

**Nushagak Advisory Committee**  
**October 10, 2023**  
**Minutes For BOF Work Session**  
Dillingham ADF&G Office and Teleconference

I. **Call to Order:** 3:01 by Chair Susie Jenkins-Brito

II. **Roll Call**

Members Present:

Susie Jenkins-Brito Chair  
Travis Ball Vice Chair  
Dan Dunaway Secretary  
Chris Carr Portage Cr. phone  
Tom O'Connor Dillingham by phone  
Gayla Hoseth Dillingham  
Joe Chythlook Dillingham  
Jimmy Coupchiak Togiak alt phone  
Kenneth Nukwuk at large alt. Manokotak phone

Members Absent (Excused): Todd Fritze, Lindsey Layland

**Number Needed for Quorum on AC: 8 QUORUM** made 3:17 9 members attending.

List of User Groups Present (including public):

Subsistence Commercial Fishing - set and drift  
Trapping Commercial Fish Processing  
Sport Fishing Tribal Agencies  
CDQ Group

III. **Fish and Game Staff Present:**

Tim Sands Comm Fish Phil Stacey Comm Fish  
Lee Borden Sport Fish Greta Hayden-Pless Sport Fish  
Natalie Romo Board Support John Landsiedel Wildlife

IV. **Guests Present:**

Robin Samuelson  
Tony Zach BBEDC  
Jeff Regnart BBEDC BBSRI  
Cody Larson BBNA

Dave Bendinger OBI  
Christine O'Connor Ekuk Set Net

**V. Approval of Agenda:**

Gayla moved Travis 2nd. Adopted by 9 - 0

**VI. Reports**

- a. Chair's report: Chair noted that the first attempt to have the AC meet Sept. 25 no quorum was present. The AC members and others present agreed to discuss the ACR's but took no action. The AC secretary summarized the discussions and recommendations from that meeting. Copies were provided at this meeting and are attached to this document. The summary provided a starting point for this meeting.

**VII. Public Comment**

The public was invited to speak during the discussions of the ACRs below.

**VIII. Old Business**

There was no old business and no action to be taken.

**IX. New Business**

- a. BOF Agenda Change Requests for 2023-2024 work session.  
(Member Hoseth left the meeting at 5:25 PM while ACR 10 was discussed. Quorum maintained. )
- a. Bear Control Initiative - Complete Minutes reflect action taken - omitted for BOF submission to alleviate burden of review.

**X. Miscellaneous Business:**

- a. Approval of these minutes for submission to the appropriate board. Secretary to write and submit to Chair for review, approval, and submission to BOF by deadline for RC comments Thursday Oct 12, 2023.
- b. Date and location of next meeting: Call of the Chair

**XI. Adjourn 6:12 PM**

**NOTE: Many references are made in discussions to the Spet. 25th meeting of the Nushagak AC in during this meeting. While no quorum was present for the 9/25 meeting numerous public were present in addition to ADF&G staff and six AC members so an open Town Hall discussion was held and this summary is attached at the end of the Actions for the BOF's review.**

XII.

Board of Fisheries Work Session			
Agenda Change Requests			
October 12-13, 2023   Anchorage, AK			
Proposal Number	Proposal Description		
Support, Support as Amended, Oppose, No Action	Number Support	Number Oppose	Comments, Discussion (list Pros and Cons), Amendments to Proposal, Voting Notes
<p><i>Note: Effective September 2019, when abstentions occur, the action or decision of a majority of the remaining members at a meeting at which a quorum is present is an act of the committee. For example, a vote tally of 7-6-2 means the motion carries. Members abstaining from voting must provide an explanation that is included in the committee record.</i></p>			
1	Require set gillnet anchors and buoys to be removed from the water when not actively being fished (5 AAC 39.107).		
Oppose	0	9	<p>Travis moves Dan 2nd with friendly amendment to include the language from the 9/25 meeting summary:</p> <p>ACR 1 - there were extensive comments from AC members and public that this ACR should not be taken up out of cycle or on a statewide level as there have been no gear specification changes for set gillnet operations that would create the need to remove buoys, lines, and anchoring devices from water when not fishing that met the ACR criteria to become a Board generated proposal.</p>
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).		
Support	9	0	<p>Travis moves Joe 2nd</p> <p>Public and AC member comments: strong disagreement w ADFG position on criteria.</p> <p>Conservation of Chum salmon in the Nushagak Drainage is a priority - according to ADF&amp;G’s Annual Management 2022/2021/2020 Reports: “In 2022, the inshore commercial harvest of 303,473 chum salmon was the third lowest harvest on record. Chum salmon harvests were below the 20-year averages (2002–2021) in all districts The Nushagak River sonar project is the only chum salmon escapement assessment project in Bristol Bay. The escapement of 116,692 fish was below the lower-bound SEG of 200,000. In 2021, the baywide commercial harvest of 212,250 chum salmon was the lowest on record for the second year in a row. Chum salmon harvests were below the 20-year averages (2001–2020) in all districts. The Nushagak River sonar project is the only chum salmon 5 escapement assessment project in Bristol Bay. The escapement of</p>

