

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

March 12, 2020

10:05 a.m.

MEMBERS PRESENT

Representative Louise Stutes, Chair
Representative Chuck Kopp
Representative Jonathan Kreiss-Tomkins
Representative Geran Tarr
Representative Sarah Vance

MEMBERS ABSENT

Representative Bryce Edgmon
Representative Mark Neuman

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

FISHERMEN'S FUND ADVISORY & APPEALS COUNCIL

Marilyn Charles - Emmonak, Alaska

- CONFIRMATION(S) ADVANCED

BOARD OF FISHERIES

John Wood - Willow, Alaska

- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MARILYN CHARLES, Appointee
Fishermen's Fund Advisory & Appeals Council
Emmonak, Alaska

POSITION STATEMENT: Offered testimony on her appointment to the Fishermen's Fund Advisory & Appeals Council.

JOHN WOOD, Appointee

Board of Fisheries
Alaska Department of Fish & Game (ADF&G)
Willow, Alaska

POSITION STATEMENT: Offered testimony on his appointment to the Board of Fisheries.

WES HUMBYRD, Fisherman
Homer, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of John Wood to the Board of Fisheries.

NANCY HILLSTRAND, Owner/Operator
Pioneer Alaskan Fisheries
Homer, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

JOHN MCCOMBS
Homer, Alaska

POSITION STATEMENT: Testified in opposition to the appointment of John Wood to the Board of Fisheries.

GARY HOLLIER
Kenai, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

MIKE WOOD, Chair
Mat-Su Fish and Wildlife Commission
Chase, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

RAY DEBARDELABEN, President
Kenai River Professional Guide Association
Soldotna, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

BEN MOHR, Executive Director
Kenai River Sport Fishing Association (KRSA)
Soldotna, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

FORREST BRADEN, Executive Director
South East Alaska Guides Organization (SEAGO)

Ketchikan, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

CHUCK DERRICK, President
Chitina Dipnetters Association
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of the appointment of John Wood to the Board of Fisheries.

ACTION NARRATIVE

[10:05:58 AM](#)

CHAIR LOUISE STUTES called the House Special Committee on Fisheries meeting to order at 10:05 a.m. Representatives Stutes, Kopp, Kreiss-Tomkins, Tarr, and Vance were present at the call to order.

CONFIRMATION HEARING(S):
Fishermen's Fund Advisory & Appeals Council
Board of Fisheries

[10:06:44 AM](#)

CHAIR STUTES announced that the only order of business would be the confirmation hearings on the Board of Fisheries and the Fishermen's Fund Advisory & Appeals Council.

CHAIR STUTES stated that Marilyn Charles was first appointed on January 28, 2019, and her term expires on March 1, 2020. She said that if Ms. Charles is confirmed, then her term would run through March 1, 2025.

[10:08:16 AM](#)

MARILYN CHARLES, Appointee, Fishermen's Fund Advisory & Appeals Council, offered testimony on her appointment to the Fishermen's Fund Advisory & Appeals Council. She stated that she is an administrative assistant for Yukon River Towing and Construction, based out of Emmonak. She said that she became interested in the committee because of what she does for her company. She explained that she started working with insurance claims for workers' compensation and protection and indemnity (P&I) insurance when she worked for Kwik'Pak Fisheries LLC, where she had started working as a processor and worked her way up to Human Resources (HR) management. She expressed that she

is very familiar with the insurance aspect of the Fishermen's Fund and it was easy for her to enter the [council]. She said that now she is working in the construction field and handles workers' compensation and P&I claims for her current company. She said that she enjoys the diverse [council], meeting people from around the state in her field, and is excited that she was chosen for reappointment.

[10:09:57 AM](#)

CHAIR STUTES opened public testimony on the confirmation hearing for the Fishermen's Fund Advisory & Appeals Council. After ascertaining that there was no one who wished to testify, she closed public testimony.

[10:10:48 AM](#)

CHAIR STUTES remarked that John Wood was appointed to the Board of Fisheries on May 24, 2019 and has served on the board since that time; if confirmed his term would run until June 30, 2021. She stated that this is a somewhat unique situation because Mr. Wood has served on the board since last spring and there is a track record to look at. She expressed that the Board of Fisheries track record the past few meetings has been very alarming to her, and she offered her understanding that it was alarming to a great number of Alaskans, as well.

[10:12:02 AM](#)

JOHN WOOD, Appointee, Board of Fisheries, Alaska Department of Fish & Game (ADF&G), offered testimony on his appointment to the Board of Fisheries. He stated that he grew up in Louisiana where fishing was the second most popular activity, second only to football. He said that while going through Louisiana State University (LSU) law school he worked for legislative councils, staffing committees and drafting legislation on the floor of the House, which he said was much more challenging than that of the Senate. He said that was where he got his first exposure to how an invasive species could totally wipe out a fishing habitat. He stated that immediately after finishing law school in 1971, he moved to Anchorage, Alaska, and worked for the Alaska Court System as court attorney, standing master, and acting probate master for the Alaska Superior Court.

