

**ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE**

April 10, 2019

3:30 p.m.

MEMBERS PRESENT

Senator Chris Birch, Chair
Senator John Coghill, Vice Chair
Senator Cathy Giessel
Senator Lora Reinbold
Senator Click Bishop
Senator Scott Kawasaki
Senator Jesse Kiehl

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Alaska Board of Fisheries
Marit Carlson-Van Dort - Anchorage
Israel Payton - Wasilla
Gerad Godfrey - Eagle River
Karl Johnstone - Anchorage

- CONFIRMATIONS ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MARIT CARLSON-VAN DORT, Appointee
Alaska Board of Fisheries
Anchorage, Alaska

POSITION STATEMENT: Testified on her appointment to the Alaska Board of Fisheries.

ISRAEL PAYTON, Appointee
Alaska Board of Fisheries

Wasilla, Alaska

POSITION STATEMENT: Testified on his appointment to the Alaska Board of Fisheries.

GERAD GODFREY, Appointee
Alaska Board of Fisheries
Eagle River, Alaska

POSITION STATEMENT: Testified on his appointment to the Alaska Board of Fisheries.

KARL JOHNSTONE, Appointee
Alaska Board of Fisheries
Anchorage, Alaska

POSITION STATEMENT: Testified on his appointment to the Alaska Board of Fisheries.

MIKE HAMAR, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MARK VINSEL, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

FRANCES LEACH, Executive Director
United Fishermen of Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

KEN COLEMAN, representing self
Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

REED MORISKY, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

HOWARD DELO, representing self
Big Lake, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

BEN MOHR, Executive Director
Kenai River Sportfishing Association
Soldotna, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

REUBEN HANKE, representing self
Soldotna, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

FORREST BRADEN, Advocate
Southeast Alaska Guides Organization
Gustavus, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

GARY STEVANS, representing self
Chugiak, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

JOHN WOOD, representing self
Matanuska-Susitna Borough, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MONTE ROBERTS, Advocate
Kenai River Professional Guide Association
Soldotna, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

GARY KING, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone and Mr. Payton to the Alaska Board of Fisheries.

VIRGIL UMPHENOUR, representing self
North Pole, Alaska

POSITION STATEMENT: Testified in support of the confirmation of all appointees to the Alaska Board of Fisheries.

DAN NORMAN, representing self
Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

WENDY ALDERSON, representing self
Sitka, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

LINDA BEHNKEN, Executive Director
Alaska Longline Fishermen's Association
Sitka, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

HOWARD PETERSON, representing self
Kodiak, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

TIMOTHY MOORE, representing self
Homer, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

REVELLE RUSSELL, representing self
Homer, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MICHAEL MICKELSON, representing self
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MAKENA O'TOOLE, representing self
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

DIANA RIEDEL, Advocate
Native Village of Eyak
Alaska Native Fishermen's Alliance
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

DARIN GILMAN, representing self
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

JOHN WHISSEL, Director
Environment and Natural Resources
Native Village of Eyak
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

CHELSEA HAISMAN, Executive Director
Cordova District Fishermen United
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

TRAE LOHSE, representing self
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MIKE TOWLE, representing self
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MICHAEL BABIC, representing self
Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

BOB MERCHANT, representing self
Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

PAUL SHADURA II, representing self
Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

RICHARD PERSON, representing self
Chugiak, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

RAYMOND NESBETT, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

MIKE SZYMANSKI, representing self

Big Lake, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

BRIAN KRAFT, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone and Mr. Payton to the Alaska Board of Fisheries.

JACK OLIVE, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

TED CROOKSTON, representing self

Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

GEORGEANNA HEAVERLEY, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

CHRIS EVERY, representing self

Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries and in support of the confirmation of the remaining appointees to the Alaska Board of Fisheries.

SHAWNA BUCHANAN, representing self

Cordova, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

CLEM TILLION, representing self

Halibut Cove, Alaska

POSITION STATEMENT: Testified in support of the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

DAN HAKKINEN, representing self

Kenai, Alaska

POSITION STATEMENT: Testified in opposition to the confirmation of Mr. Johnstone to the Alaska Board of Fisheries.

ACTION NARRATIVE

3:30:28 PM

CHAIR CHRIS BIRCH called the Senate Resources Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Coghill, Kawasaki, Reinbold, Giessel, Kiehl, Bishop, and Chair Birch.

CONFIRMATION HEARINGS:
Alaska Board of Fisheries

3:30:52 PM

CHAIR BIRCH announced that the purpose of the committee meeting is to review the governor's four appointees to the Alaska Board of Fisheries:

- Marit Carlson-Van Dort - Anchorage,
- Israel Payton - Wasilla,
- Gerad Godfrey - Eagle River,
- Karl Johnstone - Anchorage.

He explained that the function of the Alaska Board of Fisheries is to conserve and develop Alaska's fishery resources. The board consists of seven members appointed by the governor on the basis of interest in public affairs, good judgement, knowledge, and ability in the field of action of the board, with a view to providing diversity of interest and points of view in the membership. Members must be residents of the state and appointed without regard to political affiliation or geographical location of residence. The board typically meets 4 to 5 times per year for a total of 33 to 45 meeting days.