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			<p>125,352 was below the lower bound SEG of 200,000. In 2020, the commercial harvest of 293,000 chum salmon was the lowest on record.”</p> <p>Yukon subsistence has been closed for 4 years, Kuskokwim closed or very restricted for years, Nushagak kings are a Stock of Concern (SOC), and Nushagak Chums are on the verge of SOC. Restrictions to control Area M interceptions have been removed, ADFG promised to hold 2023 Area M chum to 500K but 900K were taken, ADFG is not following the law for subsistence priority and conservation of species. The promises of "self-regulation" in Area M were not kept and there's no incentive to do so. Several present noted hearing reliable reports of "chum and king chucking" during the 2023 Area M fishery - efforts to hide the real catch to avoid restrictions in season.</p> <p>Several public and AC members expressed strong distrust of the process that adopted the current Area M regulations at the February 2023 meeting. A last minute document (RC 190) was adopted with insufficient opportunity for public review and comment.</p> <p><b>The Nushagak AC believes all 3 ACR criteria are met. <u>Criteria a:</u> We have serious conservation concerns. SOC Nushagak king escapement of 31K was below the minimum goal of 55K: <b>Nushagak chum escapement of 110K in 2023 was below the 200K sustainable escapement goal and chum escapement has been below the goal for the four consecutive preceding seasons</b> and; the Yukon and Kuskokwim runs were very low with many fishing restrictions in-river. We are concerned the precedents for subsistence closures on the Yukon and Kuskokwim could come to the Nushagak while Area M continues to fish. <u>Criteria b.:</u> while not necessarily an error, the regulation is wrong and did not do enough to protect spawning populations of the Nushagak, Kuskokwim and Yukon from interception. <u>Criteria c:</u> the 2023 area M interception was to be held at 500K chums yet 900K were harvested - <b>clearly the regulation is insufficient to conserve stocks of concern and immediate remedial regulatory action is needed.</b></b></p>

## Board of Fisheries Work Session

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3	Reduce commercial salmon seine depth in the Southwestern and Unimak Districts of Registration Area M (5 AAC 09.332).		
Support	9	0	Travis moves Dan 2nd Public comment noted 2 BOF members spent 5 days in Area M and may have witnessed "chum and king chucking". Area M seines are the biggest in the state, they are huge. Member Dunaway stated he had an Area M skipper confide " we should have stayed with 3 strip seines instead of going to 5 strips". <b>We are facing a Stock Of Concern (SOC) situation on Nushagak chums if we experience one more season without reaching escapement goals, and already struggling with SOC on our kings.</b> Some members questioned the ADFG statistics of only 17% Western Alaska Chums in the Area M harvest; if chucking is going on their estimates could be wrong. If we get even a few more fish onto the spawning grounds it could help. When questioned, ADFG is not scheduled to review Nushagak chum stock status until just prior to the 2025 BOF cycle. AC members are concerned for the wait. NOTE: our conservation discussions in ACR 2 apply to ACR 3 as well.
4	Repeal vessel specifications and operations that define Bristol Bay drift gillnet vessel length (5 AAC 06.341).		
Oppose	0	9	Travis moves Dan 2nd - As we noted at the 9/25 meeting, this does not meet any criteria - we oppose any off cycle attempt to eliminate the limit.
5	Redefine Bristol Bay commercial salmon vessel specifications and operations (5 AAC 06.341).		
Support	8	0	Travis moves, Joe 2nd. The ACR criteria are met because there have been many new equipment changes since adoption of the regulation. During the winter AWT warned vessel owners they would step up length enforcement. But in-season, several commercial vessel owners expressed frustration that Wildlife Protection officers could not provide clear criteria for enforcing the vessel length regulations. We would get vague answers when we had Troopers check our boat on land and then we worried every time we were boarded on the grounds. We want clarity, we don't want interpretation up to the whim of individual officers. <b>ACR 5 would provide AWT clear guidance.</b>

