

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 5, 2010

1:06 p.m.

MEMBERS PRESENT

Representative Craig Johnson, Co-Chair
Representative Bryce Edgmon
Representative Paul Seaton
Representative David Guttenberg
Representative Scott Kawasaki
Representative Chris Tuck

MEMBERS ABSENT

Representative Mark Neuman, Co-Chair
Representative Kurt Olson
Representative Peggy Wilson

COMMITTEE CALENDAR

CONFIRMATION HEARING(S):

Commercial Fisheries Entry Commission

Bruce C. Twomley - Juneau

- CONFIRMATION(S) ADVANCED

Big Game Commercial Services Board

Robert D. Mumford - Anchorage

- CONFIRMATION(S) ADVANCED

Board of Game

Ben Grussendorf - Sitka

Allen F. Barrette - Fairbanks

- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

BRUCE C. TWOMLEY, Appointee
Alaska Commercial Fisheries Entry Commission (CFEC)
Juneau, Alaska

POSITION STATEMENT: Testified as appointee to the Commercial Fisheries Entry Commission.

ROBERT D. MUMFORD, Appointee
Big Game Commercial Services Board
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Big Game Commercial Services Board.

BEN GRUSSENDORF, Appointee
Board of Game
Sitka, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Game.

ALLEN F. BARRETTE, Appointee
Board of Game
Sitka, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Game.

VIRGIL UMPHENOUR
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of Mr. Mumford's appointment to the Big Game Commercial Services Board.

KELLY WALTERS
Anchorage, Alaska

POSITION STATEMENT: Testified in support of the appointment of Mr. Grussendorf to the Board of Game.

TINA BROWN, Board Member
Alaska Wildlife Alliance
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to Mr. Barrette's appointment to the Board of Game.

KARLA HART
Juneau, Alaska

POSITION STATEMENT: Expressed concerns with the appointment of Mr. Barrette to the Alaska Board of Game.

KELLY WALTERS

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of Mr. Barrette to the Board of Game.

WILLIAM SHERWONIT

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of Mr. Barrette to the Board of Game.

CHUCK GREY

Fairbanks, Alaska

POSITION STATEMENT: Testified during the confirmation hearing on the appointment of Mr. Barrette to the Board of Game.

VIRGIL UPHENOUR

Fairbanks, Alaska

POSITION STATEMENT: Testified during the confirmation hearing for the appointment of Mr. Barrette to the Board of Game.

JACK REAKOFF

Wiseman, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of Mr. Barrette to the Board of Game.

LYNNETTE HINES (ph)

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of Mr. Barrette to the Board of Game.

WADE WILLIS

No address provided

POSITION STATEMENT: Expressed concerns with the appointment of Mr. Barrette to the Board of Game.

ART GREENWALT

Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of Mr. Barrette to the Board of Game.

SHANNON MOORE

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition the appointment of Mr. Barrette to the Board of Game.

GREG BROWN

Juneau, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of Mr. Barrette to the Board of Game.

DAVE TURNBULL
Anchorage, Alaska

POSITION STATEMENT: Expressed concerns with the appointment of Mr. Barrette to the Board of Game.

ACTION NARRATIVE

[1:06:34 PM](#)

CO-CHAIR CRAIG JOHNSON called the House Resources Standing Committee meeting to order at 1:06 p.m. Representatives Guttenberg, Kawasaki, Tuck, Seaton, Edgmon, and Johnson were present at the call to order.

CONFIRMATION HEARING(S):

Commercial Fisheries Entry Commission
Big Game Commercial Services Board
Board of Game

[Contains discussion of HB 267.]

[1:07:19 PM](#)

CO-CHAIR JOHNSON announced the only order of business, the confirmation hearings on the appointments of Bruce C. Twomley to the Alaska Commercial Fisheries Entry Commission, Robert D. Mumford to the Big Game Commercial Services Board, and Ben Grussendorf and Allen F. Barrette to the Board of Game.

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BRUCE C. TWOMLEY, Appointee, Alaska Commercial Fisheries Entry Commission (CFEC), said he has served on the commission under seven governors. He related that before serving on the commission, he worked as a lawyer for Alaska Legal Services and sued the state and federal governments for a living, and he said the commission is unlike any agency he ever sued. He described the high work ethic and professional commitment found at the commission. He said the work there is challenging; the decisions made are controversial because people feel strongly about their fishing rights. He said those working on the commission must work not only as administrators and rule makers,

but also as administrative law judges who produce legal opinions daily.

MR. TWOMLEY said the [Alaska] Supreme Court held that the reversal of a commission decision can be applied retroactively to undo past decisions of the commission. The court also held that the commission must accept new applications for the first time in limited fisheries long after the deadline for applying had occurred. Mr. Twomley said this decision poses a threat to Alaska fishermen who depend on limited fisheries for their livelihood. He said the court's decision makes it even more imperative that the commission take the greatest care in issuing its decisions. Mr. Twomley relayed that the [Alaska] Supreme Court has not done a retroactive application since 1984, which he said he thinks means the commission is doing the right thing. He asked the committee for the opportunity to continue with his work on the commission.