MR. WOOD stated that he entered private practice in 1973 and practiced law until the early 1990s. He said that he reactivated his license after that solely to help a young boy,

who was being manipulated by the system, in a sad situation where his mother was tried and convicted of the murder of a foster child in that home. He stated that he was elected to the Anchorage Assembly in 1980 and served three terms before being termed out in 1990. He said that it was there that assemblyman, and later Senator, Fred Dyson taught him the lesson that Board of Fisheries actions have an impact across the state, and certainly in Anchorage. He explained that Senator Dyson sponsored a resolution before the assembly relating to a Board of Fisheries meeting, at which time he said that he asked Senator Dyson why the assembly should get involved; after Senator Dyson finished explaining, the assembly unanimously agreed it is a subject which the assembly should comment on.

MR. WOOD stated that in [2013] he accompanied then Senator Dunleavy to Juneau as staff and was assigned to get to the bottom of the "fish wars" in Cook Inlet, and advise him on the best avenue to follow for a result of fish returning to streams in both numbers and size. He said that the whole focus then was on the fish, and that remains his focus to this day. He stated that in the summer of 2013 he took it upon himself to travel to Kenai and visit some of the setnet sites, as well as two processors, to hear their perspectives; he expressed that he learned a lot. He said that in fall of 2013 he attended a Board of Fisheries workshop where he met Roland Maw, then executive director of the United Cook Inlet Drift Association (UCIDA). He expressed that he is sure if Mr. Maw were asked, he would recall the encounter, as it led to sitting down with "some of the [Matanuska-Susitna] (Mat-Su) folks," and resulted in a signed agreement by all parties as to some of the issues where they could find common ground, which he said was something that had never been done before, and dialogue was opened.

MR. WOOD stated that this past summer he was appointed to the Board of Fisheries and took it upon himself to actively seek out some of the stakeholders to learn their take on the upcoming Board of Fisheries meetings. He said that on "my nickel and my personal time," he drove to Homer to observe the salmon subcommittee of the council in action and ran into Mr. Maw and was introduced to several commercial fishermen. He stated that he met with several seine netters who explained their concerns to him, which he said was very helpful at the Lower Cook Inlet (LCI) meeting that fall. He said that he went to Soldotna and Kenai and met with East Side set netters, Chris Every, Gary Hollier, and Ken Coleman, about their proposal coming before the Board of Fisheries, as well as their current legislative efforts to put in place a buyout program for permits and Department of

Natural Resources (DNR) leases. He expressed that their arguments were persuasive, and he spoke out strongly in favor of, and voted for, their proposal which provided the back-fill provisions that are key components of the buyout program. He said that on that same trip he met at UCIDA's office, where he was given his first opportunity to read its federal Ninth Circuit Court of Appeals lawsuit, which if successful would have a dramatic impact on all the fisheries of Cook Inlet. He expressed that the ramifications of that lawsuit should concern all who are interested in Cook Inlet Fisheries.

10:16:20 AM

MR. WOOD continued that at the LCI meetings in Seward, the issue of hatchery operations and cost recovery efforts became the centerpiece of several proposals that would have effectively crippled the ability of the hatcheries to continue operations. He said that the vote record, as well as his press comments, clearly show that he vigorously opposed those efforts. He expressed that Dean Day, Executive Director, Cook Inlet Aquaculture Association, would confirm that statement. He stated that during the Upper Cook Inlet (UCI) meetings, he made it a point to meet with anybody that asked, in order to gain their perspective. He expressed that virtually everyone, regardless of their stance, agreed that the last UCI meeting was more civil and less confrontational than any in recent memory; he attributed much of that to encouragement given to the stakeholders to work out solutions among themselves, rather than stonewalling and hoping for the best from the board.

MR. WOOD said that he spoke with several of those groups individually and called several to the table to get the dialogue started, and he said that it worked much like it had in Girdwood several years earlier. He stated that as a result the guides, Kenai River Sportfishing Association (KRSA), and many East Side set netters were able to come to an agreement, which all sides signed off on and was adopted by the board. He asked for anyone familiar with UCI meetings in the past to let that thought sink in and reemphasized that KRSA and East Side set netters sat down and came to an agreement. He said that additionally, the North Side set netters and the Mat-Su Commission also negotiated and reached an agreement, which was presented to the board and approved. He stated that he believes he was consistent in his actions and that his efforts to bring parties together were successful beyond expectations. He explained that there were proposals, such as a new Susitna fishery, which is incidentally in his backyard, that he spoke out and voted against, because

they were not consistent; he said it was not an easy decision, but it was the right decision, and he has no regrets.

MR. WOOD summarized that he has the ability to bring parties together, the training to objectively make decisions between conflicting users, and the legal experience to understand the consequences of pending lawsuits and international agreements. He stated that he welcomes an opportunity to continue serving on the Board of Fisheries.

10:18:37 AM

CHAIR STUTES remarked that she had reviewed the minutes from the 2019 Mat-Su Fish and Wildlife Commission, of which Mr. Wood was a board member, and expressed that they are quite telling. She encouraged the public to read the minutes from March, April, May, September, October, and December of those meetings. She asked Mr. Wood whether he believes there is a conflict in being a board member of the Mat-Su Fish and Wildlife Commission, developing strategies and proposals, and then voting on those same proposals as a [member] on the Board of Fisheries.

