

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 2, 2003

1:05 p.m.

MEMBERS PRESENT

Representative Hugh Fate, Chair
Representative Beverly Masek, Vice Chair
Representative Carl Gatto
Representative Cheryll Heinze
Representative Bob Lynn
Representative Carl Morgan
Representative Kelly Wolf
Representative David Guttenberg
Representative Beth Kerttula

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 208

"An Act relating to hunting on the same day airborne; and providing for an effective date."

- HEARD AND HELD

HOUSE CONCURRENT RESOLUTION NO. 11

Relating to Alaska Salmon Day.

- MOVED CSHCR 11(FSH) OUT OF COMMITTEE

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 86

"An Act relating to permits issued by the state; and amending Rules 65, 79, and 82, Alaska Rules of Civil Procedure."

- HEARD AND HELD

PREVIOUS ACTION

BILL: HB 208

SHORT TITLE:HUNTING SAME DAY AIRBORNE

SPONSOR(S): REPRESENTATIVE(S) FATE

Jrn-Date	Jrn-Page	Action
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HOUSE RES COMMITTEE

-1-

April 2, 2003

03/24/03	0617	(H)	READ THE FIRST TIME - REFERRALS
03/24/03	0617	(H)	CRA, RES
03/24/03	0622	(H)	REFERRALS REVERSED
03/24/03	0622	(H)	RES, CRA
03/24/03	0622	(H)	REFERRED TO RESOURCES
03/28/03		(H)	RES AT 1:00 PM CAPITOL 124
03/28/03		(H)	Heard & Held
03/28/03		(H)	MINUTE(RES)
03/31/03		(H)	RES AT 1:00 PM CAPITOL 124
03/31/03		(H)	-- Meeting Canceled --

BILL: HCR 11

SHORT TITLE:ALASKA WILD SALMON WEEK
SPONSOR(S): REPRESENTATIVE(S)WOLF

Jrn-Date	Jrn-Page		Action
02/28/03	0339	(H)	READ THE FIRST TIME - REFERRALS
02/28/03	0339	(H)	FSH, RES
03/17/03	0566	(H)	COSPONSOR(S): FOSTER, COGHILL, MEYER
03/19/03	0593	(H)	COSPONSOR(S): LYNN, FATE, SAMUELS
03/19/03		(H)	FSH AT 8:30 AM CAPITOL 124
03/19/03		(H)	Moved CSHCR 11(FSH) Out of Committee
03/19/03		(H)	MINUTE(FSH)
03/24/03	0615	(H)	FSH RPT CS(FSH) NT 4DP
03/24/03	0615	(H)	DP: BERKOWITZ, WILSON, SAMUELS, SEATON
03/24/03	0616	(H)	FN1: ZERO(LEG)
03/26/03	0652	(H)	COSPONSOR(S): HEINZE, CHENAULT
03/28/03	0687	(H)	COSPONSOR(S): MCGUIRE
04/02/03	0749	(H)	COSPONSOR(S): OGG, HARRIS
04/02/03		(H)	RES AT 1:00 PM CAPITOL 124

BILL: HB 86

SHORT TITLE:INJUNCTIONS AGAINST PERMITTED PROJECTS
SPONSOR(S): REPRESENTATIVE(S)FATE

Jrn-Date	Jrn-Page		Action
02/10/03	0169	(H)	READ THE FIRST TIME - REFERRALS
02/10/03	0169	(H)	RES, JUD
02/21/03		(H)	RES AT 1:00 PM CAPITOL 124

02/21/03		(H)	Failed To Move Out Of Committee
02/21/03		(H)	MINUTE(RES)
02/24/03		(H)	RES AT 1:00 PM CAPITOL 124
02/24/03		(H)	<Bill Hearing Postponed>
03/07/03		(H)	RES AT 1:00 PM CAPITOL 124
03/07/03		(H)	Heard & Held
03/07/03		(H)	MINUTE(RES)
04/02/03	0738	(H)	SPONSOR SUBSTITUTE INTRODUCED
04/02/03	0738	(H)	READ THE FIRST TIME - REFERRALS
04/02/03	0738	(H)	RES, JUD
04/02/03		(H)	RES AT 1:00 PM CAPITOL 124

WITNESS REGISTER

KAREN DEATHERAGE

Defenders of Wildlife
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 208 and SB 155, the companion bill.

PAUL JOSLIN, Conservation Biologist

Alaska Wildlife Alliance
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 208 and SB 155.

ROBERTA HIGHLAND

Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 208.

ROBERT ARCHIBALD

Homer, Alaska

POSITION STATEMENT: Testified on HB 208.

GREG ROCZICKA

Central Kuskokwim Moose Management Planning Committee
Bethel, Alaska

POSITION STATEMENT: Testified in support of HB 203 and SB 155 on behalf of the 12 planning committee members out of 14 who had met in Aniak the previous week.

GEORGE SIAVELES

Aniak, Alaska

POSITION STATEMENT: Testified in support of HB 208.

TED SPRAKER, Member
Board of Game
Soldotna, Alaska

POSITION STATEMENT: Testified in support of HB 208 and SB 155, the companion bill, on behalf of the six out of seven board members who'd been polled.

JOEL BENNETT
Alaskans for Wildlife
Juneau, Alaska

POSITION STATEMENT: Testified on HB 208 as a member of the 2000 referendum committee, saying the referendum's essence was the desire to not involve the public in predator control, and that the department has the authority now and should use it; answered questions.

CARL L. ROSIER
Alaska Outdoor Council
Juneau, Alaska

POSITION STATEMENT: Testified in support of the provisions of HB 208 and SB 155, the companion bill; provided suggestions to strengthen the legislation; answered questions.

TOM SCARBOROUGH
Fairbanks, Alaska

POSITION STATEMENT: Testified on HB 208 with regard to reasons for the urgency.

MATT ROBUS, Acting Director
Division of Wildlife Conservation
Alaska Department of Fish and Game
Juneau, Alaska

POSITION STATEMENT: Testified on HB 208 and answered questions.

ACTION NARRATIVE

TAPE 03-21, SIDE A
Number 0001

CHAIR HUGH FATE called the House Resources Standing Committee meeting to order at 1:05 p.m. Representatives Fate, Masek, Gatto, Heinze, Wolf, and Guttenberg were present at the call to order; Representative Morgan arrived immediately thereafter. Representatives Lynn and Kerttula arrived as the meeting was in progress.

HB 208-HUNTING SAME DAY AIRBORNE

[Contains testimony on SB 155, the companion bill]

CHAIR FATE announced that the first order of business would be HOUSE BILL NO. 208, "An Act relating to hunting on the same day airborne; and providing for an effective date."

Number 0145

CHAIR FATE reminded members that the committee would continue taking public testimony.