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REPRESENTATIVE SEATON brought up the issue of special right of fisheries as prohibited in the constitution, and asked at what point in restricting permits does the state "reach that special right of fishery." He specifically referenced the scallop fishery, which currently has only two vessels harvesting the entire stock for Alaska. He asked what a special right of fisheries means to Mr. Twomley. He further asked if the state allowing one vessel to harvest the entire scallop fishery would constitute a special right of fishery.

MR. TWOMLEY responded that the best guidance thus far comes from an Alaska Supreme Court decision made in the Simpson case, which he said stands in part for the proposition that "on these questions, conservation is paramount." Without conservation, other issues, such as the economics of the fishery, can become irrelevant. He said he thinks that if small numbers serve a sound conservation purpose, then generally the shape of a fishery can be defended. He said Alaska's in-state waters scallop fishery is not very large, and the commission limited entry into that fishery, which produced only eight permits authorized to operate on the state portion of the fishery. He said the bulk of the fishery - at least 80 percent - occurs in federal waters, which is limited by the federal government.

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MR. TWOMLEY said there is an important conservation feature that comes up in the [scallop] fishery, which relates to management practices in other fisheries in the state, for example, the Southeast herring purse seine fishery, where there have been occasions when the managers were unwilling to turn to whole fleet loose on the available resource, because it could do too much damage. The solution was to tell members of the fleet to get together and send only a couple of catchers to go out and take the quota, he said. Mr. Twomley explained that that bears some relation to the scallop fishery, because the scallop dredges can do terrible damage to the sea bottom and pick up king crab and other species, which do not survive the experience of being hauled up by a dredge. He said it is a fishery where fewer boats are better.

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MR. TWOMLEY continued as follows:

It's not to say that you're not pointing out a serious issue, and it's one that we would have to keep an eye on. It's not strictly within ... the normal optimal number considerations, because what's happening out there is that for whatever reason some people are choosing not to fish - and it's voluntary; it's not the state dictating that only a few -- I mean, it's less than what goes on when needed in the Sitka Sound herring fishery. It's something that's happening; it's happening because there are fisherman choosing not to fish, and as a result there are only a few units a year out there. But essentially, ... I think that's consistent with the conservation needs of the fishery. ... Although we have to keep monitoring and we have to hear any claims put to us, and I'd have to reserve judgment to do that, we haven't viewed it as a cause for alarm.

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REPRESENTATIVE SEATON asked Mr. Twomley if he is saying that having one vessel harvesting the entire [scallop] stock in Alaska would not run afoul of the special right of fishery, is optimal for controllability, and is an allowable permit system because it is easier to manage.

MR. TWOMLEY clarified that that is not his meaning. He stated:

In considering what a fishery can support, conservation is a paramount consideration. And if there is a strong conservation to be made for smaller numbers, that's something that we would ... definitely consider. And it's a fairly powerful case in this fishery, simply because the way you get a cleaner fishery that does less damage to the habitat and other ... valuable resources, is by having fewer scallop dredges out there at a time.

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REPRESENTATIVE SEATON asked if preventing the unintended catch of other species or having a cooperative continuous operation would be reason for Mr. Twomley to grant a permit.

MR. TWOMLEY answered that he has heard hours of testimony on this issue and has not heard a better alternative proposed; however, he reiterated that he must reserve some judgment. He said the commission may face a petition asking for an optimum number determination for the fishery, and he said he would be part of that decision.

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MR. TWOMLEY, in response to Chair Johnson, said the reason he wants to continue his work is that the job is challenging, and he has a vested interest in ensuring the job is done in a way that preserves fisheries for those that depend on them. He concluded, "We can do that if we take great care with our decisions and, to the extent that we can with our capacity, avoid being reversed in court."

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CO-CHAIR JOHNSON thanked Mr. Twomley for his service and then brought attention to the appointment of Robert D. Mumford to the Big Game Commercial Services Board.

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ROBERT D. MUMFORD, Appointee, Big Game Commercial Services Board, related that he has served one term on the board and considers that an honor. He said he is anxious to continue with the work of the board. He said the board has only been going for the past four years. He relayed that he helped write the ethical standards for the big game guides and transporters. He

said he currently serves as a liaison from the board to the [Division of Alaska Wildlife Troopers] and the Alaska State Troopers.

CO-CHAIR JOHNSON thanked Mr. Mumford for his service.

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CO-CHAIR JOHNSON turned to the appointments of Ben Grussendorf and Allen F. Barrette to the Board of Game.

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BEN GRUSSENDORF, Appointee, Board of Game, told the committee that he grew up in Minnesota hunting and fishing and has served on the board for some time now. He related that he worked with Ken Fanning on the wanton waste bill that was codified in 1983. The biggest issue at that time was to determine what was edible on a bird. He said he also worked with Ramona Barnes regarding the problem of moose kill on the Alaska Railroad tracks. He said he has been interested in wildlife resources his entire life and he emphasized that he enjoys working on the board.

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MR. GRUSSENDORF, in response to Representative Guttenberg, spoke of the large issues that have come before the board. He said there has been intensive management for the production of caribou and moose. He relayed that there are two active predator control areas in the state, with two more in progress. He explained that the board is trying to ensure that the caribou herds and moose population are available for human harvest and subsistence. He said it is a challenge to consider the needs of both those who want to hunt an animal and those who want to observe the animal.