MR. WOOD replied that he resigned the very day that he was appointed to the Board of Fisheries in May 2019, and he said that he could not comment on any minutes past May, as he was not there and participating. He expressed that there would be no financial conflict if he were to continue serving on the board, but he did not think it was appropriate, which is why he resigned from that advisory commission immediately once the appointment was made.

CHAIR STUTES remarked that she had the minutes right in front of her, and the December 19, 2019, board meeting minutes show he was in attendance.

MR. WOOD replied that he had attended the meeting but could not participate, as he was not a member. He remarked that he attends a lot of meetings, like the council meeting in Homer.

CHAIR STUTES remarked that Mr. Wood did participate, according to the minutes in front of her, and she expressed that that is of great concern to her.

MR. WOOD responded that he asked a question of a person who was present at the meeting, he thinks it was the commissioner, and if Chair Stutes calls that participation then he did

participate. He stated that he was not able to vote or do anything of that nature.

CHAIR STUTES asked whether Mr. Wood was involved, during his comments, in creating a strategy for the Board of Fisheries meeting that would take place in Kodiak.

MR. WOOD replied that he was not involved in creating a strategy and, like every board meeting, especially the UCI meeting, he encourages participation by the members to let their positions be known.

CHAIR STUTES commented that it appears to her that Mr. Wood, as a board member, on April 4, 2019, was reviewing management plans and talking about being stepped up to the Board of Fisheries, and was concerned about the Mat-Su situation as a Board of Fisheries member.

MR. WOOD remarked that he was not appointed until May.

CHAIR STUTES replied that she is aware of that. She asked Mr. Wood whether he would consider it a conflict to have participated in motions that were going to be presented to the Board of Fisheries, and then vote on those same motions.

MR. WOOD answered that it would not be a conflict of Title 39, which puts forward the conflict of interest. He stated that he disclosed his prior membership at the time of the Board of Fisheries meetings.

CHAIR STUTES commented that she was only present at the meetings in Kodiak and Anchorage, and she was not a participant in that meeting.

[10:23:07 AM](#)

REPRESENTATIVE KREISS-TOMKINS pointed out that Mr. Wood had noted that, prior to his appointment on the Board of Fisheries, he had worked with Governor Dunleavy in assessing UCI salmon stocks and had mentioned both abundance and size, and he asked Mr. Wood what his hypothesis was as to why the size of the salmon is decreasing, specifically in UCI.

[10:23:42 AM](#)

MR. WOOD replied that he doesn't think it can be restricted to UCI, as he concluded after looking at the situation for a long

time. He said that there is something taking place throughout the entire state that the size of King salmon, as well as other species, has decreased over the years. He remarked that he could not say exactly why that is happening, but he suspects it has something to do with what is occurring in the blue waters, over which the state has very little control. He expressed that he thinks the state needs to stop pressure, as much as possible, on the interception of the big King salmon in the river systems.

REPRESENTATIVE KREISS-TOMKINS commented that he recognizes that what is happening in the blue water is not within the jurisdiction of the Board of Fisheries, and he sees that Mr. Wood is clearly interested in it personally and has attended council meetings. He asked Mr. Wood what his view, given available information, is on what is likely driving the phenomenon of the decreasing size of Alaska's salmon.

MR. WOOD answered that he had spoken with a researcher at the National Oceanic and Atmospheric Administration (NOAA) on that topic recently, and he said that he suspects it pertains to environmental concerns, whether that be "the blob that's occurred out there" or loss of feeding, and that he thinks it has to do with water temperature, habitat, and feed. He said that NOAA has an ongoing national project that he thinks will add a lot of data to what is known, which is currently not much, and he encouraged the state to participate in that effort.

REPRESENTATIVE KREISS-TOMKINS asked whether the Board of Fisheries has engaged itself from an advocacy or stewardship of Alaska's stocks perspective on issues of bycatch in the blue water and federally managed fisheries.

MR. WOOD replied that it has not. He said that he has only been on the board for the past year, so he could not speak beyond that. He stated that he does not know what avenues might be available to the board to accomplish that other than as an advisory body by resolution, suggesting that the research be done. He remarked that there is clearly an issue "out there," and the question is who has the jurisdiction.

[10:26:43 AM](#)

REPRESENTATIVE TARR remarked that Mr. Wood had pointed out a long career with his legal background in his resume, but not any background in biology. She expressed that she is concerned about the decision pertaining to the creation of the personal use fishery, which comes on the heels of a board decision to

delist Susitna River Sockeye salmon as a stock of concern; although, ADF&G biologists were neutral to the proposal. In response to a question from Mr. Wood she stated that she is not sure which proposal specifically was being referenced. She asked whether Mr. Wood could comment on the topic, and she expressed that it seems the board's decisions are becoming increasingly political and moving farther away from science.