Number 0231

KAREN DEATHERAGE, Defenders of Wildlife, testified that the Defenders of Wildlife is a nonprofit wildlife conservation organization with offices throughout North America, including Juneau and Anchorage. Ms. Deatherage said the organization is strongly opposed to HB 208 and SB 155, the companion bill. She said a 1996 ballot initiative banned same-day-airborne wolf hunting by a person holding a hunting or trapping license. Furthermore, a 2000 referendum prohibited the state from allowing the public to engage in same-day or aerial wolf killing under an approved predator control program. However, both ballot measures allowed [Alaska Department of Fish and Game (ADF&G)] employees to engage in aerial or same-day-airborne wolf hunting if necessary under a predator control program.

MS. DEATHERAGE said while there appears to be confusion by the state over the intent of the referendum, the language the public voted upon couldn't be clearer. She said the 2000 referendum voter book reads as follows:

This referendum would refer to the voters for approval or rejection of a law allowing hunters to fly into an area where the Alaska Board of Game has established a wolf control program and on the same day land and shoot a wolf. ... The law also adds agents of ADF&G to the people permitted to conduct same-day-airborne wolf hunting as part of a game management program.

Number 0350

MS. DEATHERAGE told members that if the state currently believes it is legal for the public to engage in [same-day-airborne] wolf control, then [Defenders of Wildlife] has questions. She stressed that the 2000 referendum, passed by the public,

rejected an amendment to AS 16.05.255 making public same-day-airborne [hunting] legal under intensive management as long as a person held a valid hunting or trapping license. She asked, "Are you telling the public that this referendum was a waste of public time and money?" Noting that she'd spent countless hours collecting some of the 38,000 signatures from Alaskan voters to put this referendum on the ballot, she asked, "If same-day-airborne wolf control by the public was legal, why, then, did the legislature introduce Senate Bill 267 to add a subsection to the law at that time?" She further asked if the state is uncomfortable with the interpretation of the current law and therefore introducing this bill to overturn Alaskan voters and allow the use of public same-day-airborne hunting of wolves.

MS. DEATHERAGE said [Defenders of Wildlife] believes removing the prey population objectives is an assault to sound wildlife management that gives the Board of Game and ADF&G authority to implement predator control for any reason at any time. Furthermore, she said, because the board has authority to change prey, predator, or harvest objectives, predator control would become a virtual free-for-all.

MS. DEATHERAGE suggested that the law had already gone well beyond the public's original desire in 1996 to allow same-day-airborne wolf hunting by ADF&G only under biological emergencies, and that it is disingenuous to push this further as an arbitrary or preemptive wildlife management tool. She said she hoped the committee would honor the vote of the people and recognize that same-day-airborne wolf hunting for any purpose is believed to be illegal by Alaskans. On behalf of Defenders of Wildlife, she requested that the bill not move out of committee.

Number 0539

MS. DEATHERAGE shared her personal feelings as follows:

At a time when our public representatives need our support and trust more than ever, it is important that you, as public servants, reciprocate by honoring one of the few requests on wildlife issues ever made by the public in 40 years - three to be exact, of which two involved this issue, and that is to prohibit the use of aircrafts by hunters and trappers to kill wolves for hunting and/or predator control.

Number 0587

REPRESENTATIVE GUTTENBERG asked Ms. Deatherage about the percentage on the referendum vote.

MS. DEATHERAGE offered her belief that it was 53 percent. She explained that [Defenders of Wildlife] thinks the number would have been higher but that it was a very confusing vote for the public, and its polls reflected higher numbers for public rejection of that bill.

Number 0655

MS. DEATHERAGE, in response to questions from Representative Wolf about Defenders of Wildlife, said the nonprofit organization is a wildlife conservation group that pays particular attention to and advocates for sound ecosystem management. Heavily involved in issues regarding endangered species outside of Alaska, it promotes sound ecosystem management and coexistence with wildlife, particularly carnivores. It has its home base in Washington, D.C., with regional offices throughout the U.S., Canada, and Mexico. The vast majority of its funding comes from individual donors and members. She affirmed that it has a web site. In response to a question from Representative Lynn, she said [Defenders of Wildlife] is a member organization of the Alaska Conservation Alliance.

CHAIR FATE asked what year Ms. Deatherage was referring to when she was discussing the percentage of voters who voted [in favor of the referendum].

MS. DEATHERAGE remarked, "The recent one passed at 58 percent in 1996, and then we did a ballot ... referendum in 2000 - at the 2000 elections."

CHAIR FATE announced that testimony would be limited to two minutes each because of the number of people waiting to testify.

Number 0850

PAUL JOSLIN, Conservation Biologist, Alaska Wildlife Alliance, testified that the alliance supports neither HB 208 nor SB 155, the companion bill, both which are seen as a deliberate attempt to circumvent the will of the people regarding same-day-airborne shooting of wolves after the voters said "no" at the ballot box in 1996 and 2000. He talked about a poll conducted by Dittman Research Corporation in March 2003 that indicated Alaskan voters were not in support of the same-day-airborne shooting of wolves.

MR. JOSLIN told members, "The voters just do not like unfair chase using aircraft as a method of killing wolves, be it land-and-shoot or taking from the air or however a method you may try to indicate." A wolf biologist whose job was to follow wolf packs around [the state], he said that his current job is as a conservation biologist with the Alaska Wildlife Alliance. Having attended most Board of Game meetings over the last five years, Mr. Joslin said at almost every meeting he heard the same mantra: "Moose and caribou numbers are plummeting everywhere; there is a wolf behind every tree; the voters took away the only tool that works, same-day-airborne hunting of wolves."

MR. JOSLIN said the truth is very different, however, and banning same-day-airborne hunting of wolves doesn't put a dent in the killing of wolves. He elaborated:

Looking at ADF&G harvest summary figures between 1978 and 2002, what we see is that we are currently averaging a kill of about 1,500 wolves a year, or close to double what it used to be. The trend upward began about 1983, and it has been fairly steady and consistent ever since. Projecting the current trend outward, I would predict that we shall be killing about 2,000 wolves a year by ... 2007 or 2008.

Why the steady upward trend in wolf killing: better snow machines; better equipment, generally; changes in the law that allow hunters to actively pursue wolves on snow machines and kill them; wolf-trapping clinics; private bounties like the \$100 one in McGrath; \$45 government research that's [the] equivalent of bounty, ... et cetera. ...

Number 1057

MR. JOSLIN continued:

Alaska is not bursting at the seams with wolves, nor are the moose numbers plummeting, and the best case that we have before us is certainly the McGrath area. ... Hopefully, you're aware that ADF&G has conducted ... only two surveys of the moose population there that they regard as reliable. ... Currently, Alaska is well back in the pack when it comes to wolf numbers per square mile; we're not the top of the heap like you might think.

Minnesota now has two and a half times as many wolves per square mile as does Alaska. ... There are many aspects to do with this, and the most important, I think, is the failure of our state to look at the habitat in conjunction with the prey and the predators, and the other part of it is the failure to educate the people. ...

We have a lot of misinformation out there. You heard some the other day that said ... the moose population in McGrath had plummeted 75 percent. Well, the facts by ADF&G are very different, and it's that kind of thing that there needs to be a lot of education as the focus, in addition to the science that's done. There's no evidence ... that the need for same-day-airborne of wolves should be on the books.

