

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES**

April 20, 2007

8:56 a.m.

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Kyle Johansen
Representative Craig Johnson
Representative Gabrielle LeDoux
Representative Peggy Wilson
Representative Bryce Edgmon

MEMBERS ABSENT

Representative Lindsey Holmes

OTHER MEMBERS PRESENT

Representative Bill Thomas

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Board of Fisheries

Larry Edfelt - Juneau

CONFIRMATION(S) ADVANCED

Claude Vincent Webster - King Salmon

CONFIRMATION(S) ADVANCED

Howard Delo - Big Lake

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

LARRY EDFELT, Appointee

to the Board of Fisheries (BOF)
Juneau, Alaska

POSITION STATEMENT: Testified as appointee to the BOF, and responded to questions.

DICK BISHOP, President
Alaska Outdoor Council
Fairbanks, Alaska

POSITION STATEMENT: Testified no objection to the appointment of Larry Edfelt, or Claude Vincent Webster, to the Board of Fisheries.

RICHARD BUCY, Chairman
Kenai River Sportfishing Association
Soldotna, Alaska

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, and Claude Vincent Webster, to the Board of Fisheries.

JOHN JENSEN, Member
Board of Fisheries
Petersburg, Alaska

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, and Claude Vincent Webster, to the Board of Fisheries.

GARY HOLLIER
Kenai, Alaska

POSITION STATEMENT: Testified with reservation for the appointment of Larry Edfelt, and pledged support for the appointment of Claude Vincent Webster, to the Board of Fisheries.

BILL GIFFORD
Soldotna, Alaska

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, and Claude Vincent Webster, to the Board of Fisheries.

RON RAINEY, Member
Kenai River Sportfishing Association
Kenai, Alaska

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, and Claude Vincent Webster, to the Board of Fisheries.

RICHARD GEASE, Executive Director

Kenai River Sportfishing Association
Kenai, Alaska

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, and Claude Vincent Webster, to the Board of Fisheries.

MONTE ROBERTS, Vice President
Kenai River Professional Guides Association
Soldotna, Alaska

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, and Claude Vincent Webster, to the Board of Fisheries.

JIM GOLDEN, Board Member
Kenai River Sportfishing Association

POSITION STATEMENT: Testified with support for the appointment of Larry Edfelt, to the Board of Fisheries.

STEVE TVENSTRUP, President
United Cook Inlet Drift Netters Association
Kenai, Alaska

POSITION STATEMENT: Testified with opposition to the appointment of Larry Edfelt, and pledged support for the appointment of Claude Vincent Webster, to the Board of Fisheries.

CLAUDE VINCENT WEBSTER, Appointee
to the Board of Fisheries (BOF)
King Salmon, Alaska

POSITION STATEMENT: Testified as appointee to the BOF, and responded to questions.

ANDY RUBY, Regional Fisheries Coordinator
Bristol Bay Economic Development Corporation
Dillingham, Alaska

POSITION STATEMENT: Testified with support for the appointment of Claude Vincent Webster, to the Board of Fisheries.

WESLEY HUMBYRD
Homer, Alaska

POSITION STATEMENT: Testified with support for the appointment of Claude Vincent Webster, to the Board of Fisheries.

FRANK MULLEN, Member
United Cook Inlet Drift Association Board

POSITION STATEMENT: Testified with support for the appointment of Claude Vincent Webster, to the Board of Fisheries.

ACTION NARRATIVE

CHAIR PAUL SEATON called the House Special Committee on Fisheries meeting to order at [8:56:05 AM](#). Representatives LeDoux, Johnson, and Edgmon were present at the call to order. Representatives Wilson and Johansen arrived as the meeting was in progress. Also in attendance was Representative Thomas.

CONFIRMATION HEARING(S)

Board of Fisheries

[8:56:21 AM](#)

CHAIR SEATON announced that the only order of business would be the review of the Board of Fisheries (BOF), nominees for confirmation to the vacant seats.

[8:57:37 AM](#)

CHAIR SEATON explained the committee process for appointment of these positions, including the subsequent committee of referral; Natural Resources.

