

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

April 29, 2005

1:42 p.m.

**MEMBERS PRESENT**

Representative Jay Ramras, Co-Chair  
Representative Ralph Samuels, Co-Chair  
Representative Carl Gatto  
Representative Gabrielle LeDoux  
Representative Kurt Olson  
Representative Paul Seaton  
Representative Harry Crawford  
Representative Mary Kapsner

**MEMBERS ABSENT**

Representative Jim Elkins

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S)

Commercial Fisheries Entry Commission, Commissioner

Peter Froehlich - Juneau

- CONFIRMATION(S) ADVANCED

Alaska Board of Fisheries

Rupert Andrews - Juneau  
John Jensen - Petersburg  
Mel Morris - Kodiak

- CONFIRMATION(S) ADVANCED

Alaska Board of Game

Ron Somerville - Juneau  
Carl Morgan - Aniak  
Ted Spraker - Soldotna

- CONFIRMATION(S) ADVANCED

Alaska Department of Fish & Game, Commissioner

McKie Campbell - Juneau

- CONFIRMATION(S) ADVANCED

Alaska Department of Environmental Conservation, Commissioner

Kurt Fredriksson - Juneau

- CONFIRMATION(S) ADVANCED

**PREVIOUS COMMITTEE ACTION**

No activity to record

**WITNESS REGISTER**

PETER FROEHLICH, Appointee  
Commissioner  
Commercial Fisheries Entry Commission  
Juneau, Alaska

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

RUPERT ANDREWS, Appointee  
Alaska Board of Fisheries

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

JOHN JENSEN, Appointee  
Alaska Board of Fisheries

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

MEL MORRIS, Appointee  
Alaska Board of Fisheries

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

CARL CROME, Commercial Fisherman  
Petersburg, Alaska

POSITION STATEMENT: Testified in support of the confirmation of John Jensen and Mel Morris.

RICKY GEASE Executive Director  
Kenai River Sport Fishing Association

Kenai, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all three appointees to the Board of Fisheries and Mr. Spraker for the Board of Game.

RONALD SOMERVILLE, Appointee

Alaska Board of Game

Juneau, Alaska

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

CARL MORGAN, Appointee

Alaska Board of Game

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

TED SPRAKER, Appointee

Board of Game

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

MCKIE CAMPBELL, Appointee

Commissioner

Alaska Department of Fish & Game

Juneau, Alaska

POSITION STATEMENT: Discussed his desire and qualifications for his appointment and answered questions.

KURT FREDRIKSSON, Appointee

Commissioner

Department of Environmental Conservation

Juneau, Alaska

POSITION STATEMENT: Presented his vision for the department.

#### **ACTION NARRATIVE**

**CO-CHAIR JAY RAMRAS** called the House Resources Standing Committee meeting to order at [1:42:13 PM](#). Representatives Ramras, Seaton, LeDoux, and Gatto were present at the call to order. Representatives Kapsner, Crawford, Olson, and Samuels arrived as the meeting was in progress.

#### CONFIRMATION HEARING(S)

Commercial Fisheries Entry Commission, Commissioner

CO-CHAIR RAMRAS announced that the first order of business would be the confirmation hearing of Peter Froehlich for commissioner of the Commercial Fisheries Entry Commission.

PETER FROEHLICH, Appointee, Commercial Fisheries Entry Commission (CFEC), said he is uniquely qualified because of his experience as a fisherman, judge, and attorney. He said he has adjudicated fisheries disputes, and he has worked in the Office of the Attorney General and as the attorney for the Commercial Fisheries Entry Commission. He told the committee that he recently retired from the District Court Bench and is looking forward to the change.

REPRESENTATIVE GATTO asked if he sees his role as an advocate of commercial fishing and in opposition to sport fishing.

MR. FROEHLICH said the role is regulatory rather than advocacy; the Board of Fisheries does the advocating and allocating.

REPRESENTATIVE LEDOUX asked Mr. Froehlich if SB 113 passes, how does he envision the coordination between the Board of Fisheries and the CFEC for public hearings on ground fish rationalization.