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REPRESENTATIVE P. WILSON noted that she has not received a single e-mail or call against the job Mr. Grussendorf has been doing, and she indicated she supports his appointment.

MR. GRUSSENDORF responded that the lack of complaints surprises him. He stated that although people may not agree with a decision, the hope is that they will understand why it has been made.

CHAIR JOHNSON thanked Mr. Grussendorf for his service.

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ALLEN F. BARRETTE, Appointee, Board of Game, related that he has been an Alaska resident since 1988, is married, and has three children. He said he spends a lot of time with family outdoors. He said he spends much of his time answering questions regarding game issues, so that the public understands Alaska's regulations and policies. He said he likes teaching ethics and "advising people how to do things." He related his view that serving on the board provides him with an opportunity to share what he has learned and experienced as an Alaskan - his passion for Alaskan wildlife.

MR. BARRETTE said he can bring an Interior perspective to the board. He said he interacts with those in rural communities. He indicated that between 2004 and current time, he has been in leadership positions, having served on the Fairbanks Fish & Game Advisory Committee, as well as having been elected as the chair for the Trapping Subcommittee. He emphasized that is where he learned to listen to public input and concerns, which he said is an important part of his decision making.

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REPRESENTATIVE EDGMON noted that he has a large stack of public comments before him in regard to Mr. Barrette's appointment. He said a biblical quote from the Book of Genesis has been attributed to Mr. Barrette and this quote is contained within a number of the opposition e-mails. He requested Mr. Barrette comment on why people are opposing his appointment.

MR. BARRETTE responded that he had done an interview with Backpacker Magazine, during which he may not have been as clear as he should have been. He stated, "My religious beliefs on management is just the cornerstone of my basic management." He offered his belief that the board must listen to the public and to the professionals that provide data, statistical information, and perspective on how to manage game. He said he understands another controversial issue which resulted in a lot of the emails to legislators was the closure of the wolf buffer zone in the Stampede Trail Area. He said he made his decision after listening to all the public testimony and written testimony and advice from the professionals from the Alaska Department of Fish & Game (ADF&G). He said the information provided was that this was not a biological issue, and four or five of the advisory

committees that commented were not in favor of keeping or expanding the buffer zone. He related that the superintendent of Denali National Park and Preserve testified that the taking of wolves outside the park boundaries could not be documented as a factor to viewing opportunities inside the park. That was the basis of his decision, he said.

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REPRESENTATIVE EDGMON noted another issue of controversy is that Mr. Barrette owns a hide tannery as well as a business that makes and markets wolf traps, which could mean Mr. Barrette has an inherent conflict of interest.

MR. BARRETTE replied that currently a confidential ethics review is taking place on that issue. He said he is willing to waive that confidentiality to tell the committee that prior to a board meeting he had given a disclosure statement that he "did own a fur tannery" and "small trap company" and "none of my family or immediate family members benefited from any of that."

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REPRESENTATIVE EDGMON said according to remarks written in some of the aforementioned e-mails, Mr. Barrette might have to recuse himself from a number of board votes.

MR. BARRETTE said he does not believe he has a conflict of interest, and he indicated that an attorney for the board, as well as the chair of the board has expressed concurrence.

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MR. BARRETTE, in response to Representative Seaton, opined that it is important to educate those who may not understand the reasoning behind consumptive use of game and wildlife. He said those that do not understand are not stupid, and education improves people in terms of understanding situations and concepts.

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REPRESENTATIVE SEATON said someone came to his office and talked about support for the snaring of bears, labeling them for predator control, and not requiring guides for hunting bears. He asked Mr. Barrette whether that would have a strong negative

impact on the economic base of the guiding industry, and to explain where he thinks the balance is.

MR. BARRETTE replied that the snaring of bears was a public program targeting black bears, and unfortunately there was some incidental snaring of grizzlies. He said the system is being improved to avoid harming grizzlies, and he predicted that better effects of the program will be seen in the future. In regard to guiding, he said he believes that industry is viable to Alaska, and he indicated that he has no intent or agenda in that regard. In further response to Representative Seaton, Mr. Barrette said at this time he sees no need to implement the snaring of grizzly bears.

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REPRESENTATIVE TUCK commented on the number of e-mails he has received regarding Mr. Barrette's position regarding gassing wolves, gassing dens, snaring bears, and using helicopters [for wolf control]. He asked Mr. Barrette if there are any means of predator control that he views as off limits.

MR. BARRETTE responded that he has had no involvement or taken part in any discussion regarding gassing. He said he has been involved with the snaring of black bears only through the direction of the Alaska Department of Fish & Game (ADF&G). He said the use of helicopters, under the direction of the department, has recently been done and makes predator control programs more efficient. He added, "It's all through the management plans."

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REPRESENTATIVE TUCK recollected there had been a recent regulation change that increased the allowable caribou harvest for residents and non-residents from two bull caribous to five caribous of any gender or age.

MR. BARRETTE said that change related to the Central Caribou Herd in areas 26B and 25A. He said it was a proposal put in by the department, based upon its census and the tools available to control the harvest there. He indicated that the [caribou] population in the North Slope Region is at least double the projected goal population in the management plan. He expressed his support of the proposal. In response to a follow-up question, he said the proposal does not pertain to predator control.

