ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE
February 2, 2011
1:04 p.m.

MEMBERS PRESENT

Representative Eric Feige, Co-Chair
Representative Paul Seaton, Co-Chair
Representative Peggy Wilson, Vice Chair
Representative Alan Dick
Representative Neal Foster
Representative Bob Herron
Representative Cathy Engstrom Munoz
Representative Berta Gardner
Representative Scott Kawasaki

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Alan Austerman

COMMITTEE CALENDAR

OVERVIEW: ALASKA DEPARTMENT OF FISH & GAME - DIVISION OF SPORT FISH, DIVISION OF COMMERCIAL FISHERIES

- HEARD

OVERVIEW: DEPARTMENT OF PUBLIC SAFETY - ALASKA FISHERIES ENFORCEMENT ISSUES

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

CHARLES SWANTON, Director
Division of Sport Fish
Alaska Department of Fish & Game (ADF&G)
Juneau, Alaska

POSITION STATEMENT: Provided an overview of the Division of Sport Fish.

SUE ASPELUND, Acting Director
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Juneau, Alaska
POSITION STATEMENT: Provided a PowerPoint overview on the Division of Commercial Fisheries.

SCOTT KELLEY, Regional Supervisor
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Douglas, Alaska
POSITION STATEMENT: During the Division of Commercial Fisheries overview, answered questions.

JOHN LINDERMAN, Arctic-Yukon-Kuskokwim Regional Supervisor
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Anchorage, Alaska
POSITION STATEMENT: During the Division of Commercial Fisheries overview, answered questions.

ANDREW MUNRO, Fisheries Scientist
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Anchorage, Alaska
POSITION STATEMENT: During the Division of Commercial Fisheries overview, answered questions.

JEFF WADLE, Fishery Biologist
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Kodiak, Alaska
POSITION STATEMENT: During the Division of Commercial Fisheries overview, answered questions.

DOUG PENGILLY, Fishery Biologist
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Kodiak, Alaska
POSITION STATEMENT: During the Division of Commercial Fisheries overview, answered questions.

STEVE HALL, Lieutenant
Division of Alaska Wildlife Troopers

Department of Public Safety (DPS)
Juneau, Alaska
POSITION STATEMENT: Provided a PowerPoint overview regarding fisheries enforcement.

GARY FOLGER, Colonel, Director
Central Office
Division of Alaska Wildlife Troopers
Department of Public Safety (DPS)
Anchorage, Alaska
POSITION STATEMENT: Assisted in providing a PowerPoint overview regarding fisheries enforcement.

ACTION NARRATIVE

1:04:40 PM

CO-CHAIR PAUL SEATON called the House Resources Standing Committee meeting to order at 1:04 p.m. Representatives Seaton, Feige, P. Wilson, Herron, Dick, Kawasaki, Gardner, Munoz, and Foster were present at the call to order.

OVERVIEW: Alaska Department of Fish & Game - Division of Sport Fish, Division of Commercial Fisheries

1:05:17 PM

CO-CHAIR SEATON announced that the first order of business is an overview of the Alaska Department of Fish & Game, Division of Sport Fish, followed by an overview of the Division of Commercial Fisheries.

1:05:31 PM

CHARLES SWANTON, Director, Division of Sport Fish, Alaska Department of Fish & Game (ADF&G), stated that the division's mission is "to protect and improve the state's recreational fisheries resources." Founded on this mission are [seven] core services: fishery management, fishery research, fisheries enhancement, angler access, information and education services, fish habitat, and workforce support.

MR. SWANTON, in response to Co-Chair Seaton, said he has provided committee members with a [three page] handout [from which he is speaking].

MR. SWANTON, continuing his presentation, explained that "the division measures success in meeting its mission by assessing the outcomes of sustained recreational fishing opportunities while optimizing social and economic benefits." To accomplish this the division has the following four targets: sell 450,000 sport fishing licenses annually, maintain 2.5 million angler days [of recreational fishing effort annually], maintain a positive trend in sport fishing trip-related expenditures, and maintain at least 75 percent of anglers satisfied with their sport fishing experience.

1:07:16 PM

MR. SWANTON, in response to Representative P. Wilson, said the division has met its target of selling 450,000 sport fishing licenses in the past. In calendar year 2010, about 434,000 licenses were sold and in 2009 about 237,000 were sold. The division's assumption is that the economic downturn in the visitor industry is the reason the target was not met in the last two years.

MR. SWANTON, in response to Co-Chair Seaton about what can be done about the downturn, said the State of Alaska and ADF&G have fisheries programs in place that are very attractive for recreational angling, so the product is there. Based upon the decrease in the number of nonresident anglers, he surmised it probably has to do with the current national and international economic situation. What can be done about not meeting the target is essentially what the division is doing in some cases and possibly some additional partnering with tourism industries to get the message out. In further response to Co-Chair Seaton, Mr. Swanton agreed to provide the committee with a five-year look-back for each of the four targets.

1:10:06 PM

MR. SWANTON, resuming to his presentation, noted that challenges currently impacting the division's ability to achieve its mission include: maintaining existing hatchery production while constructing new hatcheries in Fairbanks and Anchorage; subscribing to the Sustainable Salmon Fisheries Management Policy, the [Salmon] Escapement Goal Policy, and the Policy for the Management of Sustainable Wild Trout Fisheries; continuing to refine and improve the accuracy of ADF&G and Dingell-Johnson fund projections in order to do a better job of revenue forecasting and operational costs; improving resident angler satisfaction by diversifying fishing opportunities and

modernizing harvest data collection methods; ensuring public access and minimizing impacts to recreational users as lands are conveyed; and improving current and/or developing new approaches to better inform and educate the public about sport fishing opportunities and regulations.

MR. SWANTON reported that the division's total request for Fiscal Year (FY) 2012 is $48,389,500, which represents a decrease of about $858,000 from FY 2011. He said the division has one component, which is Sport Fisheries. The division has 231 full-time employees and 204 permanent seasonal employees. Three regional offices located in Fairbanks, Anchorage, and Douglas, and 22 area offices are spread around the state.

1:11:48 PM

REPRESENTATIVE GARDNER inquired whether the challenge of maintaining existing hatchery production while constructing new facilities is a funding issue or personnel issue.

MR. SWANTON replied it has more to do with trying to maintain a level of production at the division's antiquated hatchery facilities while moving towards transitioning into the new facilities that are being built, which is a juggling act. There has been a downturn in the amount of fish that are available for programs primarily located in Interior and Southcentral Alaska.

