4/13/80;*

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(5) for the Tanana River drainage above the mouth of the Wood River;

(6) for whitefish and suckers in the waters listed in 5 AAC 01.225(a) ;

(7) for the taking of pike in waters of the Tolovana River drainage upstream of its confluence with the Tanana River;

(8) for the taking of salmon in Subdistricts 6-A and 6-B;

(9) for the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River and the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork.

(c) In addition to the subsistence fishing permit conditions set forth in 5 AAC 01.015, permits issued for fish other than salmon may also designate restrictive measures for the protection of salmon.

(d) Only one subsistence salmon fishing permit will be issued to each household per year.

(e) In addition to the subsistence fishing permit conditions specified in 5 AAC 01.015, and except as provided in 5 AAC 01.249, permits issued for the taking of salmon in Subdistricts 6-A and 6-B must also contain the following requirements:

(1) salmon may be taken only by set gillnet or fish wheel; no household may operate more than one fish wheel;

(2) each subsistence fisherman shall keep accurate daily records of his or her catch, the number of fish taken by species, location and date of the catch, and other information that the department may require for management or conservation purposes;

(3) in that portion of Subdistrict 6-B three miles or more upstream of the mouth of Totchaket Slough, each permittee shall report the number of salmon taken to the department once each week, or as specified on the permit; in the remainder of Subdistrict 6-B and in Subdistrict 6-A, each permittee shall report the total number of salmon taken to the department no later than October 31;

(4) the annual harvest limit for the holder of a Subdistrict 6-A or 6-B subsistence salmon fishing permit is 60 king salmon and 500 chum salmon for the period through August 15 of a year, and 2,000 chum and coho salmon combined for the period after August 15; upon request, permits for additional salmon may be issued by the department;

(5) unless otherwise provided, from June 20 through September 30, open subsistence salmon fishing periods are concurrent with open commercial salmon fishing periods; during closures of the commercial salmon fishery, open subsistence salmon fishing periods are as specified in 5 AAC 05.367;

(6) in the Kantishna River drainage, the open subsistence salmon fishing periods are seven days per week, except as specified in 5 AAC 01.249;

(7) in Subdistrict 6-B from the downstream end of Crescent Island to a line three miles upstream from the mouth of Totchaket Slough, the open subsistence salmon fishing periods are from 6:00 p.m. Friday through 6:00 p.m. Wednesday.

Neither State nor Federal customary trade regulations exempt sellers of processed fish products from State food safety regulations. For this reason, regulations from the Alaska Department of Environmental Conservation are included here.

**Existing Federal Regulations:**

There is no requirement under Federal subsistence fishing regulations to require individuals to record subsistence harvest on catch calendars. However, subsistence fishing permits are required in a few locations in the Yukon River drainage as follows:

§ \_\_.27 (i)(3)(xviii) You must possess a subsistence fishing permit for the following locations:

(A) For the Yukon River drainage from the mouth of Hess Creek to the mouth of the Dall River;

(B) For the Yukon River drainage from the upstream mouth of 22 Mile Slough to the U.S.-Canada border;

(C) Only for salmon in the Tanana River drainage above the mouth of the Wood River.

(xix) Only one subsistence fishing permit will be issued to each household per year.

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

**Impact to Federal subsistence users/fisheries:** Yes. If adopted, this proposal would not provide a direct approach to solve the problem identified by the proponent. It would increase regulatory complexity, complicate gathering accurate harvest estimates, and focus enforcement on paperwork compliance rather than illegal sales of subsistence taken fish. Harvest calendars, as used currently, enhance the accuracy of the post-season surveys. The imposition of calendars, as a legal requirement, could compromise this process. In addition, there are no subsistence salmon harvest limits for the Yukon River drainage (however ADF&G permits issued for upper Yukon River road system include the number of salmon allowed per permit but another permit may be granted upon request).

**NPS position/ recommended action:** Oppose. The NPS supports providing the fishery managers and regulatory bodies with the most complete, accurate, and timely subsistence harvest estimates possible. However, this proposal does not appear to be the appropriate venue to achieve accurate reporting and eliminate the purported unlawful sales of subsistence caught fish.

This proposal appears to be an attempt to use a catch calendar as a permit to track subsistence caught fish, but a calendar does not have the regulatory authority or enforceability of a permit. The NPS and the Federal Subsistence Management Program (FSMP) share the proponent's desire to reduce/eliminate any commercialization of subsistence taken fish. The Federal program has funded collaborative studies of statewide subsistence fishery harvest assessment strategies under the auspices of the Subsistence Fisheries Harvest Assessment Working Group (SFHAWG). An evaluation of the results of these studies is recommended prior to the implementation of any new subsistence harvest assessment methods (SFHAWG 2000, Fall and Shanks 2000, Fall 2003).

**Proposal 86** would allow set nets to be tied up during subsistence fishing closures in Subdistrict 5-D.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications.**

*(f) Unless otherwise specified in this section, fish other than salmon and halibut may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, or lead, subject to the following restrictions, which also apply to subsistence salmon fishing:*

*(9) during the subsistence fishing closures specified in 5 AAC 10.210(b), all salmon gillnets with a mesh size greater than four inches must be removed from the water and fish wheels may not be operated.*

**Current Federal Regulations:**

*§ 27(i)(3) Yukon-Northern Area. (You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

*(ii) For the Yukon River drainage, Federal subsistence schedules, openings, closings, and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.050.060), unless superseded by a Federal Special Action.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No**

**Impact to Federal subsistence users/fisheries.** Possibly. For the Yukon River drainage, Federal subsistence schedules, openings, closings and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action. However, if adopted this action would be incorporated into State regulations, and if the "tie-up" provision is not specifically

mentioned in a State's Emergency Order(s) to open and close the subsistence fishery it would not default to Federal regulations by way of emergency order. The Federal inseason manager could issue a Special Action to temporarily change Federal regulations (effective for a maximum of 60 days) in Federal public waters to mirror State regulation. If this proposal were adopted, a similar proposal would have to be submitted to the Federal Subsistence Board to request a permanent change to Federal subsistence regulations to align Federal and State regulations.

Therefore, adoption of this proposal could have a direct affect on Federally qualified subsistence users fishing in Subdistrict 5D by allowing them to tie up their set gillnets during subsistence closures rather than completely removing them from the water as is now required. The proponent states that tying up nets during subsistence fishing closures would pose less of a hazard to fishers than pulling and later resetting their nets when the fishery reopens.

**NPS position/recommended action:** Neutral. This proposal was prompted by on-going concerns voiced by residents of Eagle and the Eastern Interior Federal Subsistence Regional Advisory Council (EIRAC). The Council states that current regulation (requiring subsistence fishing nets with a mesh size greater than four inches be removed from the water during subsistence fishing closures) is an undue burden and creates a safety risk, especially for older fishers. These concerns were documented in a Federally funded research project (04-255).

The Federal Yukon River inseason manager had no management concerns with adoption of this proposal within Federal jurisdiction as long as the gear is not fishing during closures. NPS law enforcement effort in the Federal public waters of this area is mostly water patrols and verification that the nets were not fishing would be easier than using aircraft. However, US Fish and Wildlife Service Law Enforcement (LE) patrols a much larger area mostly with aircraft and has concerns about the difficulties involved in enforcing this proposal if it is adopted as regulation. Their enforcement concerns include the significant increase in time required to land and verify compliance.

### *Subsistence and Commercial*

**Proposals 87 – 90 are commented on together because the issues and actions requested are similar. The NPS recommendations for Proposals 87-90 are at the conclusion of Proposal 90.**

**Proposal 87** requests a review of the Yukon River King Salmon Management Plan (5 AAC 05.360). **Proposals 88, 89 and 90** offer options for reducing gear efficiency and selectivity primarily for king salmon.

### **Current State Regulations:**

**5 AAC 05.360. Yukon River King Salmon Management Plan**

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(a) *The objective of this management plan is to provide the department with guidelines to manage for the sustained yield of Yukon River king salmon. The department shall use the best available data, including preseason run projections, test fishing indices, age and sex composition, subsistence and commercial harvest reports, and passage estimates from escapement monitoring projects to assess the run size for the purpose of implementing this plan.*

(b) *The department shall manage commercial fishing as follows:*

(1) *the department may open a directed commercial king salmon fishery when increases in subsistence or test fishery net catches of king salmon have occurred over a seven to ten day period;*

(2) *the department shall manage the Yukon River commercial king salmon fishery for a guideline harvest range of 67,350 - 129,150 king salmon, distributed as follows:*

(A) *Districts 1 and 2: 60,000 - 120,000 king salmon;*

(B) *District 3: 1,800 - 2,200 king salmon;*

(C) *District 4: 2,250 - 2,850 king salmon;*

(D) *District 5:*

(i) *Subdistrict 5-B and 5-C: 2,400 - 2,800 king salmon;*

(ii) *Subdistrict 5-D: 300 - 500 king salmon; and*

(E) *District 6: 600 - 800 king salmon;*

(3) *when the projected king salmon harvest range for Districts 1 - 6 combined is below the low end harvest level from zero to 67,350 fish, the department shall allocate the commercial harvest available by percentage for each district as follows:*

(A) *Districts 1 and 2: 89.1 percent;*

(B) *District 3: 2.7 percent;*

(C) *District 4: 3.3 percent;*

(D) *Subdistricts 5-B and 5-C: 3.6 percent;*

(E) *Subdistrict 5-D: 0.4 percent; and*

(F) *District 6: 0.9 percent.*

**Current Federal Regulations:** None. Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Proposal 88** requests the use of drift gillnet gear be prohibited in the entire Yukon River drainage.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

*(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

**5 AAC 05.330. Gear**

*(a) In Districts 1 - 3, set gillnets and drift gillnets only may be operated, except that...*

*(b) In Districts 4 - 6, set gillnets and fish wheels only may be operated.*

**Current Federal Regulation**

§ \_\_.27(c) (1) *Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(ii) A drift gillnet;*

§ \_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*

**Proposal 89** requests in the Yukon River drainage all gillnets with six inch mesh size may not exceed 15 feet or 35 meshes in depth. This would apply to both commercial and subsistence salmon fishing gillnets.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

*a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

**5 AAC 05.331. Gillnet specifications and operations**

*(f) in Districts 4 - 6, gillnets with*

*(2) six-inch or smaller mesh may not be more than 70 meshes in depth.*

*(g) In Districts 1 - 3, gillnets with*

*(2) six-inch or smaller mesh may not be more than 50 meshes in depth.*

**Current Federal Regulations:**

§ \_\_\_\_ .27(c) (1) *Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

*(i) A set gillnet;*

*(ii) A drift gillnet;*

§ \_\_\_\_ .27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(C) In the Yukon River mainstem, Subdistricts 4B and 4C with a Federal subsistence fishing permit, you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.*

**Proposal 90** requests to prohibit subsistence and commercial gillnets over 6-inch mesh size in the Yukon River drainage.