He announced that the first appointee is Marit Carlson-Van Dort of Anchorage. He said this is her first appointment to the board. If confirmed, her term will run from May 1, 2019 to June 30, 2021.

3:32:43 PM

MARIT CARLSON-VAN DORT, Appointee, Alaska Board of Fisheries, Anchorage, Alaska, provided her personal information to committee members, noting her history with fishing in various

fisheries. She detailed her curriculum vitae in ecology science academia. She said the way Alaska protects, manages, and uses its resources is central to her personal and professional interest. She provided committee members with her employment background that includes working for the Alaska Legislature, the Alaska Department of Environmental Conservation, and the private sector. She said she is currently employed at NANA Regional Corporation as the Director of External Affairs.

[3:36:41 PM](#)

MS. CARLSON-VAN DORT explained that she became interested in serving on the Alaska Board of Fisheries due to her concern about Alaska's fish resources. The poor seasons and low escapements experienced all over the state last year has refocused her attention on the many questions and unknowns affecting Alaska's fish. She said she believes how the challenges affecting fish is approached will determine the long-term viability and success of fisheries. She opined that the board's greatest challenge is to manage conservation while satisfying user group needs without creating special privileges and rights.

SENATOR COGHILL asked if she had witnessed or participated in an Alaska Board of Fisheries meeting.

MS. CARLSON-VAN DORT answered yes. She said she attended several meetings to observe the board process.

SENATOR COGHILL asked if she had any close relations with existing board members.

MS. CARLSON-VAN DORT answered no.

[3:39:16 PM](#)

SENATOR KAWASAKI remarked that Ms. Carlson-Van Dort has an impressive resume related to fisheries. He noted that she worked for the Pebble Mine for several years as the Director of Regional Affairs. He asked how she will share her Pebble Mine experiences to better serve the Alaska Board of Fisheries.

MS. CARLSON-VAN DORT answered that her decision to take a job with the Pebble Partnership was not taken lightly, especially given the political implications associated with the project. She explained that one of the reasons she decided to take the position was based on her concern about the impact of the project on the Bristol Bay fishery. She said her position with the Pebble Partnership allowed her to learn about the

environmental baseline study and to speak directly with people in communities about their concerns. She opined that the company she went to work for in 2013 and the company she left in 2018 are very different. She said while she does remain unconvinced that the Pebble mine will decimate the Bristol Bay fishery, there are legitimate concerns associated with the development that should be vetted. This is something that is part of the current Draft environmental impact statement (EIS) process that is required by the National Environmental Policy Act (NEPA), she said.

[3:41:31 PM](#)

SENATOR KAWASAKI noted that she was replacing Orville Huntington, an individual with experience in subsistence fisheries. He asked how she will look towards subsistence uses of fish like Mr. Huntington did.

MS. CARLSON-VAN DORT answered that state laws recognize the relationship between Alaskans and natural resources that have been critical to identities and survival for many years. The Alaska Board of Fisheries directs the Alaska Department of Fish and Game (ADFG) to identify fish stocks that are customarily and traditionally used for subsistence. She said her intent is to look objectively at all the user groups as well the state laws that prioritize subsistence use when evaluating proposals put before the board.

SENATOR KIEHL noted that she has a biology degree and asked where she stands on hatcheries in Alaska.

MS. CARLSON-VAN DORT answered that hatcheries serve a very important role in increasing harvest numbers for fishermen. She conceded that there are a lot of unknown impacts to wild stock in fisheries from hatchery stock.

CHAIR BIRCH announced the reappointment of Israel Payton of Wasilla to the Alaska Board of Fisheries. If confirmed, Mr. Payton will serve his second term on the board that will expire on June 30, 2022.

[3:45:46 PM](#)

ISRAEL PAYTON, Appointee, Alaska Board of Fisheries, Wasilla, Alaska, said he has served on the board for the last three years and feels privileged to be reappointed. He shared his personal information with committee members, noting his background as a sportfishing guide. He disclosed that he currently develops

residential and rental housing in the Wasilla area, but his passion is fish and game issues.

MR. PAYTON said he has traveled all over the state and understands the importance of the resources to the state and the people. He affirmed that he brings energy, leadership, and comprehension of the issues to the board. He said when voting he always tries to articulate his rationale and why he is for or against a proposal. He stated that he has a great relationship with ADFG staff and added that the new commissioner is doing a good job. He affirmed that he works well with other board members and stakeholders from all user groups. He said if confirmed, he will greatly enjoy continuing to serve on the Alaska Board of Fisheries.

CHAIR BIRCH announced that the next appointee before the committee is Gerad Godfrey of Eagle River. He detailed that he is a new appointee and his term, if confirmed, will run from July 1, 2019 to June 30, 2022.

