

Fairbanks Fish and Game Advisory Committee
 Fisheries SubCommittee
 October 9,2023 **DRAFT** Meeting Minutes
 Teleconference/Zoom meeting

I. Call to Order: 6:01pm Gale Vick, Chair

Board Support – Kyle Campbell

II. Roll Call: (no quorum needed, no action to be taken)

	<u>FISH SC CHAIR</u> Gale Vick	<u>AC VICE- CHAIR</u> Mark Richards	<u>AC SECRETARY OPEN</u>	Jeff Lucas	Gabriel Davis	Virgil Umphenour	Mike Tinker	John Wisniewski
Present	X					X	X	X
Absent				X	X			
Abs/Excused		X						
	Levi Lewellyn	John Siegfried	Austin Smith	Warren Guichici	Bill Larry	Mike Kramer	Chuck Derrick	Lance Nelson (alternate) James Paine (alternate)
Present						X	X	
Absent	X		X	X	X			X
Abs/Excused								

III. Introduction of Guests:

Ernie Weiss, Aleutians East Borough

Al Barrette, BOG

Karen Gillis, BSFA

George Anderson, Chignik

Joe Spaeder, AYK Consortium and BSFA

Amy Spark, BSFA Executive Director

Marit Carlson-Van Dort, BOF

Stan Zuray, BOF

Gene Sandone, YDFDA consultant

Frank's I-phone?

ADF&G Staff

Aaron Frenzel, Deputy Director AWT

Deena Jallen , YR Summer Manager

Christy Gleason, YR Fall Manager

Sam Decker, biologist

Klaus Wuttig, Sports biologist

Brandy Baker, Sports Fish, Delta

Shane Lanesbury, Comfish Div.

Brendon Scanlon, Northwest and North Slope, Fairbanks office

IV. Approval of Agenda: no approval necessary

Chuck Derrick – Chitina Dipnetters submitted comments to bring PWS meeting to Fairbanks. Meeting locations discussion at BOF Work Session. Add to agenda.

V. Approval of May 1, 2023 SC Minutes:

Motion to approve: Chuck Derrick

Second: John W.

Approved: unanimous consent

VI. Discussion:

Deena Jallen - Yukon River Post-Season summary (See YRDFA board meeting summary- attach) Very limited summer chum subsistence with limited gear.

Christy Gleason – Fall chum report (see summary) No fishing allowed all season.

Didn't meet any escapement goals anywhere except drainage wide summer chum and a small fall chum run up by Venetie.

John W: Any plans to remedy problem?

Deena: As an in-season manager the overall management is out of my realm

Gale: If we only met drainage wide summer chum goal, in retrospect, would you have curtailed fishing more to meet discrete stock goals?

Deena: that's tricky. At some point I would like to see a discussion on summer chum of escapement goals. We need to look at where the Anvik chum are going, for instance. Anvik counted about 55,000 chum but the weir was inoperable for a long period of the season due to high water. Anvik escapement goal is 350,000.

Deena – seems like productivity shifted away from the Anvik. The drainage reached almost 900,000, which was almost double the lower end of the range.

Gale: question on genetic testing

Deena: We know that summer chum has been coming after July 18th when we shift to fall management. More coming in late. The research biologists will be looking at total run and productivity. Counts at Gisasa and Chena not good.

Gale: Can you put in a chart in the season summary for which counting areas were

operative and the dates.

Deena: I will make a note about that.

We are doing subsistence harvest in person this year, working our way up the river.

Brandy Baker: Delta update – Operated the Chena and Salcha counting towers this summer. We did not meet BEG on kings. We are working on abundance counts for whitefish. Telemetry survey at Chena Lakes. Mark recapture for grayling in Delta Clearwater. We issued EOs on all sports fish for kings and cohos. Reduced pike limit in Minto Flats. Bait now legal in tribes.

Gale: the full FAC will want to hear your final report.

Klaus: Copper River – good season. 990,000 past sonar (sockeye) - See full report Sockeye run very late. River got really high. King escapement is going to exceed upper bound of 31,000. Reminder that due date is October 15th for harvest reports. Counting tower on Gulkana, but no escapement goals.

Alaska Board of Fisheries:

Marit Carlson-Van Dort, Board of Fish chair. Upcoming Work Session is not regulatory. Will be taking public comments on 14 ACRs. We will be deciding new Board positions. Hatchery Committee meeting on 3rd day. Missed it in March because the Alaska Peninsula meeting ran too long in February. We want to educate our new board members on hatchery issues. Department reports then 4 questions for public comment. I had discussed with several ACs and Dept on questions. Like a town hall meeting. Not restricted to 3 minutes. Have open dialogue with Board. Will be accepting RCs during the meeting.