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MR. BARRETTE, in response to a question from Representative Wilson regarding his resume, said he has been back to Wisconsin four times since living in Alaska, but has not resided there since he was 18 years old. In response to Chair Johnson, he confirmed that the address on his resume is the address at which he currently resides.

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REPRESENTATIVE GUTTENBERG recollected that Mr. Barrette had spoke of educating less educated persons. He questioned how Mr. Barrette addresses those with higher education.

MR. BARRETTE recognized that there are many independent biologists and people with PhDs, and it is important to review their data and match it against that of the state, taking into account public opinion and advisory committees, and then making the soundest decision for the state. In further response to Representative Guttenberg, Mr. Barrette offered his understanding that state biologists - through a chain of command - come up with a unified opinion, which may not actually reflect on the opinions of local biologists. He clarified that when he says "independent" biologist, he means those not paid by the state.

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REPRESENTATIVE GUTTENBERG said, "I would be surprised if anything as controversial as that is uniform through any state agency." He said one of the jobs of the legislature is to find the opinions of each agency. Representative Guttenberg then noted that Mr. Barrette has relayed in his written information that he opposes the restricting of trapping in the Healy area. He asked what brought about the comments regarding restricting trapping in residential areas like Healy.

MR. BARRETTE offered his belief that that issue was a proposal heard at the last meeting. He said what brought it about is that several people's pets were caught in traps. He offered his understanding that the Alaska Bureau of Wildlife Enforcement cited the trapper involved with a wildlife violation. He said the Alaska Trappers Association has organized seminars for trappers and non-trappers to encourage better use of multi-use

trails. He said two individuals from Healy were giving related classes.

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REPRESENTATIVE GUTTENBERG asked Mr. Barrette how close to population centers he supports allowing trapping.

MR. BARRETTE responded, "How close is very opinionated." He said he agrees with the Trapper Association's adage: "When in doubt, don't trap there." He said there are confines to work within, such as land ownership, private property, and borough and state regulations. He said trapping is allowed in Creamers Field in Fairbanks. He said the state does allow trapping as close as is possible to get to city limits. He concluded, "It's all discretionary and done under discernment."

[1:52:16 PM](#)

REPRESENTATIVE SEATON offered his understanding that Mr. Barrette voted to revoke the buffer zone around Denali National Park and Preserve. He requested Mr. Barrette to reiterate his earlier statement in regard to the testimony that was provided by the park superintendent before the Board of Game during that meeting.

MR. BARRETTE said he believes it was stated that the taking of wolves outside the park has not been documented as a factor of viewing opportunities inside the park.

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REPRESENTATIVE SEATON inquired whether the park superintendent's testimony was given while the buffer zone was in place or if the superintendent was testifying that it did not matter whether the buffer zone was in place.

MR. BARRETTE responded that according to the proposal he read, the question was asked from an historical perspective.

REPRESENTATIVE SEATON surmised that it was while the buffer zone was in place that the park superintendent had made that testimony. He stated his understanding that when that buffer zone was taken away, Mr. Barrette authorized the use of snow machines to harvest wolves in the area of the old buffer zone. He asked if any park officials or biologists testified regarding that proposal.

MR. BARRETTE replied that the use of a snow machine was never a factor within the "Stampede Trail Area and now what has been eliminated as the Stampede Trail Closed Closure Area." He said people were allowed to use snow machines within that buffer zone and outside that buffer zone on state land; they just were restricted "to not the taking of wolves or coyotes in the restricted area."

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REPRESENTATIVE GUTTENBERG stated his understanding that after the buffer zone was restricted, Mr. Barrette was the sole voice to allow snow machines to harvest wolves in that area; no one else on the Board of Game supported that. He asked Mr. Barrette if he had petitioned the Board of Game to authorize the use of snow machines to harvest wolves in that area.

MR. BARRETTE responded no.

REPRESENTATIVE GUTTENBERG noted that HB 267 would provide for opening the Dalton Highway to snow machine use. He related that HB 267 is being presented as a recreational issue that has nothing to do with harvesting of game or the management of game; however, the Board of Game voted a waiver to support the bill. He asked what involvement Mr. Barrette thinks the Board of Game has with HB 267 given that legislators are being told this is not a game issue.

MR. BARRETTE replied, "The only involvement the Board of Game has at this time with it was a letter of support for the concept of using a snow machine within the five-mile James Dalton Highway corridor."

REPRESENTATIVE GUTTENBERG inquired why the board would support a decision that has nothing to do with game management.

MR. BARRETTE suggested that perhaps, in the future, the board might be able to take advantage of the allowed use of [snow mobiles] in that area as a means of managing game.

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REPRESENTATIVE GUTTENBERG expressed concern that the committee is being told that HB 267 has nothing to do with game control, while Mr. Barrette is suggesting that it could.

MR. BARRETTE indicated that the board cannot project a management need.

CHAIR JOHNSON expressed appreciation for Mr. Barrette's willingness to serve on the board.

[1:59:16 PM](#)

CO-CHAIR JOHNSON invited testimony for the appointments of Mr. Twomley, Mr. Mumford, and Mr. Grussendorf.

