

**Northern Bering Sea Research Area Research Plan
Community and Subsistence Workshop
Anchorage, AK**

February 24-25, 2010

Participants

Angelique Anderson, CVRF*
Jason Anderson, Best Use Cooperative
Karl Ashenfelter, White Mountain
Allen Atchak, Stebbins
Reggie Barr, Brevig Mission/NSEDC*
Julia Beaty, AMCC*
David Bill, Sr., Toksook Bay
Aggie Blandford, NSEDC
William Brown, Eek Traditional Council
Keith Bruton, O'Hara Corporation
David Carl, Kipnuk
Dorothy Childers, AMCC
David O. David, Kwigillingok
Jack Fagerstrom, Golovin
Andrew Hartsig, Ocean Conservancy
Jennifer Hooper, AVCP*
Larson Hunter, CVRF
Art Ivanoff, Unalakleet
Weaver Ivanoff, Unalakleet
Axel Jackson, Native Village of Shaktoolik
John Jemewouk, Elim
Kenneth Kingeekuk, Native Village of Savoonga
Charlie Lean, NSEDC
Laurie McNicholas, Nome
Vera Metcalfe, Kawerak
Eva Mendalook, Diomedea
Peter M. Moore, Emmonak
Muriel Morse, AMCC
Erik O'Brien, State of Alaska Commission
Ukallaysaaq Tom Okleasik, NWAB*
Frank K. Oxereok Jr., Wales
Christine Perkins, Kawerak

Participants

Vince Pikonganna, King Island
Fred Phillip, Kwigillingok
John A. Phillip, Sr., Kongiganak
George Pletnikoff, Greenpeace/AI-TC*
Julie Raymond-Yakoubian, Kawerak
Charles Saccheus, Native Village of Elim
Glenn Seaman, Homer
Stewart Tocktoo, Brevig Mission Native Village
Stanley Tom, Newtok
Deborah Vo, CVRF
Jon Warrenchuk, Oceana
Gregg Williams, IPHC*

Facilitators

Heather Kinzie, A Leading Solution (Moderator)
Rebekah Lührs, RurAL CAP*
A. J. Salkoski, RurAL CAP
Sarah Scanlan, RurAL CAP

Agency Staff

Melanie Brown, NMFS AKR*
Mike Cameron, NMFS AFSC*
Diana Evans, NPFMC*
Nicole Kimball, NPFMC
Bob Lauth, NMFS AFSC
Pat Livingston, NMFS AFSC
Bob McConnaughey, NMFS AFSC
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Craig Rose, NMFS AFSC
Jonathan Snyder, USFWS*
Dan Urban, NMFS AFSC
Cynthia Yeung, NMFS AFSC
Tamara Zeller, USFWS

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AI-TC – Alaska Inter-Tribal Council
AFSC – Alaska Fisheries Science Center
AKR – Alaska Region
AMCC – Alaska Marine Conservation Council
AVCP – Association of Village Council Presidents
CVRF – Coastal Villages Region Fund
IPHC – International Pacific Halibut Commission

NMFS – National Marine Fisheries Service
NPFMC – North Pacific Fishery Management Council
NSEDC – Norton Sound Economic Development Corporation
NWAB – Northwest Arctic Borough
RurAL CAP – Rural Alaska Community Action Program, Inc.
USFWS – US Fish & Wildlife Service

See the attached attendee list for additional contact information for participants.

DAY ONE

The meeting began at 9:15 am. Moderator Heather Kinzie introduced herself and advised everyone of egress from the building for safety reasons due to the group nearing capacity for the room size.

Sarah Scanlan, RurAL CAP Deputy Director, greeted the group and thanked participants for their interest in attending the meeting. Pat Livingston, Director of the AFSC Resource Ecology and Fisheries Management (REFM) Division and Chair of the NPFMC (Council) Scientific and Statistical Committee (SSC), also welcomed the group, and introduced agency staff and presenters. Participants introduced themselves. Heather familiarized the group with the agenda and the format of the presentations, and invited feedback to follow the presentations.

John Jemewouk asked all agency staff to refrain from implying that Alaska Natives do not have history in their regions. Karl Ashenfelter (Karl) requested agency staff to listen to what the group had to say. He also wanted the Alaska Whaling Commission and the Beluga Commission to be at the workshop to hear their comments and concerns.

Melanie Brown presented - Establishment of the Northern Bering Sea Research Area (NBSRA) – on history of the establishment of the NBSRA, the protected areas within the boundaries, and the potential changes to the research area based on Council recommendations for Amendment 94 to the Bering Sea and Aleutian Islands Groundfish Fishery Management Plan. (http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Brown_NBSRA210.pdf)

Discussion:

Karl asked who the agencies were seeking permission from to do this research

- Melanie responded that changes in regulations are the only way to gain permission.
- Karl asked why the agency folks were talking to this group as if the group had no say in regulatory changes.
- Eric Olson (Eric) responded that the Council makes recommendations on regulatory changes, described who the Council is, and that the Council is currently attempting to improve the tribal consultation process.
- Karl responded that he had not given his permission to do the research but knew it would go ahead anyway.
- Melanie explained laws are now in place for federal agencies to consult with tribes, and now is the time to document concerns before research begins.