CO-CHAIR SEATON requested Mr. Swanton to provide data on hatchery production and anticipated production in each hatchery and how the goal of providing those recreational fishing opportunities will be met.

1:13:31 PM

REPRESENTATIVE GARDNER asked what makes for a satisfactory angling experience and whether there is a difference in providing this for resident anglers versus general anglers.

MR. SWANTON responded that the division's 2007 economic survey included a section with questions specific to angler satisfaction. That survey shows that generally about 81.3 percent of anglers, both resident as well as nonresident, were satisfied with the fishing experiences that they had for that given year. The division uses that as a general guide; it does not assess that year in and year out. It is a general target and in some cases it is one where a wide array of folks are asked that question and it is an average of how those people

respond. In further response, he nodded in agreement that he did not intentionally mean to distinguish between resident and nonresident anglers.

1:15:42 PM

CO-CHAIR SEATON understood the challenge to be a goal of improving angler satisfaction, not measuring or tracking it. He inquired whether creel censuses are used in this regard or whether this is basically a statement that the division wants to have anglers satisfied with their fishing experience.

MR. SWANTON concurred that the division's challenges are things that are ongoing in terms of the division's efforts. The division does not routinely collect angler satisfaction information through its statewide harbor survey, log book program, or creel programs. He said he is unsure what the division would do with that information if it were to be collected on an annual basis given that it would have to be relatively specific to a particular fishery or group of similar fisheries for the division to be able to do to something to modify that. Thus, angler satisfaction is a general guide that the division uses to move forward. The division will be instituting a satisfaction component when it updates its economic survey information which was last done in 2007. That information was released in late 2009 and those statistics show that recreational angling in Alaska is an economic activity of about $1.4 billion in value.

1:17:27 PM

CO-CHAIR SEATON surmised that the reduction in the number of fishing licenses sold on an annual basis is unrelated to angler satisfaction; rather it is related to other factors.

MR. SWANTON agreed and said trend in resident fishing licenses over the past five years has remained relatively stable with some increases, whereas nonresident licenses are where the downturn has occurred.

1:18:46 PM

REPRESENTATIVE KAWASAKI asked why the new hatchery in Fairbanks has not yet produced fish and when will production begin.

MR. SWANTON answered that the division is finishing a booklet of frequently asked questions and trends that will be circulated to

legislators next week. The problem encountered at the Fairbanks hatchery has to do with the water treatment and filtration system because the water in Fairbanks is different than anywhere else in the country. The filtration system is being retrofitted and the hope is to have fish in the hatchery by May 2011, which is a year later than had been planned.

1:21:08 PM

REPRESENTATIVE KAWASAKI asked whether any additional funds will be necessary outside of those previously in the capital budget.

MR. SWANTON replied that a number of things still need to be settled with the contractor and the design engineering firms, and until the problem is solved he is unable to say.

REPRESENTATIVE KAWASAKI expressed his fear that the hatchery will not open and the legislature will not have enough time to think about it as a budget item.

1:22:08 PM

REPRESENTATIVE P. WILSON understood the Fairbanks hatchery problem is going to be quite a bit of extra cost. She asked whether the problem is that the water was not checked at the start or it was checked and thought to have been handled.

MR. SWANTON responded that it was both. Some components in the original design were not capable of functioning the way they were supposed to. Water temperatures were also an issue based upon the data that was used, and various other components were problematic. Certain elements have been re-designed and it will be re-plumbed. There will be a heating component and there is also the issue specifically related to the performance standards being adhered to as they were originally designed into the system. How much still needs to be done and what it will cost are where things are at right now.

1:24:04 PM

MR. SWANTON, in response to Representative P. Wilson, confirmed that the division's headquarters office is located in Juneau and a regional office is located in Douglas.

REPRESENTATIVE P. WILSON inquired whether there would be a cost savings to have just one office for the aforementioned.

MR. SWANTON suggested the question be posed to Representative Munoz.

1:25:15 PM

REPRESENTATIVE P. WILSON requested Mr. Swanton to elaborate on any problems that may be forthcoming in regard to page 2 of the handout, fifth bullet, which states: "ensuring public access and minimizing impacts to recreational users as lands are conveyed or restricted by federal managers or federal subsistence regulations."

MR. SWANTON answered that the aforementioned is in reference to division staff working with federal entities, such as the U.S. Forest Service, National Park Service, and Bureau of Land Management, to maintain recreational access opportunities for both fishing and hunting. Division staff reviews federal plans and activities for a broad array of topics, including trails and RS 2477 areas, to ensure that historical public access is maintained or access easements are provided.

1:26:56 PM

REPRESENTATIVE P. WILSON asked whether federal managers have implemented more regulations that are making it harder for the state to keep what it has now.

MR. SWANTON replied it would depend on whether the difference relates to ten years ago or twenty years ago.

REPRESENTATIVE P. WILSON asked whether there are restrictions at the federal level now that were not there in the past. She further asked whether there are now federal subsistence regulations that were not there in the past.

MR. SWANTON responded yes. In further response, he nodded in agreement that he would provide members with written information in this regard.

1:28:25 PM

REPRESENTATIVE DICK inquired whether it is the responsibility of the department or of fishing guides to educate the public about the locations of good fishing areas.

MR. SWANTON answered that guides working in fresh water are required to complete a log book for each trip with information

about the location, number of clients, and so forth; that information would be available to the area management biologist. However, it is a two-edged sword in that some people are willing to share information about their favorite locations and some do not want area management staff to share those new-found areas. For certain locations the division does not necessarily publicize the information, but would provide the information if specifically asked by someone.

1:29:58 PM

REPRESENTATIVE DICK asked whether a dollar value has been put on sport fishing in rivers, such as the Kenai, as opposed to commercial fishing in the ocean or subsistence fishing.

MR. SWANTON replied that economists and others have struggled with this question for quite some time and are probably no closer to an answer than when they started. He offered to provide members with information that is available regarding economic activities for particular fisheries.

1:31:16 PM

REPRESENTATIVE DICK said he would appreciate receiving that information because he supports sport fishing. He then inquired whether the fishery on the Kuskokwim River would be enhanced if predatory fish like northern pike were addressed.