[2:00:28 PM](#)

VIRGIL UMPHENOUR testified in support of Mr. Mumford's appointment to the Big Game Commercial Services Board. He said Mr. Mumford has worked hard with the guiding industry to bring about ethics regulations which have now been promulgated. He opined that there are still a lot of other issues that need to be addressed to "get rid of some of the people that really shouldn't be out there representing the state and to bring forth higher standards in the industry."

[2:02:36 PM](#)

KELLY WALTERS testified in support of the appointment of Mr. Grussendorf to the Board of Game. He emphasized the need for someone to serve on the board who is reasonable and makes decisions based on science.

[2:03:34 PM](#)

CO-CHAIR JOHNSON opened testimony for the appointment of Mr. Barrette to the Board of Game.

[2:04:12 PM](#)

TINA BROWN, Board Member, Alaska Wildlife Alliance, testified in opposition to the appointment of Mr. Barrette to the Board of Game. She said the Alaska Wildlife Alliance was founded in 1978 and is the only group in Alaska dedicated to the protection of Alaska's wildlife. She said the alliance does not oppose guns or hunting, but rather promotes "an eco-system approach to wildlife management that represents non-consumptive use." She opined that Mr. Barrette's patent and manufacture of a wolf trap, as well as his proprietorship of a fur tannery presents a conflict of interest. She offered her belief that Mr. Barrette

did not satisfactorily address the previous question regarding that conflict of interest.

MS. BROWN said Mr. Barrette recently voted to eliminate the buffer zone around Denali National Park. That zone, she said, protected the wolf packs in the area from being hunted and trapped since 2002. Ms. Brown said although Mr. Barrette stressed the importance of listening to the public's concerns, in his vote regarding the buffer zone, he ignored the wishes of 100,000 park visitors and Alaskans in order to favor three or four recreational trappers. She said Mr. Barrette also ignored the best interests of the state's economy regarding the tourism industry. She relayed that a 2006 U.S. Department of Interior study showed that wildlife viewing in Alaska is a \$581 million business that is growing, while the hunting industry is a \$124 million business that is shrinking. She said the wildlife industry would not be adequately represented with Mr. Barrett's appointment.

[2:06:45 PM](#)

MS. BROWN, regarding the issue of snow machines, quoted the response of the chair of the Board of Game, Cliff Judkins, as follows:

I just cringe at the thought of a snow machine running down a park boundary chasing wolves. It's almost beyond me. It might be something to do, but I don't know if I could do it.

MS. BROWN said Mr. Barrette does not recognize the separation of church and state and "allows this problem to affect his judgment." She read a statement she noted Mr. Barrette had made during the aforementioned interview with Backpacker magazine, as follows:

It specifically puts out in the first book of the Bible, in Genesis, that we should subdue nature and control it. We should be the managers of the animals through the sin of Adam of Eve, is what brought it on.

MS. BROWN added, "This does not represent sound wildlife management views."

[2:08:05 PM](#)

MS. BROWN noted that fewer than 20 percent of Alaskans have hunting licenses. She said already the Board of Game does not adequately represent the 80 percent of Alaskans who are non-consumptive users of wildlife. She said Mr. Barrette's appointment would further exacerbate this lack of representation. She urged the committee to support the majority of Alaskans, as well as the best interests of the state, by voting against the appointment of Mr. Barrette. She related that recent letters to the editors of all three of the state's major newspapers, people have expressed concern with Alaska's current management of wildlife. She said a couple weeks ago over 200 people attended an event in Juneau in opposition to wildlife management policies in Alaska, and over 100 people attended a rally the Saturday before last in front of the capital. Recently, she said, collared wolves and "Yukon Charlie" were fatally shot because of a "misunderstanding" between state and federal officials.

MS. BROWN listed other events she indicated are problematic: the Denali buffer zone was eliminated; Corey Rossi was recently appointed as the state's new wildlife director; and extreme predator policies have become the norm in Alaska and are increasing in number and area. She said a recent on line poll in Alaska Magazine showed overwhelming opposition to predator control in Alaska. She said tourism is being negatively affected by the state's wildlife management policies. She said she knows of several cancellations resulting from those policies, in particular, the elimination of the Denali buffer zone.

MS. BROWN concluded:

As a non-consumptive user and a citizen who constitutionally owns our state's wildlife, I'm not being represented by our state's Board of Game. The appointment of Mr. Barrette to the [board] would add insult to injury.

[2:11:40 PM](#)

KARLA HART testified regarding the appointment of Mr. Barrette to the Alaska Board of Game. She related that having served as a former ADF&G employee for six years, during which time she ran the Wildlife Viewing program, she had the opportunity to be on the receiving end of public opinion regarding predator control. She noted that many of the concerns that have been raised are related to the appointment of Mr. Barrette to the Board of Game,

and she indicated that she would focus on Mr. Barrette's appointment in terms of its effect on the population. Ms. Hart stated that the board should reflect the diversity of wildlife use among Alaskans. She reminded the committee that the Constitution of the State of Alaska states that wildlife and natural resources are for the maximum benefit of all Alaskans. Currently, that is not reflected by the Board of Game.