MR. WOOD replied that the stock of concern was advocated by ADF&G itself, and he had initially expressed that he was not comfortable with that decision, because the minimum threshold had only recently been reached for a stock of concern to be removed. He explained that while a stock of concern designation on a species exists, there is an action plan that requires certain actions be taken; when the designation is removed, the action plan no longer exists. He said that there was discussion and he had advised that he would be voting against removing the designation, but ADF&G spoke up and said it had similar concerns and would monitor while continuing with a conservative approach. He stated that he then reluctantly agreed to go along, and the Personal Use (PU) came up and he voted against it, because of earlier attempts to pass Sockeye into the rivers, and the fact that the proposal would create a PU fishery that would target Sockeye and other species. He said that he put in an amendment, which failed, to have Sockeye excluded from the PU fishery; as a result of all those factors, he voted against the establishment of the PU.

[10:29:18 AM](#)

REPRESENTATIVE KOPP asked Mr. Wood what his view as a board member is for priority of fisheries management, looking at LCI and moving up to UCI, and asked how priority could change regarding sport fish, commercial fish, personal use, and subsistence fisheries.

MR. WOOD answered that the number one priority for any fishery is to enhance getting fish into the rivers and back to their native breeding grounds so that stocks can be built in the future in both numbers and size. He said that that remains constant throughout any decision he makes. He stated that going back from the point of breeding through the system Representative Kopp had just described, it is only when there is a clear abundance that he would go into the next order of priorities, which to him number one would be subsistence. He stated that number two would be an allocation that would ensure all participants throughout the region - whether drift netters,

set netters, personal use fisheries, or seiners - would be able to participate with a good chance of being successful at harvesting. He said that number three, and then clarified that it would be number two because it would come before allocation, would be to ensure that stocks of concern are not jeopardized anywhere in the system, whether that be in Kodiak Cook Inlet. He expressed that he would be careful not to harvest stocks with a stock of concern designation to the point of extinction.

REPRESENTATIVE KOPP asked Mr. Wood how he would respond to the critiques of former lead biologists with ADF&G, who say that the Board of Fisheries has promoted over-escapement to the detriment of fisheries and the river systems.

MR. WOOD answered that over-escapement is an issue, there is no question of it, but at the same time, particularly in Cook Inlet, when dealing with the fish that constitute the over-escapement, mixed therein are the fish that are from stocks that are in serious trouble. He explained that there must be a way to harvest selectively, to the extent possible, to avoid hitting the jeopardized stocks. He expressed that he wants to see the fish that are in excess of the abundance harvested, but it must be done in a way that does not damage other stocks.

[10:33:08 AM](#)

REPRESENTATIVE KREISS-TOMKINS asked whether Mr. Wood could comment on his general outlook on the matter of enhancement and the interaction between hatchery stocks and wild stocks.

MR. WOOD asked whether Representative Kreiss-Tomkins wanted him to restrict his answer to the enhancement pertaining to hatcheries, or enhancement overall.

REPRESENTATIVE KREISS-TOMKINS replied that he isn't immediately sure what kind of enhancement they would be talking about outside of hatcheries and said that he would like to hear about enhancement overall.

MR. WOOD answered that he had heard discussion from a previous committee meeting pertaining to misting, a Native practice from the Pacific Northwest. He explained that misting enhances stock right in the streams so that there won't be the problems associated with predator avoidance and other issues inherent with a hatchery approach. He expressed that he thinks the state would benefit from exploring that further and should try some pilot programs that would see how effective misting is in

Alaska. He said that he suspects it would be highly effective and a program which he would embrace. He stated that focusing on hatcheries themselves, there was a focused effort at the LCI meeting to attack the underbelly of the hatcheries, which he said that he resisted entirely. He said that the hatcheries have a valid place since the legislature acted in 1979, and the intent is clear that the hatcheries were established to create an economic engine, which he said has been successful in his opinion. He pointed out that every vote he has taken, and every comment he has made, reflects what he had just stated.

REPRESENTATIVE KREISS-TOMKINS asked Mr. Wood to what extent he has identified other factors that may be, in his estimation, responsible for diminished return in the Mat-Su and UCI.

MR. WOOD replied that he did not mean to insinuate that intercept was the only concern - far from it. He said there are issues with culverts, past bad practices, and invasive species, such as pike. As an example, he said that in the past, in some rivers, people have fished right on top of the breeding grounds, which he said he thinks should not be allowed. He added that another issue has been a focus on intercepting the large fish in the inlet and river, which are the fish that should be continuing to breed.

[10:37:21 AM](#)

CHAIR STUTES asked Mr. Wood, if the board adopts a proposal and it is later determined that one or more of the board members had a conflict of interest, what the board should do to remedy the perception that the board did not conduct a fair and transparent deliberation.

MR. WOOD offered his initial reaction would be, like with open meetings in law, that the board should go back and reconsider the proposal; however, he said that he has not thought it through enough to say that that would be his final answer.

CHAIR STUTES asked whether Mr. Wood participated at all in any of the proposals created during the Mat-Su Wildlife meeting in December for the Board of Fisheries meeting that took place in January.