**Current State Regulations:**

**5 AAC 01.220. Lawful gear and gear specifications;**

*a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.*

**5 AAC 05.331. Gillnet specifications and operations**

*(a) No person may operate set gillnet gear that exceeds 150 fathoms in length; no person may operate drift gillnet gear that exceeds 50 fathoms in length.*

*In Districts 1 and 2, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.*

*(c) In District 3, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.*

*(d) In District 4, salmon may be taken only with gillnets of six-inch or smaller mesh after a date specified by emergency order.*

*(e) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.*

*(f) in Districts 4 - 6, gillnets with*

*(1) greater than six-inch mesh may not be more than 60 meshes in depth;*

*(2) six-inch or smaller mesh may not be more than 70 meshes in depth.*

*(g) In Districts 1 - 3, gillnets with*

*(1) greater than six-inch mesh may not be more than 45 meshes in depth;*

*(2) six-inch or smaller mesh may not be more than 50 meshes in depth.*

*(h) Notwithstanding (b) - (d) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may not take salmon with a gillnet that has a mesh size of less than eight inches.*

**Current Federal Regulations:**

*§ \_\_.27(c) (1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*

- (i) A set gillnet;*
- (ii) A drift gillnet;*

*§ \_\_.27(i)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*



**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** Yes. Two deferred proposals, FP09-12 and FP09-13, addressing gill net mesh size and depth for Yukon River Chinook salmon directed fisheries will be considered in April 2010. These proposals were deferred to allow completion of ongoing studies that focus on this issue and to allow the Alaska Board of Fisheries an opportunity address these issues first from a river wide perspective. The proposals before the FSB address the impacts of gear selectivity on stock production, quality of escapement, and genetic characteristics such as size and age. However, the Federal proposals do not specifically address gear efficiency as a means to control the rate of harvest as do the State proposals.

**Impact to Federal subsistence users/fisheries:** The degree of impact on subsistence fisheries will depend on the specific changes, if any, to the King Salmon Management Plan (Proposal 87) and to actions, if any, taken on Proposals 88, 89 and 90 that offer options for reducing gear efficiency and gillnet selectivity primarily for king salmon. Proposal 88 would prohibit drift gillnet fishing by subsistence fishermen. This action would strongly impact subsistence fishermen who rely on this gear type to harvest Chinook salmon. Proposal 89 limits the depth of gillnets with 6 inch mesh and would impact subsistence fishermen in areas where a deeper net provides greater efficiency. Proposal 90 would prohibit subsistence fishing with nets greater than 6 inch mesh. This proposal would reduce the efficiency of gillnets targeting Chinook salmon and would increase the by-catch of summer chum salmon. Shifting the harvest to summer chum salmon would decrease Chinook salmon exploitation and reduce selective pressure on larger, older, usually female Chinook salmon resulting in improved long term conservation and sustainability of this species.

The deferred Federal proposals which will be considered by the Federal Subsistence Board in April 2010 recommend a maximum mesh size of 7.5 inches and are intended to shift harvest to smaller Chinooks salmon while minimizing increased harvest of summer chum salmon. This action is intended to increase the harvest rate for smaller, usually male Chinook salmon. Conversely, harvest rates for larger usually female salmon would be expected to decrease. This would allow more, larger, older females to escape the fishery and return to the spawning ground. Future productivity could be enhanced while protecting the genetic heritability for larger older fish.

**NPS position/ recommended action (Proposals 87-90):** Neutral. The NPS is neutral on these specific proposals but supports conservation of the resource and using the best scientific data to make management decisions and ensure a subsistence priority. A periodic review of established management plans and their components is appropriate to help ensure the best scientific data are available to achieve management goals and objectives.

A comprehensive review of the King Salmon Management Plan allows the Alaska Board of Fisheries to consider all aspects of this fishery in order to address significant conservation concerns. The Alaska Department of Fish and Game requested that the Federal Subsistence Board delay action on the two aforementioned gear proposals that would address the impact of gear selectivity on the productivity, escapement quality and

genetic resiliency of Yukon River Chinook salmon. The Federal Board approved this delay to allow the State Board of Fisheries an opportunity to address these issues. A review of the Management Plan should allow the Alaska Board of Fisheries to consider all aspects of management including time and area, gear selectivity, and gear efficiency as it addresses the conservation and sustainability of these important stocks. Proposals 88, 89 and 90 provide additional management options for addressing gear selectivity and efficiency. The NPS strongly encourages the Board of Fisheries to consider these options, the deferred Federal proposals and other appropriate management options that could effectively address gear efficiency, selectivity, productivity and the quality of the Yukon River Chinook salmon escapement.

**Proposals 193, 194 and 199** requests the revision of the management triggers in the Yukon River Summer Chum Salmon Management Plan (5 AAC 05.362), the Yukon River Drainage Fall Chum Salmon Management Plan (5 AAC 01.249) and to modify the Yukon River Coho Salmon Management Plan (5 AAC 05.369).

**Current State Regulations:**

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan**

**5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan**

**5 AAC 05.369. Yukon River Coho Salmon Management Plan**

**Current Federal Regulations:** §\_\_\_\_.27(i)(3)(ii) *For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action*

Commercial fishery regulations are only addressed in regulation through the State's salmon management plans.

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

**Impact to Federal subsistence users/fisheries:** The impact on subsistence fisheries will depend on the specific changes, if any, to the respective Management Plan.

**NPS position/ recommended action:** Neutral. The NPS supports conservation of the resource and use of the best available data to craft management decisions and ensure a subsistence priority. A periodic review of established management plans is appropriate to ensure the best data are available to achieve these goals. A comprehensive review of the aforementioned Management Plans allows the Board of Fisheries to consider all aspects of these fisheries in order to address conservation concerns for these stocks.

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Public Comment #

9

Commercial

**Proposal 92** requests a prohibition on the sale of Chinook salmon caught in non-Chinook salmon directed commercial fisheries in the Yukon River drainage. Incidentally caught Chinook salmon may only be released or retained as part of the subsistence catch.

**Current State Regulations:** None, however the proponent requests a regulatory change be added to 5 AAC 05.362 Yukon River Summer Chum Salmon Management Plan.

**Current Federal Regulations:** § 100.19 Special actions.

*(a) The Board may restrict, close, or reopen the taking of fish and wildlife for non-subsistence uses on public lands when necessary to assure the continued viability of a particular fish or wildlife population, to continue subsistence uses of a fish or wildlife population, or for reasons of public safety or administration.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. Federally qualified subsistence users, who also fish commercially, would not be able to sell Chinook salmon taken in a non-Chinook directed commercial fishery in the Yukon River drainage. During years of low Chinook salmon abundance this may be an appropriate approach. However, in years when Chinook salmon runs are adequate for escapement and subsistence requirements and provide a surplus for other uses this action would unnecessarily restrict Federal users who participate in the commercial fishery.

**NPS/Recommended Action:** Neutral. An alternative to a total prohibition of Chinook salmon sales would be to provide the State managers the emergency order authority to restrict/limit the sales of commercially caught Yukon River Chinook salmon during periods of low abundance. Chinook salmon conservation was required during the 2009 summer season. In response, the Alaska Board of Fisheries adopted an emergency regulation specifying that during the commercial summer chum salmon season in Districts 1-5, Chinook salmon taken could be retained but not sold. Commercial fishers had the option of releasing live Chinook salmon or retaining them for subsistence uses. If State managers could implement this action by emergency order, management would be streamlined as emergency orders issued by State managers are automatically incorporated as Federal regulation. The emergency order authority would not only allow State managers to conserve Chinook salmon during periods of low run strength but would also contribute to subsistence uses.

END

RECEIVED  
JAN 11 2010  
BO/BOARDS

TO: BOARD OF FISHERIES  
FROM: KALTAG FISHERIES LLC / DOUG KARLBERG  
RE: AYK Area Proposals  
PROPOSALS: 91 - OPPOSE  
92 - NEUTRAL  
93 - OPPOSE

- ✓ Kaltag Fisheries operates the fish plant in Kaltag, AK.
- ✓ Plant is located in Yukon Harvest District 4-A
- ✓ Harvest is by **FISHWHEEL ONLY**
- ✓ Salmon is the **SOLE** significant local economic resource
- ✓ 100% local labor and fishermen
- ✓ Harvest District Y-4A has recent new investment in excess of \$3,000,000, to restart this historical fishery. This new investment is at risk.
- ✓ Restarting this Y-4A fishery will provide the first significant private, local, employment in 14 years.
- ✓
- ✓ Additional private capital is awaiting Board decisions which provide a predictable investment environment.

**COMMENTS:** With the re-starting of the Y-4A fishwheel fishery after over a decade, it is timely that the Board takes notice of this fishery, and tailors their regulations with this change in mind.

Harvesting with fishwheels is inherently one of the cleanest fishery harvest methods available to man. Non-target species captured can be returned to the Yukon within literally seconds, alive and well. Fishwheels have been the preferred choice by fisheries managers worldwide for biological assessment, due to their superior low mortality characteristics.

The critical key to low mortality resides in ensuring that non-target (Chinook) are returned immediately to the water, which requires full time monitoring of the wheel harvest.

Adding to this low mortality is a 25 year harvest data record which indicates clearly that fishwheels, because of their operational locations, simply do not come into contact with Chinook salmon in the quantities that the gill net fishery in Yukon Areas Y- 1-3 do.

Twenty-five years of harvest data (1970-1995) indicates a harvest ratio of 89 chums for every 1 Chinook. This compares to an encounter ratio of approximately 7 to 1 in the Lower Yukon gillnet fishery.

As if this were not enough, the handful of Chinook that fishwheels do catch, are predominantly immature jacks.

All of these fact laid out above have been presented to ADFG staff, and there has not been a single person there that has disputed these facts.

### **RECOMMENDATIONS:**

With this in mind, we would recommend the following for fishwheel operation on ALL harvest areas of the Yukon. All fishwheels harvesting salmon must be manned constantly and in a fashion which enables the gentlest handling possible of non-target species which must be returned to the river immediately upon capture. This was our informal agreement with ADFG for operations in 2009.

This recommendation is simple to enforce; if the wheel is turning, there better be someone onboard. Zero Chinooks could be transported for sale, processing, or subsistence. Maintenance of Chinook logbooks, would not be opposed.

Fishing has inherent risks associated with the variability and unpredictability of fish abundance and market conditions. The Yukon in particular suffers from a high cost environment.

We can do nothing about these risks and accept them, but there is much that we can do to remove some of the other risks, which are too often political in nature. Clear direction and regulations from the Board can do much to reduce these risks.

We only ask two things from the Board, in order to support a reasonable chance of success in enabling economic development to occur, in an extremely depressed area.

One; we would like to fish when the fish are present and realistically harvestable with the limited equipment, limited participation, and limited processing, that we have.

Two; we would like our full quota, if biologically prudent.

Much has changed since the "Good old days" when dozens of processors, over a hundred wheels, fish farming and industrial hatcheries did not exist, and only 5% of the fish had to be processed.

It is timely that we revisit these regulations with an eye towards changed conditions, and the economically dire local circumstances that clearly exist. There is a healthy chum salmon resource, and it is desperately needed for local employment. The time for the State to demonstrate with action, responsiveness to the needs of the people of the Yukon, is now.

Virtually all the processors have long abandoned the Yukon. This is not an accident, but a clear proof of economic distress.

It may be helpful to understand the basic economics of re-establishing a viable salmon market on the Yukon. In the 80's salmon caviar wholesaled for \$25 a pound and gas was \$2. Today caviar is wholesaling for \$8 and gas is \$8 a gallon. This is a very challenging economic environment, and the only solutions lie with sufficient volumes to spread the cost of operations over more pounds. It really is as simple as that.

Commercial investment will hinge on whether there is a written commitment by the Board and ADFG to ensure that if the chum runs have sufficient strength that harvesting will occur starting early, and spreading out the harvest. The major change requiring processing of the carcass presents a particularly difficult challenge, as this requirement necessitates processing to food safety standards 95% more flesh, than in prior history.

This challenge can only be met by consistent deliveries of fish over as long a period of time as is possible. The Yukon already has a very short harvesting window, and artificially shortening it for political reasons, will doom the fishery, before it starts.