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			<p>The regulatory language suggested by the submitter for ACR 5 is very clear and addressed the unforeseen regulatory issue now upon Bristol Bay Drift Fishermen.</p> <p>There was some opposition for taking up this ACR off cycle due to potential lack of awareness/participation. This could become allocative of really high capitalized big boats vs low cap small and older boats.</p> <p>From 9/25 summary: The discussion focused on the uncertainty of enforcement policy and strong desire among drifters for more clarity to facilitate compliance. There were several comments on the difficulty of fishers to know how or if to alter their boats. If concerns in this ACR are addressed it should cover concerns expressed in ACR 6 as well.</p> <p><b>Roll Call Vote. One AC Member abstained from voting as he was not fully involved in the discussion for this part of the meeting.</b></p>
6	Increase maximum size of Bristol Bay drift gillnet vessel anchor rollers (5 AAC 06.341).		
<b>Oppose</b>	0	9	<p>Travis moves Dan 2nd.</p> <p>ACR 5 is very well constructed and addresses this item as well as many other items. ACR 6 specifically increases the size of the anchor winch vs older regulations. The older smaller anchor winches may not hold these new really big boats.</p>
7	Increase maximum gillnet mesh size in the Yukon Area commercial salmon fishery (5 AAC 05.331).		
<b>NO ACTION</b>			<p>After a brief discussion it was the consensus of the membership that this ACR is " out of the area" and we did not take it up. See 9/25 summary.</p>
8	Restrict Copper River District commercial salmon fishing opportunity until a specified level of salmon sonar passage at Miles Lake has been achieved (5 AAC 24.XXX).		
<b>NO ACTION</b>			<p>After a brief discussion it was the consensus of the membership that this ACR is " out of our area" and we did not take it up. See 9/25 summary.</p>

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9	Repeal the no bait regulation and allow the use of non-roe bait for salmon, other than king salmon (5 AAC 67.022).		
<b>Oppose</b>	2	7	<p>Travis moves Dan 2nd.</p> <p>Togiak AC rep isn't sure the regulation needs changing, kings keep coming later, they don't know to avoid bait. ADFG: most Togiak residents seemed to be unaware of the new restriction that prohibits bait for all fish all year. A discussion ensued about state vs federal subsistence rules and which apply to who and when. Several who are opposed feel those subsistence rules suit the local fishers well and they should have no enforcement concerns while it could limit non qualified and non local angler harvests to the benefit of the fish population.</p> <p>One who supported the ACR expressed concerns for conflicting and confusing regulations for little to no biological gain. This is clearly an oversight and more restrictive than on the Nushagak where there is a Stock of Concern plan.</p> <p>See 9/25 meeting summary.</p>
10	Provide guidance for specific king salmon sport fishery management actions while Nushagak River king salmon are a stock of concern (5 AAC 06.391).		
<b>Oppose</b>	3	5	<p>Travis moves, Dan 2nd</p> <p>Several members, especially from a commercial background strongly support this ACR; " we don't target kings and face restricted fishing time while the sport fishery targets the stock of concern and never gets restricted until most of the fish go by". Concern expressed for the mortality associated with Catch and Release angling - some still die. Doubt expressed on accuracy of Sport Fish data on C&amp;R mortality - some believe it's probably higher. The sport fisher needs clear guidance to protect the run. Several do not want to trust ADFG Sport Fish to manage without clear guidelines or triggers and provide EO authority that everybody can read. The sport fishery will go until there are no fish.</p>

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			<p>Some concern expressed that opening the "Plan" at all could open Pandora's Box.</p> <p>Several present also expressed strong opposition to this ACR. The fishery operated just as planned. The conservation measures were built into the plan with the increased harvest restrictions that were adopted. Let the plan work a cycle. One person emphasized that this remote sport fishery is disproportionately affected when EOs are issued, and the ideal is to allow a very conservative fishery without in-season EOs. One guide / service provider noted his business dropped by 70% just from the new regulations, effort was much lower and when the fishery goes to C&amp;R effort basically stops and most lodges leave.</p> <p><i>(AC Member Hoseth left the meeting at 5:25 PM while ACR 10 was discussed. Quorum was maintained )</i></p>
11	Amend the Southeast Alaska King Salmon Management Plan to align with new methods to set catch limits adopted by the Pacific Salmon Commission (5 AAC 47.055).		
			NO action out of area
12	Amend the Southeast Alaska King Salmon Management Plan to align with changes adopted by the Pacific Salmon Commission to maintain the troll and sport fishery allocations (5 AAC 47.055).		
			NO action, out of area.
13	Manage the SEAK king salmon sport fishery to not exceed the annual sport fishery harvest allocation (5 AAC 47.055).		
			NO action out of area.