MR. WOOD answered that he did not recall participating in any proposals and said that he thinks he left the meeting after the commissioner left.

10:39:02 AM

REPRESENTATIVE VANCE asked Mr. Wood what his interpretation is of maximum sustained yield.

MR. WOOD replied that it is the mathematical point at which a return is replacing itself so that the stock is not diminished.

REPRESENTATIVE VANCE remarked that she had heard that Mr. Wood is one who does his "homework," and she saw him at the Halibut Commission in Homer and appreciated that he took the time to talk to fishermen. She expressed concern that he neglected to connect with the people who would be voting to confirm his appointment. She asked Mr. Wood how many legislators he had spoken to directly during the year awaiting his confirmation.

MR. WOOD answered that he purposely had not spoken to any legislators concerning his confirmation because he does not feel that he should be lobbying the legislators themselves; if they have any questions, he would be happy to respond. He said that he would change his mind and "come down and visit with you folks," if the committee thought it was something that would be beneficial in coming to a decision. He said that he was "down there" when some appointments went through, and some of the appointees really "thrust" themselves upon the legislators, and he said that he was not going to do that.

REPRESENTATIVE VANCE remarked that she understood Mr. Wood's concern. She said that she has heard rumors that Mr. Wood has made comments that his number one goal is to "get fish up in the valley," and she asked him whether this was true.

MR. WOOD amended, "Up in the rivers." He said that he does not care whether it is "rivers in the valley, or rivers in the Kenai, or rivers in the Kodiak."

REPRESENTATIVE VANCE asked how that would support maximum sustained yield.

MR. WOOD replied that if the numbers were to go up in the rivers for breeding, and some of the predators currently keeping numbers down were minimized or eliminated, then the figure could be reached quickly and easily, whereas now, if the fish aren't "up there," it will be a continuous battle at the minimum levels. He pointed out that it takes a combination of things and there is not one simple answer. He expressed that it is not a rumor that he strongly supports getting the fish up into the

rivers for breeding purposes, and he said he is not bashful about it.

REPRESENTATIVE VANCE remarked that there seems to be a bias towards one area of the inlet, and she said that while she admires that Mr. Wood had done his homework and stood out from other board members for taking the time to get to know fishermen and the issues, which garners great respect, she cannot ignore the appearance of a bias. She expressed that what she is looking for in her district is someone who can "do no harm," saying her district is the Lower Kenai Peninsula, but there are fishermen who fish all over Alaska, and there needs to be a fine balance between the commercial, sport, personal use, and subsistence fisheries. She remarked that she would be looking at Mr. Wood's decisions and this bias with great care, because the board needs members who are looking out for the fisheries and all the users. She encouraged Mr. Wood to do that as a sitting board member.

[10:43:48 AM](#)

REPRESENTATIVE KREISS-TOMKINS asked Mr. Wood whether he thinks there is a balance on the Board of Fisheries currently, between sport fish and commercial fish.

[10:44:03 AM](#)

MR. WOOD replied that he does not classify himself as [either]. He said that Godfrey is commercial fish, Carlson-Van Dort is commercial fish, Jensen and Johnson are commercial fish, Morisky is sport fish, and Payton is primarily subsistence but has done commercial and sport fish, as well. He expressed that that was his take on each of the members.

[10:44:47 AM](#)

CHAIR STUTES opened public testimony on the confirmation hearing for the Board of Fisheries.

[10:45:23 AM](#)

WES HUMBYRD, Fisherman, stated that he had been a fisherman in Cook Inlet since 1966 and moved to Homer in 1971 because he knew that the salmon fishery there was what he wanted to do for a livelihood. He said that he met with Mr. Wood at the salmon committee meeting in Homer, and Mr. Wood asked a lot of questions, which he said was nice, but stated that after he asks

a question "he doesn't seem to follow the suit he's talking about." He said that Mr. Wood did not even know where the Exclusive Economic Zone (EEZ) was in federal waters. He stated that when it came time to vote at the Board of Fisheries meetings, the board did something against the federal law, which was to move out of the federal waters as mandated by the North Pacific Fisheries Management Council. He said that the board members do not stop to realize that commercial fishing is one of the best renewable resources in Alaska. He expressed that he thinks Mr. Wood listens, but when it comes time to vote, he votes along with the Kenai River Sportfishing Association. He said that he hopes Mr. Wood would not be confirmed to be on the board again.

[10:46:36 AM](#)

NANCY HILLSTRAND, Owner/Operator, Pioneer Alaskan Fisheries, stated that she is a seafood processor who has commercial, sport, and personal use clients; therefore, she has no allocation issues or affiliations. She said that after 45 years in the fishing industry and as a processor, she realizes that it is important to have people on the Board of Fisheries who are thoughtful and willing to face the tough questions. She said that Alaska has lost species, and it has to do with ADF&G and the Board of Fisheries. She expressed that she thinks that Mr. Wood should be confirmed to his appointment. She said that he votes against a lot of the things that she believes in, but she said that she believes he is a thoughtful and persistent person because he asks a lot of questions at the board meetings. She explained that she has attended a lot of the Board of Fisheries meetings since 1982 and has seen the different types of board members; some are silent, some don't really care, and some are very allocative to one side or the other. She stated that what she sees with Mr. Wood's performance is that he is extremely thoughtful and trying to learn and get answers, and she said everyone learns from him asking those questions. She summarized that the board needs a member who can see all sides and make the hard decisions to ensure that Alaska's fish are sustainable, because species are currently being lost. She said that she thinks Mr. Wood would do that, that his half-a-century experience in Alaska is needed, and she asked that his appointment be confirmed.