MR. FROEHLICH said it would establish a process for hearings. There may be a team of people for going around Alaska getting the necessary and important public input, he said.

REPRESENTATIVE LEDOUX asked his philosophy of who should get fishing privileges between boat owners and fishermen.

MR. FROEHLICH said presence on board and ownership are important, but participation may be more important.

REPRESENTATIVE SEATON said historically the state gave access privileges to the actual fishermen, and now there is a federal model of awarding privileges to the vessel owner as an investor, and nothing to the fisherman as a participant. He asked again, what Mr. Froehlich's philosophy was.

MR. FROEHLICH said that is a policy matter that is up to the legislature, but there seems to be more logic to the presence than the ownership. He added that there is balancing to be done, but the legislature should do that. If the legislature doesn't get involved, the federal approach will prevail.

REPRESENTATIVE SEATON asked about the court decision in the Chignik cooperative.

MR. FROEHLICH said it is a problem for the state, and he thought Judge Carpeneti was "right on" in his dissenting position. He said there may be a simple fix by working with statutory definition in limited entry of fish board statutes. The state is looking at restructuring fisheries and reducing the amount of gear, but buyback is expensive to the government, he commented. Cooperatives seems to work well, and legislative action could solve the whole thing.

REPRESENTATIVE LEDOUX said SB 113 does not leave it to the legislature, so she asked Mr. Froehlich if it should be legislative or settled by the board and the CFEC.

[1:55:05 PM](#)

MR. FROEHLICH said he is not sure how much discretion the legislature wants to give those entities. There are just three entry commissioners, and a lot more members of the board of fish, he noted. If that decision is granted to board members, that is the its call, he concluded.

CO-CHAIR RAMRAS moved to forward the name of Peter Froehlich to the joint session of the House and Senate for confirmation. There being no objection, it was so ordered.

[1:56:27 PM](#)

#### Board of Fisheries

CO-CHAIR RAMRAS announced that the next order of business would be confirmation hearings for Rupert Andrews, John Jensen, and Mel Morris for the Alaska Board of Fisheries.

[1:57:12 PM](#)

RUPERT ANDREWS, Appointee, Board of Fisheries, said he is retired from the Alaska Department of Fish & Game, and his time on the board has been very good. He said he is concerned about the protection of the resource, and he listens to people.

REPRESENTATIVE SEATON asked about the Chignik cooperative court opinion.

RUPERT ANDREWS said he does not believe the supreme court acted correctly. He said the board needs to have effective tools to restructure the state fisheries. He added that he knows some

families in Chignik who will "go under." He said it can be solved legislatively, and the board should have that authority. The board has reaffirmed its philosophy with three unanimous votes. The Chignik cooperative is a bright star, providing for quality and efficiency, he concluded.

[2:02:53 PM](#)

REPRESENTATIVE SEATON asked about fishing privileges assigned to natural persons or corporations.

MR. ANDREWS said he would have to give that more thought. He supports the process the state has developed since statehood, which is getting information and acting on it. He said it is a legislative question.

REPRESENTATIVE SEATON noted that HB 113 puts that decision into the board's court, and he asked him to keep thinking about it.

REPRESENTATIVE LEDOUX asked about public hearings in the affected communities.

MR. ANDREWS said he appreciates that question. The board was told to reduce its budget, so travel and the number of meetings was reduced. He noted that he is more than willing to go anywhere in Alaska and listen.

REPRESENTATIVE LEDOUX asked about the Gulf of Alaska ground fish rationalization stakeholders and the implementation of differential access privileges.

MR. ANDREWS said he has not read the legislation, but said he would listen to stakeholders and advisory committees carefully.

REPRESENTATIVE LEDOUX said the Board of Fisheries is seeking an emergency regulation for Chignik, and the supreme court mentioned that the co-op wasn't necessarily the best thing for the community. "What is your reaction?" she asked.

[2:09:57 PM](#)

MR. ANDREWS said the Chignik co-op is the brightest spot in the Alaska salmon fishery. Fishing in Alaska is over capitalized. The co-op improved quality and efficiency. It is not applicable to the whole state, but it works in Chignik, he said. They have 87 out of 100 permittees involved, and he told the committee he went there on his own time, and he was impressed.

