

## Sarah Snowberger

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**From:** [REDACTED]  
**Sent:** Saturday, April 26, 2025 11:14 AM  
**To:** House Resources  
**Cc:** [REDACTED]  
**Subject:** HB125 Scheduled in (H)Resources April 28, 2025 Alaska Outdoor Council comments

Co-Chair Rep. Robyn Niayuk Burke and Rep. Maxine Dibert and (H) RES Committee members.

The Alaska Outdoor Council asks the (H)RES Committee to Amend and pass HB125 out of committee. Since the creation of the Alaska Board of Fisheries (BOF) inriver fish gatherers have been under represented. The commercial fish fleet and fish processors representing a financial industry easily dominate the BOF regulatory process. Passage of HB125 into statute will help balance commercial fish use in Alaska with subsistence and personal use of a common resource property.

AS 16.05.251(d) makes it clear in statute that the BOF after assuring sustain yield management of fishery and providing for subsistence opportunities may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries.

HB 125 clearly would provide seats on the BOF to represent commercial fishing, sport fishing, subsistence fishing but fails to recognize the statutorily created personal use fishery.

On December 7, 2012 the *Alaska Supreme Court in the Alaska Fish & Wildlife Conservation Fund v State of Alaska* (No. 6731) confirmed the Fairbanks Superior Court decision filed on January 9, 2009 that the BOF has the authority to classify fish stocks as either Subsistence Use under AS16.05.258 or Personal Use under 5 AAC 77.001 but not both. Personal Use fisheries would not be represented by BOF seats filled with commercial fishing, sport fishing, or subsistence fishing representatives.

The Alaska Outdoor Council asks the (H)RES Committee to amend HB125 to correct the BOF representation to reflect AS 16.05.251 clarification of fish gathers in Alaska.

### **Amendment:**

#### **Section 1. AS 16.05.221(a)**

**(3) one member who represents subsistence fishing:**

**(X) one member who represents personal use fishing.**

Without the suggested amend an average, over the last 5 years ,of over 40,000 Alaskans who gather fish to feed themselves, their families, and friends would be denied representation on the AK Board of Fisheries.

Without adding a seat to represent Personal Use fishing (5 AAC 77.001) passage of HB125 would be inconsistent with the Alaska State Constitution Article 8, Sec. 3 Common Use as well with state statute AS 16.05.251 Regulations of the Board of Fisheries.

Thank you for your consideration,  
Rod Arno  
Public Policy Director  
Alaska Outdoor Council