[10:48:35 AM](#)

JOHN MCCOMBS stated that he has been attending the Board of Fisheries meetings for 34 years. He said that regarding the

confirmation of Mr. Wood, the composition of the board is lopsided with "two guys from the valley." He said that Mr. Wood voted for a dipnet fishery where there are no fish, closed areas where fish are plentiful, voted for hook-and-release where Kenai King salmon spawn, and raised escapement in the Kenai River. He expressed that Mr. Wood came to the Board of Fisheries with a prejudice, bias, and personal agenda. He said that Mr. Wood voted at a recent UCI meeting before he was confirmed, and he said that he wonders what kind of protocol or process that is. He remarked, "Do not vote for a prejudiced politician, vote for fish. Do not confirm John Wood." He said that there were no agreements with Mr. Wood when he was at the meeting, and Mr. Wood was untruthful.

[10:49:43 AM](#)

REPRESENTATIVE TARR remarked that it is unfortunate that Mr. Wood's appointment happened in May, and this allowed for someone who had not yet been confirmed to participate in some very important decisions. She asked Mr. McCombs, in his 34 years of experience, how unusual that seemed.

MR. MCCOMBS replied that it was unusual. He remarked, "Let's back up a minute and talk about process and protocol." He stated that Chair Morisky was found guilty of violating the Open Meetings Act and was still allowed to chair the entire Cook Inlet meeting. He said that the commissioner "put a muzzle on the ADF&G guys." He remarked that he counts how many state employees are at every Board of Fisheries meetings that he goes to, and there were 50 state employees at that meeting. He said, "They were all there to make rules so I couldn't go fishing." He opined that this was disgusting and shameful.

[10:51:12 AM](#)

GARY HOLLIER said that he has lived in Kenai for 66 years and has been involved with the Board of Fisheries meetings since 1986 in UCI. He said that he has been to every annual Board of Fisheries meeting since then. He said that he is an East Side set netter and that three different Board of Fisheries members have come to his fish sites: Tom Kluberton, Robert Ruffner, and John Wood. He said that Mr. Wood asked articulate questions to get educated on the fishery and made himself available many hours of the day at the Board of Fisheries. He expressed that he does not agree with all of Mr. Wood's decisions, but as a stakeholder who has seen multiple Board of Fisheries members who come with a bias, or don't come with a bias, and try to do a

good job, he said that he thinks Mr. Wood did a fair job for his first UCI meeting. He said that he supports passing Mr. Wood's name on for confirmation.

[10:52:23 AM](#)

MIKE WOOD, Chair, Mat-Su Fish and Wildlife Commission, offered testimony during the confirmation hearing for the Board of Fisheries. He stated that he was calling on behalf of himself as a Northern District set netter, but, for the sake of full disclosure, he said that he is also the Chair of the Mat-Su Fish and Wildlife Commission. He said that his priority is to help with the Susitna River and its habitat. He remarked that he has known Mr. Wood for over 10 years, and that he knows Mr. Wood to be as familiar with the Upper Susitna area as he is, and said that Mr. Wood has always asked good questions about the health of the river and the fish returning to it, the Mat-Su River, and all of the Cook Inlet streams. He said that he thinks it unusual to have a person who looks inland to the habitat, and not just to the waters, in catching and allocation, which he said he appreciates. He attested to Mr. Wood's pulling together the Northern District set netters, who have never wanted to talk to the Mat-Su Fish and Wildlife Commission, and he said that Mr. Wood was instrumental in coming up with an agreement. He stated that he respects Mr. Wood, has worked with him over the past 10 years, and hopes that the legislature will vote to confirm his appointment.

[10:54:22 AM](#)

RAY DEBARDELABEN, President, Kenai River Professional Guide Association, stated that he represents hundreds of sport-fishermen and guides on the Kenai Peninsula. He said that he attended the Board of Fisheries meetings every day in UCI, and he spent 8 to 10 hours a day there. He pointed out that some of that time was spent with Mr. Wood, as he had made himself available to all user groups, including commercial, sport, and personal use. He stated that he was part of the team that got together on the sidelines to meet with commercial fishermen, which was put together by Mr. Wood and other board members. He expressed that he supports Mr. Wood, thinks he is an upstanding citizen, and that he did a great job for the Board of Fisheries and would continue to do so.