George Pletnikoff (George) asked if changing the law meant writing new regulations, to which he was answered yes, and he noted that regulations should not be confused with federal laws.

George then asked if this was considered tribal consultation

- Melanie answered no, but it was a beginning step to gather information from tribes.

George asked for clarification on how new regulations are written

- Eric explained that the government agencies work with the Council, an analysis is written, the Council considers testimony from the public, then recommends an action to the Secretary of Commerce. If approved, regulations are developed by NMFS to meet the desired outcomes.

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Charlie Lean asked if any consideration would be given to existing closure areas like the St. Lawrence Island Habitat Conservation Area and others. He indicated the closure of those areas had very positive consequences.

Karl asked who chooses the Council

- Eric explained that some seats are designated positions, others are chosen by either the Washington, Oregon, or Alaska Governors. Council representation is dictated by the Magnuson Stevens Act.
- Karl asked why there was no tribal representation and who the representative is from Western Alaska.
- Eric said he is that representative.
- Julie Raymond-Yakoubian (Julie) stated that many groups are working to get explicit tribal representation on the Council through Congressional action. The seats would be for individuals who do not work for a CDQ group or for the commercial fishing industry. There is a precedent for such tribal seats with the Pacific Fishery Management Council.

John Jemewouk asked who chooses seats on the Council's SSC

- Eric and Pat Livingston (Pat) explained the seats on the SSC and how they are filled.
- Ukallaysaq Tom Okleasik (Tom) noted that the Council recently created a committee to more effectively engage rural communities and get their feedback.

Weaver Ivanoff (Weaver) asked which areas contained trawling activities

- Melanie responded that there is no bottom trawling allowed in the NBSRA; the Council closed this area to bottom trawling in 2008 and requested that a research plan be developed to investigate the effects of bottom trawling.
- Weaver asked why they would want to open it.
- Melanie stated that they wanted to conduct research on flatfish trawling in an area of low halibut occurrence.
- Weaver asked why they couldn't go somewhere else to do the research; was someone worried about fish stocks moving northward? He indicated the proposed area is too close to subsistence use areas for trawling.
- Larsen Hunter (Larsen) asked how many vessels had the modified trawl gear; response was 30-40.
- John Jemewouk wondered if there was pressure from the fishing industry for openings further north, possibly based on decreasing stocks.
- Pat notified the group that the possibility of commercial fishing moving further north is based on harvest stocks moving north and the desire to avoid halibut bycatch.
- Eric said that the industry can't go there yet; the NBSRA research plan is being developed as a precaution to gauge pre-industry effects.

George asked how often the yellowfin sole fishery is closed because of halibut bycatch

- Pat responded she wasn't sure.
- George stated he attended a meeting where the trawl fishers indicated that fish are moving north and they want to follow them for commercial harvesting.

Vince Pikonganna (Vince) wanted to ensure that everyone realized there are consequences for all actions and that the Native people were taught to modify how much they take from nature because other people and animals are hungry, too, and there is a balance in nature. He stated he takes only what he needs.

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David Bill asked how far off the bottom the gear goes. He noted there is food there that animals use. He asked what the animals will do when all the food is gone.

(A discussion concerning the height of trawl gear off the ocean floor was postponed until Craig Rose's presentation, discussion to be marked in that section.)

Charles Saccheus (Charles) stated that people in his area are most worried about salmon bycatch

- Peter M. Moore (Peter) agreed with this concern. He noted that village people are having a lot of trouble because of the bycatch.
- Vince noted the struggles of life now and problems providing for his family; the Native people are suffering the consequences of trawling. He stated there is very little fish in his region (Norton Sound).

David Bill (David) asked who hires the observers

- Jason Anderson (Jason) commented that observers are employed by private observer companies and must comply with NMFS regulations and protocols, but the fishing boats have to pay the observer companies.
- David noted they saw a trawler 20 miles off of Nunivak Island which is inside an area closed to trawling, the trawler had all its lights turned off, salmon run are way down, possibly as a result of trawling.

David said that everyone (agencies and tribes) needs to work together or this process won't work.

Karl informed the agencies that because of regulations, fisheries in the region are being impacted. There should not be overfishing, and that commercial fisheries need to slow down their destruction because the people need healthy fish.