The "roe-stripping" Gold Rush is over and due to economics not likely to ever return, but memories haunt the biologists, and stoke their fears. We are coming up on two decades since the roe-stripping Gold Rush occurred. It is time that we recognized that conditions have changed, and the fears are no longer realistic, and producing management decisions based upon this ancient history, is producing real suffering.

Frankly, if there does not appear to be the commitment from the State that harvesting will occur early and of sufficient duration to ensure a high quality, and a high quantity, the re-starting of the Y-4 fishery will fail because of lack of the private investment.

In my opinion, this would be an unnecessary economic disaster, not because of a lack of resource, or real conservation needs, but a lack of

political backbone, which in turn makes the extinction of these communities inevitable.

It is time to take stock of the facts that exist today. Where 134 fishwheels operated, there now are 8 marginal wheels operating, harvesting a fraction of their historical harvest, the chum runs have been returning in record strength for years now, and the processing, harvesting, and human resources infrastructure has evaporated. The "real" risks of this fishery exploding into the wild and woolly Gold Rush days, are virtually non-existent.

It is time that people got some needed employment from their only resource; a resource which is undeniably healthy. It is time that fishery managers applied themselves to alleviate the desperate poverty, so painfully evident to any objective observer, along this river.

Communities without resources cease to exist, and these river communities only have one resource.

This would be a tragedy, when there are clear practical, scientifically defensible, methods of harvesting this resource, with a little political backbone.

I appreciate the difficulty of the task in front of you, and the opportunity to have my comments heard. Good luck in your deliberations.

Warmest regards,



Doug Karlberg / President  
Kaltag Fisheries LLC

TO: BOARD OF FISHERIES

FROM: KALTAG FISHERIES LLC / DOUG KARLBERG

RECEIVED

RE: AYK Area Proposals

JAN 11 10

PROPOSALS: 95 - OPPOSE

96 - OPPOSE

97 - OPPOSE

BOARDS

- ✓ Kaltag Fisheries operates the fish plant in Kaltag, AK.
- ✓ Plant is located in Yukon Harvest District 4-A
- ✓ Harvest is by **FISHWHEEL ONLY**
- ✓ Salmon is the **SOLE** significant local economic resource
- ✓ 100% local labor and fishermen
- ✓ Harvest District Y-4A has recent *new investment* in excess of \$3,000,000, to restart this historical fishery. This new investment is at risk.
- ✓ Restarting this Y-4A fishery will provide the first significant private, local, employment in 14 years.
- ✓
- ✓ Additional private capital is awaiting Board decisions which provide a *predictable* investment environment.

**COMMENTS:** With the re-starting of the Y-4A fishwheel fishery after over a decade, it is timely that the Board takes notice of this fishery, and tailors their regulations with this change in mind.

While each of these proposals actually benefits Y-4A with higher quotas, we are against the re-allocation.

Ironically even though we benefit, we reject these proposals. The political war that over these historical harvests ended decades ago, we have no interest in re-opening them. Once this door is opened, there will be a non-stop stream of re-allocation proposals in the future, *an uncertainty we don't need.*

Our second major reason for not re-opening these allocations is that more than anything, uncertainty destroys the environment for commercial investment. These types of re-allocations can devastate needed and well intentioned investment. Long term monetary commitments are based upon these allocations, and if the allocations are subject to a high degree of



political variability, then investments required to provide the infrastructure to support these fisheries, will not occur.

Our third point is that thousands of people depend upon these resource quotas, and most of the harvest today is accomplished by people so remotely located, that there are not reasonable alternative employment opportunities for these people, if their quotas are reduced. Upriver folks have a much better access to the broad job market provided by Fairbanks, which leaves them much less vulnerable to lose of the only private employment available locally, like most down river villages.

Fourth, these quotas were based upon historical participation, like most allocations within Alaska. If a new allocation regime is considered, it would be our feeling that during the more recent harvest history, the upriver people would fare even worse today. Considering the enormous increases in upriver allocations, this appears to be a simple resource grab by the politically more powerful Fairbanks interest groups, with little concern over the plight of the downriver villages, and all for a salmon that is has lost 90% of its value if it had been harvested down river.

Fifth. as a basis for this re-allocation proponents point to the luxury of prosecuting the fishery after the sonar has counted the fish coming up river. This position reveals a lack of knowledge of the use of salmon counting sonars in use in Alaska. Virtually all the salmon counting sonars in use in Alaska count fish upriver from the harvest area, and these fisheries are able to manage these fisheries appropriately.

Focusing on improving the accuracy of the sonar and other salmon counting tools would do more for the resource than these proposals.

Sixth, This type of reallocation to upriver makes no economic sense. It has been well established that at some point salmon traveling up a river decrease in value. To harvest salmon that are worth 90% less money when harvested upriver makes no sense whatsoever, and flies in the face of the salmon harvesting trends in all other areas of the State.

These proposals would economically devastate, downriver fisheries, and return dramatically lower economic returns to the State of Alaska. This is a waste of economic resources to benefit a few select people.

Communities without resources cease to exist, and these down-river communities only have one resource.

I appreciate the difficulty of the task in front of you, and the opportunity to have my comments heard. Good luck in your deliberations.

*Wag Karlberg*

6/6

Public Comment # <sup>2</sup> 10

To: The Alaska Department of Fish and Game and State Subsistence Board

From: John Thompson, Elder St. Mary's Alaska

Date: January 6, 2010

RECEIVED  
JAN 11 2010  
BOARDS

I am writing this letter because I want to help all of the people of the Yukon River and because I want to help prevent additional proposals from hurting the people of the Lower Yukon River.

In the early 1960's I worked for the Department of Fish and Game for six seasons surveying the subsistence salmon caught along the Yukon River. I worked for five months at a time each season where I conducted subsistence surveys from the mouth of the Yukon all the way to Ft. Yukon. I traveled by boat and surveyed each fish camp along the Yukon River. During those days the people along the Yukon River were very cooperative and worked with the Fish and Game to make sure that the surveys were complete and accurate. The People who live along the Yukon always worked together and cooperated to take care of the river and the fish.

Our surveys looked at all types of gear the types of gear that caught the most fish were the drift nets, beach seine, and the fish wheels. These types of gear all are driven by the river current. Proposal 88 is recommending that drift nets not be allowed to be utilized by subsistence and commercial fishermen. This is not justice, the fish wheels and beach seine are driven by the current and if we are going to do away with drift nets we should do away with fish wheels and beach seines as they too are driven by the current and catch the most fish.

People who do not live along the Yukon and do not rely on the fish from the Yukon to feed their families are now trying to create conflict among those of us who live along the Yukon. They are writing proposals that are not fair and single out the people of the Lower Yukon. The Lower Yukon does not have a road system, rail road system, Cargo Hubs, borough system, timber, gold, pipeline, or large city infrastructure. All of these things help to create jobs and generate revenue or money. The Lower Yukon does not have any of these things which makes it very difficult for families to make money and to provide food for their families. This is why it is so important to the people of the Lower Yukon that they are allowed to subsistence fish to provide food for their families and to commercial fish to provide some income for the family to purchase the basic necessities. All of the goods, gas, and heating oil that we purchase here in the Lower Yukon Villages have to be brought in by barge in the summer or flown in to each village. This makes things very expensive and adds a

huge expense to the price of everything we purchase. So not only do we have very little means of making a living, but we have the highest cost for gas, heating fuel, and other goods brought into the Lower Yukon Villages. The people of the Lower Yukon live in Wade Hampton County, which has been designated by the State and Federal governments as one of the poorest counties in the United States, yet we have the most expensive items to purchase due to our remote location. This again helps to explain why it is vital that the people of the Lower Yukon River be able to fish for subsistence fish to feed our families and to commercial fish to provide some income to purchase the basic necessities for our families.

Proposal 89 restricts the depth of the net and the size of the mesh. If the depth of the net and the size of the mesh is going to be restricted then the depth of the fish wheel must be restricted as well. We have to be fair to the whole Yukon River and if these restrictions are going to be put in place they have to apply to the whole Yukon River, not just the people of the Lower Yukon River.

There are many proposals that have been approved in the past that worked for everyone on the river and are now sitting on the shelf. These proposals should be looked at and put to use one proposal at a time. These proposals cannot compete against each other. These days it seems like there are so many proposals being presented to place restrictions on the Lower Yukon River and it is like a game to see how many proposals can be written to try to place restrictions on the Lower Yukon River. Are these proposals being written to truly help the Yukon River or to help a specific population of people who do not even live on the Yukon River? Think about it and look at the number of proposals written to try to restrict the Lower Yukon. Why not take the proposals that were approved in the past off the shelf and put them to use one proposal at a time for the whole Yukon.

False Pass has only one window and Canada has a certain number of fish that have to pass before commercial fishing in the Lower Yukon is permitted. It is over 1,000 miles from the mouth to Canada, how can we know for certain the number of fish that have passed. Last year is a perfect example where the Fish and Game sonar read that a small number of Chinook or king salmon passed the Pilot Station sonar and they thought that so few had passed that they restricted the people who live on the river from even being allowed to get their subsistence kings and restricted subsistence fishing to chum only. Later, once the fish were gone they realized that they made a big mistake and that in fact a large number of king salmon had passed through, enough to even surpass the number of fish that Canada needed. All of the sudden they had a whole bunch of excess king salmon in Canada and the people of the Lower Yukon were not even allowed to harvest their subsistence fish. This is not justice for all and is not fair to our people. There were plenty of king salmon for the people of the

Lower Yukon to harvest for subsistence use yet the Fish and Game restricted the harvest of these fish and instead Canada ended up with more fish than they asked for.

The fact is that there were enough King Salmon for a commercial opener yet people who caught king salmon during a chum opener were not even allowed to sell the incidental caught kings. The Board of Fish has to wait 30 days after they notify the people to place a restriction on the sale of king salmon that are incidentally caught. I am 87 years old and I have lived on the Yukon River all of my life and never before in the history of the Yukon has the sale of incidental caught King salmon been restricted.

I would ask all of you to concentrate on the facts presented in this letter. I appreciate the opportunity to present the facts from the Lower Yukon and to verify what is happening on the Yukon River. I want to thank you for listening to me and ask that you listen to both sides and make decisions that are in the best interest of the whole Yukon River and the people who live along the Yukon River and have for many generations.

RECEIVED

JAN 11 2010

BOARDS

01-10-2010

To Alaska Board of Fisheries,

Hello! Am writing in response to PROPOSAL 64-5AAC 01.244. I as a regular subsistence Pike fisherman, during the winter portion of that season, SUPPORT the proposal currently under consideration. I feel the 25 daily household limit with 50 fish in possession is more than adequate. The harvest of hundreds of Pike during any one outing is ridiculous. No one family or even groups of families could hope to consume this amount, nor store it well, less they canned/smoked it. If on the other hand, its use is for dogs then shame on them, for such fish as the Pike i.e. white fish, have little by way of protein value of which mushing dogs require. I have seen the harvest data while in conversation with ADF&G and there are but several individuals which report these numbers of fish slaughtered. While the bulk of the users keep well under the suggested limit, I feel the 25/50 proposal is plenty and well worth the sixty mile round trip from Murphy Dome. I have been a long time hunter and sport fisherman and can see no way someone could need several hundred Pike..... even if they ran a soup kitchen! Continued abuse of this subsistence permit will eventually result in damage to the Minto Pike as a whole as well as reduced allowances during other seasons. Best regards.