MS. HART provided the committee with the following statistics: 85 percent of Alaskans age 16 and over - the age at which a hunting license is required - do not hunt; 96 percent of women in Alaska do not hold a hunting license; and well over 50 percent of Alaskans responded affirmatively in a national survey that they watch wildlife. Ms. Hart added, "I think we all know that the number of Alaskans watching wildlife is much higher." She stated that tourism wildlife photography and resident wildlife viewing are not represented on the Board of Game and do not have a voice, yet under the constitution they should. She said, "The economics are clearly behind wildlife viewing and tourism."

MS. HART asked the committee to thank Mr. Barrette for his interest in serving but ask the governor to find an appointee that would better reflect all constituents in "the broad use of Alaska's wildlife."

2:13:30 PM

CO-CHAIR JOHNSON noted that the purpose of a confirmation hearing is for the committee to review the qualifications of each appointee; the actual voting in favor of, or opposition to, each appointee is done during a joint session of the House and Senate.

2:14:08 PM

KELLY WALTERS testified in opposition to the appointment of Mr. Barrette to the Board of Game. He said, "The vote on the wolf buffer zone was pretty much my last straw." He related that he had spoken to Mr. Barrette on the telephone to urge him to resign because of his conflict of interest, at which time Mr. Barrette told him what he stated earlier to the committee: that his family has not benefited from his business interest. Mr. Walters said he cannot understand that, because he does not think Mr. Barrette gives his traps away for free.

MR. WALTERS said he is a hunter and fisherman. He said he produced a television show called, "Moore Up North," in which there was a panel discussion about predator control that was broadcast statewide. During that discussion, former Board of Game member Bob Bell stated that he would not have voted to eliminate the Denali wolf zone because he recognizes that the wolves in Denali Park are worth more alive for viewing by tourists than they are worth dead. He offered his understanding that Mr. Bell is against the appointment of [Mr. Barrette] to the Board of Game. He said there have already been close calls with the board voting whether to allow hunting of habituated bears in the McNeil River area and Katmai National Park, and he expressed concern that if Mr. Barrette's appointment is confirmed, the board would be "tipped too far to one side."

MR. WALTERS related that in 2001, the people of McGrath were concerned that the moose population might be lacking. The thought was that there were 850 moose in the area, with a target of 3,600, so ADF&G conducted a comprehensive survey and found that there were actually 3,600 moose in the area. However, within the experimental micromanagement area (EMA) - an approximately 12 by 12 mile area around McGrath - the target was 30 bulls per 100 cows for a sustainable hunting population, but the area was down to 6 bulls per 100 cows. Outside of EMA, he said, that ratio jumped to 44 bulls per 100 cows. Mr. Walters said he thinks that study was covered up and never discussed. He stated, "That's the kind of science that has been denied continually by the [Alaska] Department of Fish & Game and the Board of Game, and if Mr. Barrette is brought on there, this process will continue until we don't have any predators anymore." He said science has shown undeniably that "wolves actually strengthen herds."

MR. WALTERS expressed concern with Governor Sean Parnell's appointment of Mr. Barrette. He said three times there have been initiatives through which Alaskans have voted down predator control. He stated his belief that predator control would have been voted down again in August 2008, had it not been for "Governor Sean Parnell's time with the lieutenant governor who manipulated the language of the ballot initiative [and] was brought into court several times." Mr. Walters said he has intelligent friends in many occupations that were confused by the initiative; people who wanted to end predator control voted the wrong way. He urged the committee not to support the appointment of Mr. Barrette to the Board of Game.

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WILLIAM SHERWONIT testified in opposition to the appointment of Mr. Barrette to the Board of Game. He relayed that he heard Mr. Barrette speak during a recent Board of Game meeting in Fairbanks. He said, "I just want to say that I think Mr. Barrette is, if not misrepresenting the Park Service position on the Denali wolf buffer issue, is sort of picking and choosing his spot." He related that the Park Service put forth a proposal that not only supported the buffer zone, but also proposed to increase the size of the zone. He said there has been increased take of wolves within Denali Park along the border of the buffer zone. He said he thinks Mr. Barrette was "trying to give the sense that the Park Service testimony, in fact, supported the ... closure of the buffer, and in fact the Park Service pushed for an increased buffer."

MR. SHERWONIT, regarding Healy trapping, said a resident of Healy made clear that trapping was occurring in the Healy area very close to residential areas, and a number of pets had been trapped. He said he was amazed the board voted to continue trapping in the residential area of Healy. He said this is a larger public safety issue than one bad trapper. He said it would have been easy for the board to put a ban on trapping in the Healy residential area. He said Mr. Barrette was a part of that decision; therefore, he questions the man's judgment.

MR. SHERWONIT said he knows people's comments can be taken out of context, which could have been the case regarding the biblical quote used by Mr. Barrette. However, Mr. Sherwonit said it is important to note that within the aforementioned quote, Mr. Barrette emphasized that humans are mandated to subdue and control nature. He questioned the wisdom of putting someone on the Board of Game who believes it is the job of human beings to subdue and control nature. He said the board already represents a narrow slice of Alaskans, and to put someone on the board who "takes the board to an even more extreme place" is troubling. He said he thinks many Alaskans would prefer that the Board of Game actually represent a broader spectrum of Alaskans. Mr. Sherwonit noted that Mr. Barrette had testified that he wants to educate others, but Mr. Sherwonit questioned Mr. Barrette's own education in terms of a broader wildlife management perspective. He opined that Mr. Barrette's nomination to the board should be denied.