Cynthia Yeung presented - Research Planning – Presently, there is no research plan in place for the NBSRA. The Council requested that a research plan be completed near the end of 2011. The objective of the workshop is to solicit comments and input from the subsistence communities to help develop the plan.

http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Yeung_ResearchPlanning210.pdf

Discussion:

Vince stated that he believed this was a naïve approach to nature, that everything depends on each other and that the more you leave it alone, the better he would feel.

- Cynthia said they were trying to better understand the environment to avert problems in the future.
- Vince said to go to the people that already have the knowledge instead of conducting research.
- Julie suggested the agencies create a less intrusive method of research.
- Cynthia wanted to clarify that the way to know the effects of trawling is to conduct research using trawl gear. The catch from research trawling is returned to the sea and not used for commercial purposes.
- Julie asked why the biologists couldn't use models, rather than trawlers, to figure out how trawlers might affect the bottom. She also asked that if there is no real interest in

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trawling in the northern Bering Sea (which is what the Best Use Cooperative (BUC) has stated), why shouldn't we be just as conservative as possible and keep the area closed to trawling? She stated that it seems that any research will be used by the industry to push for commercial trawling and that there are real concerns that data will be used selectively to promote trawling.

Bob McConnaughey (Bob) said that the research would use commercial trawl vessels so as to produce trawling effects as accurately as possible.

George expressed that this research is just a snapshot and they need to be looking at the whole picture. The agency needs to be better about communicating the research and more concerned about the spiritual and mental health of the communities as well. Now the tribes have to change their diet because they cannot subsist on harvest from the sea, which leads to anxiety and potential alcohol and drug abuse. Research does not take this into consideration. Science is not taking a holistic approach, but only looking at specific species in that environment.

- Cynthia agreed cultural effects need to be incorporated in the plan.

Frank K. Oxereok Jr. (Frank) wanted the agency to learn from the Elders as well, talking with them and not just at them.

Eva Mendalook (Eva) wanted to support what George said. She was also concerned that people send in samples from potentially unhealthy animals to ADF&G, but they don't get the results back to know what is safe and what isn't.

- Cynthia agreed to discuss that with the State of Alaska Department of Fish & Game (ADF&G).

Tom wanted to know if NMFS has protocols for the use of Traditional Ecological Knowledge (TEK) in research, or if they have protocols about how to involve local community people in research. There also must be a rural outreach plan in place.

Julie asked if research already completed in other places could be applied to this region.

- Bob answered that the studies can be similar in design, but the effects are site specific because of differences in the biological communities, the environmental characteristics and the fishery practices/gear.
- Julie suggested making use of other studies, and asked why trawling research is necessary if no one is planning to trawl there anyway?
- Bob responded that the results of studies from other areas aren't directly applicable to this site.
- Julie stated there must be hundreds of reports and information about trawling from all over the world, in all types of bottom conditions, including the southern Bering Sea; in addition, the group saw the detailed sediment map that already exists. She asked where the report was that details and synthesizes all this information and how it relates to the northern Bering Sea, in addition to what is already known about the habitat and animals in the northern Bering Sea.

Charlie Lean (Charlie) interjected that studies have been performed in the past, and the agencies need to tap past resources and the knowledge of people. He also wondered about the effects of research on seals and polar bears.

- Cynthia said they will consult with the USFWS on polar bears.

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- Karl said it is too late for a survey. The damage is done. They need to ask the local people about what they want to study because a survey would only show what is happening now and not how things were in the past before the damage was done. There is genuine concern and suffering occurring.

David O. David (David O.) was upset that there was not enough cross-cultural communication, and that the Native people are forced to live within the rules created, and they have no say in creating those rules. He is concerned about his grandchildren being able to live a subsistence life.

Peter was frustrated that ADF&G was so concerned about ensuring salmon reached Canada.

- David expressed his frustration with how difficult it was to get a fishing permit.

John Phillip Sr. (John) informed the group that the impact of the 1964 earthquake caused many to move to new areas. There are many people who are not educated, but that doesn't mean they are not knowledgeable. There are specific rules about harvesting resources and Native people don't overuse resources. They understand the repercussions of overhunting and overfishing. They respect the land too much to let anything go to waste. He also mentioned salmon bycatch and said it is not right to waste bycatch and throw it overboard.

Weaver said the timeline to begin research is too ambitious. He asked about the critical habitat in the area and what the impacts on that would be. Salmon are going in and out and migration occurs in the fall. A whole outmigrating run of salmon fry could be wiped out by a trawl survey because no one is quite sure where they go.

John Jemewouk informed the agency that salmon have been recorded on the ocean floor in the past.