Sincerely,  
M.P.McCarter





**KAWERAK, INC. • P.O. Box 948 • Nome, AK 99762**



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January 11, 2010

Mr. Vince Webster, Chairman  
 Alaska Board of Fisheries  
 P.O. Box 115526  
 Juneau, Alaska 99811-5526

RECEIVED

JAN 11 2010

BOARDS

Re: Comments to 2010 AYK Fisheries Proposals

Dear Mr. Webster,

Kawerak requests the Alaska Board of Fisheries (BOF) to consider the following comments on Arctic-Yukon-Kuskokwim (AYK) finfish proposals currently under consideration at the BOF meeting in January. Many of these proposals affect subsistence users in our region that have been negatively impacted by some of the most restrictive fishery regulations in the state, and Kawerak would like to emphasize the importance of subsistence salmon fishing to the culture and well-being our Alaska Native communities.

**Proposal 68** – Add “hook and line” to existing subsistence gear types. Kawerak supports this proposal, since it would remove the requirement for subsistence users using hook and line to obtain a sport fishing license. This will remove an existing hardship on subsistence users. Proposed by Kotzebue AC.

**Proposal 69** – Expansion of “hook and line” as legal gear type for subsistence in Norton Sound, except Unalakleet River drainage. Kawerak supports this proposal, since it will expand hook and line as legal subsistence gear in most areas of Norton Sound. Currently, hook and line is legal subsistence gear in the portion of Norton Sound west of Bald Point. Proposal would allow users in Koyuk, Shaktoolik, Stebbins and St. Michael to use hook and line gear for subsistence without obtaining a sport fishing license. Proposed by Frank Kavairlook Sr.

**Proposal 71** – Allow seining for salmon in Nome Subdistrict where it is currently closed. Kawerak supports this proposal since it would allow a more selective gear type than gill nets, which are currently allowed for subsistence users in the Nome Subdistrict. Seine nets are less harmful to captured fish, and non-target species can often be removed from net with minimal injury. Proposed by Tom Sparks.

**Proposal 72** – Adds an additional mesh size restriction for Subdistricts 5 and 6. Kawerak supports this proposal, as it will give ADF&G managers an additional management tool that should reduce the impacts of subsistence users targeting Chinook salmon in the Unalakleet River and North River. Mesh size restrictions currently available to ADF&G managers are 4.5”, 6”, and 8.25”, and this proposal would add 7” to existing mesh size restriction options. The addition of a 7” mesh size should allow subsistence users to harvest males while allowing larger females

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to escape. Downside is that subsistence users may have to purchase 7" mesh gillnet or risk being shut out of potential openings. Proposed by ADF&G.

**Proposal 73** – Changes the opening date for the Port Clarence commercial sockeye fishery. Kawerak opposes this proposal as it forces ADF&G managers to make a decision regarding opening the commercial sockeye fishery earlier, to the detriment of subsistence users and meeting escapement goals if early forecasts prove to be inaccurate. We should recognize that an earlier start date for the commercial fishery may result in less chum salmon bycatch, however, the first priority is insuring that escapement and the subsistence sockeye fishery is not shortchanged in the process of jumping the gun on the commercial fishery. NSEDC's goal is to develop this into a regular commercial fishery. An earlier commercial sockeye fishery may harvest increased numbers of sockeye bound for the Pilgrim River, which had the lowest weir-based counts for all salmon species (sockeye = 953, Chinook = 52, chum = 5,427, coho = 18, and pinks = 483) during 2009. Proposed by NSEDC.

**Proposal 74** – Expands the boundaries of Nome Subdistrict 3. Kawerak supports this proposal, since the expansion of Nome Subdistrict 3 boundaries would give commercial fishermen a greater area in which to search for selective fish species. It would also give greater access for fishermen to harvest fish in better condition than after they move into the river, and it may also prevent commercial fishermen from being forced to forego harvests of abundant species in order to protect weak runs of other salmon species. Proposed by Morris Nakarak.

**Proposal 75** – Would expand use of drift gillnets to the Port Clarence Subdistrict. Kawerak opposes this proposal, since it would expand use of a non-discriminate gear type in an area where bycatch of chum and sockeye salmon is a concern. There is an increased risk of "ghost" fishing, when gillnet gear is lost and continues to indiscriminately fish and pose a risk of entanglement for marine mammals. Proposed by Nome Fishermen's Association.

**Proposal 76** – Allow fishermen to use purse seine nets with size restrictions to harvest pink salmon in Norton Sound. Kawerak opposes this proposal, since it may result in conflicts with other existing commercial fishing activities, such as gill netting. Proposed by Adem Boeckmann.

**Proposal 77** – Allow purse and beach seines in the Port Clarence Subdistrict for harvesting salmon. Kawerak supports this proposal, as it promotes use of a gear type that is less damaging and produces increased fish value. Since seine nets would normally be restricted during low abundance, this proposed action should have no negative effects on users or fish stocks. Proposed by Nome Fishermen's Association.

**Proposal 78** – Allow closed impoundments for spawn on kelp herring roe fishery in Norton Sound District. Kawerak supports this proposal, as it allows for better value of an underutilized fishery resource and should increase the profitability of the spawn on kelp, herring roe fishery. If passed, ADF&G should carefully monitor this fishery and propose additional management measures as the fishery develops to avoid affecting the herring sac roe fishery. Proposed by Eric Osborne.

**Proposal 79** – Allow closed impoundments for spawn on kelp herring roe fishery in Port Clarence Subdistrict. Kawerak supports this proposal, as it allows for better value of an underutilized fishery resource and should increase the profitability of the spawn on kelp, herring roe fishery. If passed, ADF&G should carefully monitor this fishery and propose additional management measures as the fishery develops to avoid affecting the herring sac roe fishery. Proposed by Nome Fishermen's Association.

**Proposal 80** – Allow chum salmon bag limits for sport fishermen in Nome Subdistrict. Kawerak opposes this proposal, as it appears to be justified by the improved abundance of chum stocks in the Nome Subdistrict. Improved chum abundance in the Nome Subdistrict is not supported by escapement data, and therefore there is not justification for increasing access for sport fishermen at this time. Proposed by Fred DeCicco.

Thank you for considering our comments on these important fisheries issues. If you require any additional information, please contact Michael L. Sloan, Fisheries Biologist, at 907-443-4384 or [msloan@kawerak.org](mailto:msloan@kawerak.org).

Sincerely,  
KAWERAK, INC.



Loretta Bullard, President





ADOPTED THIS 30<sup>th</sup> day of DECEMBER 2009 at Kwethluk, Alaska at which a duly constituted quorum of council members were present.

Martin Andrew

Martin Andrew, President, OVK, KIRAC

Chariton Epchook

Chariton Epchook, Chairman, KI

Attest: Max Olick Sr.

Max Olick, Sr., Secretary/Treasurer, OVK, KIRAC

Attest: Martha E. Jackson

Martha E. Jackson, Secretary, KI



**YUKON RIVER DRAINAGE FISHERIES ASSOCIATION**

January 12, 2010

Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526

RECEIVED  
JAN 12 2010  
BOARDS

**Re: Comments on 2010 AYK Board of Fisheries Proposals**

Dear Mr. Webster and Board of Fisheries Members:

The Yukon River Drainage Fisheries Association (YRDFA) appreciates the opportunity to comment on the 2009-2010 Alaska Board of Fisheries proposals for the AYK region. YRDFA is an association of commercial and subsistence fishermen and women on the Yukon River in Alaska with a mission of promoting healthy, wild salmon fisheries on the Yukon River. The salmon of the Yukon River provide a primary source of food for humans and the dogs which are essential to the subsistence way of life on the Yukon River. For many residents the commercial salmon harvest also provides the only means of income for those who live in the remote villages along the Yukon River.

YRDFA's Board of Directors is composed of sixteen board members and fourteen alternates representing every fishing district within the Yukon River watershed. Our board operates on a full consensus basis: unless there is riverwide consensus on a proposal we do not support it. As you know, many of the proposals for this board cycle addressing the low Chinook salmon run sizes on the Yukon River and the quality of the returning runs are highly controversial. The YRDFA board did not have consensus on these proposals because there is a substantial difference of opinion among fishers from different parts of the river. Where we did not have consensus, we have included the rationale from those on both sides of the issue in our comments.

The YRDFA Board met in October 2009 to review the Board of Fisheries proposals. The attached comments reflect the Board's positions at this time. We will continue to work closely with fishers during the Board of Fisheries meeting to try to reach consensus on these proposals. We ask the Board of Fisheries to consider the many complex aspects of the issues at hand and to work with all fishers on the Yukon River to address these proposals.

Sincerely,

Jill Klein  
Executive Director

725 CHRISTENSEN DRIVE, SUITE 3-B • ANCHORAGE, ALASKA 99501  
TELEPHONE: 907-272-3141 • 1-877-99YUKON(9-8566)  
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WWW.YUKONSALMON.ORG

Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
January 12, 2010

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**YRDFA BOARD POSITIONS:  
Arctic-Yukon-Kuskowim Finfish Proposals  
Alaska Board of Fisheries 2010**

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**PROPOSAL 81:** *Clarify the subsistence fishing schedule in Subdistricts 4-B and 4-C. In Subdistrict 4-A, salmon may not be taken from 6:00pm Sunday until 6:00pm Tuesday. In Subdistricts 4-B and 4-C, salmon may not be taken from 6:00pm Friday until 6:00pm Sunday.*

**YRDFA Board Position: Support**

**Justification:** This proposal would put into regulation what has been done by emergency order since 2004. Local users in Subdistricts 4-B and 4-C are not concerned with when the closure is, so long as the current amount of time for the closure and opening remains the same. Subdistrict 4-A, where concerns about when the closures do exist, is not affected by this proposal.

**PROPOSAL 82:** *Modify subsistence fishing schedule in Subdistrict 4-A to allow subsistence fishing in Subdistrict 4-A to be open for two 48-hour periods during the commercial fishing season.*

**YRDFA Board Position: Support**

**Justification:** At this point in time there is not a great deal of concern in District 4-A with subsistence fish entering the commercial fishery. The two fisheries are distinct; the subsistence fishery which is primarily drift nets occurs on the eastern shore, while the commercial fishery occurs on the western shore. Subsistence fishers should not be penalized because a commercial fishery is opened.

**PROPOSAL 83:** *Require recording subsistence harvest on catch calendars in ink, before concealing the fish from plain view, transported from the fishing site or off loaded from a vessel.*

**YRDFA Board Position: Do Not Support**

**Justification:** This proposal seems to be targeted at monitoring customary trade, but there was some question over how the proposal would address this issue. Marking calendars while fishing is not practical, nor is the requirement to use ink as many do not carry pens while fishing. While some felt that getting better catch records was a good idea, the specific manner proposed here is not practical.

Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
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**PROPOSALS 84 AND 85:** *Extend Subdistricts 4-B and 4-C drift gillnet area for king salmon (84) OR king and fall chum salmon (85) upriver into Subdistrict 4-B and 4-C to the mouth of the Yuki River.*

**YRDEFA Board Position:** No Consensus

**Justification:** Some supported this proposal because it would alleviate crowding in some areas, and would allow fishers in Galena to fish closer to home. Others did not support the proposal because it would increase harvest potential for an already fully subscribed fishery. In times of low returns we should not be expanding drift net opportunities, particularly when driftnets catch larger fish.

**PROPOSAL 86:** *Allow setnets to be tied up during closures in Subdistrict 5-D.*

**YRDEFA Board Position:** Support

**Justification:** This is primarily a safety issue. This will not affect the fish as it is in a small area and only applies to a few people. The river is different in different parts of the river, it's important to support the safety of our elders. This is primarily a subsistence use area only and it is appropriate to allow this change to make subsistence fishing safer in this area.