Brendan: Northwest / North Slope area biologists. 13 towers and weirs in Norton Sound. Most went in late, high water. Unreliable reporting this year. Beginning sonar project on Unalakleet River on coho. Did not make system goals. We did not some discrete goals. Fertilization for sockeye project on Pilgrim River for about 20 years and doesn't seem to be working. Highest latitude sustainable sockeye population. Some comfish. See post-season report

Al B: When we do have high water and unable to count, do we an increase or decrease on those years.

Brendan: King of tough, aerial surveys also hampered by high water. Fish tend to move in high water. Rain hampers.

Klaus: there is a really good paper on the Chena River by Jason Neuswanger¹.. how well kings did under rainy vs. good water conditions.

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- ¹ Low productivity of Chinook salmon strongly correlates with high summer stream discharge in two Alaskan rivers in the Yukon drainage [Canadian Journal of Fisheries and Aquatic Sciences](#) 72(8):150408143956000 2015

ACR #2: FAC generated requesting out-of-cycle reconsideration of Area M June Fishery based on new information regarding both harvest and chum-chucking.

[ACR 2 – Reduce fishing time and repeal chum salmon harvest triggers in the South Unimak and Shumagin Islands June Salmon Management Plan \(5 AAC 09.365\)](#)

When the FAC submitted it, there were 3 criteria, which the Dept said we did not meet. Gale submitted comments to the Board on why we did meet the criteria.²

Major Aaron Frenzel, Alaska Wildlife Troopers: During the February 2023 Area M meeting, due to amount of concern at meeting we decided to enhance our efforts in that area with extra vessels and aircraft throughout June fishery. We boarded about 100 vessels, 300 contacts. We did locate 5 vessels that were discarding salmon, 1 seine, 1 setnet and 3 drift. It is a large area, takes a long time to get there, fishing is very spread out.

Joe Spaeder: Can we get a historic context of citations in previous years and, presumably for all the reasons that make this enforcement difficult, this is likely a significant underestimate of chum chucking?

Major Frenzel: I worked Area M in 2002-2003 and in and out since then. I do not recall any cases of chum chucking in previous years. We get typical citations.

Virgil: If you use 2 vessels, and one your largest patrol vessels, how big is that Major: 165'

Virgil: When I was on the BOF in 1995 Work Session, Col. Glass (?) gave a report on sending the *Volstead* over. We talked about how silly that was because the boat could be easily seen. He said that there were fish being tossed overboard. He couldn't determine if fish were dead or alive so they couldn't give them a citation for wanton waste. At that time, there was no mandatory retention of all fish caught. So asked Larry Engel and he said it was about around 95% (retention) but no way of knowing. So we passed a regulation for mandatory retention. It's been going on for years and years. The citations that you actually observed, were they from AWT boats or aircraft and how. Spotting scope, binoculars?

Major: With cases still in court systems, I can't go into specifics. As you know you can't tell the difference between a salmon or cod without being up close.

Virgil: are any of these cases finalized?

Major: none yet

Gale: Were there any citations based on wanton waste

Major: No. Discard of salmon is the appropriate charge.

²See Public Comments, Alaska Board of Fish Work Session, October 12-13, 2023

Gale: Did you get a number on the fish tickets for the number of fish discarded?

Major: All of that is part of on-going litigation so cannot comment yet

Al B: When I look at the wanton waste law, 16.05.831, it seems like the Commissioner has some latitude on being able to promulgate a regulation that says if you discard a salmon that is supposed to be retain, they could be charged with wanton waste. There are number of papers that salmon caught by gillnet and thrown over is a dead fish.

Major: Looking at the statute – I can see that if the Commissioner chose to it would still be up to the Board, but the

Al B: That would take a long time. This is an intercept fishery and gillnet caught fish don't live long after release. Is this an option for us to pursue?

Major: One thing I heard at BOF, is how do we tell the difference between a cod or a salmon from a distance. One solution is to say that ALL fish must be retained.

Gale: Area M is a very challenging area to monitor, spread out more than most fishing grounds, even though specific management areas, we heard recently that boats would deliver to tenders across jurisdictions. The question is there a Trooper presence at the processing plant?