[8:58:32 AM](#)

REPRESENTATIVE LEDOUX asked what would happen if one of the committees didn't hold a meeting on an applicant.

CHAIR SEATON explained that the review of the application is for the committee's benefit, and the names would still be advanced to the joint session.

[9:00:33 AM](#)

LARRY EDFELT, Appointee to the Board of Fisheries (BOF), introduced himself with a brief biography. He is nominated to fill the position vacated by a deceased member, Rupert Andrews.

[9:01:50 AM](#)

CHAIR SEATON observed that he was deputy director of Commercial Fisheries, Alaska Department of Fish & Game.

MR. EDFELT confirmed that he held that position for five years.

CHAIR SEATON directed Mr. Edfelt's attention to a packet on escapement, indicating over escapement on 55 per cent of the monitored streams. He asked for his philosophy of fishery escapement.

[9:03:47 AM](#)

MR. EDFELT said he is primarily interested in achieving minimum escapement goals. He explained the conflicts in the management plans for the various areas, and noted that even when following management plans, over escapement can occur. Achieving the minimums can be more important than suffering the overages, he opined. To a follow up question, he said that achieving minimum escapement goals in all of the systems would not necessarily be important. However, escapement to as many areas as possible would be good, and that may provide over escapement to others. It is important to work towards balancing healthy commercial and sport fisheries.

[9:08:44 AM](#)

CHAIR SEATON related how in-season managers have imposed closures that do not correspond with run timing. He asked for an opinion on fixed date management.

MR. EDFELT suggested that the fixed date window closures will probably be discussed at the winter BOF meeting, and he is looking forward to hearing the testimony. He conceded that he is not as yet up to speed on all of the information that the staff has to provide regarding in-season management.

[9:10:57 AM](#)

CHAIR SEATON reiterated that his concern is not regarding a specific element of a management plan, but the philosophy of the board to take away the flexibility of the managers to adjust plans for in-season run timing.

MR. EDFELT stated that his interest is to provide managers with the maximum flexibility to react to different resource situations, during a season.

CHAIR SEATON restated that Mr. Edfelt's philosophy would be to provide management guidelines for a staff to work flexibly within.

MR. EDFELT responded, "Absolutely, I believe in maximum flexibility for the staff."

[9:12:48 AM](#)

CHAIR SEATON directed attention to the committee packet and noted that the appointee has a recorded violation.

MR. EDFELT explained how this came about. The violation involved the setting a personal use king crab pot early in the season. Although he was not present when his friends set the pot, his name was on the buoy, and he paid the fine. He emphasized that this type of action is inconsistent with his character, and it was an embarrassment to his reputation as an ex-regulatory manager with the department.

[9:14:36 AM](#)

REPRESENTATIVE LEDOUX asked if he knew that they would be setting the pot early.

MR. EDFELT said, "No, I did not."

[9:14:48 AM](#)

REPRESENTATIVE EDGMON queried whether he is considering serving beyond the one year position that he is being seated to fill.

MR. EDFELT reminded the committee that it will depend primarily on the governor's wishes.

REPRESENTATIVE EDGMON asked what the BOF's role is regarding habitat protection, and has it changed during the time that the habitat office has been under DNR.

MR. EDFELT recalled that the only habitat protection authority for the BOF is in state game refuges and state critical habitat areas.

[9:17:41 AM](#)

CHAIR SEATON reviewed the over escapement issue that is a concern for this committee. He requested that Mr. Edfelt review the handout provided, to become fully aware of the situation.

[9:19:46 AM](#)

REPRESENTATIVE WILSON said that there is an inherent conflict between commercial and sport fisherman. This can lead to pressure on board members making crucial decisions. She asked if he will be able to base his decisions on scientific data, vs. political clout.

MR. EDFELT agreed that the conflict between these fisheries is intense and growing, particularly in Cook Inlet. However, he said that he finds it easier to make decisions on science and data vs. pressure from interest groups.

[9:21:38 AM](#)

REPRESENTATIVE THOMAS pointed out that it's not always about fish; commercial and sport crab harvest can become an issue. Additionally, managing one population of fish over another can be a problem.