**PROPOSAL 87:** *Review the king salmon management plan.*

**YRDEFA Board Position:** No Action

**Justification:** This proposal does not outline specific changes to the king salmon management plan, so the YRDEFA Board was not able to take a position. Discussion about the king salmon management plan did include concerns that the restrictions put in place this year are going to become the norm as we see more poor salmon returns, and that restrictions will be necessary to meet escapement.

**PROPOSAL 88:** *Prohibit subsistence and commercial driftnet fishing in the entire Yukon River drainage, including all upriver and downriver driftnet areas.*

**YRDEFA Board Position:** No Consensus

**Justification:** There was no consensus amongst the YRDEFA Board about this proposal. Some thought that prohibiting drift gillnet gear would drastically hurt the lower river as there is a limited number of setnet sites. There are many places where driftnet fishing is the only real choice for subsistence users. Others thought that eliminating drift gillnets is necessary to allow more Chinook salmon, and particularly more large female Chinook salmon, to spawn, improving the quality of escapement. Because drift nets are not allowed in the entire river, and weren't used historically, this would even the playing field for all users.

Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
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**PROPOSAL 89:** *Restrict depth of subsistence and commercial 6 inch mesh gill nets to a hung depth of no more than 15 feet or 35 meshes.*

**YRDFA Board Position: No Consensus**

**Justification:** There was no consensus amongst the YRDFA Board about this proposal. Some thought that because the Yukon River differs greatly by location, there are places where mesh deeper than 35 meshes is necessary to catch fish. Others thought that restricting mesh depth was necessary to protect the larger and female Chinook salmon which swim deeper to ensure the future of the run.

**PROPOSAL 90:** *Prohibit subsistence and commercial gillnets over 6 inch mesh in the entire Yukon River drainage.*

**YRDFA Board Position: No Consensus**

**Justification:** The YRDFA Board discussed this proposal at length. No consensus was reached on mesh size reductions. Some felt that mesh size reductions are necessary to protect the older, larger and female fish and the future of the run. The proposal is designed to conserve fish for the future - we have to do something before we have to sit on the bank and watch the fish go by. Others were concerned with the costs to fishers of changing mesh size and having to purchase new nets. Drop-off of larger Chinook salmon with a switch to smaller mesh was a concern, and some felt that smaller mesh would do more harm to larger fish. Others felt that dropout will occur regardless of the mesh size. There was some discussion of applying the restriction only to commercial fisheries, which would cause less impact on subsistence fishers. However, there was also concern that this would be the greatest impact as size of the fish matters more in commercial fisheries than subsistence. Many were interested in seeking a compromise - there is consistent scientific evidence that fish size is going down and we can't just stick our heads in the sand and ignore it. There was also a great deal of concern over the current state of the runs, and the need to do something to protect the fish. Some felt like these proposals were attacks on the lower river, others emphasized that the proposals are designed to protect the fish, not to attack anyone, and that a mesh size restriction affects the upper river as well as the lower river as many people fish with nets upriver too.

**PROPOSAL 91:** *Limit incidental catch of Chinook salmon during commercial chum directed fisheries to 3,000 Chinook salmon. Once 3,000 Chinook salmon have been caught as bycatch in the commercial chum salmon fishery, the commercial chum salmon fishery will be closed for the remainder of the season.*

**YRDFA Board Position: No Consensus**

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Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
January 12, 2010

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**Justification:** The YRDFA Board did not have consensus on this proposal. Some felt that it was wasteful to restrict the sale of kings during directed chum fisheries – last summer when the sale of kings was restricted and people had already met their subsistence needs they had nothing to do with the fish. Others felt that when subsistence harvests are restricted it is appropriate to limit the sale of kings caught incidentally in the directed chum harvest. This proposal is less drastic than some of the other proposals which allow no sale of kings caught incidentally because it limits sales, but does still allow for some sale of kings. The proposal also has a sunset clause which removes the restriction if escapement goals have consistently been met.

**PROPOSAL 92:** *Prohibit commercial sale of Chinook salmon caught in non-Chinook directed commercial fisheries in the entire Yukon River drainage. Chinook salmon caught as bycatch in non-Chinook fisheries can be kept for subsistence only.*

**YRDFA Board Position:** No Consensus

**Justification:** The YRDFA Board did not have consensus on this proposal. Some felt that in years where there are subsistence restrictions it is appropriate to restrict the commercial sale of kings caught incidentally. Others had concern with what would be done with kings caught in the commercial fishery if they could not be sold and subsistence needs were already met.

**PROPOSAL 93:** *Prohibit retention of king salmon during chum salmon directed fisheries in the mainstem of the Yukon River (Districts 1-5 of the Yukon River management district).*

**YRDFA Board Position:** Do Not Support

**Justification:** This proposal prohibits the retention of king salmon caught during chum directed fisheries. The YRDFA Board felt that this proposal mandates wasting fish, which goes against all of our principles and beliefs. This proposal would require wasting a lot of king salmon, whether dead or alive.

**PROPOSAL 94:** *Require windows schedule be implemented for subsistence fisheries even if commercial fisheries are allowed.*

**YRDFA Board Position:** No Consensus

**Justification:** The YRDFA Board did not have consensus on this proposal. Some thought that changing the current windows schedule could promote abuse if subsistence fishing was allowed near commercial openings in the lower river. Others thought that it was important to have true “windows” as in 2001 with a long enough period of time that fish can pass through. Once there is enough fish for commercial we should not be restricting subsistence.

5/7

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Yukon River Drainage Fisheries Association  
Comments on 2010 AYK Board of Fish Proposals  
January 12, 2010

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**PROPOSALS 95, 96 AND 97:** *Reallocate the commercial king salmon/summer chum/fall chum harvests.*

**YRDFA Board Position:** **No Consensus**

**Justification:** The YRDFA Board did not have consensus on this proposal. Some felt that reallocating now did not make sense both because we don't have very many fish and because the upper river fisheries cannot utilize the full allocation they have now. If the markets improve for the upper river in the future it would make sense to look at this, but not now. Others felt that the intent of the proposal to move allocations around to more fairly distribute the commercial harvest of salmon and make management decisions easier was valid and important.

**PROPOSAL 98:** *Open commercial fishing between Black River and Chris Point – fishing would be permitted for both drift and setnet between Chris Point and Black River.*

**YRDFA Board Position:** **No Action**

**Justification:** The YRDFA Board took no action on this proposal because they did not have enough information about why the area was originally closed to recommend opening the area or not. There was concern that fish caught in this area might be from Norton Sound or the Kuskokwim River since it's beyond the Yukon River mouth.

**PROPOSAL 99:** *Open Andreafsky River to commercial fishing.*

**YRDFA Board Position:** **Do Not Support**

**Justification:** The YRDFA Board opposed this proposal. People from the area do not want commercial fishing there. The Andreafsky River is a resting spot for salmon heading upstream. It is a wide, freshwater tributary with hardly any current and is not a good fishing spot. Salmon entering the Andreafsky River are spawners which are not of the best quality for commercial markets. These fish are needed to sustain the Andreafsky River salmon stock.

**PROPOSAL 100:** *Close the Tok River drainage to sport fishing for salmon.*

**YRDFA Board Position:** **Support**

**Justification:** The YRDFA Board supported this proposal. This is a newly documented population and we shouldn't be exploiting a population which we don't know much about.



Yukon River Drainage Fisheries Association  
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**FALL CHUM AND SUMMER CHUM MANAGEMENT PLANS: Consensus to support summer chum and fall chum management plans as currently in regulation.**

Justification: The YRDFA Board supported the summer chum and fall chum plans as they stand right now. The Board felt that the plans are working, and now is not the appropriate time to lower the threshold harvest or escapement numbers on any of these plans given the current status of the runs.

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Public Comment # 15

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JAN 12 2010

BOARDS

**Comments to the 2009 Board of Fisheries Proposals**

I preface my comments by a quote derived from an Environmental Planning meeting of the Confederated Tribes of Warm Springs with this truth **"Our actions and decisions not only have short-term consequences, but can impact the environment for generations."** -(Confederated Tribes of Warm Springs)

I am in opposition to proposals 69, 71, 73, 75, 76, 77 and 80 primarily because our stocks of fish, whether they are king salmon or salmon smelt, are important to our survival as a people. Subjecting these stocks to further use, whether it is for economic or subsistence reasons, can irrevocably change our lifestyles forever in a positive, negative, or neutral way.

I have spent two thirds of my life in this region and was fortunate to have been raised in 4-5 subsistence gathering sites on a yearly basis. There were years when our rivers ran black while boiling with humpies. Our fish racks were full of fish. Grayling were so numerous, and their bellies were fat with fish fry. Now I see sterile rivers with little or no fish for miles, and if I am fortunate enough to eat a grayling, their bellies are now filled with voles and mice.

We would go on day trips with several families with close familial ties and seine for salmon, skip jacks, dollies and white fish. It would often take no more than several beach seines to fill the front of all our boats. These outings provided fish for our large families and for those families who were not able to participate in these activities. There were so many of us that we would catch, clean, and hang hundreds of fish in one outing. Not only did we put away fish for the later consumption, but we maintained, nurtured and strengthened relationships with one another. I have very fond memories of those times.

Now when I witness subsistence activities, I see families and their friends and neighbors who 20 years ago wouldn't consider participating in any amount of subsistence gathering activities. I now notice that I rarely see my relations, those in the native community, participating in these activities. Some of my relations cannot afford the boats, nets, and other implements needed to gather, much less the gas to go out if they had the opportunity. They sometimes choose not to bother, because their neighbor with his state of the art fishing/hunting equipment has already taxed the food source so much that my relations won't even bother to try. Instead, my relatives must supplement his diet with store bought food using Quest cards instead.

For many of us subsistence is all we have left; we've already lost our language, our singing and our dancing. Are we going to be given a chance to retain some of our cultural traditions and dignity and be allowed to access our traditional food source, or are we going to continue to compete with our neighbor, who has everything, who can well afford to buy his food from the market, sans Quest card?

Lastly, I am inundated by new sources lauding the inevitable and irrevocable change in climate which threatens to eliminate life as we know it. I believe we need to proceed with caution, study and observe the impact climate change has before we consider placing higher demands on our valuable food sources.

**"Survival of the world depends on our sharing what we have, and working together. If we don't the whole world will die. First the planet, and next the people."** -(Fools Crow - Ceremonial Chief - Teton Sioux)

**"It does not require many words to speak the truth."** -(Chief Joseph - Nez Perce)

Respectfully submitted,

Naomi Malony  
01/11/10

Public Comment # 16

# STATE OF ALASKA

Commercial Fisheries Entry Commission

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## MEMORANDUM

To: Jim Marcotte  
Executive Director of Alaska Board  
of Fisheries

Date: January 12, 2010

Phone: (907) 789-6160

From:   
Frank Homan, Chairman  
Peter Froehlich, Commissioner  
Bruce Twomley, Commissioner  
Commercial Fisheries Entry  
Commission

Subject: Proposals 76 & 77 for the Arctic-  
Yukon-Kuskokwim Finfish  
Meeting of the Board of Fisheries

RECEIVED  
JAN 12 2010  
BOARDS

For the Arctic-Yukon-Kuskokwim Finfish Meeting of the Board of Fisheries (BOF), proposals 76 and 77 both seek to establish purse seines or beach seines as a permissible gear type for salmon fisheries operating in the Norton Sound – Port Clarence management area. Currently, the S04Z gillnet fishery, titled the Norton Sound Salmon Gillnet Fishery, is the only salmon fishery in the Norton Sound and Port Clarence Districts, and gillnets are the only permissible gear. The S04Z gillnet fishery was limited to entry in 1976 by the CFEC. In 2008, there were 167 permanent permits, all held by Alaskan residents, the majority (151)<sup>1</sup> of which were local.