Major: on occasion we might be at a plant, but more typically on the grounds.

Gale: We are just trying to get a clearer picture of how that fishery is prosecuted. We would have discuss with local people, and we are starting to get that. It would be good to paint a real picture with facts.

Virgil: Al brought up that statute, Stan Zuray will remember – that Denby Lloyd got that past so the hatcheries could roe strip the eggs and throw the carcass. Fish tickets are supposed to be filled out at point of sale, by species and weight. You are allowed to take out ten fish, weigh them, and get an average. From what I have heard from local fisherman that the seiners, especially, don't even get a final number on their catch and what species until several days after all over. The whole (adaptive management plan in Area M) is based on fish ticket reports. So we have the processors with multi million dollar facilities and a paid work crew, mostly from Mexico, if the processors get up against the cap (trigger) they will shut down. So that is why we put in our ACR.

Al B: Thanks to Virgil, but furthers the point that the Commissioner also has the authority to penalize or be more restrictive on which fish are allowed to be released.

Gale: I think we need to further discuss for future comments from the FAC.
ACR #2 - This will be finalized at meeting Wednesday night and get permission for us to submit talking points, comments for Work Session. A lot of information in ACR will be highlighted in the comments.

Virgil: I will be going down representing the FAC and I have authorization to do that.

Gale: Several other people on this call will also be there.

ACR#3 – to reduce commercial salmon seine depth in Area M.

George Anderson: During Feb 2023 meeting, one of our Chignik folks put in a seine reduction, but there was so much going on no one had time to shop it. The next morning, Deputy Director Forrest Bowers approached me and said with the Chignik Stock of Concern would Chignik consider shallowing up your seine nets, to avoid Chinook. I said certainly, as long as Area M would do the same. So he went back to his desk, approached another stakeholder and said the same. So they know that shallowing nets will conserve kings.

Gale: Currently exceptionally deep seiners in Area M.

Virgil: Western Interior RAC put that ACR. When the Japanese had the high seas drift fisheries, those nets were only about 12 feet deep. They were targeting sockeye. There has been a number of studies done off Port Moeller about different depths and what they catch. Sockeye get caught in the first 10-12 feet of the water column. I think Jack Rickoff submitted. He's the chair of the WIRAC.

Gale: I heard recently that those Area M seine nets have gotten considerably deeper over the years and can take up to 200,000 pounds in a haul. But I need to investigate that. I am sure they vary a lot. The harvest capability has greatly increased over the last 25 years.

George A: In our on-time comments, we get into some detail on this. We tend to stick to the ACR criteria, however. We cited a conservation purpose.

ACR#7 Gene Sandone , YDFDA (note history)

We realize that the chinook runs in Yukon very poor. We don't anticipate a harvestable surplus for a subsistence king fishery or a directed commercial fishery for quite awhile. In regulations right now, as far back as 1985, there was basically no mention of unrestricted mesh size use through 2010. Prior to 1985, there was a king salmon season and then a summer chum season after that. There was a schedule for these openers or by emergency order, depending on the district. They would alternate in the lower portion of the river. **King salmon had unrestricted mesh.** After a while, an EO came into use to allow summer chum to use 6" mesh. In

1985, there were so many chum coming into the river that the managers wanted to place small mesh gear in the king salmon season. In 1985 the BOF allowed that but the regulation indicated that in districts 1,2,3 and may even 4, the maximum mesh size for all periods was 6" mesh for all EO. The schedule was no longer in effect. Technically, all the fisheries from 1985-2007 had no basis in regulation. In 2010, in listening to the actual recordings, it was the intent of the Board. They took proposal 90, to restrict all commercial fishing in the YR to 6" or less, they amended to 7.5" and passed that. Maximum mesh size became 7.5". However that never got into regulation. The wording, says in 5AAC.5.331 and in b,c and d, for YR subdistricts 1,2,3,4 "salmon may be taken only with gill nets of 6" or smaller." After a date specified by emergency order. In 2011, districts 1-6... (see regulation) In the subsistence regulations it is in. In a recent BOF meeting, 2 proposals by ADF&G (#84 and #88) that appeared to be housekeeping. 84 passed. In 88, it became apparent to YDFDA there was no commercial equivalent. Sandone went on to explain that the ACR was to correct the errors that created a discrepancy.

Gale: considering we are not going to have a directed for a king fishery for a very long time, what is the imperative right now?

Gene: This discrepancy circumvents the public process and the regulation should be corrected. This has been a hot issue in the past.