2:11:35 PM

JOHN JENSEN, Appointee, Board of Fisheries, Petersburg, said the first three years on the board have been intense, and he is prepared to spend another three years. He noted that he has made his living on fish, and he wants to see a strong sustainable fishery for the future.

REPRESENTATIVE LEDOUX asked if he considers the Chignik co-op a success for the community.

MR. JENSEN said he heard both good and bad about the Chignik co-op. He does not know what the different variables contribute, and he mentioned the price of oil and the value of fish. He said they have had low returns in the last few years.

REPRESENTATIVE LEDOUX asked his philosophy regarding the fishing privileges under SB 113.

MR. JENSEN said he believes it can be worked out, where even the crewmembers could get some kind of recognition.

REPRESENTATIVE LEDOUX asked Mr. Jensen how he sees the effect of ground fish rationalization on the coastal communities.

MR. JENSEN said the program could work out differently than the individual fishery quota (IFQ) system, which probably did some harm to communities, because it has more Alaskans involved.

2:17:38 PM

REPRESENTATIVE SEATON said the constitution prohibited an exclusive right to a fishery, but an exemption was made by a constitutional amendment to allow limited entry in order to prevent economic distress. He noted that the state has had some programs where fishing privileges were assigned to owners or corporations instead of fisherman. "Do you agree with those kinds of programs where it would define a vessel owner as a fisherman, and the person that is out fishing, basically is not a fisherman?"

2:18:58 PM

MR. JENSEN said both parties should be recognized.

REPRESENTATIVE SEATON noted the severe disruption with the Chignik co-op when the supreme court declared it not legal under the Limited Entry Act. If the state goes forward with a program in the Gulf of Alaska that assigned a quota, "and it is found to violate the exclusive right of fishery provision, do you see that as something that you have to worry about or do you think the Board of Fisheries ought to go forward and assign the fishing privileges wherever it works best for the testimony that comes forward from the industry?"

[2:20:23 PM](#)

MR. JENSEN said the board should get the Chignik problem resolved, and he believes it will be resolved soon. He said the same problems will occur if it is not cleared up.

[2:21:06 PM](#)

MEL MORRIS, Appointee, Board of Fisheries, said he has worked for the Alaska Department of Fish & Game (ADF&G) and for the fishing industry. He noted that he retired in 2000 and started a company selling seafood. He said he has been on the board for the past 2.5 years, and he is on a committee that deals with state's rights and the gulf rationalization program. He appreciates the chance to go around the state to meet with the people who can least afford to come to the meetings.

[2:26:05 PM](#)

REPRESENTATIVE LEDOUX asked about fishing privileges being given to boat owners or fishermen.

MR. MORRIS said it is a big question, but he feels comfortable working through the board to determine that. He said his philosophy is that both people should be recognized, but the percentage is up for discussion.

[2:28:17 PM](#)

REPRESENTATIVE LEDOUX asked Mr. Morris in a gulf rationalization plan where fishermen have been fishing the state parallel fishery, but have been fishing it within the three-mile limit, if they can be treated identically to people who have been fishing in federal waters.

MR. MORRIS answered that the board can't base what it does on the federal regulations. "If we don't do anything that would

mean that people in a totally open access fishery could fish in state water and then go out and take their quota in federal waters." He said he would like a seamless process, "but unless we are able to issue some kind of quota shares ... we only have a few options." He noted limited entry or restricting gear to rowboats, "and that isn't going to do it; so unless we can have people recognized for their catch history in some form, we can't develop a seamless concept that can work between federal and state regulatory agencies."

[2:30:48 PM](#)

REPRESENTATIVE SEATON asked about his comment on gulf rationalization, and the only way it would work is with open access inside and quotas in federal waters. There are parallel cases, including the North Gulf Coast black cod quota, and the Aleutian Island quota, he said. In those cases, with IFQs, anything caught off state waters comes off the IFQ. "Are you discounting that model?" he asked.