Minutes Recorded By: Secretary Dan Dunaway

Minutes Approved By: Susie Jenkins-Brito, Chair

**Nushagak Advisory Committee**

**September 25, 2023**

**Dillingham Fish and Game Office and Teleconference**



## SUMMARY of Public Discussion

I. **Call to Order:** 3:01 by Chair Susie Brito

II. **Roll Call**

Members Present: Susie Jenkins-Brito Chair; Dan Dunaway Sec; Chris Carr; Todd Fritze; Tom O'Connor; Travis Ball

Number Needed for Quorum on AC: 8 **NO QUORUM** - 6 Members Present

III. **Fish and Game Staff Present:**

Tim Sands Comm Fish	Matt Nemeth Com Fish
Lee Borden Sport Fish	Greta Hayden-Pless Sport asst.
Art Nelson Boards	Fari Fernandez Boards
John Landsiedel Wildlife	

IV. **Guests Present:**

Missa Webber phone	Reed Tennyson
Kathrine Carscallen	Antonio Arena
Nick Dowey phone	Robin Samuelson
Craig Chythlook phone	Tony Zach BBEDC
Jeff Regnart BBEDC BBSRI	Cody Larson BBNA
Robin Samuelson	Dave Bendinger OBI

V. **Approval of Agenda:**

Since there was not a quorum no official actions were taken. However it was the consensus of those attending to hear the ADFG brief reports and to discuss in general the ACRs to be more informed when an AC quorum can meet. Chair to lead discussion.

VI. **Reports**

Tim Sands ADF&G Commercial Fisheries and Lee Borden ADF&G Sport Fisheries were both present and gave brief information regarding the 2023 season and were available throughout ACR discussions.

VII. **New Business**

**Before beginning discussions on the ACRs Chair noted the main focus should not be on the details of the proposals but solely on whether the proposal met any or all of the 3 the criteria to be taken up by the BOF.**

ACR 1 - there were extensive comments from AC members and public that this ACR should not be taken up out of cycle or on a statewide level as there have been no gear specification changes for set gillnet operations that would create the need to remove buoys, lines, and anchoring devices from water when not fishing that met the ACR criteria to become a Board generated proposal.

ACR- 2 - Comments were extensive on the process of the current Area M regulations and merits of this ACR. The closures and extreme restrictions to the Yukon and Kuskokwim Rivers were mentioned. The fact that again this year the Nushagak chum run did not meet the goal and one more year could put us into another " stock of concern" situation. Of those present there was consensus that this ACR should be considered by the full AC and likely meets the criteria to be taken up by the BOF.

ACR - 3 - Wide ranging discussion on data, previous management and regulations, subsistence needs, and impacts on kings and chums for western Alaska river systems. It took 2.5days for the BOF to adopt the new regulations last winter. The current stock of concern status for Nushagak kings and high potential for the Nushagak chums to become a stock of concern as well, add urgency to review Area M seine operations. Consensus that full Nushagak AC should consider recommending deliberation by the BOF.

ACR - 4 - Consensus vessel length has been before the BOF nearly every cycle and does not meet any criteria.

ACR -5 & 6 - The discussion focused on the uncertainty of enforcement policy and strong desire among drifters for more clarity to facilitate compliance. There were several comments on the difficulty of fishers to know how or if to alter their boats. If concerns in this ACR are addressed it should cover concerns expressed in ACR 6 as well. General consensus that this meets criteria and warrants attention of full AC to recommend to the BOF.

ACR - 9 - Those present discussed several perspectives and many felt we need input from Togiak. It was noted that the regulation as adopted seems to have unintended consequences and unnecessarily restricts sportfishing on other species with no biological issues. The BOF adopted this regulation before final action on the Nushagak stock of concerns; the Togiak regulation is more restrictive than for the Nushagak kings. ADFG staff believes this meets criteria (C) for the Board. Consensus that the full AC should consider and possibly recommend the BOF take it up.

ACR - 10 - A very long discussion ensued. Commercial users struggle at being restricted while sport fishery continues and there are no guidelines for the public to understand. There is discomfort with leaving it to the judgment and timing of ADFG. Some speakers felt it's too early to change the system after recent adoption - let a cycle run and see how it works out. Subsistence users expressed deep concern when so few kings were available even to them. Overall, there is a perception among many that management of the sport fishery is inconsistent with the conservation restrictions on the other fishery. Most present think the full AC should review this item further.