3:49:04 PM

GERAD GODFREY, Appointee, Alaska Board of Fisheries, Eagle River, Alaska, said he is a lifelong Alaskan and noted his background in commercial fishing. He said he believes he is qualified for the board position because he served as Governor Walker's Senior Advisor on Rural Business and Governmental Affairs and supported the lieutenant governor in the Southcentral and Interior area fisheries. He said he is aware of the prevailing issues facing the Alaska Board of Fisheries. He added that he spent 17 years on the Alaska Violent Crimes Compensation Board, chairing that board, and his term ended March 2019. He affirmed that he is familiar with the board process and protocols.

He explained that his interest in serving on the Alaska Board of Fisheries is based on its subject matter that raises a lot of passion amongst Alaskans in different user groups and different geographic fishery areas. He articulated that he is an objective, analytical, and open-minded person. He summarized that serving on the board will provide him with an opportunity to impact different user groups, statewide.

3:53:01 PM

SENATOR KAWASAKI noted that Mr. Godfrey listed a Bachelor of Science degree and inquired what the degree is in.

MR. GODFREY answered that his degree is in criminal justice and counseling psychology from the University of Great Falls, Montana.

SENATOR KAWASAKI noted that he has a Juris Doctorate degree and asked from what school he obtained his degree.

MR. GODFREY answered that he received his degree from Concord Law School based out of Los Angeles. It is part of Kaplan University.

SENATOR KIEHL commended him for his work on the Violent Crimes Compensation Board. He asked what his work and separation terms were with the Walker Administration.

MR. GODFREY answered that he timed his departure from the Walker Administration to transition to the board of directors for the Afognak Native Corporation. He said he left the Walker Administration on good terms.

SENATOR KIEHL noted that the meetings for the Alaska Board of Fisheries can run to quite a few days. He asked if he anticipated a conflict with his duties on the board.

MR. GODFREY answered that he received the dates for the upcoming Alaska Board of Fisheries meetings, and he does not have a conflict.

CHAIR BIRCH announced that the next appointee is Karl Johnstone of Anchorage. He detailed that Mr. Johnstone previously served on the board from 2008-2015. If confirmed, his term will run from May 1, 2019 to June 30, 2021.

3:57:00 PM

KARL JOHNSTONE, Appointee, Alaska Board of Fisheries, Anchorage, Alaska, reviewed his personal information, noting that he moved to Alaska from Arizona in 1967. He reviewed his educational and employment history as follows:

- Received a Bachelor of Business degree and a Juris Doctorate degree at the University of Arizona.
- Practiced law in Anchorage starting in 1967.
- Alaska Superior Court Judge from 1979-1996.
- Mediation arbitration from 1997-2005.
- Appointed to the Alaska Board of Fisheries by Governor Palin in 2008, served until 2015.

MR. JOHNSTONE said he has always been interested and is a user of Alaska fish and game resources. He detailed his history in commercial fishing and added that he continues to be an avid sport fisherman.

He explained that he is interesting in serving on the Alaska Board of Fisheries because he has good experience. He said there is an enormous amount of work and time involved with serving on the board. He noted that being a board member is very challenging and is sometime thankless and sometimes rewarding. He said he chooses to consider the rewarding aspect of the job which is why he reapplied.

He affirmed that he is passionate about fisheries resources in Alaska and he wants to see them sustained for future generations. He said Alaska is fortunate to have a constitution that requires resources to be maintain on the principle of sustained yield. He stated that he enjoys the regulatory process, which he believes to be transparent and driven by the public.

He explained that when he initially accepted the board appointment reluctantly, but the state has been good to him and he felt it was time to give something back. He emphasized that he has the time, energy, and desire to continue his work on the board. He said he has kept current on fishery issues and listens to board meetings. He affirmed that he will be prepared at the get-go and will hit the ground running. He added that he can help new board members as he was helped when he initially served on the board.

[4:01:05 PM](#)

SENATOR KAWASAKI noted that Mr. Johnstone had mentioned that he was kicked off the board during the Walker Administration. He asked if he was removed by the governor or resigned from the board.

MR. JOHNSTONE explained that he volunteered to resign when Governor Walker told him in the middle of the board cycle that he would not be reappointed.

SENATOR KAWASAKI asked how much longer he had to serve on the board.

MR. JOHNSTONE answered that there were two meetings left.

SENATOR KIEHL asked him to explain the public process, the public elements of the board, and the value he places on public deliberations.

MR. JOHNSTONE reiterated that there is no regulatory or any process where laws are created, that the public has more input and that the process is driven more by the public. The process gives the public multiple opportunities in every board meeting to weigh in with comments that all board members are required to read and the public gets a chance to testify at each board meeting and an opportunity in an open committee to address the board members. The public has a record comment (RC) to also weigh in in writing up to 10 pages. The public also has access to the board members before, during, and after the meetings. He opined that a lot of good business is conducted before the meeting starts in the morning and after the board meeting ends in the evening. The public generally wants to talk to some of the board members to lobby them, so the process is very public and there is nothing like it.