As written, proposals 76 and 77 do not specify whether the purse seine gear would be established as a new fishery, in addition to the current S04Z gillnet fishery in the Norton Sound – Port Clarence management area. Any new fishery would be an open access fishery. As such, the CFEC suggests that any BOF action explicitly specify whether the proposed use of purse seine gear would be an additional alternative gear type for the existing fishery, or whether it is intended to be a new open access fishery. Also, the CFEC is concerned about any BOF action that would infringe upon the interests of current S04Z permit holders. The CFEC recommends that any BOF action on these proposals create additional alternative gear options for existing limited entry permit holders, rather than create a new open access seine fishery.

Such an action would be similar to past actions taken by the BOF in which alternative gear types have been authorized for use in limited fisheries. These include the following:

<sup>1</sup> *Changes in the Distribution of Alaska's Commercial Fisheries Entry Permits, 1975-2008.*

Anvik River Chum Salmon Fishery Management Plan. In the Upper Yukon River salmon gillnet fishery, regulations were amended in 1994 to allow the gillnet and fish wheel permit holders in Area P the opportunity to use alternative-gear authorized under 5AAC 05.368. In the Anvik River, the set gillnet fishery includes fish wheels, hand beach seines, and hand purse seines. The fish wheel fishery includes set gillnets, hand beach seines, and hand purse seines.

Management Plan for Herring Pound Spawn-on-Kelp Fishery in the Norton Sound District. Regulations were adopted in 1998 allowing Norton Sound herring gillnet and beach seine permit holders to participate in a herring spawn-on-kelp pound fishery. Permit holders were required to obtain a commissioner's permit to be able to participate in the pound fishery. Those permit holders choosing to participate in the pound fishery could not participate in the herring gillnet or beach seine fishery in the same year. (5AAC 27.965).

As always, the CFEC appreciates the opportunity to provide input to the Board during its consideration of proposals like these. Although we are unable to attend the meeting in person, we will be available prior to and during the meeting by telephone and email to help address any questions that may arise.

cc: Lance Nelson, Alaska Attorney General, Department of Law

RECEIVED  
JAN 12 2010  
BOARDS

WRITTEN COMMENTS ON  
YUKON AREA PROPOSALS  
TO THE ALASKA BOARD OF FISHERIES, 2010

BY

GENE J SANDONE

G. SANDONE CONSULTING, LLC

FOR

YUKON DELTA FISHERIES DEVELOPMENT ASSOCIATION (YDFDA)

JANUARY 12, 2010

✓16

Public Comment # 18

Written Comments

81. PROPOSAL 81 – 5 AAC 01.210. Fishing seasons and periods.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to change the subsistence salmon fishing schedule in Yukon Area Subdistricts 4-B and 4-C during commercial fishing closures lasting longer than five days to a weekly closure of 6:00 p.m. Friday until 6:00 p.m. Sunday. Therefore, subsistence salmon fishing would be open from 6:00 p.m. Sunday until 6:00 p.m. Friday.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would return Subdistricts 4-B and 4-C to the traditional weekday subsistence fishing schedule.

RECOMMENDATION: Support

DISCUSSION: We agree with and reference the Alaska Department of Fish and Game Comments, RC2.

82. PROPOSAL 82 – 5 AAC 01.210. Fishing seasons and periods.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a subsistence salmon fishing schedule in Subdistrict 4-A of two 48-hour periods per week during the commercial fishing season, without interruption, due to commercial salmon fishing periods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow subsistence salmon fishing in Subdistrict 4-A to be open for two 48-hour periods per week which may be concurrent with commercial fishing periods.

RECOMMENDATION: Support

DISCUSSION: We agree with and reference the Alaska Department of Fish and Game Comments, RC2.

83. PROPOSAL 83 – 5 AAC 01.230. Subsistence fishing permits.

PROPOSED BY: Fairbanks AC.

WHAT WOULD THE PROPOSAL DO? This proposal would require recording the subsistence harvest of all fish species throughout the Yukon River drainage on catch calendars, which would effectively be a subsistence fishing permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? All subsistence fishermen in the Yukon Area would be required to record all fish caught on harvest calendars all year long and similar to requirements under existing subsistence fishing permit regulations.

RECOMMENDATION: OPPOSE

DISCUSSION: We agree with and reference the Alaska Department of Fish and Game Comments RC2. However, we see the need for more accurate subsistence harvest information that captures the number of salmon taken under subsistence regulations that are sold for cash in waters where the state is the sole management authority and also where the federal and state

governments both claim management responsibility. Additionally, YDFDA requests that the Alaska Board of Fisheries (BOF) request that the Federal Subsistence Board (FSB) to suspend customary trade within the Alaskan portion of the Yukon River Drainage for the 2010 season because of the anticipated poor run of Chinook next year. We have grave concern about the undue expansion of the federal subsistence priority and customary trade. Current customary trade under federal regulations within the Yukon River drainage is basically unlimited, unregulated and unenforceable.

84. **PROPOSAL 84 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Middle Yukon AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow use of drift gillnets as a legal subsistence fishing gear for king salmon within Subdistricts 4-B and 4-C downstream of the mouth of the Yuki River (Figure 84-1).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, subsistence fishing with drift gillnets in 4-B and 4-C will likely result in increased harvest of upper drainage-bound king salmon and larger female king salmon than the existing set gillnet and fish wheel harvest.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2. The Yukon River Chinook salmon stock is fully allocated. No additional fisheries should be allowed on any Yukon River Chinook salmon stocks. We also have a concern regarding about a non traditional expansion of the subsistence fishery on Chinook salmon

85. **PROPOSAL 85 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Middle Yukon AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow use of drift gillnets as a legal subsistence fishing gear for king and fall chum salmon within Subdistricts 4-B and 4-C downstream of the mouth of the Yuki River (Figure 84-1).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the proposal would allow subsistence fishing with drift gillnets in 4-B and 4-C and likely result in increased harvest of upper drainage-bound king salmon and larger female salmon than the existing set gillnet and fish wheel harvest.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2. The Yukon River Chinook salmon and fall chum stock are fully allocated. No additional fisheries should be allowed on Yukon River Chinook or fall chum salmon stocks. We also have a concern regarding about a non traditional expansion of the subsistence fishery on Chinook salmon

86. **PROPOSAL 86 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Eastern Interior Alaska Subsistence Regional Advisory Council.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow fishermen to tie up their set gillnets instead of pulling them out of the water during subsistence fishing closures in Subdistrict 5-D.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow subsistence fishermen to be able to leave set gillnets in the water during subsistence salmon fishing closures in Subdistrict 5-D rather than pulling them completely out of the water.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2.

87. **PROPOSAL 87 – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks review of fishery management triggers, guideline harvest ranges for the commercial fishery, and subsistence fishing schedules in the *Yukon River King Salmon Management Plan*.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, new management triggers, different guideline harvest ranges, or a different subsistence fishing schedule would be inserted into the management plan.

**RECOMMENDATION: SUPPORT**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments RC2. Unless the Department can more accurately assess the Yukon Chinook salmon run, there is no need to modify the current management plan.

88. **PROPOSAL 88 – 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would prohibit drift gillnet gear for subsistence and commercial fishing in the Yukon River drainage.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would affect a great number of subsistence and commercial salmon fishermen in Districts 1-3 and Subdistrict 4-A, as well as subsistence fishermen fishing for fish other than salmon and halibut in the remainder of the Yukon River drainage where drift gillnet is legal subsistence gear (5 AAC 01.220(f)).

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments, except for the NEUTRAL recommendation on the allocative aspects of this proposal RC2. We also **OPPOSE** the allocative aspects of this proposal. ADF&G argues that “there



appears to be no biological basis for prohibiting use of drift gillnet gear for all fisheries year round.”. We agree with the rest of the Department of Fish and Game’s comments. They present a strong argument for **opposing** all aspects of this proposal although they don’t come out and say so.

**89. PROPOSAL 89 – 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would restrict the depth of subsistence and commercial gillnets of 6-inch mesh to no more than 15 feet or 35 meshes for the entire drainage.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would decrease efficiency of fishermen operating gillnet gear; thus, it may require increased effort by commercial and subsistence fishers to harvest king, summer chum, fall chum, and coho salmon.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments, except for their NEUTRAL stance on the allocative aspects of this project, RC2. We **OPPOSE** the allocative aspects of this proposal that will allocate more fish to upper river districts.

**90. PROPOSAL 90 – 5 AAC 05.331. Gillnet specifications and operations and 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would restrict subsistence and commercial gillnets in the Yukon River drainage to no more than 6-inch mesh size.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would likely change subsistence harvest patterns and would result in a substantial increase in the harvest of chum salmon during subsistence and commercial fishing activities targeting king salmon. Subsistence fishermen only need so many chum salmon, which may result in wastage of the resource.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments except for their NEUTRAL stance on the allocative aspects of this project, RC2. We **oppose** the allocative aspects of this proposal that will allocate more fish to upper river districts.

The proposer misuses the Bromaghin, Nielson, and Hard paper, *An Investigation of the Potential Effects of Selective Exploitation on the Demography and Productivity of Yukon River Chinook Salmon*. This is a modeling exercise under assumed conditions. Under the scenario that the proposers conveniently select, the assumption that all the large Chinook Salmon fish have been expiated. This is not true. Additionally, this paper presents modeling scenarios using only

selective harvests as the treatment but there is also much discussion and uncertainty regarding the causes of the decline in size at age of the Yukon River Chinook salmon. Environment may play a much larger role than indicated. Further, this decline in size at age is seen in other stocks in Western Alaska. One scenario in the modeling exercise (Bromaghin et al. ) indicates full recovery of the stock will occur when the exploitation rate is reduced to 50% and net mesh size is limited to 7.5".,

**193. PROPOSAL 193 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Alaska Board of Fisheries.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to review the *Yukon River Summer Chum Salmon Management Plan*. It would remove the OEG of 600,000 fish and replace specified numerical threshold triggers for management actions with thresholds that would be relative to a minimum necessary drainagewide escapement goal, SEG, or BEG, and the midpoint of the ANS range. Additionally, this proposal would allow commercial fishing at lower run sizes.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would be difficult to use because numeric threshold levels are replaced with terminology relative to minimum drainagewide escapement, and optimum, biological, or sustainable escapement goal levels. As written, it appears there would be no OEG as this number is established in regulation by board. Additionally, there is no established minimum drainagewide escapement goal, SEG, or BEG for summer chum salmon to use in this plan.

**RECOMMENDATION: Oppose**

**DISCUSSION:** We agree with and reference the Alaska Department of Fish and Game Comments, RC2. However, to facilitate management, we suggest that management use the appropriate estimated summer chum salmon passage at the Pilot Station to manage the summer chum salmon fisheries rather than using the total run estimate. The total summer chum salmon run estimate includes the unknown subsistence harvest and the escapement below the Pilot Station sonar site in addition to the Pilot Station passage estimate. Using an unknown harvest and escapement is problematic for inseason management..