Number 1132

REPRESENTATIVE GUTTENBERG asked Mr. Joslin if there was any scenario in which he would support predator control.

MR. JOSLIN said predator control is certainly supported when it is justified, for example, when foxes were foolishly introduced to the Aleutian Islands. That had to be turned around and made right; otherwise, the bird rookery could have been destroyed. In such conditions, predator control is definitely the sort of tool that might be used. However, he said ADF&G had indicated the [moose population] in McGrath has not gone down and doesn't justify predator control.

Number 1217

REPRESENTATIVE WOLF asked Mr. Joslin how he can compare Minnesota with Alaska.

MR. JOSLIN responded that it has to be done on the basis of density, not size. He indicated that if the density per square mile is compared, Minnesota has a wolf population 2.5 times the size of Alaska's. At the same time, hunters in [Minnesota] are able to kill hundreds of thousands of deer, which he equated to the moose and caribou in [Alaska], and they seem to be able to coexist.

MR. JOSLIN remarked, "I think we can learn to coexist as well; they've done a lot of research on their predators; they learned

that they weren't the big monster that they were made out to be in the past - those days have changed." He said the people there have also changed because federal and state agencies there have put a lot of focus on education so that the public catches up to the findings of the biologists. Mentioning a former myth that if a person sees a dead moose or caribou it must be a lost hunter opportunity, he added "It's a lot more complex than that, and they've been able to demonstrate it."

CHAIR FATE asked for clarification on the information Mr. Joslin presented relating to wolf-kill statistics.

MR. JOSLIN replied:

From about 1977 to about '83, '84, we were averaging somewhere around 700 to 900, somewhere in that general range. And then at about '84 we began to increase, and it's been ... up and down a bit, but essentially it's been a fairly steady increase. ... Essentially, ... I'm just quoting ADF&G harvest summary reports from '78 onward.

Number 1374

REPRESENTATIVE GATTO offered his understanding that some biologists make a living writing books about wolves and have a vested interest. He asked, "Would you be referring to Farley Mowat as one of the biologists that you're referring to when you say that we are behind the biologists in understanding the wolves?"

MR. JOSLIN replied, "Absolutely not. I trained under Dr. Doug Pimlott, a world-famous wolf biologist, ... those sort ... that carry a whole lot more weight when you're dealing with credibility within the wolf world." He said Farley Mowat is a fiction writer who, at a time when people were into bounties and didn't understand wolves very well, helped the general public to catch up quite a bit, but he also dealt with some myths and so forth and wasn't a scientist by any stretch of the imagination.

Number 1461

[Dorothy Keeler noted that she had testified during the previous bill hearing, would be filming this meeting, and would be available for questions.]

Number 1536

ROBERTA HIGHLAND told members that her original intention was to represent the Kachemak Bay Conservation Society but that she had already faxed those comments to the committee and would only be representing herself. She testified as follows:

I am very sad to be here to speak against what I consider to be a barbaric bill. Every time I picture the wolves running for their lives and people shooting them, I actually become physically ill. I have heard very little about the real problem, which I believe is human predation

In my opinion, if you just stop people from hunting in these areas for a few years, especially the trophy hunters, ... I suspect ... there would be an increase in moose population. If you pass this barbaric bill, you will have put a black mark on this great state. You are our leaders. ... What are you thinking? Wolves do not have other choices of food as humans do, and managing for human consumption, I really don't understand this idea at all.

Let me give you some numbers from a 2001 Alaska fish and wildlife ... survey: approximately 420,000 people spent nearly a half a billion dollars viewing wildlife, wolves being one of the top three animals [that] people wanted to see. Why would you consider even doing away with such a popular viewing animal? A live wolf is worth way more than a dead one. Millions of people appreciate the wolf and do not consider them vermin as the [Board of Game] and, apparently, some of you. I remember a group of doctors shooting wolves out of airplanes years ago for fun. These doctors were boycotted, as our state could very well be. I already know of people staying away because of this very bill.

We were in Africa a couple of years ago; ... what is going on in Africa is seeing the animals. Alaska is very much the same for the United States. I have lived in Alaska for over 30 years and have never seen a wolf. I ask you to do the moral twenty-first century thing: vote this bill down; protect one of our valuable natural resources.

Number 1675

ROBERT ARCHIBALD testified, noting that he had resided in Alaska for over 25 years. He told members:

I am real sorry to see us come back to this ... issue. But ... I'm [even] more upset with the performance of this administration on this issue - hearing in ... the meeting the other day that [a] helicopter is out of the picture as far as using for control of predators, when it's probably one of the best platforms. ... It appears to me that ADF&G does not want to do this because they're financially hogtied and they can't do it, and to put this out into the private sector, I think, is intolerable.

It might be time to find some way to get ADF&G some better funding, as in a stamp or a user's fee instead of a tax, as we're talking about the same issues with gasoline and tourists right now - a user fee. Maybe it's time to have a user fee to help fund ADF&G to do their mandated task. And I do believe by the statutes they have the right to do it right now; I don't see [how] putting this into the private sector would do any good.

Number 1799

GREG ROCZICKA, Central Kuskokwim Moose Management Planning Committee, testified that he works at the local tribal council for the community of Bethel; has spent the last 15 to 20 years dealing with natural resource issues; and served two terms, through the previous administration, on the Board of Game, a difficult and sometimes painful process. He told members:

It's almost like I had to watch the moose populations plummet under my watch, and pretty much powerless to do it despite all the best efforts of the board - and that board, as you may be aware, has been labeled as having a fairly liberal background to some degree. And when looking at the issue in depths, as anybody will if they try to do it in as objective fashion as you possibly can, that predator control is a necessary tool. And I commend you for bringing this forward, given the apparent lack of ability for the state to carry it forward under the "holy war" that they're being presented with on this issue.

MR. ROCZICKA informed members that the Central Kuskokwim Moose Management Planning Committee was established by the departments through the request of the board in the spring of 2002 to establish a management plan and provide recommendations regarding problems with moose in units 19A and 19B. Its 14 members were selected to include a broad diversity of user groups from throughout the political spectrum; there are urban representatives from Anchorage and the Matanuska-Susitna area as well as people from the villages of the Kuskokwim River drainage. Saying his committee was just made aware of HB 208 and SB 155 at its meeting the previous week in Aniak, Mr. Roczicka announced that the 12 members present had expressed ardent support for the legislation and had requested that he speak on their collective behalf; he offered to provide the names of those 12 members.

CHAIR FATE asked that Mr. Roczicka fax those names.

Number 1941

MR. ROCZICKA said the central Kuskokwim region - along with other areas of the state, according to observations and the most recent scientific data - has suffered a dramatic decrease in its moose population over the last decade, perhaps 60 to 70 percent. Yet the habitat is considered to be in excellent condition and weather factors have been conducive to good winter survival in recent years. Compared with the 10-year averages prior to the 1996 initiative, he said that in the last survey the total number of moose observed was 196, down from 473; moose observed per hour equaled 59, down from 154; and calf-cow ratios were 8 per 100, down from 56 per 100. Furthermore, the nine-month-old survival rate of calves was less than 5 percent - extremely low. However, people have seen an inversely proportionate increase in wolf numbers. In short, he said, the situation there is pretty grim.