Al B: The FAC has continually been promoting a lower mesh size in the Yukon River and that uniform lower size has continually been denied. We have not more 7 and 8 year old king salmon coming up the river.

Virgil: We have a lot to cover tonight. Thanks to our Board support for finding the Elfin Cove AC to restrict the hatchery production. I'm going to pass on this fight – you and I are going to be long dead before there is a king fishery again. Hang around and listen to the next part of the meeting.

Chuck Derrick: Chitina Dipnetters we would like to see the upcoming Copper River board meeting slated for Cordova, change to Anchorage. See Chitina Dipnetters letter in Public Comments. Having a meeting in Cordova disenfranchises the 7-10,000 Alaska residents who annually purchase a Chitina personal use permit. Cordova is off the road system, remote in the winter, only one flight a day, for often stopped by weather, etc. At the 2021 PWS in Cordova, there were numerous housing and food available problems.

Gale: My question is why Anchorage instead of Fairbanks?

Chuck: At one time we did have a PWS meeting in Fairbanks but very few people attended. We just thought a better chance getting to move to Fairbanks.

Virgil: When PWS had a meeting here, it was just a few Board members taking testimony. It has always been Cordova or Valdez. It's totally absurd to have in

Cordova when the majority of people affected don't live there.

Chuck: It would save the state so much money to have in a fixed location. Most attendees have organizations who support them.

Virgil: every other AYK meeting has been in Fairbanks.

Chuck: It was on the BOF agenda to take up meeting locations, but there was a drive for our members to send in comments but there is no record.

Gale: We should do this as a motion for Wednesday full FAC meeting.
(Was there a technical problem?)

John W: I remember hearing about 20 dead sea lions in Cordova this summer.

Gale: We can find out.

Al B: I agree with Virgil that there is a statutory obligation to have Board meetings in Fairbanks.

Gale: Going back to what Marit said earlier, if you can't attend, hope you can listen in to the Work Session

Board of Fish Hatchery Committee meeting

Virgil: in the 1970's, things were really bad, so the FRED division was formed and hatcheries created. Gale has sent out numerous studies by Dr. Greg Ruggerone, Dr. Daniel Schindler, Dr. Peter Westley and many others regarding the impacts of hatcheries since then. Basically says what most of us have been saying that there are too many hatchery fish pumped into the ocean... In 1985, Fred Anderson, who was our area biologist at the time, for Upper Yukon, he told me that the PWS hatchery production would really affect the Yukon. In 1992, UAF economics department did a study looking at potential impact of pink salmon production. Their report was supposed to go to the State Senate but never made it because the FRED division had enough ability to prevent. When you read the Elfin Cove AC Proposal #421 from 1996 you can see what we have been talking about. What the PWS hatcheries did in 1995, they were not getting money for hatchery chum, so they decided to duplicate what the YR was doing, subsequently getting their chum to the big East Coast distributor, John Nagle (?), ahead of the Yukon River season. YR used to fly fish directly to Seattle and then to Boston, Los Angeles and Spokane. The PWS hatcheries negotiated a cheaper per pound price and ultimately cut out the YR distribution. Sending to Anchorage via Whittier then trucked to Boston. It was a lower quality. See Elfin Cove notes on roe stripping. Those hatchery fish have been directly competing with YR. Then in SE after 1996, they really increased their pink and chum production. They dumped 2.5 million pounds of chum roe caviar on the market at once. They run almost all fish processors on YR and Norton Sound out of business.

When Elfin Cove brought this to the Board, they said they did not have authority to change, only the Commissioner. It went to the Attorney General's office who

confirmed that the BOF does have authority. So then we formed a Hatchery Committee of the BOF (see action of BOF in 1998?).. which was supposed to meet every 3 years in the Board cycle but did not meet until 2001 when we did the big mega-Board meeting when the legislature cut the Boards budget. We were going 12-16 hours a day for 26 days. **The hatchery managers went to the Governor and said if you can get the Board not to take up the proposal, we will cut our production by 25%.** I agreed to that, which I should not have done. Gale sent out Craig Medred's article this week³ where he pointed that the Board approved increases in production by 42% rather than decreases. Dan Coffey, a Board member with Virgil in 2000, we negotiated a protocol on how hatcheries should be managed. But when Frank Murkowski became governor, he replaced Board members with more commercial. Charlie Swanton became Deputy Commissioner, (he was here in Fairbanks for 10 years), he assisted in getting hatchery meetings started back up in 2018. ⁴