MR. SWANTON responded that a fair amount of attention has been given to the opportunities on the Kuskokwim River that are different than other areas in the state; for example, the opportunity to fish for king salmon in the morning, fish for resident species in the afternoon, followed up by pike fishing in the slews. The division has contacted people and tried to get them interested, but the efforts have been unsuccessful.

1:33:01 PM

CO-CHAIR FEIGE asked what the best candidates are for permitting and building new hatcheries to support the sport fishing industry.

MR. SWANTON quipped he would like to wait four or five years to answer the question, given the struggles he has had over the past few years with constructing and funding the two sport fish hatcheries.

1:33:47 PM

REPRESENTATIVE MUNOZ thanked Mr. Swanton for his help with the educational programs for youth that have been well used by Juneau residents. She related that the International Halibut Commission (IHC) recently announced a cut to the halibut quotas for Southeast Alaska. She asked how the division works with the IHC in terms of taking those recommendations and what the next step in implementing those changes will be.

MR. SWANTON pointed out that it is an international treaty that starts the whole process, and the division's role is largely peripheral since it has no management authority for halibut. The North Pacific Fisheries Management Council is in the process of finalizing a catch sharing plan, which is tangential to the most recent announcement of the one 37-inch fish limit for Southeast Alaska as a harvest control measure. The division provides the harvest information from the sport fishery as well as the subsistence fisheries for consideration during deliberations. When asked, the division does offer counsel with regard to what various options might do to harvests.

1:36:03 PM

MR. SWANTON, in response to Representative Munoz, confirmed that the National Marine Fisheries Service also has input into the process from a scientific standpoint. In further response, he agreed that there have been changes to the scientific modeling. In the most recent change to the model, the integration of movements of halibut in the Gulf of Alaska is not as accentuated as it was in the past.

1:37:15 PM

REPRESENTATIVE HERRON inquired whether the 2009 sport fishing data included online for Survey Area V, the Kuskokwim River, is part of the data used for closing sport fishing on rivers immediately above Bethel for this coming season.

MR. SWANTON replied that he will speak to the area management biologist who affected that and will get back to members. He confirmed that the statewide harvest survey information is part of the decision making process.

REPRESENTATIVE HERRON said that these sport fishing surveys need to be put in context; for example, in 2009 the fresh water days fished was almost 18,000. Where he comes from, most of the fish

that go into the freezer are from driftnets. Many people in his region like recreational rod and reel fishing, so he would like this information as a perspective on how the division makes decisions elsewhere in the state.

1:39:07 PM

REPRESENTATIVE KAWASAKI asked how the delayed start of the Fairbanks fish hatchery will impact fish stocks in the lakes and rivers where the fish are released.

MR. SWANTON responded that it will continue the situation as it currently exists, which is that the fishing is poor for the stock waters program in the Interior. The delay will push that program out an additional year.

REPRESENTATIVE KAWASAKI commented that catching a fish would be the number one metric for satisfaction as far as the angler satisfaction survey goes. He then inquired whether public access on RS 2477 areas is in the purview of the Division of Sport Fish or the Department of Natural Resources, or whether the two work together on this issue.

MR. SWANTON answered that the division works in consort with the Department of Natural Resources.

1:41:10 PM

CO-CHAIR SEATON surmised that the personal use fishery on the Kenai River is the largest, or close to the largest, fishery that the Division of Sport Fish manages in the state. Yet, as he understands it, the take assessment relied on about two days of sampling. He asked whether the division has plans to make a more accurate monitoring of the take for such a large fishery. He further maintained that the number of fish taken is more like 750,000 than 350,000.

MR. SWANTON allowed that Co-Chair Seaton's assessment is correct, but said he is unsure about characterizing the Kenai River's personal use fishery as the largest managed by the division. He estimated that about 24,000 to 25,000 households fish personal use on the Kenai and said he believes that the permit system in place provides a reasonably accurate assessment of the harvest. People are required and reminded to complete the permit card and the return rate is greater than 80 percent. He has personally spent time in the effort to check permits and the division has found that the number of fish on the permits

versus the number actually in the cooler or boat is pretty close. Therefore, he does not believe more effort is needed to assess the accuracy. He allowed that there are things the division would like to do to modernize, such as recording and turning in the permits via online. Given the substantial amount of enforcement effort he said he does not subscribe to the viewpoint that the harvests are double what are being reported.

1:45:31 PM

CO-CHAIR SEATON said he is also talking about the in-season numbers. He urged that more attention be paid to the assessment on the river which could be done by picking a portion of the river and just watching that particular spot to get an estimate of the harvest rate. Another assessment method could be to use aerial photography to document the number of boats on the river. He suggested the division publish the number of times it is on the river so there can be more confidence in the numbers.

1:47:14 PM

MR. SWANTON, in response to Representative Munoz, said that the Division of Sport Fish does not manage the king crab personal use fishery in the Juneau area.

MR. SWANTON, in response to Co-Chair Feige, responded that the 46,000 square foot facility in Fairbanks is primarily a resident species hatchery that will produce over 750,000 fish annually and will include a variety of species. Most of the fish, if not all, will go into impoundments; very few fish will be stocked into flowing waters. The king and coho salmon will be stocked in the various lakes that are accessible by the road systems. The division stocks as far down as Glennallen and along the Edgerton cutoff. He confirmed that the Fairbanks hatchery became necessary when the "Elmendorf" hatchery closed.

REPRESENTATIVE P. WILSON commented that if the lakes in the Tok area were not stocked people would be unable to catch as many fish as they do and therefore the program is appreciated.

1:50:49 PM

MR. SWANTON, continuing his presentation, noted that page 3 of his handout is an overview of the various funding sources from which the division receives revenue. While there is a wide array of funding sources, the bulk of the division's funding is federal excise tax pass-through and license and stamp monies

from the Alaska Department of Fish & Game. Additionally, the division invests about $3-$3.2 million annually in various boater access projects around the state.

MR. SWANTON, in response to Co-Chair Seaton, confirmed that the funds coming from the Alaska Department of Fish & Game are from state fishing licenses as well as king salmon stamp sales.

CO-CHAIR SEATON inquired whether access for fishermen along streams must be maintained even when the state disposes of the land along those streams. He surmised this might be a question for the Department of Natural Resources.

MR. SWANTON deferred to the Department of Natural Resources.

1:53:46 PM

The committee took an at-ease from 1:53 p.m. to 1:56 p.m.