- Eva added there is too much at stake and stated a lot of thinking needs to go into this by the agencies before any trawling is allowed. Her people can't live without their resources from the sea.
- Art Ivanoff (Art) added that Unalakleet hosted a tribal consultation meeting in February with NMFS and the Alaska Fisheries Science Center where nine tribes decided they do not want bottom trawling, and an Alaska Federation of Natives (AFN) Resolution 09-35 - "Composition of the North Pacific Fishery Management Council" was passed by convention delegates on October 24, 2009, and that needs to be paid attention to. The resolution states that the trawling line should not be allowed to move north into the NBSRA until there are tribal seats on the NPMFC (resolution attached at end of these notes).
- Melanie interjected that midwater trawling is targeting pollock, where most of the salmon bycatch occurs; the research being discussed is on bottom trawling (flatfish fisheries).
- Art said he is more concerned about the ecosystem as a whole than bycatch.
- William Brown (William) notified the group that the State of Alaska has worked with tribes before to set limits on what days could be fished.
- Weaver concluded that no one knows where the salmon go, and that has not been considered.

Break For Lunch

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Jonathan Snyder presented- Managed Species (Walrus) - on feeding habits and habitats of the walrus, and recommended mitigating changes that impact their habitats and survival. Concluded that retreating ice leaves walrus over water that is too deep for foraging the seabed so they move to use land-based haul-outs.

(http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Snyder_MMresearch210%20.pdf)

Vera Metcalf of the Eskimo Walrus Commission (EWC) also discussed the EWC's role in walrus management.

Discussion:

Vince asked why so many walrus died in Russia.

- Jonathan pointed to human impact, bear disturbances, trampling, and stampedes as causes.

Tom asked if climate change is real, and could seismic activity play a role.

- Jonathan said climate change is the biggest threat to ice-associated animals.

Axel Jackson (Axel) asked where walrus were tagged.

- Jonathan responded that they were tagged all over their range.

Axel also wondered how to join the Alaska Eskimo Whaling Commission (AEWC).

- Vera Metcalf (Vera) responded to send in a request.

George asked about commercial whaling.

- Jonathan said Marine Mammal Protection Act prohibits commercial harvesting.

Art asked about the walrus population in Russia.

- Jonathan said it is a shared population with the US that moves back and forth seasonally.

John Jemewouk asked if bottom trawling affected the walrus habitat.

- Jonathan said it is possible, but he was not sure.

John Jemewouk also wondered why a polar bear presentation was not being provided.

- Cynthia said they wanted to hear what concerned the group, and although a USFWS expert on polar bears was not available at the workshop, they would refer the questions to and consult with USFWS to resolve the issues.

Frank wanted to know the AEWC's position on fines for whaling.

- Vera said the AEWC supports guidelines set by the USFWS.

Vera also expressed concerns about any trawling (research or commercial) going forward in the NBSRA because of its impacts on walrus habitat and food sources. She requested the EWC be included in any consultations on this issue and that the EWC was in the process of writing a letter supporting the tribes' opposition to trawling that was expressed at the February tribal consultation meeting with NMFS in Unalakleet.

Jennifer Hooper said Bristol Bay is also concerned with trawling effects on walrus.

- Eric said a study showed bycatch trawling had little effect on walrus.

Dan Urban presented- Managed Species (Crabs) - on trawl surveys, distributions, and avoiding resource conflicts (specifically for St. Lawrence Island).

(http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Urban_Crab210.pdf)

Discussion:

Karl asked about tagging and a migration route for crabs, but Dan did not know the answer. Eva stated that fewer plants and clams available for the crabs made them less healthy for consumption. Eva also stated that they have observed fewer clams in walrus stomachs; also thinner blubber with yellowish color.

Dan stated some of the animals in his presentation would be vulnerable to trawling activities.

Karl stated they used to see mountains of crab during spawning, but they don't see that anymore.

Mike Cameron presented - Managed Species (Ice-associated seals) - on seals, their diets, their preferred habitats, movements, and the potential that they could be affected by trawling. (http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Cameron_IceSeals210.pdf)

Discussion:

Frank inquired about the reward for returning a satellite tag

- Mike responded they do reimburse for tags. The amount is determined by the local agency (e.g., North Slope Borough, Kotzebue IRA (the common name for the Tribe due to its organization pursuant to the 1934 Indian Reorganization Act)).

John spoke of the problems of handling seals and hunting issues involved.

George asked if the population size was considered high enough to be sustainable and also about their potential listing under the Endangered Species Act (ESA).

- Mike discussed how "endangered" is defined and that habitat is one of several factors involved in making a determination.
- He said that spotted and ribbon seals in US waters are not considered endangered or threatened, and that bearded and ringed seals are currently being investigated.
- Mike said that a small population of spotted seals near Korea was considered threatened.
- Mike also said that the current population levels of all ice seals in the US are believed to be so high, and that subsistence harvest levels are thought to be so low that, even if a species were listed under the ESA, NMFS does not anticipate that there would be any regulation of subsistence hunting.