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CHUCK GREY told the committee that he will be 82 years old this year, and he has lived in Alaska since he was 15. He related that he worked at the Daily News Miner for 42 years. He said he carries a master guide license and knows something about fish and game. He opined that Mr. Barrette is a unique person to have on the board, because he is "probably as well-informed or better than almost anybody in this area." He said Mr. Barrette's business headquarters is a grand central station for hunters and fisherman in the area. He said he thinks Mr. Barrette is "uniquely capable." He said the opposition seems to be more on one vote that Mr. Barrette cast. He said Mr. Barrette has a way of looking at issues rationally and fairly.

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VIRGIL UPHENOUR told the committee that he served three terms on the Board of Fisheries and is the vice chair of the Fairbanks Fish and Game Advisory Committee. He said people are talking about conflict of interest, but if there is no interest, there is no conflict. He said the majority of the Board of Fisheries are all either commercial fisherman or are involved in the sport fishing industry. He posited that the "anti-hunting individuals" are only focusing on managing just a part of the resource. Mr. Uphenour said he is a master guide and owns a fish processing business in Fairbanks. He said he hears mostly about fishing, while Mr. Barrette hears more about hunting and trapping. He said he knows Mr. Barrette surprised the board when he showed up with his own copy of the statute and regulation books used by the board. He opined that that speaks to Mr. Barrette's interest in managing the state's resources responsibly.

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JACK REAKOFF related that he was born in the territory of Alaska and has lived in the Brooks Range since the age of three. He said he is currently co-chair of the Koyukuk River Advisory Committee and the chair of the Western Interior Advisory Council. He said Mr. Barrette may be a nice, industrious person, but the question is whether he will uphold the legal mandate and has the conservation ethic to perform the role of protector of the state's game. He said Mr. Barrette voted several times to reduce the amounts necessary for subsistence. He noted that any additional animals can be allocated to non-residents. He mentioned a caribou hunt "boondoggle" that was proposed by the department for the North Slope and Brooks Range, and said, "No one in their right mind shoots cow caribou or

allows the public to shoot cow caribous that have three-week-old calves." Mr. Rekoff, in conclusion, opined that Mr. Barrette has proven several times during the last Board of Game meetings that he is not qualified to be a board member for the majority of Alaskans.

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LYNNETTE HINES (ph) testified in opposition to the appointment of Mr. Barrette to the Board of Game. She told the committee that she is an Alaska Native who has brothers and uncles that hunt and fish throughout the state. She noted that she is a past president of the Anchorage Tlingit and Haida Clan, as well as the Alaska Native Sisterhood. She said she knows about the woman who was killed just recently by wolves in the Chignik Lake area, and said that was a sad event.

MS. HINES said she opposes Mr. Barrette's appointment because he owns a business that can be affected by the decisions of the board. She expressed disapproval of the board for not following the rules during its January 5 election. She explained that one of the board's employees, as well as one of the wives of a candidate, counted the ballots. She said she wrote a piece to the Anchorage Daily News concerning that issue. She credited [the board] for approving the [Ahtna, Inc.] proposal for ceremonial potlatches.

MS. HINES said she has lived in Southcentral Alaska for over 40 years, has driven cabs, and knows that tourism brings a lot of dollars to Alaska. She related having seen a wolf recently between the Alaska and Canada border along the route from Anchorage to Haines. She emphasized her priority issue is subsistence. She talked about the importance of the animal spirit. She said she does not support Mr. Barrette's appointment because she does not think he would be fair.

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WADE WILLIS, testifying on the appointment of Mr. Barrette to the Board of Game, stated that the board is responsible for managing game on state park lands where "subduing nature" is not the mandate. He said the board must work cooperatively in those areas. Mr. Willis expressed concern that Mr. Barrette does not seem to have a fundamental view of wildlife management that "allows that form of letting Mother Nature ... be natural." He questioned Mr. Barrette's willingness to work with the scientific community and the public, because he witness Mr.

Barrette vote to revoke the ADF&G statewide bear management policy that guides the department on the scientific management of Alaska's bears. Furthermore, Mr. Barrette voted to "do all kinds of expansions of bear baiting and bear trapping into the summer."

MR. WILLIS said his primary concern is that in his initial testimony, Mr. Barrette never mentioned that he owns a trapping business and a tannery. He stated that Mr. Barrette blatantly lied when he said he did not petition the board to allow the use of snow machines in the old buffer zone area. He offered to send Mr. Barrette's testimony to the committee; he said it was proposal number 62, which was done on March 5. Mr. Willis expressed concern that Mr. Barrette does not represent the diverse points of view the state needs to possess in order to manage both state and federal lands. He said he has clearly shown that he is quite biased and willing to lie.