MR. EDFELT agreed.

[9:23:18 AM](#)

REPRESENTATIVE EDGMON recalled the recent issue of BOF members needing to conflict out, due to family or financial interests.

MR. EDFELT said that before that was a rule, the BOF operated fairly, and he speculated that it could again. He would prefer to allow all BOF members to vote on the issues.

REPRESENTATIVE EDGMON restated that Mr. Edfelt considers it important to have local board members, with expertise for a region, be able to serve, vote, and participate to the fullest extent.

MR. EDFELT replied, "Yes."

[9:26:12 AM](#)

DICK BISHOP, President, Alaska Outdoor Council, stated no objection to the nomination of Larry Edfelt to the BOF.

[9:26:53 AM](#)

REPRESENTATIVE LEDOUX asked if the phrase, "we have no objection," stands as an endorsement.

MR. BISHOP responded that it is not the same, but in the review process the nominee was acceptable.

[9:28:15 AM](#)

RICHARD BUCY, Chairman, Kenai River Sportfishing Association, stated support for the appointment of Larry Edfelt, to the BOF.

[9:28:52 AM](#)

JOHN JENSEN, Member, Board of Fisheries, Petersburg, stated support for the appointment of Larry Edfelt, to the BOF.

[9:29:38 AM](#)

GARY HOLLIER, stated reservation for the appointment of Larry Edfelt, to the BOF. He updated what the escapement goals are for the Kenai and asked for the candidate to comment.

[9:31:43 AM](#)

BILL GIFFORD, stated support for the appointment of Larry Edfelt, to the BOF.

[9:32:04 AM](#)

RON RAINEY, Member, Kenai River Sportfishing Association, stated support for the appointment of Larry Edfelt, to the BOF.

[9:32:31 AM](#)

RICHARD GEASE, Executive Director, Kenai River Sportfishing Association stated support for the appointment of Larry Edfelt, to the BOF.

[9:32:44 AM](#)

MONTE ROBERTS, Vice President, Kenai River Professional Guides Association, stated support for the appointment of Larry Edfelt, to the BOF.

[9:33:11 AM](#)

JIM GOLDEN, Board Member, Kenai River Sportfishing Association, stated support based on Mr. Edfelt's statement, "The resource comes before any special interest group." He opined that this

stance indicates integrity and an open mindedness to scientific evaluation.

9:34:00 AM

STEVE TVENSTRUP, President, United Cook Inlet Drift Netters Association, stated his opposition to the appointment of Larry Edfelt to the BOF.

9:35:49 AM

GARY HOLLIER rearticulated his question regarding the Kenai end river escapement goals. These goals have been over achieved and he asked for clarity on Mr. Edfelt's stance for this escapement allocation.

MR. EDFELT stated that ADF&G determines the escapement goals and makes recommendations. The BOF adds to those goals to account for the in-river fishery. He stated that action he takes on the BOF will be consistent with whatever the department has determined to be the optimum escapement goal.

CHAIR SEATON summarized that his philosophy is to be in accord with ADF&G.

MR. EDFELT said, "That's correct."

9:39:03 AM

REPRESENTATIVE WILSON moved that the committee forward Larry Edfelt's name to the full body for consideration in joint session. There being no objection, Mr. Edfelt's name was advanced.

9:39:24 AM

CHAIR SEATON announced that the next order of business would be to consider the nomination of Claude Vincent Webster, to the BOF.

9:39:32 AM

CLAUDE VINCENT WEBSTER, Appointee to the Board of Fisheries (BOF), referred to his resume in the committee packet, and added that he is also a member of the Kvichak River Task Force. Additionally, his wife and two sons own Bristol Bay set net permits.

[9:40:51 AM](#)

CHAIR SEATON asked the nominee to comment on his escapement philosophy for the constitutional maximization of resources.

MR. WEBSTER responded that the BOF has an obligation to set regulations that will allow ADF&G to manage for optimal harvest of a resource.