1:56:32 PM

SUE ASPELUND, Acting Director, Division of Commercial Fisheries, Alaska Department of Fish & Game (ADF&G), introduced a number of division staff located throughout the state who were online to assist with any questions. She paraphrased from the division's mission statement written on slide 2 of her presentation:

> Manage, protect, rehabilitate, enhance, and develop the fisheries and aquatic plant resources in the interest of the economy and general well being of the state, consistent with the sustained yield principle and subject to allocations established through public regulatory processes.

MS. ASPELUND reviewed the division's primary responsibilities [slide 3]. The division manages all commercial fisheries in state waters, with the exception of halibut and some salmon in Southeast Alaska and the Yukon River which are managed under international treaty. Under delegation from the federal government, the division manages several species in federal fisheries from 3 to 200 miles, such as scallops, crab, and some groundfish. The division also manages subsistence fisheries in the Arctic-Yukon-Kuskokwim and Southcentral Alaska regions as well as subsistence and personal use fisheries in marine waters in Southeast Alaska and the westward region of the state. Some of the commercially important species of seafood in Alaska include five species of salmon, seven species of crab, four

species of shrimp, walleye pollock, Pacific halibut, Pacific cod, sablefish, herring, flatfish, rockfish, ling cod, geoducks, sea cucumbers, and sea urchins. In addition to the aforementioned wild species, aquatic farms in the state also produce oysters, littleneck clams, and geoducks.

1:59:17 PM

MS. ASPELUND highlighted the division's four core services: harvest management, stock assessment and applied research, aquaculture permitting, and information services and public participation [slide 4]. Regarding harvest management, the division controls the harvest of fisheries resources for subsistence, commercial, and personal uses according to plans and regulations and subject to Board of Fisheries allocations. Regarding stock assessment and applied research, the division maintains ongoing programs for the enumeration, assessment, and understanding of the state's salmon, herring, groundfish, and shellfish stocks. Aquaculture permitting is the process by which the division permits, regulates, and provides technical and planning services to aquatic farmers and to private non-profit hatcheries throughout the state. Through its information services and public participation efforts the division develops, maintains, and disseminates data; provides analysis of the data; and publishes reports for use by the public, staff, and policy makers.

MS. ASPELUND elaborated that under the harvest management core service, the division and the Board of Fisheries strive to utilize the most rigorous science available to manage sustainable fisheries, consistent with the policy for the management of sustainable fisheries and the policy for statewide escapement goals which are in regulation [slide 5]. The division does this by supporting the Board of Fisheries in establishing regulations and management plans, opening and closing fishing areas, and setting fishing times, collecting harvest and biological data, and writing annual management reports that synthesize that information.

2:01:03 PM

MS. ASPELUND said the division employs two harvest management components for commercial fisheries: in-season management and applied science [slide 6]. In-season management vests the division's on-the-grounds fisheries managers with the ability to open and close fisheries based upon the most current scientific information, the managers' professional judgments, and subject

to Board of Fisheries allocations. The applied science component supports the fisheries managers to ensure that they have the best information available with which to manage the fisheries, and the division works closely with the Division of Sport Fish on this element of management.

MS. ASPELUND noted that the fisheries managed by the Division of Commercial Fisheries are very diverse [slides 7-8] and includes such fisheries as the small boat fleet that fishes in Kuskokwim Bay and delivering fish in Quinhagak and the large boat [crabbers in the Bering Sea].

MS. ASPELUND pointed out that the stock assessment and applied research program utilizes weirs, towers, sonar, and foot and aerial surveys for salmon escapement enumeration [slide 9]. Other tools utilized in the program include those listed on the slide: [juvenile salmon estimation, groundfish and shellfish surveys, herring spawn deposition and hydro acoustic surveys, aerial herring surveys, dive surveys, and biological, genetic, and coded-wire tag sampling].

2:02:34 PM

MS. ASPELUND displayed pictorials demonstrating the work done by the division. She explained that the upper left and right photos [on slide 10] are the division's Ayakulik and Karluk weirs, respectively, on Kodiak Island. The bottom left photo is Frazer Fish Pass on Kodiak Island, which is now home to a successfully introduced sockeye salmon run in a previously barren lake. This run was introduced in the 1950s and is now self-sustaining, providing an annual harvest of about 1 million sockeye salmon. The upper left photo [on slide 11] depicts the Bear River weir on the Alaska Peninsula, and the upper right photo shows the PeterPan Seafoods cannery at Port Moller that supports the division's Port Moller/Bristol Bay test fish boat that provides information about the sockeye salmon run entry into Bristol Bay. The lower left photo is of a technician pulling a scale for aging and the photo on the right is a salmon fingerling about to be tagged.

MS. ASPELUND, in response to several questions from Co-Chair Seaton, said the tag would likely be a coded-wire tag that is put into the fingerling's head. She deferred to other division staff to provide further information in this regard.

2:04:27 PM

SCOTT KELLEY, Regional Supervisor, Division of Commercial Fisheries, Alaska Department of Fish & Game (ADF&G), explained that most juvenile salmon smolt are tagged with a coded-wire about 1 millimeter long that is injected with a needle. In response to further questions from Co-Chair Seaton, he explained that at the same time the coded-wire tag is injected the fish's adipose fin is cut off. Then, when the division's port samplers and creel technicians see a salmon with a missing adipose fin, the head of that fish is collected and shipped to the tag lab where a magnetic detector locates the tag, which is subsequently retrieved by lab technicians. The tag has a binary code that is based on a lot. Northwest Marine Technology sells the tag lots in various increments of 5,000 to 100,000 and each tag in that lot has the same code.

2:06:12 PM

MS. ASPELUND returned to her presentation, noting that [slide 12] depicts some of the division's assessment activities on the Yukon River. The upper left photo is of a test fishery and the lower right photo is deployment of the sonar. The upper left photo [on slide 13] is a department diver conducting a sea cucumber transect to estimate abundance, the lower left photo is of crew on a research vessel conducting a tanner crab survey in Southeast Alaska to establish a guideline harvest level, and the right photo is of a littleneck clam survey being conducted in Prince William Sound. The upper left aerial photo [on slide 14] shows herring spawn deposition on an island near Sitka. Aerial surveys are flown to detect and calculate the miles of spawn which show up as milky-colored areas. The right photo is of a successful prawn pot pull. The lower center photo is of a small octopus found while conducting division work.