MR. ROCZICKA opined that there are similar effects throughout the state and that the common denominator, in most if not all cases, is that the drop in moose populations coincides with the 1996 and 2000 initiatives. He said he didn't want to deride what he considered to be 60 to 80 percent of the general public, but suggested those people are largely misinformed or uninformed about the practical effects and have voted based on their gut reactions. He characterized this as an instance when the road to hell is being paved with good intentions.

Number 2013

MR. ROCZICKA requested that legislators ask the following question of themselves and constituents: How would Alaskans react if it were realized that managers of the permanent fund knew of a 25 to 50 percent drain in the fund's growth potential, which represents wolves, and another 25 to 50 percent variable source of reduction, which represents bears, and that - either alone or in combination - those factors directly caused a 60 to 70 percent decline in the fund's principal? He suggested there would be total outrage about this if the people were really informed and educated. Calling fish and wildlife populations a permanent fund as well, he said they're being managed, in this case, for one singular purpose: "the tourism and the wolf-welfare aspect." He suggested it can't be dealt with objectively on a management basis in that sense and still provide "the most ... for the most people" or provide for sustained yield.

MR. ROCZICKA turned to [Game Management] Unit 19D and said the media had proclaimed in 2000 or 2001 that the moose flourish in McGrath and that there were double the number of moose compared with the previous year, due to an error in the survey and the methodology. He remarked:

There was absolutely no mention made, or allowed, I guess, that this double amount was still less than the 1995 and '96 - when the former governor went out there and pounded the pulpit and said he was going to do all in his power to reverse the decline. And the Board of Game initially authorized a predator control implementation plan. And staff that tried to set the record straight or clarify or offer any more objective information were censured or had their word (indisc.) to the point of ... obfuscation. So I'd hope that, if this goes forward - and we are going to be dealing with an initiative, no doubt, ... if it does pass - that ... public information is allowed to go out in a more objective fashion.

MR. ROCZICKA said he had a lot more, but would stop in the interest of time.

CHAIR FATE requested that testifiers stay on teleconference in case there were questions later.

Number 2272

GEORGE SIAVELES testified that he is a subsistence hunter and fisherman, professional hunting guide, wildlife viewing guide, member of the board of directors of the Alaska Professional Hunter Association, and someone who has made his living exclusively and directly from the land in rural Alaska on a year-round basis all of his adult life. Stating strong support for HB 208, he told members:

The so-called experts who are against HB 208 don't have any rural dirt on their souls. HB 208 has science behind it. The only thing against it is misguided emotion and organized boycotts - threats of boycott. Over the last 15 years I've watched the wolf population in the western portion of Unit 19 increase from a healthy level that allowed both wolf numbers and moose numbers to be stable and safe to the present level that has significantly contributed to the present zero moose-calf recruitment.

The present high wolf density here is so bad, it has already caused a significant negative impact on my rural business. It threatens to soon completely eliminate that business and my family's ability to support itself. It has made it impossible for the local people here ... to harvest enough food to feed their families. It threatens to eliminate a diversity of users of Alaska's wild resources. And it threatens entire industries that depend on a sensible, managed balance of nature.

GEORGE SIAVELES suggested HB 208 will again make it possible for the State of Alaska to fulfill what he called its legal obligation to manage Alaska's wild resources on a "maximum sustained yield" principle. Under current law, he said, most of Alaska's rural people believe this isn't possible. He offered his belief that Alaska's rural people are extremely frustrated "when hundreds of northern gray wolves are presently being harvested by U.S. Fish and Wildlife aerial hunting in Montana, Idaho, and Wyoming, yet we are not allowed to manage our resources in a sensible, reasonable, renewable, and biologically sound way because of threats of boycotts." He opined that the State of Wyoming is going broke because of what he called depredation lawsuits; he asked whether this is where Alaska is headed as well. He suggested that HB 208 will pull Alaska's rural and urban citizens together on a solution, rather than driving a wedge, as he said happened under previous administrations.

Number 2420

TED SPRAKER, Member, Board of Game, noted that Michael Fleagle, chairman of the board, was unable to testify and had asked Mr. Spraker to testify on behalf of the board. Mr. Spraker said he'd polled board members about HB 208; although he'd only been able to poll five of the six other members, their vote, as well as his, was unanimous for strong support.

MR. SPRAKER expressed hope that HB 208 and the companion bill, SB 155, will be put on a fast track and made effective as soon as possible. Citing McGrath as an example of a place that has been "basically on hold" for about eight years, he said people in McGrath and subsistence hunters up and down that part of the Kuskokwim region need something changed so the moose population can recover.

MR. SPRAKER noted that up to 40 wolves can be taken if there is quick passage this spring. He reported that the estimate of [the Alaska Department of] Fish and Game, heard at the Board of Game [meeting], was 32 to 34 wolves in the McGrath area. "So that's all the wolves we're talking about that would be removed," he told members. With three or four packs of wolves in the area, averaging about five pups per litter, he predicted that there may be 50 or so wolves next fall. Furthermore, ADF&G is geared up to remove bears this spring from the McGrath area. If half of the predators are moved and thus half the job is done, he said only half the results can be expected.

MR. SPRAKER reported that during testimony at the spring board meeting, a retired fish and game biologist who'd worked in the McGrath area had testified that the moose density is one-quarter of what it was 15 to 20 years ago and that it clearly was because of predation and lack of land-and-shoot methods. He said that something needs to be done, especially in these subsistence areas, and that passage of this bill is needed, hopefully soon.

Number 2673

JOEL BENNETT, Alaskans for Wildlife, testified as a member of Alaskans for Wildlife, the 2000 referendum committee, noting that he was one of the three sponsors who brought that measure before the public for a vote. A 36-year resident and active hunter all those years, Mr. Bennett pointed out that he'd served

almost 14 years on the Board of Game through four different administrations.

MR. BENNETT disagreed with the position of the Department of Law, saying he wanted to dispel any misunderstanding that involving the public in land-and-shoot wolf hunting, either as agents of the department or as individuals, is permitted now and was not prohibited by the referendum. He specified that, indeed, that was expressly what was prohibited by the referendum. He suggested that if people review the legislative history, including the debates and sponsor statements, it is clear that the essence of the referendum was to not involve the public in predator control.

MR. BENNETT asserted that if Mr. Spraker and the Board of Game want to do something now to remove wolves from McGrath, they can; they have existing authority with department personnel and department means, either using fixed-wing [aircraft] or helicopters. Why isn't that authority being exercised? Mr. Bennett said nobody seems to know.

MR. BENNETT said this legislation appears to be aimed at again involving the public, which has serious problems such as inefficiency. If the desire is to move predators, the state should do it with its own personnel, using helicopters, and do it quickly, efficiently, and humanely. "Don't let individual people fly around in their own aircraft wounding animals, not being able to retrieve them," he told members. "It's just not good public policy." Referring to previous legal cases against land-and-shoot hunters through the years, he said the history is tainted with past abuses and lack of good game managers who have the interests of wildlife in mind.