CHAIR SEATON requested that, should he be confirmed, he take up the work of achieving appropriate escapement goals to benefit the people of Alaska, in all areas of the state.

[9:42:56 AM](#)

REPRESENTATIVE EDGMON referred to the appointees' previous position on the Naknek/Kvichak Advisory Committee, and asked him to speak to the advisory committee's role regarding over escapement.

[9:43:29 AM](#)

MR. WEBSTER said that the advisory committee role is to provide local knowledge of a system. The advisory committee is made up of representatives from the area user groups, who bring their expertise to the table.

[9:44:29 AM](#)

REPRESENTATIVE EDGMON asked what his understanding is of the role BOF plays regarding habitat protection.

MR. WEBSTER responded that the BOF has the authority under the Administration Procedure Act to set aside fish reserve areas, refugees, and sanctuaries in state waters on the approval of the legislature. The authority extends to the adoption of regulations for watershed and habitat improvements.

[9:45:10 AM](#)

REPRESENTATIVE EDGMON referred to HB 15 and the conflict out of BOF members, and asked for the appointees' opinion on the issue.

MR. WEBSTER stated that having to conflict out is contradictory to why someone serves. He upheld that members should be participating and voting. If a member states that they have a

conflict, and should it interfere with their ability to serve, the governor may choose to remove that member from the board.

[9:46:27 AM](#)

REPRESENTATIVE WILSON asked how the candidate expects to hold up under the pressure brought by commercial fishing interests, as well as sport fishing interests, and on what will he base his decisions.

MR. WEBSTER stated that his policy is to put the resource ahead of personal gain. Further, he said that allocation decisions should be based on scientific and historical data, and the seven guiding principles held in statute.

[9:48:23 AM](#)

REPRESENTATIVE LEDOUX queried what his understanding is regarding the board's role in respect to mining activities.

MR. WEBSTER answered that he is not aware of how the board directly addresses mining activity, however, if there is a critical area that may be impacted, by any activity, the BOF has an obligation to protect the habitat.

[9:49:29 AM](#)

DICK BISHOP, President, Alaska Outdoor Council, stated no objection to the appointment of Claude Vincent Webster.

[9:50:11 AM](#)

RICHARD BUCY, Chairman, Kenai River Sportfishing Association, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:50:18 AM](#)

JOHN JENSEN, Member, Board of Fisheries, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:50:46 AM](#)

ANDY RUBY, Regional Fisheries Coordinator, Bristol Bay Economic Development Corporation, stated support for the appointment of Claude Vincent Webster to the BOF. He cited his recent,

positive interactions with the nominee, at a meeting in Dillingham.

[9:51:59 AM](#)

GARY HOLLIER, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:52:21 AM](#)

BILL GIFFORD, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:52:36 AM](#)

RON RAINEY, Member, Kenai River Sportfishing Association, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:52:45 AM](#)

RICHARD GEASE, Executive Director, Kenai River Sportfishing Association, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:53:10 AM](#)

MONTE ROBERTS, Vice President, Kenai River Professional Guides Association, stated support for the appointment of Claude Vincent Webster to the BOF.

[9:53:22 AM](#)

WESLEY HUMBYRD stated support for the appointment of Claude Vincent Webster to the BOF, and said that he looks forward to having a commercial fisherman serving on the board.

[9:53:58 AM](#)

FRANK MULLEN, Member, United Cook Inlet Drift Association Board, stated support for the appointment of Claude Vincent Webster to the BOF. He described the over escapement issues of the Cook Inlet area, and expects Mr. Webster will address this issue.

[9:55:53 AM](#)

STEVE TVENSTRUP, President, United Cook Inlet Drift Netters Association, stated support for the appointment of Claude Vincent Webster to the BOF, echoing the sentiments of the previous witness.

9:57:06 AM

REPRESENTATIVE LEDOUX moved that the committee forward Claude Vincent Webster's name to the full body for consideration in joint session. There being no objection, Mr. Webster's name was advanced.

9:57:20 AM

CHAIR SEATON provided that, due to time constraints, the review of the third nominee, Howard Delo, would be taken up at a future meeting.

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 9:57 a.m.