MS. ASPELUND reviewed the division's core service of aquaculture permitting [slide 15]. The division provides technical advice, and permits salmon non-profit hatcheries, a shellfish hatchery in Seward, and assists with the permitting of shellfish farms. The state has 34 hatcheries, 1 shellfish hatchery, and numerous shellfish farms.

2:07:58 PM

REPRESENTATIVE KAWASAKI noted that the Yukon River salmon run has been tough over the past few years. He recalled that one of the sonar devices for the studies was found to not work. He asked for assurance that the necessary science is being done to ensure sustainability of that fishery.

MS. ASPELUND replied that the division recognizes that there were some issues with the sonar equipment and with the Pilot Station sonar in particular in 2009. She deferred to division staff serving in that area for further comment.

JOHN LINDERMAN, Arctic-Yukon-Kuskokwim Regional Supervisor, Division of Commercial Fisheries, Alaska Department of Fish & Game (ADF&G), regarding the Pilot Station sonar in 2009, explained that the river had record high water levels and debris load during much of June when the king salmon run was coming through that area of the river. The sonar itself was working properly, but those conditions reduced its ability to detect fish at farther distances, which resulted in an underestimate. Since that time, steps have been taken and the region is currently doing feasibility work on a new technology called side-scan sonar that shows a lot of promise, but some evaluation of this technology still needs to be done. This side-scan sonar may be able to see fish more clearly farther out in the main channel of the river at Pilot Station and the hope is that it can be integrated into the existing program so this will not occur again.

2:10:45 PM

REPRESENTATIVE FOSTER inquired whether side-scan sonar was put into service this last summer and, if so, did the initial tests of the new system work.

MR. LINDERMAN confirmed that the side-scan sonar was operated for about five weeks this past summer, focusing almost exclusively on June when the king run was coming through and when high water and heavy debris load conditions typically occur. The side-scan sonar was successful, but this past year the water was very low for that time of year. He noted that this technology had never been used to count fish, especially in a moving river system from a stationary deployment; its primary uses are in search and rescue operations and in hyper-accurate mapping of seafloors, river bottoms, and lake bottoms. However, the results immediately showed that it was able to count fish, even to the extent that the region conducted separate estimates using the side-scan data versus the project's existing sonar technologies to make comparisons. Unfortunately, without the poor conditions of silt load, high water, and debris load, the region was unable to evaluate whether the side-scan sonar will address the issues that occurred in 2009. It is a matter of waiting for those conditions to present themselves so it can be

tested and fully evaluated in those conditions. The region will continue to do feasibility work into this coming season and as long as necessary to determine the utility of this technology.

2:13:19 PM

MS. ASPELUND, turning back to her presentation, addressed the division's core service of information services and public information [slide 16]. The division's data systems provide a variety of information including salmon forecasts, harvest summaries, fish tickets, custom reports from the data bases, and ex-vessel values and wholesale values for the staff, public, and policy makers. Additionally, the division has two sets of services that support all of the core services. The first is laboratory services [slide 17], such as the coded wire tag laboratory, which provides critical information that assists managers. The second is data processing [slide 18]. The division utilizes eight primary database systems to manage fisheries and to provide information about them. The eLanding electronic catch reporting system is an important and innovative element of the division's data processing system. Some time ago the federal government initiated a rationalized crab program, which the division manages upon delegation from the federal government. Under this very complicated system, individual fishing quota crab deliveries are matched with an available processor-held processor quota for a large portion of the fisheries. It is the most complex data quota program that the division manages and precise in-season and real-time tracking of the accounts is necessary. The division expanded that real-time accounting program into groundfish, and this last summer pilot programs were undertaken for salmon. Being able to expand the program into salmon, the largest fishery the division manages, would result in real-time reporting of harvest data, would reduce manual fish ticket entry which can take months for the salmon fishery, and would improve the division's efficiency.

2:15:31 PM

MS. ASPELUND said that to accomplish its work the division is organization into regions [slide 19]. The Southeast Fisheries Management Region is located in Douglas and runs from Dixon Entrance to Yakutat. The Central Fisheries Management Region is located in Anchorage and covers Prince William Sound, Cook Inlet, and Bristol Bay. The Arctic-Yukon-Kuskokwim (A-Y-K) Fisheries Management Region is located in Anchorage and consists of the Yukon and Kuskokwim rivers and Norton and Kotzebue sounds. The Westward Fisheries Management Region is located in

Kodiak and is comprised of the Aleutian Islands, Kodiak, Alaska Peninsula, and the Bering Sea region. The divisional headquarters is located in Juneau.

MS. ASPELUND related that for Fiscal Year 2012 division personnel consists of 314 permanent staff, 450 non-permanent and seasonal staff, and 3 recently added interns, for a total of 767 positions. The division maintains 20 permanent offices, 84 seasonal offices and field camps, and 6 large research vessels.

2:16:57 PM

MS. ASPELUND moved to the division's missions and measures and discussed the four targets that represent the division's current highest priorities [slide 22]. The first mission is to maintain the ex-vessel value of commercial harvest and mariculture production at about $1 billion annually [slide 23]. Since 2001, the division has met or exceeded the measure for this mission. The second mission is to achieve salmon escapement goals in 80 percent of monitored stocks [slide 24]. The goals have been met for coho and pink salmon, but the division has been challenged in recent years for sockeye, chum, and chinook. A robust inter-divisional approach is employed to develop scientifically defensible escapement goals for roughly 290 salmon stocks statewide, and the division has published a reference guide on salmon escapement goals and performance. In response to Co-Chair Seaton, she agreed to provide members with a copy of this guide which was written by division staff Munro and Volk.

2:18:39 PM

CO-CHAIR SEATON inquired whether the division is still providing reports on forgone harvests and the maximizing of resources.

MS. ASPELUND responded that she is unable to speak specifically as to whether the division is updating the forgone harvest report on an annual basis, but said she will check. She explained that for many of the state's systems the escapement goals have a lower range and an upper range and she believes that [slide 24] reflects meeting that range. She noted that there are some systems where there is only a minimum and that is based on a lack of information.

ANDREW MUNRO, Fisheries Scientist, Division of Commercial Fisheries, Alaska Department of Fish & Game (ADF&G), said he believes that his calculations [for this presentation] were based on whether the minimum goal was met.

CO-CHAIR SEATON surmised that an over-escapement would show as meeting the escapement.