Karl asked if they find many contaminants in seals.

- Mike responded that ADG&G research indicates that ribbon seals tend to have higher contaminant levels than other ice-associated seals, and that US seals show lower levels of pollution than seals in Russia.

Tamara Zeller presented- Managed Species (Seabirds) - on seabirds in the Bering Sea. (http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Zeller_seabird210.pdf)

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Discussion:

Vince asked why the federal government does not take care of shipwrecks in a more timely manner.

- Tamara agreed, but had no solutions to that.

Tom suggested that all wildlife be incorporated in NBSRA plan.

- Cynthia stated that she would consult with all the agencies responsible for managing wildlife in the region.

Frank wondered why numbers are going down in seabirds.

- Tamara suggested it was potentially lead-shot poison, climate change, limited distribution of birds.

Tamara was asked if albatross was ever used for subsistence, and she said she was not aware of that in Alaska. She was then asked why they are endangered, and she proposed it was due to overhunting in the 1950s.

Weaver asked why die-offs occur in the Norton Sound area, but data are being collected elsewhere.

George asked if there is a bird commission.

- Tamara informed all that an entity within USFWS is the closest thing.

Art asked if plastics are affecting bird populations.

- Tamara responded that it is happening elsewhere, but not here.
- Pat said it was witnessed in some areas.

Bob Lauth presented- Bottom Trawling (Trawl Surveys) - on bottom trawl surveys and how they are conducted.

(http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Lauth_Trawlsurvey210.pdf)

Discussion:

Art asked about salmon bycatch numbers in 2008 for the trawl surveys.

- Bob Lauth said there weren't more than 1 or 2 salmon in the bycatch.

Day Two

Bob McConnaughey presented- Bottom Trawling (Trawl Impact Studies) - on bottom trawl studies that have occurred, the effects of trawling and important considerations for designing a NBSRA study.

(http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/McConnaughey_BottomTrawl210.pdf)

Discussion:

Jason asked if traces of heavy trawling from older, more destructive gear can be distinguished from the tracks of newer gear on the sea floor.

- Bob said it depends on whether the marks are still there.

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David O. asked what species rely on the deep sea vegetation.

- Bob responded that water is usually too deep for vegetation, but they would be able to notice if there were effects on vegetation and could then monitor its recovery (subsequent discussion suggests that "vegetation" refers to benthic invertebrates).

Weaver wanted to verify the timing of the research trawl survey (the survey is planned for July), and then noted that there are salmon, crab, etc., harvests that occur in June that should not be interfered with. He doesn't understand the rush to get out there to trawl. There needs to be consultation with the tribes.

- Eric responded that the Council and leadership at the AFSC need to hear these concerns.
- Julie wanted to make it very clear that the tribes do not want the survey to happen this summer, and there needs to be more consultation and communication. People are concerned not only about salmon, they are concerned about habitat and all the fish and marine mammals that migrate through this area and use it for food at different times of the year.

Peter wanted to know how they can be certain that the nets are not touching the bottom, and it concerns him.

- Bob responded that the gear is specifically rigged to trawl off the bottom, and it is important to study in the area of concern.

David noted that many coastal villages are not represented and their voices need to be heard as well. He points out the goal of the agency is the same as Native people--to preserve the environment, but he also wants Native cultures to survive and he thinks the agency is moving too fast.

- Peter responded that he represents 1000 people so he needs answers.
- Kenneth Kingeekuk (Kenneth) thinks NMFS needs to come visit his island so they can speak to all of the Elders.

George said they need to involve tribes in planning for research; an executive order states they must consult the tribes. They should be involved in the plan, and not be forced to simply respond quickly. He was told before that the tribe didn't have the expertise to be involved in the plan's development. He warned that it creates mistrust and fear when the tribes are always trying to catch up with information.

- Bob responded that there are two parts to what's being discussed. The part pertaining to designing experiments to understand local waters and the effects of trawling is open to discussion. The separate part pertaining to the timeline is another issue that he thinks is also open to discussion.

Charlie again mentioned that at least 15 surveys have occurred in the area and the footprint can last years. Crabs up here don't just live in/around plants. Snail and starfish are habitats and food sources and must not be disturbed. Crab surveys have always waited until after July 15 to avoid juvenile salmon and never survey after September 1.

Art again spoke of the AFN resolution to not move the no-trawl boundary northwards.

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Eva asked how much area is covered with 140 survey points with a 40 foot wide net for about 1.5 miles.

- Bob Lauth said they potentially touch 30 or 40 square miles out of 250,000 square miles.

Craig Rose presented - Bottom Trawling (Gear Modifications) - on innovations in bottom trawl gear to prevent bottom dragging and bycatch.

(http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/NBSRA_files/Rose_TrawlGearMod210.pdf)

Discussion:

Vince stated that he asked about the amount of salmon bycatch wasted earlier, but no one ever gave him an answer.