MR. MORRIS said the board has reviewed those, and doesn't discount them. He added that there are possibilities, but the feds can't issue quotas in state waters. He said he is trying to make sure the state waters fisheries come ashore to the coastal communities. "To do away with the fish derby-style fishery, we have to give people some incentive for fishing in the three-mile fishery." He said he recognizes the problem of the federal and state waters.

[2:33:56 PM](#)

CARL CROME, Commercial Fisherman, Petersburg, said he supports the confirmation of John Jensen and Mel Morris.

RICKY GEASE, Executive Director, Kenai River Sport Fishing Association, said he strongly encourages the confirmation of all three appointees to the Board of Fisheries. There is a learning curve and they will do a better job the next three years.

[2:38:29 PM](#)

CO-CHAIR SAMUELS moved to forward the names of Rupert Andrews, John Jensen, and Mel Morris to the joint session of the House and Senate for confirmation.

There being no objection, it was so ordered.

[2:38:43 PM](#)

Alaska Board of Game

CO-CHAIR RAMRAS announced that the next order of business would be confirmation hearings for Ron Somerville, Carl Morgan, and Ted Spraker for the Alaska Board of Game.

RONALD SOMERVILLE, Appointee, Alaska Board of Game, said he wants to serve on the board because it is now less passive and wants to do intensive management in areas where "predators like wolves and bears and others" are reducing opportunities for hunters. He spoke of five areas where the board is killing predators, and he said other areas are being requested. He stated that the board has been proactive with the federal subsistence board in reducing conflicts between federal regulations and state regulations. He said he is interested in creating "a reconnect between the department, the legislature, and the board." He said he thinks Commissioner Campbell will do that.

CO-CHAIR RAMRAS asked how he felt about predator control.

MR. SOMERVILLE said he personally supports it, but not everywhere. He thinks it should be scientifically supported, and it should be done where wolves and bears keep prey numbers down, especially in areas like McGrath where people depend on moose. He said south of Fairbanks is one of the heaviest concentrations of moose in the state due to wolf control.

[2:42:30 PM](#)

REPRESENTATIVE GATTO asked if moose could survive without predator control.

MR. SOMERVILLE said, "Sure, they can," but look at McKinley park where moose numbers are low and the wolf and bear populations are healthy, and the moose population took years to recover. In predator pits predators keep the pressure on the calf production so the moose population cannot recover. Increasing moose can "carry the wolf population as well as an additional harvest," he said. He noted that hunters take less than five percent of prey populations.

[2:43:45 PM](#)

REPRESENTATIVE KAPSNER asked what he thought about transplanting urban moose into areas with predator pits.

MR. SOMERVILLE said the legislature has made the decision to implement that, and the board is not involved. He said it is very expensive but worth trying on a case-by-case basis. He said the board had a hunt in Anchorage to try to reduce moose. Moving moose from Anchorage to McGrath is very expensive, he said, and "we would be better off to harvest the animal and distribute the meat to people out there who could use it."

REPRESENTATIVE KAPSNER asked if Mr. Somerville were a subsistence hunter, would that offend him?

MR. SOMERVILLE said yes because he was a subsistence hunter. He warned about using drugs to move an animal, which may affect the meat.

REPRESENTATIVE KAPSNER said, "You realize it was never proposed that this expense be born by the state."

[2:45:42 PM](#)

CARL MORGAN, Appointee, Board of Game, said he once represented the biggest district in Alaska. He said he is serving on a federal advisory board, and he feels that he is very qualified. He said Alaska should manage fish and game with data and not emotions. He said he supports predator control.

[2:48:14 PM](#)

TED SPRAKER, Appointee, Board of Game, said he considers it an honor to serve. He said he is retired from the Alaska Department of Fish & Game after working for 28 years. He agreed with Mr. Somerville, and he enjoys the board and the regulatory process. He finds the public testimony to be the key part. He said it is a good time to be on the board because the governor didn't agree with the previous board. He considers himself a "management thinker".

CO-CHAIR RAMRAS asked how he felt about predator control.