MR. MUNRO replied that that is correct for this presentation. However, the Munro and Volk report breaks down whether the escapement was under the goal, within the range, or over the range of the escapement goal.

2:22:43 PM

MS. ASPELUND, relative to the species for which the goals have not been achieved, said it is well known that chinook have experienced decline throughout much of the state for any number of reasons, some of which could be related to bycatch in other fisheries, ocean conditions, and climate change. However, the chinook decline is inconsistent statewide; for example, Chignik on the south Alaska Peninsula has met its chinook salmon escapement goals for the past 30 years. The broad-scale declines likely point to issues that are not necessarily stock or river specific, but reflect some larger influences that need to be investigated further.

REPRESENTATIVE KAWASAKI asked whether the division is requesting increments in its budget for studies to figure out the reason or reasons for the chinook decline.

MS. ASPELUND answered that the division is involved in some of those efforts. A fair amount of funding has been invested by the federal government in answering some of those questions: the Alaska Sustainable Salmon Fund is funding some of those programs and the North Pacific Fishery Management Council is conducting some genetic sampling programs in the Bering Sea pollock fishery. The state has not sought specific funding to answer those questions largely because while it would be nice to know the answers, if it is an ocean issue there is not much the division can do other than better understand what those mechanisms are. Given constricted budgets and the efforts that other agencies have put into that question, the division has not felt it be a priority at this point.

2:25:15 PM

MS. ASPELUND, continuing her presentation, stated that sockeye and chum salmon runs are naturally highly variable and trends are inconsistent across the state [slide 24]. Where possible, escapements are monitored while fisheries are actually going on.

Based on the in-season run projection, fishing effort can be constrained and adjusted to ensure that adequate numbers of fish reach the spawning grounds. In some cases, however, many of the goals are basically post-season report cards because the escapement projects are quite distance from the fisheries or the species goal in question is not the target. For example, sonar on the upper Yukon River at Eagle enumerates fish as they enter Canada but the fisheries are prosecuted 1,000 miles away at the mouth of the river. This is also an example of one of the division's many challenges. The division might not make all of the goals all of the time. Missing the goals occasionally is not a threat to sustainability, but chronic inability to achieve those goals would be a threat. Chronic inability is defined as missing the escapement goal in four out of five years, the life cycle for most salmon. When this occurs, additional restrictive management measures are taken in-season when runs appear to be weaker than anticipated and the department will recommend to the Alaska Board of Fisheries that it consider a status of stock of concern, which then sets in place more restrictive measures, research plans, habitat analysis, and so forth to protect such stocks and again achieve the escapement goals.

2:27:06 PM

REPRESENTATIVE KAWASAKI observed [from slide 24] that the chinook escapement goal has been missed for three years and is coming up on the fourth year. He asked whether that is considered chronic and necessitates the division talking to the Alaska Board of Fisheries about allocation issues or closures.

MS. ASPELUND replied that that is basically the status the division is in right now for Yukon chinook salmon.

CO-CHAIR FEIGE inquired how far back the division's data goes.

MS. ASPELUND responded that it depends on the fisheries. For some fisheries, such as heavily utilized commercial fisheries, the division has data going back nearly 100 years. For others it ranges depending on the fishery, so she cannot give a specific answer. She offered to find out the information if the co-chair has a specific fishery he would like to ask about.

2:27:58 PM

MS. ASPELUND, moving on with her presentation, explained that the division's third mission and measures is to develop genetic baselines for Alaskan chinook, chum, and sockeye salmon stocks

that will include 100 stocks in each baseline [slide 25]. Since 2008 the division has met or exceeded that measure. The Western Alaska Salmon Stock Identification Program is a huge effort to identify where stocks from the south Alaska Peninsula, north Alaska Peninsula, Bristol Bay, Kuskokwim, and Yukon are going and to develop the baseline for samples to be able to be taken throughout the fisheries and then attribute those as they are moving past different fisheries based on genetics.

CO-CHAIR FEIGE surmised that the division determines where fish come from by going to the headwaters of the drainages and taking DNA samples.

MS. ASPELUND answered yes, that work is the baseline and then the sampling work is compared to that baseline.

2:29:15 PM

MS. ASPELUND, returning to her presentation, said the fourth mission is that all aquatic farms will operate with current permits, which the division is meeting [slide 26].

MS. ASPELUND noted that the division's Fiscal Year 2012 budget request is for $66.159 million [slide 27]. Unrestricted general funds are 65.4 percent of that request, designated general funds are 5 percent, federal sources are 16.3 percent, and other sources are 13 percent.

MS. ASPELUND closed her presentation by reviewing the economic impact of the seafood industry on Alaska's economy. According to a 2009 Northern Economics, Inc. report based on 2007 data, the seafood industry generates over 78,000 jobs in seafood harvesting, processing, and support industries, with over half of those jobs held by Alaskans. Not as much revenue comes back to Alaska residents as the division would like to see [$774.7 million in direct payments to labor with $237 million going to Alaska residents]. Federal and state waters in Alaska generated total sales of $3.6 billion and paid more taxes to the state general fund than any other industry with the exception of oil and gas. According to the National Marine Fisheries Service's Commercial Landing Report, Alaska upheld its position as the number one fishing state in the nation, harvesting more than 54 percent of all of the fish harvested in the U.S., which was up 32 percent from 2007, and accounts for 39 percent of the total U.S. ex-vessel value.

2:31:09 PM

MS. ASPELUND reported that the ex-vessel value of Alaska's salmon industry has increased from the late 1990s when it took a hit from the onset of farmed fish [slide 29]. Salmon is the most valuable commercial fishery managed by the state inside state waters, with the preliminary ex-vessel value for 2010 at over $533 million. In addition to the economic value of the fisheries, the value of subsistence and personal use harvest is inestimable in both cultural terms and food replacement costs.

REPRESENTATIVE MUNOZ asked whether the division tracks the number of nonresident permit holders versus resident.

MS. ASPELUND replied that the Commercial Fisheries Entry Commission has this information on its website.

2:32:49 PM

CO-CHAIR SEATON noted that the committee packet includes a summary of the 2001-2009 Pacific salmon escapement goals. He understood that radio frequency identification (RFID) tags were put on fish in the Susitna drainage last year so that every time the fish went through a weir they were registered on the automatic screens. He asked whether this technique is being used anywhere else.

MS. ASPELUND responded yes, the division uses radio tags in a number of places around the state. She deferred to Jeff Wadle to provide further details.