**194. PROPOSAL 194 – 5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan.**

**PROPOSED BY:** Alaska Board of Fisheries.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to review the *Yukon River Drainage Fall Chum Salmon Management Plan* with options of replacing specified numerical threshold triggers for management actions with terminology relative to current biological escapement goals and consideration for existing ANS levels. Additionally, this proposal would allow commercial fishing at lower run sizes.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would replace numeric threshold levels with terminology relative to biological or sustainable escapement goal levels (BEG or SEG). The low end of the escapement goal would continue to be the minimum threshold, whereby all uses would be closed. Subsistence fishermen

would continue their highest priority use and be afforded opportunities to harvest amounts relative to the board ANS findings. The difference under this proposal is that the buffer of passing additional fish in order to bolster escapement during lower runs would be removed.

**RECOMMENDATION: Support**

**DISCUSSION:** We support the intent of this proposal, that is, to provide for a priority subsistence use and increased opportunity for other uses by removal of the buffer in the current management plan, while continuing to manage for the established BEG. We are **NEUTRAL** on the wording, but would like to see the escapement buffer removed from the triggers. The escapement buffer unnecessarily restricts the commercial fishery. The Department points out *that recent swings in run sizes have demonstrated that adherence to strict thresholds and buffered escapement does not benefit future runs as much as production rates, which are thought to be more environmentally influenced. Spawner-recruit analysis of fall chum salmon indicates there is a wide range of escapement that will provide similar yield. To maintain commercial markets, it is necessary to have some harvest when biologically allowable.* We agree with these statements.

91. **PROPOSAL 91 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Eastern Interior Alaska Subsistence Regional Advisory Council.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to limit incidental harvest of king salmon in summer chum salmon-directed commercial fishing periods by establishing a quota of 3,000 fish harvest for the summer season. This proposal would close all commercial summer chum salmon fisheries once the quota was reached. Furthermore, this proposal seeks to implement the quota system until border escapements into Canada are achieved for six years.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would establish a 3,000 fish cap on the incidental harvest of king salmon and mandate the closure of the summer chum salmon commercial fishery upon reaching the quota.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2

92. **PROPOSAL 92 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Tanana Rampart Manley AC, Eastern Interior Regional Advisory Council, Fairbanks AC, Minto-Nenana AC, and Ruby AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to prohibit the sale of king salmon during summer chum salmon-directed commercial fisheries in the entire Yukon River drainage. This proposal mandates that king salmon harvested incidentally in non-king salmon-directed commercial fisheries be used for subsistence purposes.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would prohibit the sale of king salmon during non-king salmon-directed

commercial fisheries and mandate that the incidentally-harvested king salmon harvested be used for subsistence purposes, no matter how large the king salmon run.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2. We also agree and support providing emergency order authority to ADF&G to require that king salmon taken may be retained, but not sold.

**93. PROPOSAL 93 – 5 AAC 05.360. Yukon River King Salmon  
Management Plan.**

**PROPOSED BY:** Jude Henzler.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to prohibit any retention and sale of king salmon during chum salmon-directed commercial fisheries in the mainstem Yukon River drainage.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to prohibit any retention and sale of king salmon during chum salmon-directed commercial fisheries in the mainstem Yukon River drainage.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2.

**94. PROPOSAL 94 – 5 AAC 05.360. Yukon River King Salmon  
Management Plan.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal would impose a windowed fishing schedule for both commercial and subsistence fishing throughout the Alaskan portion of the Yukon River all year long.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would only allow subsistence and commercial fishing during set windowed openings. This proposal would restrict fishermen from harvesting salmon outside of established fishing schedules regardless of inseason run assessment information. Concurrent commercial and subsistence openings in Districts 1-3 would be very difficult to enforce. This proposal may place additional limitations on fishermen in areas currently allowed to subsistence fish 7 days per week.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2.

**95. PROPOSAL 95 – 5 AAC 05.360. Yukon River King Salmon  
Management Plan.**

**PROPOSED BY:** Eastern Interior Alaska Subsistence Regional Advisory Council.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the GHR and harvest allocation percentages (when total commercial harvest is 400,000 salmon or less) are established in regulation as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	251,000-755,000	62.9
3	6,000-19,000	1.6
4-A	113,000-338,000	28.2
4-B, C	16,000-47,000	3.9
5-B, C, D	1,000-3,000	0.3
6	13,000-38,000	3.2

**WHAT WOULD THE PROPOSAL DO?** This proposal would reallocate the commercial king salmon harvest for Districts 1-6. A commercial king salmon harvest of 0-60,000 fish would be reallocated as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	0-26,700	44.5
3	0-8,000	13.33
4	0-8,000	13.33
5B-C	0-8,000	13.33
5 D	0-1,300	2.16
6	0-8,000	13.33

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the king salmon harvest allocation for Districts 1, 2, and 3 would be reduced by more than one half and transferred to Districts 4-6. Adoption of this proposal would be a major fishery shift from lower to upper river fishermen and fishery infrastructure.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** The Department must be neutral on this proposal because it is allocative. However, when the BOF considers allocations among fisheries, they must consider the "Allocation Criteria", AS 16.05.251 (e).

*The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as*

- (1) the history of each personal use, sport, guided sport, and commercial fishery;*
- (2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;*
- (3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;*
- (4) the availability of alternative fisheries resources;*
- (5) the importance of each fishery to the economy of the state;*

***(6) the importance of each fishery to the economy of the region and local area in which the fishery is located;***

***(7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.***

With respect to the above factors:

- (1) Guideline harvest ranges replaced quotas in 1979. The current guideline harvest ranges for king salmon were established in 1981 based upon historical harvests. The history of the commercial fishery in the Yukon River is that the lower river has received the bulk of the commercial harvest since inception of the commercial fishery.
- (2) There are approximately 700 CFEC permits issued for the Lower Yukon Area (Districts 1-3) and 230 CFEC permits for the Upper Yukon Area (Districts 4-6). However, during the period 2004-2008 77% of the Lower Yukon Area permits were fished while only 9% were fished in the Upper Yukon Area.
  - a. An average of 541 fishers from the Lower Yukon Area and 20 from the Upper Yukon Area participated in their area's respective summer season fisheries during 2004-2008.
  - b. During 2009, a total of 376 fishers from the Lower Yukon Area and 11 fishers from the Upper Yukon Area participated in the 2009 Summer Season commercial fisheries.
- (3) NA
- (4) In the Lower Yukon Yukon Area, there is a very small Commissioner's permit fishery for whitefish. There is a small Commissioner's permit for a lamprey fishery in both the Lower and Upper Yukon Areas.
- (5) During the period 2004-2008 the value of the Yukon River commercial Chinook salmon fishery, by Area was:
  - a. Lower Yukon Area \$2,114,145
  - b. Upper Yukon Area: \$ 24,505
  - c. In 2009 Lower Yukon Area value: \$20,970
  - d. In 2009 Upper Yukon Area value: \$ 0
- (6) The Lower Yukon Area within the Wade Hampton district remains the poorest in Alaska and the U.S. Accordingly, the Lower Yukon Area fishery is extremely important to the people of the region. The Lower Yukon Area commercial fishery is the mainstay in eleven villages at the mouth of the Yukon River. For the residents of the Lower Yukon Area it is a necessary life that is intertwined with and to sustain their subsistence way of life, culture and traditions.
- (7) NA

If passed, this proposal would result in the complete disruption of the Yukon Area Chinook salmon fishery. During most Chinook salmon runs, current fishing effort and processing capacity in upper river districts will not be able to harvest the surplus available. Additionally, the commercial harvest would result in a lower overall value of the fishery because of the much lower price paid per pound for Chinook salmon. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$3.71. The price paid to fishers during 2009 was \$5.00 per pound. In the Upper River Area the average price paid per pound to fishers during 2004-2008 was \$1.07. No Chinook were purchased in the Upper Yukon Area in 2005

and 2004. The passage of this proposal would cause further negative economic impacts to the poorest area of the state and nation. Further, the disruption of earnings from the commercial sale of Chinook salmon would severely hamper the people of Lower Yukon Area to participate in subsistence activities.

**96. PROPOSAL 96 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to reallocate the commercial summer chum salmon harvest for Districts 1-6 as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	180,000-540,000	45
3	24,000-72,000	6
4-A	120,000-360,000	30
4-B, C	36,000-108,000	9
5-B, C, D	4,000-12,000	1
6	36,000-108,000	9

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the GHR and harvest allocation percentages (when total commercial harvest is 400,000 salmon or less) are established in regulation as follows:

District/Subdistrict	GHR	Percent of Harvest
1-2	251,000-755,000	62.9
3	6,000-19,000	1.6
4-A	113,000-338,000	28.2
4-B, C	16,000-47,000	3.9
5-B, C, D	1,000-3,000	0.3
6	13,000-38,000	3.2

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal would be a major fishery shift from lower to upper river fishermen and fishery infrastructure

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** The Department must be neutral on this proposal because it is allocative. However, when the BOF considers allocations among fisheries, they must consider the "Allocation Criteria", AS 16.05.251 (e).

*The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as*

- (1) the history of each personal use, sport, guided sport, and commercial fishery;

*(2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;*

*(3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;*

*(4) the availability of alternative fisheries resources;*

*(5) the importance of each fishery to the economy of the state;*

*(6) the importance of each fishery to the economy of the region and local area in which the fishery is located;*

*(7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.*

With respect to the above factors:

- (1) Guideline harvest ranges replaced quotas in 1979. The current guideline harvest ranges are based upon historical harvests and have been in effect since 1989. Districts 1, 2, and 3 have had an allocated harvest that ranges from 69% to 82% of the total catch
- (2) There are approximately 700 CFEC permits issued for the Lower Yukon Area (Districts 1-3) and 230 CFEC permits for the Upper Yukon Area (Districts 4-6). However, during the period 2004-2008 77% of the Lower Yukon Area permits were fished during the summer season while only 9% were fished in the Upper Yukon Area.
  - a. An average of 541 fishers from the Lower Yukon Area and 20 from the Upper Yukon Area participated in their area's respective summer season fisheries during 2004-2008.
  - b. During 2009, a total of 376 fishers from the Lower Yukon Area and 11 fishers from the Upper Yukon Area participated in the 2009 Summer Season commercial fisheries.
- (3) NA
- (4) In the Lower Yukon Area, there is a very small Commissioner's permit fishery for whitefish. There is a small Commissioner's permit for a lamprey fishery in both the Lower and Upper Yukon.
- (5) During the period 2004-2008 the value of the Yukon River commercial summer chum salmon fishery, by Area was:
  - a. Lower Yukon Area \$118,279
  - b. Upper Yukon Area: \$ 33,275
  - c. In 2009 Lower Yukon Area value: \$514,856
  - d. In 2009 Upper Yukon Area value: \$ 20,430
- (6) The Lower Yukon Area within the Wade Hampton district remains the poorest in Alaska and the U.S. Accordingly, the Lower Yukon Area fishery is extremely important to the people of the region. The Lower Yukon Area commercial fishery is the mainstay in



eleven villages at the mouth of the Yukon River. For the residents of the Lower Yukon Area it is a necessary life that is intertwined with and to sustain their subsistence way of life, culture and traditions.

(7) NA

If passed, this proposal would result in the complete disruption of the Yukon Area summer chum salmon fishery. During most summer chum salmon runs, current fishing effort and processing capacity in upper river districts will not be able to harvest the surplus available. Additionally, the commercial harvest would result in a lower overall value of the fishery because of the much lower number of chum salmon able to be harvested and purchased in the Upper River Area. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$0.15. The price paid to Lower River Area fishers during 2009 was \$.50 per pound. In the Upper River Area the average price paid per pound to fishers during 2004-2008 was \$0.24. Roe was purchased in the Upper River Area in 2007 and 2008 for \$2.36 and \$3.00 per pound, respectively. However, the roe market has not been able to absorb much of the recent harvestable surplus in the Yukon. The price paid to Upper River Area fishers during 2009 was \$.26 per pound for fish in the round and \$3.00 per pound of roe. A renewed interest in the flesh market has sparked interest in the Lower River Area harvest. If adopted, this proposal would also cause further negative economic impacts to the poorest area of the state and nation. Further, the disruption of earnings from the commercial sale of summer chum salmon would severely hamper the people of Lower Yukon Area to participate in subsistence activities.