[4:04:00 PM](#)

SENATOR KIEHL asked him to talk about the board deliberations and the public's right to hear how board members are thinking in reaching their decisions.

MR. JOHNSTONE replied that the public can get a feel for how the board is looking at things by some of the questions asked during public testimony and questions asked during the committee process. He emphasized that the open process is for all public members to participate in. The deliberations are held on the record in front of the public and when a proposal is produced for deliberations, each board member gets a chance to deliberate and advocate their position.

SENATOR KIEHL noted that some of constituents have voiced concern about Mr. Johnstone's past role in the public process. He asked him to address his role as chair in terms of the board deliberations versus a role in persuasion.

MR. JOHNSTONE explained that his role as chairman was to let all board members to speak first during deliberations, before he voiced his opinion. He said the board process is a robust process and board members are very passionate about the resource and their responsibility. Discussions are very good, sometimes robust and assertive versus heated. He admitted that he was as assertive as any, but thought he was effective in using his persuasion and advocacy skills in getting some people to come

around to his way of thinking, but not always. He pointed out that the board has seven members and a person can only use their advocacy skills so far because board members have their own ideas and the way they want to go.

4:07:07 PM

SENATOR KAWASAKI commented that Mr. Johnstone's residency has always become an issue and asked if he currently has Alaska residency.

MR. JOHNSTONE answered yes. He said he has been an Alaska resident since 1967 and detailed as follows:

- Never voted in any election in another state.
- Every vehicle he owns has been registered and titled in Alaska.
- Applied for resident hunting and fishing licenses every year since becoming an Alaska resident.
- Has never applied for a resident hunting and fishing license in any other state.
- Has never received a resident benefit from any other state.
- Received and is qualified to receive Permanent Fund Dividends.

He emphasized that from all standards he is an Alaska resident. He admitted that his interest in winter has waned a little bit with age so he travels quite a bit.

SENATOR KAWASAKI asked where he is calling from for this meeting.

MR. JOHNSTONE answered that he was calling from Prescott, Arizona.

4:09:39 PM

SENATOR KIEHL referenced past articles about Mr. Johnstone having the state pay hotel or other travel expenses for meetings in Anchorage, the municipality where he has a home. He asked him to explain the propriety in having his expenses paid.

MR. JOHNSTONE answered that he lives 17 miles from where the board meetings occur in Anchorage and the commute can take 45 minutes or longer. He said a department staff member told him that Alaska Board of Fisheries members would benefit from spending time at the hotel where the board meeting was held as well as having meals onsite to communicate with fellow board

members, stakeholders, and the public before and after meetings. He explained that he asked the executive director of the board about staying at the hotel and was advised to do so. He noted that his request was not the first time it happened. He focused on a 2013 letter that addressed his travel expense request for the Alaska Board of Fisheries as follows:

The board's Support Section has requested an authorization for Board of Fisheries' member, Karl Johnstone, to receive lodging and meals in Anchorage, his city of residence, while attending board meetings for the 2013 and 2014 meeting cycle. Meeting days require long hours and work sessions in the evenings, as well as preparations for next-day meetings. Informal meetings before and after formal on the record sessions. The schedule makes it inconvenient for Mr. Johnstone to drive home at the end of the day and turn around early the next morning and make the meeting on time. This in the best interest of board's process is for Mr. Johnstone to remain on site at the meeting.

MR. JOHNSTONE said the waivers were sought by the Board Support Section and in every case and every year the waivers were signed and approved.

[4:12:18 PM](#)

SENATOR KIEHL pointed out that Mr. Johnstone's op-ed article in the Anchorage Daily News in 2017 shows many of his constituents questioning Mr. Johnstone saying that fin fish farming is the future for putting protein on plates. He asked him to talk about his op-ed article, noting that Alaska has a prohibition on fin fish farming.

MR. JOHNSTONE answered that fin fish farming is in direct competition with Alaska wild stocks. He said he believes that fin fish farming may be the worldwide protein of the future, but he doubts the state will ever go to fin fish farming. It is, however, something that should be considered. He conceded that he is a wild stock person and does not care for farmed fish. He reiterated that fin fish farming has a place in the world, but it is in competition to the state's wild and hatchery stocks. It is causing prices paid to fishermen to decrease.

SENATOR KIEHL noted that the op-ed has four paragraphs about the growth in farmed salmon and Mr. Johnstone called farmed salmon "the hopeful trend in the world's food system and that Alaska

needed to keep up." He added that the other thing in the op-ed that was deeply concerning to constituents was when he compared commercial fishermen to an, "aged and fading sibling." He asked what he should tell his constituents who are doing innovative, value-added things in commercial fishing when an Alaska Board of Fisheries nominee calls them, "aged and fading."

MR. JOHNSTONE answered that Senator Kiehl should tell his commercial fishing constituents to keep going and to keep adding value to their products. He reiterated that the farmed fish industry is overwhelming the wild stock industry.