MR. BENNETT concluded by saying that the department has the authority now and should use it if the program is justified, and that this legislation is a wholesale reversal of two ballot initiatives which fundamentally addressed the premise that the public should not be involved, either as agents or individuals, in predator control.

Number 2855

REPRESENTATIVE GUTTENBERG noted that the justification for predator control is based on moose harvest, and that testimony has referred to record population highs. However, moose and other animals have a [natural] cycle. He asked what the normal moose density would be.

MR. BENNETT answered that it would differ from place to place, and that in Alaska many areas aren't suitable for high-density moose populations because of the habitat. Opining that McGrath is one of those areas, he said:

I've flown over McGrath. I know, as others do, that it's a mixed bag as far as habitat. I think the moose densities there are just going to be lower than they're going to be in Unit 13, for instance, or some other area that has a richer habitat. So I think it varies. ... McGrath has one moose per square mile; that's on the order of McKinley National Park, where there's no hunting. ...

I don't see the moose situation in McGrath as being a dire emergency, quite frankly, in terms of the numbers and the level. But, nevertheless, if it is ... a grave situation ... [and] the department justifies a predator control program, I think ... that's what the public ... would accept, providing it's justified, providing it's done professionally with department personnel, and not involving the public. That's simply what they voted on. ...

When we campaigned for the referendum in 2000, if we had told the public that what we wanted to do was stop predator control altogether and not leave an "out" for the department to do it, we wouldn't have gotten that many votes at all. The very reason that referendum passed was because there was a specific exemption allowing the state to conduct predator control using department personnel.

Number 2953

REPRESENTATIVE HEINZE remarked that this is a tough issue for her. She referred to an article from the Anchorage Daily News about [SB 155] that says who would do the shooting is still a question, noting that [Senator Seekins, sponsor of SB 155] was quoted as saying his intent isn't to "turn loose a bunch of wild-eyed guys in a Super Cub." She asked whether there are assurances somewhere [that this won't happen].

TAPE 03-21, SIDE B

Number 2985

[Not on tape, but reconstructed from the committee secretary's log notes, was Mr. Bennett's reply that he didn't see any sideboards in the bill.]

MR. BENNETT said he thinks that's a source of concern to many people. He noted that from what Representative Heinze had read of Senator Seekins' comments, it sounds as if the sponsor himself doesn't want to see an uncontrolled situation involving the public. He observed, however, that no specific terminology in the bill says this is limited to permitted members of the public who have been temporarily employed by the department under specified conditions, for example. He suggested those are the kinds of things that would further public acceptance, rather than leaving it wide open to suddenly engage the public [in predator control].

Number 2951

REPRESENTATIVE MORGAN asked Mr. Bennett whether, before 1996, there were wide-eyed Super Cub pilots in Bush Alaska who were "just wounding and shooting wolves."

MR. BENNETT replied yes, saying there were high-visibility cases; he offered to bring those up.

CHAIR FATE asked Mr. Bennett whether he was [in Alaska] from the 1950s through about 1965.

MR. BENNETT indicated he came to Alaska in 1968.

CHAIR FATE remarked:

During those years probably was the height of the private citizen in the so-called Super Cub ... that hunted wolves. And it was stated at that time, in many sources, including the Department of Fish and Game, which had not the funds in those days to do those types of things: the efficiency of aerial hunting of the wolves, which did not dissipate the basic stock of the wolf, especially ... on the Koyukuk River, was why the Koyukuk River and that country over there had such a high density of moose population.

Number 2855

REPRESENTATIVE WOLF remarked that out of respect for the office, he takes great offense at calling a former governor of Alaska a wild-eyed hunter in a Super Cub.

Number 2842

CARL L. ROSIER, Alaska Outdoor Council (AOC), noted that he was employed by ADF&G for nearly 30 years, finishing his career as commissioner under the Hickel Administration. He told members that AOC is a statewide association of 40-plus outdoor recreation groups with a membership of more than 10,000 Alaskans; it promotes good conservation of the state's fish and wildlife resources, sustainability of wildlife habitat, protection of public access, and fair allocation of fish and game resources for all Alaskans. He stated:

The council supports the provisions of House Bill 208 and its companion bill, Senate Bill 155. These bills deal with clarification of airborne or same-day-airborne as a tool for predator control in areas identified by the Board of Game that require control measures for recovery of low or declining prey populations of game species.

You as legislators have the benefit of supporting one of the finest Boards of Game I have personally observed in many years. The newly appointed members are solid, long-term Alaskans that have been managers of the resource, carried on businesses dependent on those resources, and know and appreciate the benefits to all Alaskans from well-managed game herds.

It's unfortunate that the new game board has been somewhat hamstrung by direction from the third floor [the governor's office] that control with the use of helicopters and state employees will not be approved. This really boxes [in] you, as legislators, because it doesn't leave many alternatives.

Keep in mind also that helicopters, which are not on the table at the present time, are by far the most efficient, humane, and economic method for conduct of a control program. Please keep in mind also that we are focusing here on a control program, not a hunting action in which "fair chase" becomes a consideration. Be aware also that AOC and our member clubs do not

advocate the extermination of any prey or predator species out there.

Certainly, there are times when you must go in and, in fact, bring balance back after tough winters and this type of thing. But you have to have active management on both the prey as well as the predators. And at the present time, and for quite several years, we have not had active management as far as the predator populations were concerned. The boards have worked hard to, in fact, try to rebuild game populations or prey species populations all over this state, and have been unable to do so. It's truly a frustration; it has to be a major frustration for those game ... board members that were out there trying to do the right thing ... for the benefit of the people in this state.

Number 2677

MR. ROSIER continued:

The current Board of Game has identified three game management units, 13, 16B, and 19D, that require immediate control action. All three areas ... have experienced tremendous drops of whatever the range is [that you] want to use, but 70 percent is not a bad figure on moose densities over the last 10 years. Units 13 and 19D have had previous board control plans gathering dust on the shelf for several years. Implementation of these plans was never permitted under the previous administration, with the resultant continued decline in the moose populations. [Action] at this time is critical in order to just stop the decline and begin a long rebuilding process of the moose herds in these areas.

Number 2643

MR. ROSIER provided three suggestions to strengthen the bill and better protect aircraft owners who may choose to participate in a board-approved control program, as follows:

The first is insertion of the words "in identified game management units" following the word "shooting" on page 1, line 8.

The second suggestion is insertion of the words "harvest management objectives adopted" following the words "based on", page 1, line 10.

A third suggestion is the addition of a new section (a)(3) that reads: "Prior to taking a wolf, wolverine, fox, or lynx, either airborne or same day airborne, a person must obtain a permit issued by the commissioner", page 2, last line.