Gale: Agenda for hatchery meeting, has public questions in Open Forum and then more in Board Discussion. The BOF does have limitations on what they can do with hatcheries but we have encouraged this meeting because this is the ONLY venue we have as the public to get these reports and have any public discussion. I want to thank BOF Chair Marit Carlson-Van Dort for making sure we got this meeting. (See questions) I will be submitting public comments.⁵ We have hatcheries that are way over their cost recovery limitations, almost 100% in one case, which is insane. We have hatcheries that are releasing so many pinks into the ocean. There are annual enhancement reports and an overall state report. I have written several articles this summer about why the YR cannot/should not have a hatchery.

Virgil: Leon Shaw was a researcher in SE and the former chief fishery scientist, agrees we need action in concert with precautionary principle. In our Sustainable Salmon Policy (in regulation) we need to adhere to this.

Marit: At the open forum, its about a discussion and these are starters, so would be useful for the Department to hear comments on things we should be paying attention to. Getting concerns on the record is important.

Virgil: the reason why Dan Coffey and I negotiated the Dept protocols – the Dept has not followed this protocol.⁶ That's how hatcheries grew so much with no one really no what they are doing.

³See "Wild Fish Aid", Craig Medred, October 1, 2023

⁴ Note: Reed Morisky was chair at the time and was critically instrumental in getting a Hatchery Committee of the Whole formed.

⁵ See RC008 and RC009 from Board of Fish Hatchery meeting October 14, 2023

⁶ See *Joint Protocol on Salmon Enhancement*, #2002-FB-215 Board of Fisheries findings

Marit: That's an excellent point. This is a fairly new Board. I've been on the Board for 5 years now and learning something new every day. We don't know (this history) and this is really a good opportunity to educate members of the Board on these topics, and maybe even the Department. I would also add that with respect to Board discussion questions, this won't be an open dialogue necessarily with the public but it depends on the Chair. Submit your concerns and opinions about anything.

Virgil: I'm going to give Dan Coffey a call. Not many of us left from the time we were on the Board together. He was a super good Board member. He and Charlie Swanton wrote most of the Sustainable Salmon Policy.

Gale: Yes, we need to get some history from him.

Chuck D: We had so much discussion in the past about straying. Especially in South Central where hatchery fish were mixing with wild. I don't see comment on this any more. That seems like a really strong reason to reduce hatchery production. The impacts on wild was supposed to be considered.

Gale: Those studies are still on-going. Dr. Peter Westley sent me some information not long ago. Not just pink salmon, chum as well. A couple of SE where hatchery chum have overcome wild streams. Our AC should consider a list of questions for the Department. We need to take the time to structure very carefully. There are so many questions to be asked. We might lose sight of them in a public forum. You are absolutely right.

Chuck: It seems like the straying part should still be stressed. That's something we can prove, the data is there. Some of the other things are harder to prove.

Gale: All of the concern about the CWAK stocks are looking at the carrying capacity of the ocean. It's part of the puzzle because right now ocean conditions are favoring pink salmon. Norway is dealing with an invasion of pink salmon from Russia. Pinks are straying to Scotland and other place they don't normally see them.

The ex-vessel price of salmon went down to about 50% of last year and hatcheries are going to have a hard time meeting cost recovery which will increase their need for greater production. So we need to be aware. It is an integrate system. I have been talking with several people about doing infographics. Here is my concern that I will be writing personal comments on. Because this is a full integrated system – we have fishermen and fishing communities “that if our wild stocks disappear we can just go to hatcheries. We don't care where we get our fish, we just want to fish.” If you are a fisherman, that makes sense. Every one in that bubble – processors, hatcheries, fishermen, fishing communities, marketers, they are all chasing fish,

whether hatchery or not. Especially to some of the younger fishermen. I am very concerned about this. At the AYK meeting we heard other areas tell us we should have hatcheries in the AYK to solve our problems and we all know that is not true. So I think we really need to focus on that we are not paying attention to our wild stock.

Board of Fish calendar: Gale – I need to get that done.

Board of Fish proposal book for 2023-24 is on line. FAC has two proposals. One in the Lower Cook Inlet and one in the Kodiak meeting for hatchery reduction.

UPCOMING

NOAA Alaska Salmon Research Task Force.

Alaska State legislature

Pike Report

Member comments:

Public comments:

VI. Adjourn: 8:20pm

Minutes Recorded by: Gale K. Vick