[4:16:19 PM](#)

SENATOR KIEHL concluded that Mr. Johnstone's op-ed presented a binary choice that troubles him very deeply. He pointed out that Mr. Johnstone did not mention in his op-ed that the state should manage towards innovative commercial fisheries.

MR. JOHNSTONE replied that the comparison he was trying to make in his op-ed was between the revenue generation and economic impacts from wild stock commercial fishing and comparing them to the economic impacts from sportfishing and from personal use dipnet fishing. He said he saw value increase from sportfishing and dipnet fishing but saw a decrease in the value of the commercial fishing industry.

[4:17:35 PM](#)

CHAIR BIRCH opened public testimony.

[4:18:19 PM](#)

At ease.

[4:18:41 PM](#)

CHAIR BIRCH called the committee back to order.

[4:19:10 PM](#)

MIKE HAMAR, representing self, Juneau, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said he firmly believes that commercial fishing is the best way to manage the resource, deliver a quality product to the marketplace, and create a solid economic activity in many areas in Alaska. He opined that Mr. Johnstone wants to change to a course that will be less beneficial to Alaskans as a whole. He added that while he does not have a problem with a lively debate, he believes that Mr. Johnstone will not act in a

balanced manner on the board and will create more contention between user groups.

[4:21:06 PM](#)

MARK VINSEL, representing self, Juneau, Alaska, identified himself as a sport fishermen. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said the Alaska Board of Fisheries is a unique process with citizen access. The process needs to be open and based on science. Board members need to be fair and open minded to the input they receive and to science that is behind the reports and behind the resource management. A pre-set mind set or undue influence by special interest groups is not appropriate on the Alaska Board of Fisheries.

[4:23:20 PM](#)

FRANCES LEACH, Executive Director, United Fishermen of Alaska (UFA), Juneau, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. She said the organization's opposition does not come lightly, noting that its previous public opposition occurred in 2006. She said the UFA board felt that Mr. Johnstone's disdain for commercial fishing was already incredibly biased and harmful. She opined that his service on the Alaska Board of Fisheries from 2008-2015 could be compared to a judge ruling a court of people he deemed either victims, in this case sport fishermen, or criminals, which in this case would be commercial fishermen, and ADF&G biologists.

[4:26:56 PM](#)

KEN COLEMAN, representing self, Kenai, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said he observed Mr. Johnstone when he was on the board and found he was not fair or balanced. He stated that Mr. Johnstone berated board members, members of the public, and ADFG staff. He reported that Mr. Johnstone told state biologists that he did not believe a word that come out of their mouths.

[4:29:58 PM](#)

REED MORISKY, representing self, Fairbanks, Alaska, testified in support of the confirmation of all appointees to the Alaska Board of Fisheries. He said Karl Johnstone proved to be a valued mentor to board members and he promoted and maintained amiable and cordial relationships with board members, ADFG staff, and the public. He opined that all appointees are well qualified and

provide a diversity of interest in points of view in the board membership.

[4:31:03 PM](#)

HOWARD DELO, representing self, Big Lake, Alaska, testified in support of the confirmation of all appointees to the Alaska Board of Fisheries. He specified that Karl Johnstone was a well-prepared board member, listened to everybody, and asked good questions to elicit why people were saying what they were saying. He opined that Mr. Johnstone was a major asset to the board and its procedures, and Mr. Payton is coming along in a similar fashion.

[4:33:54 PM](#)

BEN MOHR, Executive Director, Kenai River Sportfishing Association (KRSA), Soldotna, Alaska, testified in support of the confirmation of all appointees to the Alaska Board of Fisheries. He said KRSA works to ensure the long-term health and sustainability of fish resources in Alaska. He reminded committee members that the Alaska Board of Fisheries is traditionally made up of three commercial seats, three sportfishing seats, and one subsistence or personal use seat, and the nominees retain that balance very well.

He observed that a board member should be approachable, thorough, interested in hearing a variety of opinions, prepared to read thousands of pages of material, able to dedicate several weeks to board meetings, and they should have a background in the fisheries of Alaska. He opined that the board nominees before the committee have the previously noted characteristics and KRSA is proud to support them all.

He noted that Mr. Johnstone received a citation from the 29th Legislature that honored him by saying that his record on the board represents the gold standard of public service.

[4:36:20 PM](#)

REUBEN HANKE, representing self, Soldotna, Alaska, identified himself as a fishing guide. He testified in support of the confirmation of all appointees to the Alaska Board of Fisheries. He opined that all the nominees were picked for their expertise in fisheries and they fall perfectly in line with maintaining the delicate balance of the board.

[4:37:32 PM](#)

FORREST BRADEN, Advocate, Southeast Alaska Guides Organization, Gustavus, Alaska, testified in support of the confirmation of

all appointees to the Alaska Board of Fisheries. He said he has had the privilege of interacting with Mr. Payton during his service on the board. He said Mr. Payton is attentive and engages in deliberations. He added that Mr. Payton has clear opinions and articulates his rationale for his position very well. He noted that board members from the Southeast Alaska Guides have had favorable experiences with Mr. Johnstone in the past. He summarized that the backgrounds for the new nominees makes them suitable for board membership.