- Craig said the data are collected and available, but he doesn't have it with him.
- A question was asked if video footage was available and could be presented from areas where there are things like sponges that would show how they are impacted by trawling, or how boulders and rocks are overturned and not just show the good things as with the sea whip footage that was presented. NMFS is supposed to be impartial as the Federal Agency.

Vince informed the group that stocks are depleted to a point that he can't provide for his family. He keeps hearing about minimizing effects, but any effect could have a domino effect that will compromise the survival of the fish stocks.

Kenneth restated that NMFS must travel to the villages and issued an invitation for scientists to come and talk with communities in order to help them understand.

Karl spoke about tom cod fishing in his area being down and the fish are sometimes gone, that they must now use traps for crabs instead of handlines, and the cigarfish they use as bait are no longer there. It is no longer sustainable to fish in those areas. Capelin are back after being gone for years.

- Craig said trawlers don't plan to go north soon, but the research plan is to evaluate the potential effects should the flatfish fishery want to go north.

Julie said the presentation was informative about the modified gear, but wondered about the impact of the doors on the bottom, and the impact of a full net on the bottom. She also wondered about sea star removal and if the bottom is uneven (e.g. boulder, sponge areas).

- Craig mentioned that they will catch some sea stars, doors have less impact than the nets and trawls because they affect a small area, and there is little rocky bottom - the habitat type of greatest concern, in this area.

Jack Fagerstrom stated they would have to answer hundreds more questions if they came to a village. Fish racks are falling down and fish camps are gone, chum is gone. A generation is growing up without fish-camp experiences. Commercial fishing is second to subsistence in their minds and consultation cannot be done hastily as all the villages are different.

Tom wonders about the benefit to the community when they assume all environmental risk with an economic deficit. Crabs, birds, and trawling currently have no consultation. Right now agencies are failing in marine resources stewardship because there is no tribal peer review.

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Trawl research is geared toward corporate fisheries. What testing is being done for gear on village boats now that abundance is low around Nome?

- Craig is open to researching for village boats, but that his current assignment is reducing the effects of commercial gear in groundfish fisheries.

John compared traditional knowledge to modern technology. They developed their own tools and nets for fishing and wondered why industry can't develop a better net for specific fish and limit bycatch.

- David O. noted that this decision-making process is new to tribes. The agencies and tribes can work together if they communicate. But since trawling began, there have been obvious effects on sea life.

The day before, David asked how far the trawl is from the bottom.

- Craig said the sweep modification raised most of the gear 2.5 inches above the seafloor.
- It was also mentioned that the research trawl would not use the modified trawl gear and that the research nets would be dragging on the bottom.

John Jemewouk asked if anyone trawls in the NBSRA now.

- Melanie said that it is currently prohibited, and they won't be able to in the future unless they have the modified gear.
- George asked about bottom trawl prohibitions.
- Jason noted that NMFS requires two observers on each boat.

Peter asked why no one answered the bycatch question from Vince. He said they should have answers to every potential question in this setting.

- Craig said that bycatch has been declining and that bigger mesh sizes are currently used to retain only bigger fish.
- Eric indicated he would get the data and later provided copies to the group.

Weaver wondered if there are flatfish in the trawled region, and asked how those areas were chosen.

- Craig said yes, and that the study areas were chosen based on similarities to other trawled areas.

William was worried about pollution and the number of dead fish in his area in the nets. He spoke of a partnership with neighboring communities to clean it up. He also wondered about the power of sonar instruments used.

- Craig described the sonar as low power and highly detailed.
- William wanted to know more about chips, tags, and collars.
- Craig said that, for fish, most are collected when caught because satellite tracking does not work for animals that are always deep underwater.

George wondered when the trawl gear modification report first came out.

- Craig said that a summary report and direct presentations were made to the Council recently, but final manuscripts are still being developed for journal publication.
- George asked what influence his data had on the decision-making of the Council.
- Craig noted that peer review by the Scientific and Statistical Committee is part of the Council decision-making process.

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David O. asked if NMFS is funded by taxpayers, and if so, why they couldn't go to villages to inform the people paying the taxes to support their activities.

- Pat noted that it is an important point that will be taken back to their organizations.
- (Someone) stated that USFWS is well known to them, but NOAA is not.
- Vera noted that there is a Kawerak regional conference in Nome this spring and an opportunity for NMFS to present to communities that were unable to attend this workshop.

Eva asked about previous surveys that were done.

- Bob Lauth said that there were a few. (N.B. after the workshop Lauth identified the website <http://www.ims.uaf.edu/NS/references.html> as listing fairly recent references for northern Bering Sea research, most all of which occurred in Norton Sound.)
- Eva said trawling is too risky and she would like to see sealife research if there is another way to do it.
- Bob Lauth replied that the scientists are also concerned about using trawling in research. They are thinking about alternative methods such as underwater cameras but these methods are also problematic.
- Bob McConnaughey noted NOAA hydrographic surveys are going to occur this year and the Navy is also surveying areas south of there this summer.