Number 2594

MR. ROSIER concluded:

Game management over a broad area of the state is in need of returning to a policy of intensive management. The natural-cycle policies endorsed by the last administration have created hardships for all Alaskans and permitted many populations to decline into the catch-term "predator pit." A long-term commitment to intensive management is necessary to bring these populations back and to protect herds that are healthy. Passage and hopefully the actions to follow will start us back on that path. It's only a small step, but the bill is a step in the right direction and will benefit all user groups as well as the wildlife resources.

Number 2546

REPRESENTATIVE KERTTULA asked about the use of helicopters, since the statute allows that now.

MR. ROSIER offered his understanding that it's perfectly legal, but said [Governor Murkowski], even as recent as this morning's press conference, has said, "We are simply not going to use helicopters." Mr. Rosier added his understanding from the press conference that it is considered a fair-chase issue. He remarked, "I don't know how that has crept into this ... issue all over again."

REPRESENTATIVE KERTTULA said it isn't about fair chase or hunting for sport, however, but about predator control.

MR. ROSIER agreed.

REPRESENTATIVE KERTTULA asked how long it has been since agents [of the department] have been used. She also asked whether Mr. Rosier believes, if the department were staffed adequately and could use helicopters, that it would be better to have people who really are good shots and are capable of doing it.

MR. ROSIER answered:

There's no question about it. ... In terms of doing the job that needs to be done in some of these areas, that's the way to do it. ... I can't speak too highly of this; it's just ... such a logical thing in terms of getting the job done, doing it humanely, and actually getting the program off of the ground.

The public, ... as an alternative, that's about where you're at. The only alternative you've got beyond this, the public involvement here on this, is to go to a ground-based program. ... That's a tough program - you're going to kill some wolves, ... but it's not going to be a controlled program; you just simply cannot do the work on the ground ... in order to accomplish what you're going to have to do. ... You're going to have to take some pretty high percentages of wolves in order to reverse the prey population and begin to get enough food supply there to maintain the wolves, as that'll begin to increase as the prey population increases as well.

... You're really kind of being boxed here with the policy direction that you're getting out of the [governor's office] at the present time, in my estimation.

Number 2383

REPRESENTATIVE KERTTULA remarked:

I think here's what the concern is: we may not personally like the image of shooting from helicopters or airplanes, but it's the cleanest, most humane way. And I trust the department, if you have trained professionals, to do it. What I'm worrying about is what's the department going to do when they go back out to the public, and how are they going to manage that. And I can't remember if you had such a program when you were commissioner, but ... you've explained

why it's necessary, and I agree. But I'm worried about that extra addition there.

MR. ROSIER replied:

I can tell you how I would go about it, but we've got another administration here and another commissioner down there, and so they've got to make these tough decisions along the way. But from my standpoint, ... you sell this on the basis ... of the control program, that this is not somebody out there playing around, ... chasing animals to exhaustion, this type of thing, and leaving animals perhaps on the ground

And nobody does that intentionally; I don't mean to [imply] that. But, certainly, those kind of things do happen, and that's what gives the program a bad image. Yet we still have the objective of wanting a control program that's going to, in fact, turn those ... prey populations around. And lacking that, we're spinning our wheels. We are not managing wildlife in this state for sustained yield under those circumstances. And ultimately the department, in my view, must in fact have predator control as an active program in the department over a broad area of the state.

Number 2277

REPRESENTATIVE MASEK asked Mr. Rosier to respond to written comments on HB 208 from Peter Shepherd dated March 28, 2003, which say in part that he was a game division area biologist in McGrath from 1971 to 1981; that wildlife biologists have few tools to actively manage game populations; that ADF&G must have more flexibility with respect to predator control; that his experience is that permitting aerial hunters to take wolves by land-and-shoot means was sufficient to keep healthy levels of prey and predators; and that department biologists can direct and supervise wolf removal from select areas, which would minimize costs to ADF&G.

MR. ROSIER replied that predator-management tools have been so limited for so long that the program must essentially start over again. He recalled the era discussed by Chair Fate, noting that he himself was involved in dropping poisoned bait in Southeastern Alaska; that was fairly effective in getting at the populations of wolves, but was about the only effective method.

MR. ROSIER recounted his experience hunting in Unit 20 over the last five years, saying he'd seen the benefits of removing more than 200 wolves in various subsidized trapper programs carried out. That, in conjunction with the sterilization program carried out by the department, has done good things, he asserted, but surmised that the sterilization program by itself wouldn't have accomplished what occurred through initial removal of 200-plus wolves: the caribou herds there are blossoming and the cows have either single calves or twin calves with them in the fall, after going through a critical life stage during which they are quite vulnerable. There still are wolves there, he said, as reported by some hunters. He reiterated the need to knock down the predator population to begin with and then keep the pressure on.

Number 2035

REPRESENTATIVE MASEK referred to unspecified written testimony and commented on her need, as a sled dog kennel owner, to separate the dogs to prevent uncontrolled breeding; she compared that to wolves and said moose only have two or three calves, one of which survives.

Number 1969

REPRESENTATIVE HEINZE commented that she keeps picturing a choice between killing wolves or letting baby moose be killed, a difficult image for her. She asked whether there is certainty that lynx and fox are part of this predator problem, whether there is a better way such as sterilization, and how she can go along with this if it isn't certain whether the public will be involved.

MR. ROSIER acknowledged Representative Heinze's reluctance to make a quick decision. He referred to what he called "predator pits." Although lauding possible benefits from sterilization, he reiterated the need to knock down the population first before using sterilization, aerial hunting, and so forth to keep the pressure on. He also noted that an unspecified former ADF&G biologist had countered the idea that only the alpha pair of wolves breeds in a pack.

Number 1819

REPRESENTATIVE GATTO remarked that, like Representative Masek, he'd had a dog team for which reproduction rates could be

explosive; however, he'd kept that dog team at home. He asked about the statistics for healthy female wolves in a year.

MR. ROSIER suggested someone from ADF&G could answer.

Number 1773

REPRESENTATIVE GUTTENBERG noted that the previous governor is criticized for his predator control policy and that the current governor can be accused of the same thing. Referring to Mr. Bennett's testimony and the statutes, he said it seems the department already has the tools, and that in the worst-case scenario, agents would be allowed to do predator control. He said he didn't understand why it wasn't being done now, and that it seemed the department was funded to do this under controlled circumstances.

MR. ROSIER answered that this is a policy direction from the [the governor's office]. He said as he reads it under the law, the policy direction just as well could have been, "Go ahead; we're going to use helicopters; we're going to use department aircraft; we're going to use that technique to, in fact, bring this thing under control."

Number 1615

TOM SCARBOROUGH informed members that he'd submitted written testimony that he would supplement. Noting that most testimony has been about airborne hunting, he addressed what he said is a second, vitally important issue in the bill, probably the reason it is supposed to be on a fast track. He told members:

There's a reason why nothing's being done with the wolves in 19D. ADF&G is presently preventing this action because [the] moose population objective set by the Board of Game in 2000 is being met. At the department's request in the year 2000, the Board of Game ... lowered the population objective so that the Knowles Administration could avoid the intensive-management statutes coming into effect and requiring predator control.