[4:39:57 PM](#)

GARY STEVANS, representing self, Chugiak, Alaska, testified in support of the confirmation of all appointees to the Alaska Board of Fisheries. He remarked that people claiming Karl Johnstone is not worthy of confirmation because he is biased are doing nothing more than expressing their own bias.

[4:41:35 PM](#)

JOHN WOOD, representing self, Willow, Alaska, testified in support of the confirmation of Mr. Johnstone and Mr. Payton to the Alaska Board of Fisheries. He said he has observed Mr. Johnstone while he served on the board and found him to be unbiased. He is very direct and when he makes up his mind he advocates accordingly, an approach that may be interpreted as being biased. He noted that Mr. Johnstone received a legislative citation for his service record on the board as representing the gold standard of public service.

[4:44:18 PM](#)

MONTE ROBERTS, Advocate, Kenai River Professional Guide Association, Soldotna, Alaska, testified in support of the confirmation of all appointees for confirmation to the Alaska Board of Fisheries.

[4:45:02 PM](#)

GARY KING, representing self, Anchorage, Alaska, noted his background in both commercial fishing and sportfishing. He testified in support the confirmation of Mr. Johnstone and Mr. Payton to the Alaska Board of Fisheries. He said Mr. Johnstone's previous experience as a judge, commercial fisherman, and sports fisherman gives him the maturity and well-rounded experience to help the board function at its best. He proved this when he was a board member from 2008-2105. He disclosed that Mr. Payton worked for him at his lodge for 10 years. He opined that Mr. Payton is fair minded, articulate, knowledgeable on statewide fisheries, and brings a willingness to serve.

[4:48:36 PM](#)

VIRGIL UMPHENOUR, representing self, North Pole, Alaska, testified in support of the confirmation of all appointees to the Alaska Board of Fisheries. He noted that he served three terms on the Alaska Board of Fisheries and currently serves on the Fairbanks Advisory Committee. He said the same people from the commercial fishing industry that opposed him on the board also oppose the confirmation of Karl Johnstone. He said Mr. Johnstone is a competitor and anyone that is a competitor is always prepared for whatever they are doing.

[4:51:07 PM](#)

DAN NORMAN, representing self, Kenai, Alaska, identified himself as a sport fisherman and commercial fisherman. He testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries. He said he supports science-based management and all user groups. He opined that Mr. Johnstone has a documented history of bias against commercial fisheries, berated other board members, and pushed his opinion on other people, and did not let the public process work. He summarized that his appointment will skew the board for sportfishing versus commercial fishing.

[4:53:54 PM](#)

WENDY ALDERSON, representing self, Sitka, Alaska, identified herself and her husband as commercial fishermen. She testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries. She said that maintaining a balanced board between all user groups is important and confirming Mr. Johnstone will mean the board is heavily weighted towards the sportfishing sector. She referenced a news article where Mr. Johnstone referred to commercial salmon harvest as an old fading business. She argued that while a diversity of interests in board membership is important, a board member should approach management decisions in an impartial and open-minded manner. She said while Mr. Johnstone touts the economic benefit of sportfishing, he seems to be willing to ignore commercial fishing's annual labor income of \$5.2 billion and an annual total economic output of \$12.8 billion. She added that seafood processing is the largest manufacturing sector in Alaska, accounting for 72 percent of the state's manufacturing and employment.

[4:55:43 PM](#)

LINDA BEHNKEN, Executive Director, Alaska Longline Fishermen's Association, Sitka, Alaska, testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries.

She said the association is strongly committed to science-based management of natural resources, strict adherence to conservation mandates, and sustained participation in natural resource harvest by Alaska residents. From this background, the Alaska Longline Fishermen's Association cannot support the appointment of Mr. Johnstone. She said the traits that he exhibited while serving on the board, dismissal of local wisdom, and being disrespectful of state managers and scientists should not be supported or tolerated by candidates for the Alaska Board of Fisheries.

[4:58:43 PM](#)

HOWARD PETERSON, representing self, Kodiak, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries. He opined that Mr. Johnstone cannot be trusted to act objectively due to his record of bias towards sportfishing as well as his bias against commercial fishing.

[4:59:59 PM](#)

TIMOTHY MOORE, representing self, Homer, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said Mr. Johnstone has showed a bias against commercial fishermen where he did not consider the science being presented at board meetings.

[5:02:04 PM](#)

REVELLE RUSSELL, representing self, Homer, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said Mr. Johnstone has served seven years on the Alaska Board of Fisheries and it is time to let someone else serve. He added that Mr. Johnstone has residency issues and his series of editorials has shown that he already has his mind made up, particularly in Cook Inlet.