Art asked for bycatch rates from the 2008 survey.

- Bob Lauth agreed to get those to him.

Charlie wondered why there is a lack of studies in nearshore environments, which affects more people because they live there. Concerns of people, not of deep oceans, should drive the research. Charlie stated that big parts, including drivers in the ecosystem, are being ignored.

Christine Perkins asked about the process to get tribal representation on the Council.

- Eric said it takes an act of Congress to change the Magnuson Stevens Act.
- Tom asked if a Traditional Knowledge Committee (TEK) could be formed, Eric said it would take a recommendation to the Council.

David O. asked who decided what the Council worked on.

- Eric said the Council initiates action based on proposals by the public, the Council, and legal requirements. The Secretary of Commerce approves or disapproves all of their recommendations. He said the agencies are listening and gathering input now - plans are not final.

Kenneth noted that he has evidence on his beaches of the effects of trawling.

George asked how often mid-water trawl gear ends up on the bottom.

- Craig answered that is one of the gaps in knowledge currently, but that an estimate used in the Essential Fish Habitat Environmental Impact Statement (EFH EIS) was 44%.
- Melanie noted that there is a gear performance standard of no more 20 crabs above a certain size can be caught for trawling to still be considered pelagic.

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William asked if tribal people could be observers on the trawlers for the research.

- Bob Lauth said he is in favor of that and wants to know how to make it work.

Eva said that she remembers telling outside people that the walrus population was in trouble in the 1980s, but no one listened then. She hopes people are listening to them now.

Tom mentioned that the process used to develop the Arctic Fishery Management Plan is an example of a partnership between agencies and tribes that works well.

Dorothy Childers presented - Resource Mapping (where people get their resources in particular communities) - on how they obtained data from Native people in a number of communities and mapped them out to show where people collect different kinds of resources.

Discussion:

Muriel Morse spoke of how people adapt to changing conditions in hunting and fishing, giving back to the sea, and living the traditional life.

David said that they must meet with tribal people in all areas before researching and referenced Executive Order 13175 several times about tribal consultation.

Art noted that habitats aren't static and animals migrate. The migratory nature of resources which rural communities depend on needs to be taken into consideration and protected.

- David described the migration pattern of walrus and that the Etoilin Strait is the route for many species. The route has changed from the east side of Nunavak to the west side.

George still questioned why they would open trawling zones and is frustrated that the industry seems to get a quicker response than the local people.

- Eric Olson responded that the Council listened to the Bering Sea Elders Advisory Group (BSEAG) about the 'wedge' and put in a new boundary line to accommodate their concerns after a debate at a Council meeting that reduced the size of the proposed Modified Gear Trawl Zone from the original proposal, based on public comment.
- Julie noted that the Council did move the boundary line and that it was good, but that the Council only partially heard the BSEAG. What they really wanted was for the entire area to remain closed.
- David stressed that everyone must work together and differences in currents and tides should be recognized.

George stated that the communities would stop communicating if a trawl survey occurred.

Pat Livingston presented a summary of Main Points from the Meeting - a number of sheets on a flip chart as noted below.

Science:

1. Take an ecosystem approach
2. Don't just focus on climate effects

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3. Consider seasonal distribution and habitat
4. Understand spawning and rearing habitat of fish
5. Consider critical habitats of polar bears and ice seals
6. Rely on previous studies to greatest extent possible
7. Incorporate Local and Traditional Knowledge into study plan
8. Add a cultural component to the plan
9. Include Native communities in the research effort
10. Nearshore research is important too
11. Salmon genetics, rivers of origins

Management Aspects:

1. No bottom trawling, or least amount of disturbance possible
2. Buffer areas
3. Seasonal restrictions
4. Strong monitoring and enforcement
5. Go slow, take only what you need, don't waste, and respect the future!

Communication and Process:

1. Develop a process to involve Native communities in the plan and implementation
2. Need a rural outreach component to the plan
3. Increase communication between communities and agencies (active communication)

Additional Points:

1. Summer research 2010 survey consultation
2. AFN Resolution 0935 Trawling Moratorium
3. Effect of commercial fisheries on subsistence
4. NMFS and NPFMC Consult often
5. Representation on NPFMC
6. Don't move the line
7. Go to communities and stay several days (but not during subsistence activities)
8. Make financial resources available for group meetings
9. Follow-up meeting within a year

Discussion:

Weaver wanted to thank everyone for coming and participating, but warned that if the trawl survey occurs this summer, it will be difficult for them to attend future meetings.