[10:55:51 AM](#)

BEN MOHR, Executive Director, Kenai River Sport Fishing Association (KRSA), stated that KRSA is a 501(c)(3) charitable non-profit organization dedicated to ensuring the sustainability of the world's premier sport-fishing region: Alaska. He expressed that KRSA would like to register its full support for the confirmation of Mr. Wood to the Board of Fisheries. He stated that Mr. Wood's professional training as a lawyer gives him a remarkable ability to take up an idea, proposal, or perceived conflict, and evaluate it objectively from all angles. He expressed that this capacity has proven important in Mr. Wood's work on the Board of Fisheries, where his analysis of a situation has led to collaboration between user groups who have historically been in conflict, and the results have been decisions that responsibly guide management of the fisheries in Alaska. He remarked that Mr. Wood has demonstrated an understanding that service on the Board of Fisheries is a public trust responsibility, and that his decisions are answerable to all Alaskans.

MR. MOHR expressed that Mr. Wood is thorough in his research and questioning and has taken his responsibility seriously. He attested to what Mr. Wood had said earlier about working with multiple stakeholder groups and emphasized that one of Mr. Wood's most significant character traits is his desire for equity and inclusiveness. He said that at the recent UCI board meeting, it was common to see multiple stakeholders promoting proposals or amendments that were before the board, and Mr. Wood proved to be accessible to the public and circulated amongst all members of the public during the breaks. He stated that Mr. Wood's hallmark during this time was to encourage stakeholders to work together, and Mr. Wood would regularly ask stakeholders if they had talked to other affected parties and had been able to reach an agreement of some sort. He said that Mr. Wood constantly encouraged collaboration across sectors in order to reach the goal of the Board of Fisheries, which is to conserve and develop the resources of Alaska. He summarized that KRSA applauds Mr. Wood's willingness to serve Alaska on the Board of Fisheries and encourages a positive confirmation vote by the committee and the legislature.

[10:58:09 AM](#)

CHAIR STUTES asked Mr. Mohr whether Mr. Wood had helped him in authoring the UCI roadmap for the meeting.

MR. MOHR responded as follows:

Well, I spoke to a number of different stakeholders about what a proposed roadmap would look like. The proposal that I moved, that I submitted, that has my name on it, was not the ... final proposal that was adopted by the board.

CHAIR STUTES asked whether Mr. Wood was involved in the creation of [the proposal]. She stated, "This is a yes or a no question, Mr. Mohr."

MR. MOHR said he was having trouble recalling, but said he believed he had spoken to Mr. Wood about "what my proposal would look like."

CHAIR STUTES thanked Mr. Mohr for his testimony.

[10:59:22 AM](#)

FORREST BRADEN, Executive Director, South East Alaska Guides Organization (SEAGO), stated that SEAGO would like to show its support for the confirmation of Mr. Woods. He said that he was sent to a couple of the Board of Fisheries meetings this cycle and attended the LCI and UCI meetings. He expressed that SEAGO did not have a specific agenda, and he attended primarily to watch the board to observe how members interacted with the public and each other, and how they voted. He remarked that he is the type of person that wants to see "what is right" and equitable and does not want to see a bias. He expressed that his estimation of Mr. Wood is that he is a man without pretense, which he said he thinks comes across when Mr. Wood provides testimony and serves on the board. He said that he thinks Mr. Wood wants to get to the root of a problem, and he watched Mr. Wood "dig" information out of people testifying and department staff to feather out what he needed to know to make a clear decision.

MR. BRADEN expressed that he did not see a track record of biases in the decision that Mr. Wood made in the meetings, and it seemed to him that Mr. Wood was very equitable. He pointed out that at one point Mr. Wood started out with one course of action on a proposal, received new information, and changed his mind. He observed that Mr. Wood was not embarrassed about it and seems to make his decisions based on principle. He expressed that he found Mr. Wood to be approachable, but that he did not have a one-on-one conversation with him. He said that he did see him mingle and heard him in conversation with a drift netter, which he said attests to Mr. Wood's testimony that he

approaches all user groups. He said that he thinks Mr. Wood is trying to get to what is right and fair, and that he thinks this is needed on the Board of Fisheries. He remarked that bias, one way or the other, is a "bad thing," and in the end he said that he thinks all user groups need to work together to make a living and make everything work for everyone. He expressed that SEAGO sees Mr. Wood as the person to do this, recommends Mr. Wood's name be forwarded for confirmation, and hopes to work with him on the Board of Fisheries in the future.

11:02:10 AM

CHUCK DERRICK, President, Chitina Dipnetters Association, stated that the Chitina Dipnetters Association is the voice for thousands of Alaska residents who dipnet salmon in the Chitina personal use dipnet fishery on the Copper River. He said that the Chitina Dipnetters Association is in support of the confirmation of Mr. Wood to the Board of Fisheries. He remarked that the association thinks Mr. Wood understands the high value of consumptive uses of Alaska fisheries by Alaska residents in the Copper River.

11:02:56 AM

CHAIR STUTES remarked that she has some serious issues with the Board of Fisheries behavior in the Kodiak and Cook Inlet meetings, of which Mr. Wood had been a part. She stated that the entire commercial sector is under attack, and that people are rightly concerned that the Board of Fisheries is not following the public process, is not listening to all user groups, and is prioritizing one user group over all others. She said that regarding the nomination of Mr. Wood, she would preface the following remarks with the statement, "There is nothing personal intended in what I am about to say." She pointed out that she has been chair of the House Special Committee on Fisheries, and she represents a fishing district. She expressed that she deeply cares about an honest, transparent, and fair Board of Fisheries process, and it is from that lens, and that of a concerned Alaskan, that she would make the following statements.