[2:52:54 PM](#)

MR. SPRAKER said he supports predator control when it is scientifically based. He said it has to be smart, because the state could be drug into court.

[2:54:01 PM](#)

MR. GEASE, Kenai, said the Board of Game has taken the right direction, and he supports the appointment of Mr. Spraker.

CO-CHAIR SAMUELS moved to forward the names of Ron Somerville, Carl Morgan, and Ted Spraker to the joint session of the House and Senate for confirmation. There being no objection, it was so ordered.

[2:55:10 PM](#)

Alaska Department of Fish & Game, Commissioner

CO-CHAIR RAMRAS announced that the next order of business would be a hearing for the confirmation of McKie Campbell.

MCKIE CAMPBELL, Appointee, Commissioner, Alaska Department of Fish & Game, said he is honored because fish and wildlife in Alaska are more important, in orders of magnitude, than other states.

[2:56:59 PM](#)

REPRESENTATIVE KAPSNER asked if the governor requested him.

COMMISSIONER CAMPBELL said he did not apply during the first job notice, and then the administration asked him to apply with no promise of being selected. He consulted with the governor before he applied.

REPRESENTATIVE KAPSNER asked what he would do to resolve the subsistence impasse.

COMMISSIONER CAMPBELL said the state will continue to exist with dual management, and "there are a number of steps to not reduce subsistence, but to simplify laws and regulations, and increase opportunities by all users." He said he will talk to the federal subsistence board about specific hunts with conservation issues and hunts that have been only open to local subsistence users who are not actually hunting there. It is not to try to decrease subsistence activities, but there is overlap of regulations that make it impossible to legally abide, he said.

REPRESENTATIVE KAPSNER asked if there is a way to gain state control without a constitutional amendment.

COMMISSIONER CAMPBELL said the state would have to change the Alaska National Interest Lands Conservation Act (ANILCA) or the constitution. He doesn't foresee either of those happening and said he has a history of making both sides mad by advocating a combination of a constitutional amendment and substantive ANILCA amendments.

[3:01:32 PM](#)

CO-CHAIR SAMUELS asked what ADF&G's biggest problem is.

[3:01:51 PM](#)

COMMISSIONER CAMPBELL said the department is beaten down because of low pay and strained relations with the legislature. Every biologist wanted to work for ADF&G in the 1970s and 1980s, he claimed, and now it is last on people's list. He said state biologists are paid about 30 percent less than federal biologists.

[3:03:24 PM](#)

CO-CHAIR RAMRAS said the state has limited resources, and therefore inquired as to whether it should be allocating wages to commissioners or field biologists.

COMMISSIONER CAMPBELL said he needs biologists to be able to make a good salary. He added that he took a very large pay cut to take this job, so it is an issue for commissioners and field biologists.

CO-CHAIR RAMRAS asked how to attract good employees.

[3:05:13 PM](#)

COMMISSIONER CAMPBELL said federal biologists get 30 percent higher pay, and any portion of that would be a help.

REPRESENTATIVE LEDOUX asked if it is part of his role to be a zealous advocate for more funds.

COMMISSIONER CAMPBELL said it is.

[3:06:04 PM](#)

REPRESENTATIVE LEDOUX asked his vision for the next three years.

COMMISSIONER CAMPBELL said he would like the department to be back on the road to being the best in the country. On his first day on the job, he asked the staff to find how the department can do things better.

[3:07:21 PM](#)

REPRESENTATIVE KAPSNER said she used to work for ADF&G and did a lot of data collection. She said her old boss submits grants to the federal government, is denied, and then transfers the grant to tribes to partner with. Tribe staff are not biologists, so it is difficult. It is not the legislature's intent for ADF&G to partner with tribes, but she asked what Commissioner Campbell thinks about such partnerships.

COMMISSIONER CAMPBELL said he does not know specifics, but he sees areas where the department can work with tribes in a manner that benefits all Alaskans. There has been a sharp decline in general funds, so the department is more dependent on federal funds. He said legislators tell him to stand up to the federal government, "and, by the way, do it all on their nickel."

[3:09:46 PM](#)

CO-CHAIR SAMUELS asked if he supported user fees.