**97. PROPOSAL 97 – 5 AAC 05.365. Yukon River fall chum salmon guideline harvest ranges.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to reallocate commercial fall chum salmon harvests as follows:

- (1) District 1, 2, and 3: 21,825 to 96,000
- (2) District 4: 14,559 to 64,000
- (3) Subdistricts 5 B, C, and D: 14,550 to 64,000
- (4) Subdistrict 5 D: Delete
- (5) District 6: 21,825 to 96,000

**WHAT ARE THE CURRENT REGULATIONS?** Under current commercial fishing regulations (5 AAC 05.365(a)), the department shall manage the Yukon River commercial fall chum salmon fishery for a guideline harvest range of 72,750 to 320,500 chum salmon, distributed as follows:

- (1) District 1, 2, and 3: 60,000 to 220,000
- (2) District 4: 5,000 to 40,000
- (3) Subdistricts 5 B, C, and D: 4,000 to 36,000
- (4) Subdistrict 5 D: 1,000 to 4,000
- (5) District 6: 2,750 to 20,500

Under current subsistence fishing regulations (5 AAC 01.249(5)), the department shall distribute the commercial harvest levels below the low end of guideline harvest range by district or subdistrict proportional to the midpoint of the guideline harvest range.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, the fall chum salmon harvest allocation for Districts 1, 2, and 3 would be

reduced by more than two thirds and transferred to Districts 4-6. Adoption of this proposal would be a major fishery shift from lower to upper river fishermen and fishery infrastructure.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** The Department must be neutral on this proposal because it is allocative. However, when the BOF considers allocations among fisheries, they must consider the "Allocation Criteria", AS 16.05.251 (e).

*The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as*

- (1) the history of each personal use, sport, guided sport, and commercial fishery;*
- (2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;*
- (3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;*
- (4) the availability of alternative fisheries resources;*
- (5) the importance of each fishery to the economy of the state;*
- (6) the importance of each fishery to the economy of the region and local area in which the fishery is located;*
- (7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.*

With respect to the above factors:

- (1) Guideline harvest ranges replaced quotas in 1979. The current guideline harvest ranges are based upon historical harvests and have been in effect since 1989. Districts 1, 2, and 3 have had an allocated harvest that ranges from 69% to 82% of the total catch
- (2) There are approximately 700 CFEC permits issued for the Lower Yukon Area (Districts 1-3) and 230 CFEC permits for the Upper Yukon Area (Districts 4-6). However, during the period 2004-2008 35% of the Lower Yukon Area permits were fished during the fall season while only 4% were fished in the Upper Yukon Area.
  - a. An average of 243 fishers from the Lower Yukon Area and 10 from the Upper Yukon Area participated in their area's respective fall season fisheries during 2004-2008.
  - b. During 2009, a total of 292 fishers from the Lower Yukon Area and 2 fishers from the Upper Yukon Area participated in the 2009 Fall Season commercial fisheries.

- (3) NA
- (4) In the Lower Yukon Yukon Area, there is a very small Commissioner's permit fishery for whitefish. There is a small Commissioner's permit for a lamprey fishery in both the Lower and Upper Yukon.
- (5) During the period 2004-2008 the value of the Yukon River commercial fall chum salmon fishery, by Area was:
- a. Lower Yukon Area \$218,735
  - b. Upper Yukon Area: \$ 24,362
  - c. In 2009 Lower Yukon Area value: \$110,408
  - d. In 2009 Upper Yukon Area value: \$ 1,262
- (6) The Lower Yukon Area within the Wade Hampton district remains the poorest in Alaska and the U.S. Accordingly, the Lower Yukon Area fishery is extremely important to the people of the region. The Lower Yukon Area commercial fishery is the mainstay in eleven villages at the mouth of the Yukon River. For the residents of the Lower Yukon Area it is a necessary life that is intertwined with and to sustain their subsistence way of life, culture and traditions.
- (7) NA

If passed, this proposal would result in the complete disruption of the Yukon Area fall chum salmon fishery. During most fall chum salmon runs, current fishing effort and processing capacity in upper river districts will not be able to harvest the surplus available. Additionally, the commercial harvest would result in a lower overall value of the fishery because of the much lower number of fall chum salmon price per pound and the relatively few fall chum that can be harvested and purchased in the Upper River Area. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$0.32. The price paid to Lower River Area fishers during 2009 was \$.70 per pound. The average (2004-2008) price per pound paid to Lower Yukon Area fishers during 2004-2008 was \$0.16. The price paid to Upper River Area fishers during 2009 was \$.19 per pound for fish in the round. A renewed interest in the flesh market has sparked interest in the Lower River Area fall chum salmon harvest. If adopted, this proposal would also cause further negative economic impacts to the poorest area of the state and nation. Further, the disruption of earnings from the commercial sale of summer chum salmon would severely hamper the people of Lower Yukon Area Area to participate in subsistence activities.

98. **PROPOSAL 98 – 5 AAC 05.200. Fishing districts and subdistricts.**

**PROPOSED BY:** KwikPak Fisheries.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to open commercial fishing in the coastal area between Black River and Chris Point (south mouth) in District 1.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the waters between Black River and south mouth (Chris Point) are closed to commercial fishing.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would increase the geographic size of District 1 by adding coastal waters between Black River and the south mouth of the Yukon River. This change may affect commercial fishing patterns in District 1.

**RECOMMENDATION: SUPPORT**

**DISCUSSION:** Opening this area will reduce crowding and may increase the harvest along the coast and would likely improve fish quality. The opportunity to operate fisheries that target higher quality pink salmon could become available. Pink salmon are currently underutilized due to the low flesh quality observed in the river.

**PROPOSAL 99 – 5 AAC 05.350(4). Closed Waters.**

**PROPOSED BY:** Fairbanks AC.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to open the Andraefsky River to commercial fishing.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, waters of the Andraefsky River upstream of a line between ADF&G regulatory markers placed on each side of the river at its mouth are closed to commercial fishing.

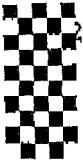
**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal may result in higher exploitation of Andraefsky River salmon stocks.

**RECOMMENDATION: OPPOSE**

**DISCUSSION:** We agree and reference the Alaska Department of Fish and Game Comments, R2.

**Fishery Restructuring Proposals: PROPOSALS 88, 90, 95, 96, and 97**

We believe that Proposals 88, 90, 95, 96, and 97 are fishery restructuring proposals. These proposals are very likely to have substantial economic and social and possibly biological impacts and will require significant changes to the management of the fishery, if passed. Therefore these proposals should be reviewed with extra scrutiny and an examination of the possible benefits and impacts to the stakeholders, communities, regions and the state as a whole.



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# Board Member's

My name HENRY KETZLER 82 year  
resident of NENANA. Sixty five years  
fishing TANANA RIVER. Currently sit on  
Minto, NENANA advisory board. My  
wife and I have run fishcamp right  
here in NENANA for many years. Teaching  
younger people how generations.

Plain and simple the size of King  
salmon are smaller. We prided our work  
with the big and better King salmon.

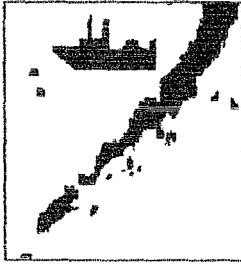
King salmon broke fishwheel boxes  
up, when I was a kid in NENANA.  
I hope there are not gone.

days

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## C.A.M.F.

### Concerned Area M Fishermen

35717 Walkabout Rd.  
Homer, AK 99603 907-235-2631

Dear Board of Fisheries Member:

Much of the impetus for the Bering-Aleutian Salmon International Survey (BASIS) came from concerns heard at the Alaska Board of Fisheries about the reasons for fluctuations in western Alaska salmon populations. For decades the lament of a procession of Board members was the lack of scientific information about the variables that might be contributing to those fluctuations. Alaska Lieutenant Governor Fran Ulmer laid the groundwork for the research that would begin to provide answers to some of these concerns.

The first major publication of results from BASIS is in press and will be released in February of 2010 as NPAFC Bulletin No. 5 but the content is available online now at ([http://www.npafc.org/new/pub\\_bulletin5.html](http://www.npafc.org/new/pub_bulletin5.html)).

It is a feast of 'fresh fruit' bearing directly on the topic of ocean survival of western Alaska salmon. While the introduction and summary do provide some context for the results the real substance is in the papers themselves. Some of the scientific jargon and technical details can be a little intimidating but there is plenty that can be gleaned from the abstracts, discussion and conclusions of the papers. And of course the figures (pictures) are a quick way to get a feel for any paper. So scan the titles in the index, pick a paper that looks interesting and dive in.

It may seem a little strange that in one sense this work was undertaken because of issues before the Board of Fisheries but due to the international effort required to conduct the work and changes over time in personnel at ADF&G, the information comes directly to the Board (and the public) rather than from ADF&G. But the advantage is that the science is unfiltered too. Maybe it's a little like drinking from a fire hose but at least we can't complain about the vacuum of data that frustrated previous Boards. Enjoy.

Sincerely,

A handwritten signature in cursive script that reads "Steve Brown".

Steve Brown, Concerned Area M Fishermen

1/5

Public Comment # 20

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Pitka's Point Traditional Council  
P.O. Box 127  
St. Mary's Ak 99658  
(907) 438-2833 (907) 438-2569 fax

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Resolution 10-01-01

**A RESOLUTION AFFIRMING OUR POSITIONS ON THE ALASKA STATE  
BOARD OF FISHERIES PROPOSALS FOR THE A-Y-K REGION**

WHEREAS, The Pitka's Point Traditional Council is the recognized tribal organization of the Village of Pitka's Point; and

WHEREAS, Our Tribe works closely with AVCP and other Tribes and regional native organizations in the AVCP Region in maintaining and protecting our Subsistence Way of Life and our commercial fisheries; and

WHEREAS, The Subsistence Way of Life is an inalienable right of Tribes; and

WHEREAS, Communities in Western Alaska are reliant upon both the subsistence and commercial salmon Fisheries as they are very much intertwined; and

NOW THEREFORE BE IT RESOLVED THAT The Pitka's Point Traditional Council, determined to Protect our Subsistence Way of Life and/or our commercial fisheries, hereby vote in the Following manner on the Alaska State Board of Fisheries proposals:

In Support of:

Proposal Numbers: Proposal No.98

In Opposition of:

Proposal Numbers: No. 66, No. 67, No. 83, No. 84, No. 85, No. 86, No. 87, No. 88, No. 89, No. 90, No. 91, No. 92, No. 93, No. 94, No. 95, No. 96, No. 97, No. 99

; and

BE IT FURTHER RESOLVED THAT AVCP is authorized to present our positions in any testimony or Comments to the Alaska State Board of Fisheries at the AYK Region meeting in Fairbanks, January 26 through 31, 2010.

ADOPTED THIS 5 day of January, 2010 at Pitka's Point, Ak at which a duly constituted Quorum of council members was present.

Betty G. Riley  
President

Attest:

Anna L. Sinko  
Secretary

Public Comment #

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