A problem is that there's a difference between harvest objectives and population objectives. The statutes deal with population objectives, not harvest objectives. HB 208 would allow harvest objectives to

become a [criterion] and therefore allow the department to act.

[ADF&G] Commissioner Duffy has advised in writing - the Board of Game members each have a letter - that he cannot proceed with predator control for wolves, as current statutes prohibit him from acting. This is why nothing is being done. And, gentlemen, you may be able to get a copy of this letter from the commissioner's office, and you may want to read it. ... If we can get action now and get this legislation passed, maybe we can take some action in 19D and get something accomplished. ... That's the reason for the urgency here.

Number 1462

MATT ROBUS, Acting Director, Division of Wildlife Conservation, Alaska Department of Fish and Game, referring to the Department of Law, put forth the state's opinion that the current statute already allows public involvement in the predator control program. He said he could understand that proponents of the initiative who set up this law would feel the foregoing is contrary to what they meant in going through the initiative process, but Mr. Robus said several legislative actions have taken place since that initiative, in addition to the referendum [which repealed some legislative action].

MR. ROBUS told members that he would try to show why [the administration] believes there is authority under AS 16.05.783 currently for the board and the commissioner to involve public same-day-airborne participation in a predator control program, which, he asserted, is different from same-day-airborne hunting. Saying the state sees the bill as making two basic and fairly small changes to the existing statute, he said the current statute has two different pathways to same-day-airborne predator control activities. He addressed the second one first, as follows:

The second part of the existing statute allows the department to go ahead and do same-day-airborne activities with department staff without the need for any special authorization. And that's the section of the statute where the referendum removed the word "agents" in two different places, because the public made it clear that in proceeding with that type of activity, they did not want the department to involve

the public; they wanted that to be department professionals, period.

But the first pathway in the bill, toward same-day-airborne predator control activities, no longer limits it only to department personnel. That language was taken out as ... one of the previous legislative moves. And ... we believe it allows the authorization of the [public's participating] if some fairly complicated hoops are jumped through.

Number 1248

MR. ROBUS continued:

The first change in the bill, in lines 7 and 8, would make the language in paragraph (a), which is the first pathway that I'm talking about, the same as that which occurs in subparagraph (a)(2), which is on lines 8 and 9 ... on the second page. Although paragraph (a) allows for the authorization of shooting from the air as part of a predator control program, subparagraph (a)(2) implies that a broader array of methods is contemplated by the current statute, that is, both aerial shooting and other forms of same-day-airborne take such as landing and shooting. We believe that conforming this language in these two different places would make it clear that predation control programs can employ any of these methods.

The second change proposed in the bill, which I believe is the original genesis for it, is to modify the phrase "prey population objectives" on line 10 to a more general statement. To go into the mechanics of intensive management and what the Board of Game and the department have to do, ... I'll tell you that for each prey population identified under the intensive management law as being important for high levels of human consumptive use, the board needs to establish two different management objectives. One is the population objective; that's the size of the herd that we want. Secondly is the harvest objective, the number of animals that we want to be able to be harvested out of that herd each year.

As shown in regulation at 5 AAC 92.108, each of the ungulate populations that has been identified as an

intensive management herd has both population and a harvest objective listed there in regulation. For each population, those two objectives are linked. They differ ... in their ... relationship to each other, based on many factors such as each herd's productivity and the habitat condition in the area, the predator load, and the hunter demand and so forth.

Number 1104

MR. ROBUS continued:

Generally speaking, the Board of Game would request the commissioner to make a finding under paragraph (a) to allow the public to participate in the predator control program when an identified intensive management prey population falls below its population objective and predation is implicated as a primary cause of the decline or a factor limiting the recovery to levels above the population objective.

However, in some cases a prey population could meet its population objective but fall short of meeting its harvest objective. In some such cases, predation control measures may be a tool that would be appropriate for trying to resolve that situation. Under the current language of this statute, a strict reading of the phrase, quote, "prey population objectives", unquote, could be interpreted to prevent the commissioner from being able to make a finding, as outlined in paragraph (a), in a case where the herd met the population objective but fell short of meeting the harvest objective.

Adopting the proposed language in the bill would make it clear that the commissioner would be able to make a finding based on either or both of the two management objectives established under the intensive management law.

Number 1023

MR. ROBUS continued:

So, to sum up: good, bad, or indifferent, the language in the present statute is different than what was originally intended in the initiative. The state

believes that involvement of the public, not in same-day-airborne hunting but in same-day-airborne predator control programs, is potentially something that can be authorized if the board and the commissioner go through this complicated process. And right now, in most populations, the population objective is a pretty good measure of whether or not predator control should be something to be considered.

In the specific case of the moose herd at McGrath in Unit 19D East, we have a situation where an adaptive management team appointed during the last administration as part of a compromise lowered the existing intensive management population objectives - basically cut it in half - and we do have a situation there now where the moose population is meeting the population objective, [but] is failing to meet the harvest objective, which is based on a longstanding need for moose meat ... in that part of the country.

And, as Mr. Scarborough referenced in his testimony, when the board requested the commissioner of fish and game to make a finding under part (a) of this statute, the commissioner declined because our moose herd out there is meeting that rather low population objective, but we still have a tremendous need for moose meat in that valley that we're not meeting. And so, if you broaden the language in the statute, it would allow either of those two objectives, or both, if we're failing to meet those, to be used as a basis for considering inclusion of the public in a same-day-airborne predation control program.

MR. ROBUS said he'd taken some notes while on teleconference during the previous hearing, and he offered to answer questions.

Number 0855

MR. ROBUS, in response to a question from Representative Guttenberg, specified that under the second part of the statute as it's presently written, department personnel can engage in same-day-airborne predator control activities without going through the complicated process he'd just mentioned. He added, "Under the authority of the administration, we could go out and conduct those programs."

REPRESENTATIVE GUTTENBERG asked, "So why aren't you?"

MR. ROBUS replied:

It's complicated because of the various different situations around the state. But in the case of McGrath, the department has a management experiment ready to go, in the sense that we have several years of research data on moose-calf survival, bear movements, wolf movements. We have prepared ourselves to be able to conduct a study there which would live up to the National Academy of Science report's criticism that we have not looked at the results of these programs in the past.

The present policy position of the administration is that there's a desire to try to involve local people in dealing with some of the wildlife management situations, both as a way to reduce costs to the state and, I guess, the feeling that the people benefiting from the improvement in the local resources should be people we try to get involved in managing to a better situation.

Number 0692

REPRESENTATIVE GUTTENBERG asked whether this year's executive order moving [ADF&G's habitat division] to the Department of Natural Resources (DNR) will affect the department's ability to do the scientific research needed to justify predator control as one of many programs.

MR. ROBUS answered:

No, sir. The habitat division, ... despite the name, has not conducted the work we'd done on the habitat in Unit 19D East; we've got a couple of wildlife biologists who have worked on those activities. And all of the capture work and tracking work and so forth is done also within my division.