CHAIR STUTES stated that in the minutes she referenced earlier, it was clear to her that there was a perceived outcome for the Kodiak and Cook Inlet meetings. She added that the back-and-forth between the Mat-Su Fish and Wildlife Commission, Mr. Wood, and the commissioner of ADF&G, painted a clear picture of a blatant bias for one region and one user group taking priority

over the public process. She said that based on his actions so far on the Board of Fisheries, Mr. Wood seems to have carried forward that bias to his Board of Fisheries seat. She explained that the Board of Fisheries process is meant to be one of the most public and transparent processes the state has. She said that she had personally attended the Kodiak and Cook Inlet meetings and expressed that what is happening on the Board of Fisheries currently is something that all Alaskans should mourn, regardless of whether they are commercial, sport, subsistence, or personal use fishermen. She stated that as chair of the committee, she does not have the option to hold the confirmation in committee, but she said with certainty that on the floor she would be voting for the public process, and against the confirmation of Mr. Wood.

CHAIR STUTES expressed that she was appalled at the Kodiak Board of Fisheries meeting and added that the Cook Inlet meetings are typically "standing room only," and when she asked several of the 30 to 40 people present where everyone was, the uniform response was, "We all know the decision's already been made before this meeting happened." She said that this is a sad statement, and it doesn't matter what fishing sector an individual is in, when the public process is so skewed, changes need to be made.

[11:05:57 AM](#)

CHAIR STUTES stated that the House Special Committee on Fisheries had reviewed the qualifications of the governor's appointees, Marilyn Charles to the Fishermen's Fund Advisory & Appeals Council and John Wood to the Board of Fisheries and recommends that the names be forwarded to a joint session of the House and Senate for consideration. She said that this does not reflect intent by any member to vote for or against an individual during any further sessions for the purposes of confirmation.

[11:06:21 AM](#)

REPRESENTATIVE TARR remarked that it is unfortunate the way this nomination was playing out, because a lot of the testimony at the meeting was in favor, based on what people have seen at the last couple of meetings. She said that Mr. Wood probably knew that people would be paying close attention to what happened over the period prior to his confirmation and said that it feels like it has undue influence over the way the situation is playing out. She explained that this person is being evaluated

in a different way, from her experience, than typical board appointments, because generally they are considered before they have attended meetings and been involved in significant decisions. She stated that the most disappointing thing to her is that some of the testimonies pointed out a user group conflict, and things will not be successful if that is how the board is going to operate, particularly when some of the fisheries might be impacted by factors happening outside of Alaska's waters. She said that user groups need to be working together to understand what is happening. She opined that it is unfortunate that even if this person is not confirmed, he still had the ability to participate in big decisions with lasting impacts.

[11:08:22 AM](#)

REPRESENTATIVE VANCE commented that it would be easy to assume that this appointee is getting swept into current affairs, and she pointed out that he has a track record of writing proposals that directly impact the Cook Inlet. She said that there is a history to look at of Mr. Wood, prior to his appointment to the board, which is challenging when considering the fishery overall. She said that this is something that has been brought up as a great concern, and the recent actions on the Board of Fisheries confirm concerns that there appears to be a bias toward the Mat-Su Valley specifically. She expressed that this is concerning to her, as she wants someone who will look out for the fishery, the resource, and all users. She said that she admires the fact that Mr. Wood is learning and doing homework, which she said is obviously not a common trait amongst all board members, and she said this speaks to a broken process which she would like to address through legislation.

REPRESENTATIVE VANCE explained that there is a loophole allowing for an appointee to serve on a board without being confirmed for nearly a year and make decisions that affect a resource. She asked where else so much leniency in accountability is allowed when someone has not been technically given the authority of the legislature. She expressed that this is concerning to her but said she does not want Mr. Wood to be swept up in the process that the legislature needs to address. She said that she would be weighing heavily as to what the right thing to do is concerning Mr. Wood's appointment, because he appears to be a good board member in connecting with people, and she said that she hopes Mr. Wood will be able to counter a lot of the rumors and concerns by helping to create a better public process. She expressed that Alaska's fisheries have one of the greatest

impacts on the state's economy and sustaining life, and that is something that the committee takes very seriously.

[11:11:16 AM](#)

CHAIR STUTES remarked that she would be delighted to work with Representative Vance on legislation to close the loophole in the appointment process.

[The confirmations of Marilyn Charles, appointee to the Fishermen's Fund Advisory & Appeals Council and John Wood, appointee to the Board of Fisheries, were treated as advanced to the joint session for consideration. Although not stated on the record, signing the reports regarding appointments to boards and commissions in no way reflects the individual members' approval or disapproval of the appointees, and the nominations are merely forwarded to the full legislature for confirmation or rejection.]

[11:11:30 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:12 a.m.