[5:02:54 PM](#)

MICHAEL MICKELSON, representing self, Cordova, Alaska, identified himself as a commercial and subsistence fisherman. He testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries. He said he has witnessed Mr. Johnstone's approach at board meetings where he forcibly and blatantly opposed commercial fishing. The Alaska Board of Fisheries deals strictly with allocation and the board needs members who are nonpartisan. He said there are no defined seats on the Alaska Board of Fisheries and the board needs an openminded set of members who are willing to listen. He pointed

out that commercial fisheries are the lifeblood of coastal Alaska as well as the state's largest employer.

[5:04:15 PM](#)

MAKENA O'TOOLE, representing self, Cordova, Alaska, identified himself as a commercial and subsistence fisherman. He testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries. He said he is very concerned about Mr. Johnstone's political leanings and his very vocal user group bias.

[5:05:10 PM](#)

DIANA RIEDEL, Advocate, Native Village of Eyak Alaska Native Fishermen's Alliance, Cordova, Alaska, testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries.

[5:05:38 PM](#)

DARIN GILMAN, representing self, Cordova, Alaska, testified in opposition to the confirmation Karl Johnstone to the Alaska Board of Fisheries. He opined that Mr. Johnstone makes the Alaska Board of Fisheries completely out of balance by blatantly discriminating against commercial fishermen.

[5:06:19 PM](#)

JOHN WHISSEL, Director, Environment and Natural Resources, Native Village of Eyak, Cordova, Alaska, identified himself as a biologist. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said Mr. Johnstone has no objectivity and his analysis is full of bunk research that he cherry picks to support his point rather than discover any kind of truth or any kind of analysis. He opined that Mr. Johnstone does not respect the work of ADFG.

[5:08:02 PM](#)

CHELSEA HAISMAN, Executive Director, Cordova District Fishermen United, Cordova, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said Cordova District Fishermen United is concerned primarily with his history of opposition to the commercial fishing industry.

[5:09:28 PM](#)

TRAE LOHSE, representing self, Cordova, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said he is concerned that this appointment will create an unfairly balanced board.

[5:11:00 PM](#)

MIKE TOWLE, representing self, Cordova, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said the board is supposed to be fair and unbiased for all user groups and appointing someone so strongly opposed by the commercial user group is unnecessary.

[5:11:45 PM](#)

MICHAEL BABIC, representing self, Cordova, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said Mr. Johnstone's past has shown that he is too biased towards sportfishing and his appointment to the Alaska Board of Fisheries will cause the deterioration of the public trust in the board process.

[5:12:31 PM](#)

BOB MERCHANT, representing self, Kenai, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He opined that Mr. Johnstone has already served on the board long enough and questioned his Alaska residency.

[5:13:50 PM](#)

PAUL SHADURA II, representing self, Kenai, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He opined that board candidates should provide a diversity of interest and points of view. He said when Mr. Johnstone served on the board he behaved egregiously towards the public and the public process. He opined that Mr. Johnstone used his position as board chair to bully and belittle stakeholders, public testifiers, department staff, and fellow board members.

[5:15:52 PM](#)

RICHARD PERSON, representing self, Chugiak, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries.

[5:17:37 PM](#)

RAYMOND NESBETT, representing self, Anchorage, Alaska, testified in support of the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said he is concerned about the dwindling fisheries resource in Alaska. He opined that Alaska desperately needs members on the Board of Fisheries who will make the

difficult allocation decisions without regard to the overwhelming pressure from single-user groups. He said Mr. Johnstone has demonstrated during his previous board tenure a willingness to consider the sustained yield principle and that allocations be made for the benefit of all Alaskans. He opined that Mr. Johnstone will stand firm in favor of the resource rather than the demands of any one user group.

5:20:06 PM

MIKE SZYMANSKI, representing self, Big Lake, Alaska, testified in support of the confirmation of Johnstone to the Alaska Board of Fisheries. He opined that previous testimony in opposition to Mr. Johnstone is not consistent with his past performance on the Alaska Board of Fisheries. He said Mr. Johnstone is conscientious, well prepared for meetings, approachable, and he listens like a judge normally listens to an individual. He opined that Mr. Johnstone's experience is valuable for coordinating between state and federal fisheries. He said Mr. Johnstone is committed to protecting, maintaining, and sustaining fishery resources into the future.

5:22:40 PM

BRIAN KRAFT, representing self, Anchorage, Alaska, identified himself as a sportfishing lodge owner. He testified in support of the confirmation of Mr. Johnstone and Mr. Payton to the Alaska Board of Fisheries. He opined that Mr. Payton is patient, listens to all sides of an issue, and comes up with a clear and concise conclusion. He said Mr. Johnstone takes every opinion seriously. He surmised that Mr. Johnstone's questioning process may be interpreted as abrupt or rubbing people wrong, but he is an efficient person who likes to get to the point of the issue and make a clear decision. He added that Mr. Johnstone's experience as a judge gives him a great deal of experience in being able to see both sides of an issue to come up with a clear conclusion. He summarized that Mr. Johnstone will make decisions based on what is in the best interest of the fishery, not what is in the best interest of one user group.