REPRESENTATIVE GUTTENBERG asked, "Not even indirectly?"

MR. ROBUS replied, "I can't think of any way that that move would affect that particular project."

Number 0613

REPRESENTATIVE HEINZE asked whether, in Mr. Robus's division, there has been any talk of the sterilization program.

MR. ROBUS responded:

Yes, indeed. That's a very interesting tool, and it's been effective in that Fortymile caribou situation. And former Commissioner Rosier was correct in saying that we were able to start there with a lowered predator-wolf population because of the actions ... of a coalition of trappers who concentrated on the area before we went in there.

We've talked about all sorts of options in each of the cases where predator control might be necessary. In the situation in McGrath, the problem is ... that even if we were to do what we did in the Fortymile [areal] and end up with only two wolves, a sterilized male and a sterilized female, in each pack territory, and we do something with all the rest of the wolves - which is a difficult thing to do, by the way, if you're going to do it nonlethally - the moose density in 19D East is such that even two wolves in a territory, without reproducing and making more wolves, are enough to continue to retard or even prevent the rebound of the moose population.

The premise of the ... management experiment at McGrath is to take a fairly small area of good moose-calving habitat and try to reduce predation by wolves and bears to a very, very low level and hold it there for a couple of years to allow much greater calf survival; those are ... recruited as yearlings, at which ... time they enter the ... huntable population, so we would start up towards that harvest objective in only the second year ... after doing this activity. And then, of course, they enter the breeding population, those that survive, and hopefully produce more calves.

Number 0434

REPRESENTATIVE GUTTENBERG posed a question he said was asked by Representative Lynn the previous week: If an agent doing aerial wolf hunting fails to retrieve a wolf that has been killed and then someone with a dog team happens upon it, who owns it?

MR. ROBUS answered:

That's a good question. And since this is not typical hunting, I think that the department has quite a bit of latitude in deciding the answer to that, and it would be part of the permit system that we put together.

What we envision at McGrath, if we get into this type of program, would be not too many permits issued and a high degree of control and surveillance by the department. And we might even end up using helicopters to go out and retrieve carcasses to make sure that we got carcasses out of the field for scientific study, and because we know that that's one of the criticisms of either airborne or same-day-airborne types of taking. And I think we'd have the latitude to either have ... those carcasses belong to the state or we could allow the hides to be part of the compensation to the people that were participating as permittees.

Number 0301

CHAIR FATE asked whether [ADF&G] has records that go back far enough to show whether private-sector hunting of wolves was as effective as the department's airborne predator control.

MR. ROBUS said he didn't have any data and wasn't aware of any that provided much information. He added:

If you talk to our professional managers, I think the feeling is that professional staff cost more but are probably more effective in a shorter period of time. But one factor here is, the area that ... you're looking at conducting this management activity on, a ... fairly small patch of ground such as we're talking about in this management ... experiment at McGrath lends itself to kind of a discrete, one-time, rapid activity. But if you're looking at a larger area ... where we're having problems meeting population objectives, ... it just may not be feasible or affordable to have department personnel doing predator control activities over something the size of Unit 13, for instance. ...

The Board of Game ... this last month, in talking about the Unit 19D East program, gave us a menu with different techniques, which included everything from staff and helicopters all the way down to ground trapping, with fixed-wing methods in between. And they also gave us a list of criteria: affordability, fitness, humaneness, and there's others I'm not thinking of right now. And they asked us to pick from that menu of techniques and then match it against those criteria, and then asked us further to go ahead and employ whatever methods that would get the job done ... acceptably within those criteria.

The commissioner has not made the finding requested there which would allow the public to be involved, for the technical reason that I discussed here, ... in the fact that the current statute talks about population objectives, rather than just objectives. And so we, at this point, are not going any further, except to try to help ground-based trappers at McGrath be more effective in ... their attempts to catch wolves this year.

Number 0045

CHAIR FATE asked how much the present budget will restrain predator control, both generally and in the McGrath area.

TAPE 03-22, SIDE A

Number 0001

MR. ROBUS answered that this is very expensive, and that [the present budget] will limit the department's participation in these activities to only one or two areas at a time. He added:

But there aren't that many areas around the state where a real active predator control program is probably necessary. I think what's frustrating to a lot of people is ... that of the areas that have been identified, not much is happening. For instance, we're eight or nine years beyond the beginning of the McGrath management program, and we're still attempting to get some sort of management done over and above existing hunting and trapping.

At McGrath we're spending about \$100,000 a year on the research programs. And each year that that management

experiment gets put off ... we have to decide whether to invest another similar amount of money so that we have fresh background information if we ever go and do something there. The actual control activities out there would probably add another \$50,000, and that includes our participation in ... any aspect of the wolf program, as well as translocating a large number of bears out of that experimental management area in order to reduce those real high rates of predation by bears on moose calves during the first few weeks of life.

Number 0156

CHAIR FATE surmised that in some areas the bear predation is as severe as that from wolves. He asked about inauguration of a total predator program in some of these areas where there is intense game management.

MR. ROBUS said that's a very good point and added:

It's really important to us that we don't just embark on single-species programs. In most of the cases you look at, multiple predator species are involved. And as one of the speakers mentioned, ... if you take out one predator where you have a complex of predators, there may be enough compensatory mortality - in other words, other predators jumping in at the opportunity - that you may not realize the gains that you otherwise would.

Number 0253

CHAIR FATE asked if there were further questions; hearing none, he thanked participants and announced that public testimony was concluded.

CHAIR FATE mentioned SB 155 and a couple of proposed amendments, saying he wanted to work on the two bills together and then arrive at a committee substitute.

Number 0364

REPRESENTATIVE GUTTENBERG suggested that Mr. Rosier's proposed amendments be considered as well.

CHAIR FATE concurred, noting that there'd also been suggestions from committee members. [HB 208 was held over.]

The committee took an at-ease from 2:45 p.m. to 2:47 p.m.

HCR 11-ALASKA SALMON DAY

CHAIR FATE announced that the next order of business would be HOUSE CONCURRENT RESOLUTION NO. 11, Relating to Alaska Salmon Day.

Number 0498

REPRESENTATIVE MASEK moved to adopt CSHCR 11(FSH) as the working document. There being no objection, it was so ordered.

Number 0595

REPRESENTATIVE MASEK moved to report CSHCR 11(FSH) out of committee with individual recommendations and the accompanying fiscal notes; she requested unanimous consent. There being no objection, CSHCR 11(FSH) was reported from the House Resources Standing Committee.

HB 86-INJUNCTIONS AGAINST PERMITTED PROJECTS

CHAIR FATE announced that the final order of business would be SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 86, "An Act relating to permits issued by the state; and amending Rules 65, 79, and 82, Alaska Rules of Civil Procedure."

Number 0727

REPRESENTATIVE GATTO moved to adopt SSHB 86 as the working document. There being no objection, it was so ordered.

CHAIR FATE announced that SSHB 86 would not be taken up further at this meeting but would be available for consideration at the next meeting. [SSHB 86 was held over.]

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:52 p.m.