COMMISSIONER CAMPBELL said yes.

CO-CHAIR SAMUELS asked about predator control.

COMMISSIONER CAMPBELL said he supports predator control where it is appropriate. He said he is concerned about having research to defend ADF&G's actions, because of lawsuits. He said the Board of Game is democratic and knowledgeable.

[3:12:19 PM](#)

CO-CHAIR SAMUELS asked what Commissioner Campbell what he thought of the Joint Salmon Task Force.

COMMISSIONER CAMPBELL said it was valuable. He added that Alaska needs an overall fish policy.

[3:14:14 PM](#)

REPRESENTATIVE GATTO said his constituents want to know why \$600,000 was spent on nongame species.

COMMISSIONER CAMPBELL said some money was spent. With the sharp decline of general funds, the department has become creative on funding. There are a number of uses out of the fish and game fund that are not illegal but inappropriate, he opined. He is looking at those. That money has brought in a great deal of additional federal money and some of it does benefit hunters.

REPRESENTATIVE GATTO said diversion of funds is prohibited.

COMMISSIONER CAMPBELL said he has examined each one. He agrees with Representative Gatto's sentiment, but the department has been legal.

REPRESENTATIVE GATTO asked about annual reports to the legislature.

COMMISSIONER CAMPBELL said he has one.

[3:19:51 PM](#)

REPRESENTATIVE GATTO said the word "project" was not defined.

COMMISSIONER CAMPBELL said it is defined now.

REPRESENTATIVE CRAWFORD said he enjoys hunting and he understands that the department has to work on bag limits and other things, but he is concerned about long-term threats to our fish and wildlife. He finds it disturbing that plastic is degrading in the oceans and becoming the most plentiful part of the plankton and poisoning fish and mammals in the sea. He noted the ivory-billed woodpecker, and said he doesn't want to see the decline of wildlife in Alaska. He asked if the department has the resources to look at long-term threats.

[3:23:37 PM](#)

COMMISSIONER CAMPBELL said he deeply appreciates that, and Alaska can be very proud of its management. We can take lessons from the other states, so we have a better record. He said the governor is concerned. "We manage our own resources very well but we are affected by things that happen worldwide."

[3:24:53 PM](#)

CO-CHAIR RAMRAS asked what will be done to enhance ungulate populations.

COMMISSIONER CAMPBELL said predator control is an important piece, but there are other strategies like controlled burns, crushing, and bag limits. He said there are more moose harvested in Sweden, but they have zero predators and do very intensive habitat management. There is money available from the Department of Agriculture for habitat management, he said.

CO-CHAIR RAMRAS said the hospitality industry is linked to predator control programs, and he asked if there are positive things the department can do. "Predator control programs always suggest the negative," he said. He asked if there was a way to not look "barbaric" to others.

[3:28:15 PM](#)

COMMISSIONER CAMPBELL said the department needs a campaign to inform people of the good job the state is doing. He said people come to visit because of the state's fish and wildlife.

CO-CHAIR RAMRAS asked what the department can do about habitat, because he is a great advocate of predator control programs but not the residue that they seem to leave.

COMMISSIONER CAMPBELL said the state needs to get out the story of what a good job it has done. Someone who has no wolves back home will look at predator control with horror, he said. He said he sees eagles and Orcas from his office, and moose wander the yards of Anchorage.

[3:31:05 PM](#)

COMMISSIONER CAMPBELL said there are 859 permanent employees and 829 seasonal. There are publications staff that will be directed to promote Alaska's image.

[3:31:46 PM](#)

REPRESENTATIVE KAPSNER said she was scorned for wearing ivory in the lower 48. She asked how Commissioner Campbell can protect the subsistence division from budget cuts, and inform legislators who don't understand subsistence issues.

[3:33:09 PM](#)

COMMISSIONER CAMPBELL said the new legislators need to be taught the role of the subsistence division.

[3:34:04 PM](#)

CO-CHAIR RAMRAS asked about the request for \$45 million for the Anchorage hatchery, when schools are in bad condition and the department needs money for biologists. He suggested refurbishing it instead of building a new one, and he offered Commissioner Campbell the phone number of the municipal power company that offered warm wastewater for the hatchery.