JEFF WADLE, Fishery Biologist, Division of Commercial Fisheries, Alaska Department of Fish & Game (ADF&G), confirmed that RFID tags are currently being used in the Susitna drainage and said the division will be using them this coming year in the Nushagak drainage for work on Nushagak chinook and sockeye salmon. In further response, he confirmed that RFID tagging has proved an effective technique. The fish do not have to be recaptured, so they are handled only once. The stations pick up and identify each fish as it passes through so the division can know when and where that fish was captured and track its movements.

2:34:43 PM

CO-CHAIR SEATON understood that ADF&G developed a digital photo and strobe light system for the scallop fishery that could be towed at four knots to conduct sampling. He inquired whether

the division is still applying this assessment methodology and whether it has been expanded to any other fisheries.

DOUG PENGILLY, Fishery Biologist, Division of Commercial Fisheries, Alaska Department of Fish & Game (ADF&G), confirmed that the aforementioned was developed primarily for scallop stock assessment. The division used it a couple of years ago in the Bering Sea to address some issues pertaining to the snow crab fishery. There is currently a proposal to use this methodology in conjunction with other devices for habitat mapping to get a better idea of the habitat that is being surveyed with the Westward Region's trawl survey.

2:37:27 PM

REPRESENTATIVE KAWASAKI noted that the pollock fishery's bycatch this year was triple the historical average. He understood it is a federal issue, but asked whether the department will be intervening or participating in any discussions in this regard.

MS. ASPELUND answered that ADF&G sits in the state seat on the North Pacific Fishery Management Council. The council has taken this issue very seriously and last year passed a chinook bycatch restriction program. The state led the effort on bycatch reduction in the Bering Sea. A Bering Sea chum salmon bycatch reduction program is now being entered into and a chinook bycatch reduction program in the Gulf of Alaska is also being fast tracked because of the record high harvests there. She offered to provide members with a briefing paper.

REPRESENTATIVE KAWASAKI said he would like to receive the paper.

2:39:31 PM

REPRESENTATIVE P. WILSON inquired whether the fishing taxes paid to the state are mostly returned to the fishing industry.

MS. ASPELUND replied that not all of it is. She and Geron Bruce are in the process of updating data from 2001. She has been amazed at how many different tax sources there are in the fishing industry. She said that for either the business tax or landing tax - she is unsure which one - the legislature makes the choice to turn 50 percent back to the local governments in closest proximity to the fisheries. She said she will provide that information to members once the information has been completely put together.

OVERVIEW: Department of Public Safety - Alaska Fisheries Enforcement Issues

2:40:34 PM

CO-CHAIR SEATON announced that the next order of business is an overview from the Department of Public Safety about Alaska fisheries enforcement issues.

2:41:52 PM

STEVE HALL, Lieutenant, Division of Alaska Wildlife Troopers, Department of Public Safety (DPS), encouraged members to first review the slide entitled "Fisheries Enforcement," which states [original punctuation provided]:

> Fisheries enforcement is often described as the third leg that supports the three-legged stool of fisheries management. While a great deal of attention is paid to the legs of science and policy, enforcement is often lost in those discussions. The complexity of fisheries enforcement requires applying the intricacies of a vast array of regulations, providing a presence to deter and apprehend violators, and cooperatively litigating the cases within the court system. Enforcement also requires a great deal of public relations building in order to help deter and avoid violations. Sport, commercial, and subsistence fisheries in Alaska are a mix of overlapping (and sometimes conflicting) state and federal jurisdictions and regulations. Commercial fisheries add additional significant levels of complexity in that international relations, regulations, and treaties all play roles in developing enforcement goals, policies, and on-the-water strategies. In fact, the international complexities even extend to some Alaskan sport fisheries (halibut, for example), which are cooperatively state and federally enforced but ultimately regulated pursuant to an international treaty. This session will provide an overview of Alaska fisheries enforcement with the objective of providing a better understanding of how fisheries enforcement along with policy and scientific research support that three-legged stool of fisheries management.

GARY FOLGER, Colonel, Director, Central Office, Division of Alaska Wildlife Troopers, Department of Public Safety (DPS), noted that this description explains the essence of what the troopers do and where they are coming from. He credited the U.S. Coast Guard with authoring this statement.

2:43:46 PM

LIEUTENANT HALL stated that the mission of the Division of Alaska Wildlife Troopers (AWT) is to protect Alaska's natural resources through wildlife enforcement. Through education, presence, and enforcement action the division is committed to the following: statewide patrol of commercial big game services, statewide commercial fisheries, statewide sport fish and sport fish guiding, statewide game and trapping, and safeguarding habitat. He explained that the Alaska Wildlife Troopers is a division within the Department of Public Safety (DPS). The division has 173 authorized employees of which 97 are commissioned positions. Five trooper positions are currently vacant, and there are 40 civilian employees and 36 public safety technicians.

LIEUTENANT HALL, in response to Co-Chair Seaton, confirmed that there are two divisions with the Department of Public Safety. He explained that troopers wear a blue uniform for more formal occasions and in the field troopers wear a uniform that has a brown shirt and blue pants.

2:45:30 PM

LIEUTENANT HALL, returning to his presentation, noted that the division partially funds two outside positions - a special wildlife prosecutor and a liaison person with the Alaska Department of Fish & Game (ADF&G) whose primary work is to represent the interests of AWT at the Alaska Board of Fisheries. For the past several years AWT has employed a part-time criminal justice person to represent AWT's interest at the Alaska Board of Game and at the Big Game Commercial Services Board. The division is divided into five detachments, each headed by a lieutenant. The A Detachment covers Southeast Alaska and is headquartered in Juneau; B Detachment covers Southcentral Alaska and is headquartered in Palmer; C Detachment covers Southwest Alaska and is headquartered in Kodiak; D Detachment covers the interior, northern, and western regions, and is headquartered in Fairbanks; and E Detachment covers the Kenai Peninsula and Prince William Sound and is headquartered in Soldotna.

Including the headquarters for each detachment, there are 37 posts strategically located throughout Alaska.

2:47:18 PM

LIEUTENANT HALL said that historically AWT has not been grant funded, rather it is funded through the general fund, which is in contrast to the Division of Alaska State Troopers (AST) that receives some federal funding. This is by design because there are a lot of competing state agencies, such as ADF&G, that derive a major portion of their operating and capital budgets from grant-based funds such as the Pittman-Robertson Act.