Julie reiterated that one of the most important points during this session was that none of the tribal representatives present want the survey trawl research to go forward and that needed to be acknowledged by the agency.

Art shared with the attendees the statement signed in February 2010 by the Unalakleet Elders regarding their opposition to changing the boundaries to allow major ocean fishing and trawling in the Bering Sea. This statement was provided to the National Marine Fisheries Service during the tribal consultation meeting in Unalakleet. Art read the statement to the group and reiterated the Elders' strong objection to trawling in the NBSRA. He opined that the National

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Standards found in the Magnuson-Stevens Act are about the bottom line only, and the language relating to conservation is weak, and also that the North Pacific Fisheries Management Council is under the auspices of the US Department of Commerce which will not protect the subsistence way of life.

Glenn Seaman pointed out the opportunity for knowledge transfer and the open door to visit the tribes in their villages.

Next steps:

There is a scientific meeting in Seattle that is tentatively planned for May which is open to the public (this meeting has since been rescheduled).

A NBSRA research plan is tentatively scheduled to be completed and provided to the Council in October 2011 (this timeline has since been extended).

Another community and subsistence meeting needs to be scheduled in order to move forward (the revised timeline tentatively identifies such a meeting for spring of 2011).

The meeting adjourned at 1:00 p.m.

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A statement of Elders regarding moving lines enabling major ocean fishing and trawling boundaries in the Bering Sea

We treasure the Bering Sea and Norton Sound that provides our daily sustenance since time immemorial. Like our forefathers and ancestors we depend upon the fish, mammals, clams and other resources to maintain our body and spirit in a natural healthy way. We recognize the effects of climate change. We are very concerned that our waters will be disturbed and are damaged by over fishing by industrial commercial fisheries. This will not only affect us as humans but will harm all living creatures on whom we depend for food sources, culturally relevant materials for tools and household implements that are important to us. We value our environment in its natural state. Which supports all of nature in balance-healthy and in a state of well being.

<u>Richard M. Stagnak</u>	<u>Anna Stagnak</u>
<u>Joseph H. Kitching Jr.</u>	<u>Kevin J. Smith Sr.</u>
<u>Charles Jackwood</u>	<u>Robert C. Popma</u>
<u>Luther Smith</u>	<u>Dean Katchak</u>
<u>Francis Charles</u>	<u>Javier Jackson</u>
<u>Karna Parnipituk</u>	<u>Shari Lussoff Sr.</u>
<u>Arline Soxie</u>	<u>Edna Wilson</u>
<u>Joanne Brown</u>	<u>Francis Brown</u>
<u>Bronson Brown</u>	<u>Edward Nakasak Sr.</u>
<u>Melvin Lawrence</u>	<u>Roger J. Nicholas</u>
<u>Gnessia Baker</u>	<u>Edna Charlene M. Kiprut</u>
<u>Edna Kiprut</u>	

ALASKA FEDERATION OF NATIVES, INC.

2009 ANNUAL CONVENTION

RESOLUTION 09-35

TITLE: COMPOSITION OF THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

WHEREAS: The North Pacific Fisheries Management Council (NPFMC), through the National Marine Fisheries Service (NMFS), is responsible for the management of fisheries in the marine Exclusive Economic Zone off of the coast of Alaska; and.

WHEREAS: The NPFMC is composed of 11 voting members; and

WHEREAS: The NPFMC does not have tribal representation in any of its membership; and

WHEREAS: The NPFMC current membership primarily represents the interests of the fishing industry; and

WHEREAS: NMFS and the NPFMC frequently develop and carry out actions that may uniquely and significantly affect tribal communities; and

WHEREAS: There is precedent for tribal representatives on the Pacific Fishery Management Council; and

WHEREAS: The Magnuson-Stevens Fishery Conservation and Management Act may be amended to modify the composition of the NPFMC; and

NOW THEREFORE BE IT RESOLVED by the delegates to the 2009 Annual Convention of the Alaska Federation of Natives, Inc., that the Alaska Delegation to the US Congress put forward amendments to the Magnuson-Stevens Fishery Conservation and Management Act that would add four voting seats to the NPFMC to be filled by representatives of federally recognized tribes and Alaska Native organizations; and

BE IT FURTHER RESOLVED THAT Alaska Federation of Natives call on the Secretary of Commerce to place a moratorium on expanding industrial commercial fisheries North of Saint Matthew Island until the Voting seats are provided to federally recognized tribes or Alaska Native Organization representatives; and

BE IT FURTHER RESOLVED that any nominees for these seats should not be directly employed by a community development quota program or the Pollock industry.

SUBMITTED BY: KAWERAK, INC.

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: AMENDED AND PASSED



NBSRA Workshop Participant list

February 24-25, 2010

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Fisheries Management and Tribal Workgroup Meeting

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