COMMISSIONER CAMPBELL said he will find out about production goals. The department wants to build something long term instead of stopgap. He said the fishing license surcharge will go to the bond repayment, and he is inclined to save money and will look into it.

CO-CHAIR RAMRAS talked about the Fairbanks hatchery, and he is concerned that it will be aesthetically pleasing instead of maximizing fish production. Users are providing 100 percent of the funds for the hatchery, so he said he doesn't want it to be a tourist attraction.

COMMISSIONER CAMPBELL said he will look closely at that.

[3:46:49 PM](#)

REPRESENTATIVE LEDOUX said the Kodiak ADF&G facility is woefully inadequate.

COMMISSIONER CAMPBELL said the department has no extra money.

[3:49:54 PM](#)

CO-CHAIR SAMUELS moved to forward the name of McKie Campbell to the joint session of the House and Senate for confirmation. There being no objection, it was so ordered.

Alaska Department of Environmental Conservation, Commissioner

CO-CHAIR RAMRAS announced that the final order of business would be the confirmation hearing of Kurt Fredriksson.

KURT FREDRIKSSON, Appointee, Commissioner, Department of Environmental Conservation (DEC), said he is looking forward to moving on the department's strategic plan, including permit

streamlining, rational regulations, state control of environmental protection, completing the Exxon-Valdez oil spill restoration, and building avenues to get students to view DEC as a legitimate job.

[3:52:41 PM](#)

REPRESENTATIVE GATTO said Prince William Sound looks like it is restored, but there is still sludge; will it ever be restored?

COMMISSIONER FREDRIKSSON said there are six resources that are in a damaged state. There is lingering oil on 20 subsurface acres. He said there are studies to see if there is any problem with that oil being there. He said there is lingering oil under Juneau, and it is not a problem.

[3:55:34 PM](#)

CO-CHAIR RAMRAS said Commissioner Fredriksson was a great man. He noted that the food code has drawn criticism, and he asked why he was allowing the code to be implemented.

COMMISSIONER FREDRIKSSON said regulations can be controversial. The code was developed after an extensive work group, and he added that DEC dealt with the regulated parties and held nine workshops. He will see the regulations after the director of environmental health approves it, he said.

[3:58:01 PM](#)

CO-CHAIR RAMRAS asked how the department is being sensitive to the cost of the food code to the private sector.

COMMISSIONER FREDRIKSSON said regulations restrict private freedoms--"that's our job." If DEC deviates from legislative mandate there will be ultimate legislative oversight, he said. He said he is sensitive to costs and burdens, but he doesn't know the exact cost of the food code.

[3:59:52 PM](#)

CO-CHAIR RAMRAS asked how the public can be expected to understand the regulations.

COMMISSIONER FREDRIKSSON said DEC will help and work with affected parties.

[4:02:09 PM](#)

REPRESENTATIVE LEDOUX asked how the department communicated with affected parties, and why it was redone.

COMMISSIONER FREDRIKSSON said DEC has a mailing list of everyone who has ever had a food permit, and it communicated with them all and with the trade association that represents the industry. There was a 60-day public review period and nine workshops. He added that DEC spent \$14,000 on outreach. The revised state food code is partly due to legislation and also to become consistent with the national food code.

REPRESENTATIVE LEDOUX said people are not dropping dead in droves from food poisoning.

COMMISSIONER FREDRIKSSON said there are outbreaks.

[4:08:03 PM](#)

CO-CHAIR RAMRAS asked if the department understands the perception of the food workers.

COMMISSIONER FREDRIKSSON said that DEC takes public comments very seriously.

CO-CHAIR RAMRAS asked if the governor was just concerned about the gas pipeline and not on the onerous burden of the food code.

[4:11:12 PM](#)

REPRESENTATIVE LEDOUX moved to forward the name of Kurt Fredriksson to the joint session of the House and Senate for confirmation. There being no objection, it was so ordered.

#### **ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at [4:12 PM](#).