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ART GREENWALT stated that there are numerous reasons why he thinks Mr. Barrette would be an unsatisfactory choice for a position on the Board of Game. First, he said Mr. Barrette's revenue source is from the manufacture of wolf traps and the operation of a fur tannery. Both incomes rely directly upon decisions made by the board - decisions in which Mr. Barrette would play a significant part. Second, relating the Denali Park buffer zone vote, Mr. Greenwalt said he thinks Mr. Barrette demonstrated a disregard for the input of Alaska residents, when he voted on the side of a few recreational trappers rather than listening to the over 500 local residents who signed a petition requesting the zone be expanded, or the local Park Service superintendent who also requested that the zone be expanded. He said he was astounded that Mr. Barrette could disregard such an overwhelming local public opinion.

MR. GREENWALT opined that Mr. Barrette would bring no real diversity to the board. He stated, "His appointment would create a total absence of any representation for the entire Southcentral region." He asked the committee to keep in mind that there are hundreds of thousands of Alaskans who do not belong to hunting groups, or agree with them, that would not be represented by Mr. Barrette. He urged the committee to deny Mr. Barrette's confirmation. He concluded, "To allow him to be confirmed would be the same as telling Alaskans integrity and professionalism have no place on the Board of Game."

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SHANNON MOORE stated that the Board of Game already addresses controversial issues without the addition of a member who has an obvious conflict of interest. She revealed that she is both a consumer of hunted game and an observer of game; therefore she does not have a bias against hunting. She said it would be great to see broader vision on the board - someone who represents more of Alaska. She said she agrees with former testimony that Anchorage and the Southcentral Region need "at least one voice" after the retirement of former board member Bob Bell. She urged the committee not to forward the name of Mr. Barrette to the joint Senate and House.

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GREG BROWN said he is a resident of Juneau who started hunting when he was 10 years old. He said he runs a small whale-watching business in Juneau. He noted that currently the consumptive use of game is a \$124 million business that is "sinking like a rock." Conversely, wildlife viewing is a \$581 million business, which has been rising 6-10 percent for the last 10 years, not only in Alaska but throughout the nation. Mr. Brown related that Alaska is not even ranked in the top half of the states for animal viewing, and he opined that it should be.

MR. BROWN said he had never heard of Friends of Animals until three weeks ago, and he has now received three e-mails from people questioning whether they want to come take a trip they booked with him months ago. He indicated this uncertainty pertains to a boycott generated by Friends of Animals. He said the buffer zone issue is based on providing opportunities for four trappers, which would risk a \$581 million business. He said wolves have increased business in Yellowstone National Park by \$35 million a year, but Alaska is creating a terrible image of shooting wolves. He said he has been hearing feedback from people in the Lower 48 about the use of helicopters and the shooting of collared wolves [in Alaska]. He asked, "How smart do you have to be to know that if a wolf has a collar, it's probably a government person putting it on, [so] you shouldn't shoot it? It doesn't take a lot of brains to do that."

MR. BROWN said he has never before testified against an appointee; however, he said some of the recent actions on the Board of Game have raised his ire. He said Mr. Barrette's business is a conflict of interest. He stated his opposition of

the appointment of Mr. Barrette to the Board of Game. He said the board is stacked with people with conflicts of interest already, and he urged consideration be made to appoint a member of the board who is a non-consumptive user of resources.

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DAVE TURNBULL stated that his home of Anchorage is currently unrepresented on the Board of Game and is in need of representation. He noted that former board member, Bob Bell, whom he disagrees with on most issues, called Mr. Barrette an extremist that has no place on the board. Mr. Turnbull opined that Board of Game decisions should be based on science, not on financial interests, such as Mr. Barrette's interest in his trapping company and fur tannery, or on religious doctrine, which Mr. Barrette mentioned during his interview with Backpacker Magazine. He asked the committee not to confirm Mr. Barrette to the Board of Game.

[2:52:09 PM](#)

CO-CHAIR JOHNSON reiterated the process that is followed by the committee during confirmation hearings. He said the vote of the Joint Senate and House is scheduled to take place on Friday, April 9.

[2:53:08 PM](#)

REPRESENTATIVE P. WILSON moved to advance the confirmation of Bruce C. Twomley to the joint session of the House and Senate. There being no objection, the nomination of Bruce C. Twomley to the Commercial Fisheries Entry Commission was advanced.

[2:53:30 PM](#)

REPRESENTATIVE P. WILSON moved to advance the confirmation of Robert D. Mumford to the joint session of the House and Senate. There being no objection, the nomination of Robert D. Mumford to the Big Game Commercial Services Board was advanced.

[2:53:43 PM](#)

REPRESENTATIVE P. WILSON moved to advance the confirmation of Ben Grussendorf to the joint session of the House and Senate. There being no objection, the nomination of Ben Grussendorf to the Board of Game was advanced.

[2:53:55 PM](#)

REPRESENTATIVE P. WILSON moved to advance the confirmation of Allen F. Barrette to the joint session of the House and Senate. There being no objection, the nomination of Allen F. Barrette to the Board of Game was advanced.

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REPRESENTATIVE GUTTENBERG emphasized Co-Chair Johnson's previous explanation by relating that even a standing committee does not have the authority to stop a nomination.

CO-CHAIR JOHNSON confirmed the foregoing is correct.

[2:55:04 PM](#)

CO-CHAIR JOHNSON recessed the House Resources Standing Committee to 3:00 p.m.

[3:00:03 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 3:00 p.m.