LIEUTENANT HALL pointed out that there are some exceptions to federal funding, the major one being the Department of Commerce, Community & Economic Development which oversees the National Oceanic and Atmospheric Administration and the National Marine Fisheries Service. In the last five years the face of groundfish and shellfish fisheries has gone from a free-for-all type of fishery to one of quotas. The AWT has entered into a joint enforcement agreement which pays for personnel, equipment, and air hours. The money provided varies from agreement to agreement, but is in the neighborhood of $1.3 million a year. The reasoning behind this agreement is that the National Marine Fisheries Service does not have boots on the ground like AWT; thus, AWT provides a valuable frontline defense against abuses in the federal fisheries. Joint Enforcement Agreement (JEA) funding is often competitive with other states. Other exceptions to federal funding are the U.S. Forest Service contracts for patrols on national forest lands, as well as Click It or Ticket funding and DWI overtime that is primarily managed by AST.

2:48:58 PM

LIEUTENANT HALL explained the four budgetary components within the Division of Alaska Wildlife Troopers. The first component is the director's office located in Anchorage headquarters that is staffed by the colonel, a major, a captain, and a lieutenant. The second component is the patrol and wildlife investigations unit. The wildlife investigations unit works major wildlife crimes and conducts covert operations; it is overseen by the headquarters lieutenant, is supervised by its sergeant, and has six commissioned personnel including the sergeant. The third component is the marine section, which falls under AWT but which supports the entire department. Within the marine section are 101 marine vessels ranging in size from rafts to 156-foot

vessels. Of these vessels, 18 are budgeted for individually, whereas the smaller class vessels are funded by each detachment. All of AWT's major class vessels are in good shape. The fourth component, the aircraft section with approximately 42 aircraft, is located within AWT, but supports the entire department. The aircraft section recently took over possession of a new hanger at Lake Hood.

2:51:48 PM

LIEUTENANT HALL said the authority and statutory mission for the Division of Alaska Wildlife Troopers is to protect the state's resources. Additionally, AWT is a sister agency to the Alaska State Troopers, with both agencies often assisting each other. The goals are to hold the division to the highest standard. The division's biggest asset is the public, who is often AWT's eyes and ears in Alaska's outdoors. Many of AWT's cases are generated by the very participants in resource use.

LIEUTENANT HALL stated that AWT conducts its patrols by partnering with various agencies, primarily the Alaska Department of Fish & Game. Priorities are established for any given area, and then program plans are established and implemented. At the conclusion of many of these program plans an after-action report is done. There are routine patrols throughout some fisheries, such as Bristol Bay, dip netting at Chitina, and the Kenai. Because there is not enough staff, AWT often ships personnel from one region to another each year to target areas for extra enforcement efforts. The highest priority is given to places that have a biological concern expressed by ADF&G.

2:53:58 PM

REPRESENTATIVE MUNOZ asked whether AWT's boarding of a vessel is usually a reaction to a complaint or a routine activity.

LIEUTENANT HALL replied that both cases would apply. The AWT conducts many routine checks to determine compliance with regulations as well as contacts if there has been a complaint.

REPRESENTATIVE MUNOZ related that charter businesses in her community have felt targeted and have experienced numerous checks in a short period of time when there was no evidence of violations during those checks.

LIEUTENANT HALL responded that for boardings of commercial fishing vessels, AWT tries to keep track and not re-board a vessel soon after, but that is not necessarily the case with sport fish guides because the people on board change every day. So, a sport fish guide might be checked multiple times in a week to verify that people are properly licensed and limits are being adhered to. In further response, he confirmed that AWT is cognizant of the delay caused to these individuals and it tries to accomplish those checks in as short a time as possible. If a person is actively bringing in a fish, the AWT tries not to interrupt at that time.

2:56:39 PM

REPRESENTATIVE KAWASAKI noted that the Alaska Board of Game will soon be bringing up Proposal 220 which was proposed by the Division of Alaska Wildlife Troopers. The proposal deals with authority to inspect taxidermy businesses. He asked why it is necessary to enter taxidermy businesses to see whether they are complying with the law.

COLONEL FOLGER replied that those same circumstances exist in commercial fishing - inspecting fish plants - and with that in mind is the reason for extending that to taxidermists. For most part, AWT is invited into those places, but there is an occasion where AWT is excluded. This would give AWT some legal authority to stand on short of a search warrant.

REPRESENTATIVE KAWASAKI said he does not see the benefit of this proposal, given how few taxidermists there are in the state. He was alerted to this proposal by a taxidermist in Fairbanks and he is further aware that taxidermists running legal businesses in the state are upset with this proposal.

COLONEL FOLGER responded that he knows Representative Kawasaki's constituent well and he is a good man.

2:59:09 PM

CO-CHAIR SEATON, regarding the Kenai River personal use fishery, noted that it is illegal to ship those fish out of state since personal use fisheries are for the personal use of the person catching the fish. He understood that FedEx ships about 5,000 pounds of fish a day out of the Kenai airport but when the personal use fishery begins that increases to about 50,000 pounds per day. He inquired why the Department of Public Safety has not cooperated in following up on this given that it is a

Lacey Act violation to knowingly ship fish that have been caught illegally or being used illegally.

COLONEL FOLGER explained that the dilemma is regarding at what point fish or game belongs to the taker. For example, if a person takes a fish out of the freezer and gives it to a neighbor, would there need to be a transfer of possession form? The AWT pretty much has to stop at the point of when a fisheries product has reached either preservation or processing. An investigation would probably be triggered if AWT gets complaints or has suspicion that some of the take or product itself may be illegal.

3:02:13 PM

CO-CHAIR SEATON noted that the regulation and law say that a personal-use fish is not allowed to be transferred. He asked whether the Department of Public Safety has determined to ignore that control so that a person can do anything he or she wants with a fish once it is frozen.

COLONEL FOLGER answered no; if that was occurring the department would be glad to look into it. He has always prided his division on not taking sides.

CO-CHAIR SEATON said it is frustrating that the Department of Public Safety has said that the personal use fishery is an allocation issue so it is not going to enforce the law. He inquired whether AWT is enforcing the law or has decided it is an allocation issue. He requested Colonel Folger to talk to the attorney general and get back to the committee regarding whether this regulation will be enforced.

3:04:44 PM

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 3:05 p.m.