5:25:15 PM

JACK OLIVE, representing self, Anchorage, Alaska, testified in support of the confirmation of Johnstone to the Alaska Board of Fisheries. He is a man of integrity and impeccable reputation. He opined that king salmon is being overharvested by the commercial fishing industry. He emphasized that Mr. Johnstone is not against commercial fisherman. Rather, he is for sport fishermen. He opined that the Alaska Board of Fisheries needs balance, especially with someone that is for sport fishermen. He

said he finds opponents of Mr. Johnstone to be disingenuous when they questioned his Alaska residency because Mr. Johnstone lives in Arizona for part of the year after he lived in Alaska for 50 years.

5:28:01 PM

TED CROOKSTON, representing self, Kenai, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. While serving on the Alaska Board of Fisheries, he had an alarming disregard for openness and integrity in the process. He noted that Mr. Johnstone consistently disregarded and at times repudiated data and recommendations from ADFG. He added that Mr. Johnstone routinely passed over proposals that were contrary to his obvious agenda. He said there are many more qualified persons who have never had the opportunity to serve on the Alaska Board of Fisheries.

5:30:13 PM

GEORGEANNA HEAVERLEY, representing self, Anchorage, Alaska, identified herself as a commercial fisherman. She testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He has a long history of favoring one fishing user group over another and has displayed deep disdain for the commercial fishing industry, particularly in the Cook Inlet. She said her hope is the Alaska Board of Fisheries will support her generation of commercial fishermen and that they recognize the economic value, relevance, and historical importance of commercial fishing. She summarized that all Alaskans value salmon and they deserve an Alaska Board of Fisheries that provides strong leadership in maintaining fair and balanced fisheries management.

5:32:38 PM

CHRIS EVERY, representing self, Kenai, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries, and in support of the remaining appointees. He remarked that while serving on the Alaska Board of Fisheries, Mr. Johnstone pressured, bullied, and intimidated other board members. He said Mr. Johnstone has shown that he is not interested in what individuals with opposing views have to say. He said he supports board members who value opposing viewpoints.

5:34:48 PM

SHAWNA BUCHANAN, representing self, Cordova, Alaska, testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. She said he has already had an opportunity to serve on the Alaska Board of Fisheries and during

his tenure he proved to be divisive to further his own agenda. She opined that Mr. Johnstone has shown that he does not provide the statutory requirement for good judgement and a diverse viewpoint.

[5:36:19 PM](#)

CLEM TILLION, representing self, Halibut Cove, Alaska, testified in support of the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He conceded that his own bias is towards commercial fishing, but he still supports Mr. Johnstone because the board is going to get someone with a sportfishing bias anyway. He said Mr. Johnstone is knowledgeable and supports Alaska on issues between the state and federal fisheries.

[5:37:58 PM](#)

DAN HAKKINEN, representing self, Kenai, Alaska, identified himself as a commercial fisherman. He testified in opposition to the confirmation of Karl Johnstone to the Alaska Board of Fisheries. He said the Alaska Board of Fisheries does not need a board member who wants to phase a viable fishery out of the State of Alaska.

[5:39:12 PM](#)

CHAIR BIRCH closed public testimony.

He asked the board appointees if they had any closing comments.

MS. CARLSON-VAN DORT said she was looking forward to serving the state on the Alaska Board of Fisheries.

MR. GODFREY said he was glad to be able to hear all the testimony.

MR. JOHNSTONE said he appreciated all the comments and takes all comments seriously. He emphasized that he does not take the commentary personally and understands that the process is just business. He said if appointed, he will do the best job that he possibly can for all Alaskans.

SENATOR KAWASAKI asked Mr. Johnstone to comment on previous testimony that questioned his fairness, objectivity, temperament, and disrespectful commentary while serving on the Alaska Board of Fisheries.

MR. JOHNSTONE replied that he took his role on the Alaska Board of Fisheries very seriously. He pointed out that the board is an independent organization that uses ADFG to provide information

to make informed decisions. Public information and other sources are used as well. He said he does not view his role on the board as just a rubber stamp of department recommendations and inquiry proves that sometimes the department is not always right. He emphasized that he is very respectful of ADFG and the department has hard working people, but sometimes he disagrees with the department and that is part of the role of the Alaska Board of Fisheries. He said he respects everybody's comments. He conceded that his appointment was controversial but asked that the source of the comments be considered. He summarized that his goal as an Alaska Board of Fisheries member is to make decisions that are consistent with the Alaska Constitution and that is for the maximum benefit of Alaskans. He said he wants to be fair to the many and not just a few.

[5:42:40 PM](#)

SENATOR KAWASAKI asked if he was willing to release his recent Permanent Fund Dividend (PFD) application with redacted personal information.

MR. JOHNSTONE replied that he does not have an objection but asked why Senator Kawasaki wants his PFD application when he has already been approved.

SENATOR KAWASAKI answered that his PFD application goes to the question of how much time he spends in Alaska versus Arizona.

MR. JOHNSTONE emphasized that he spends more time in Alaska than he does elsewhere. He noted that anyone spending more than 180 days out of Alaska is not qualified for the PFD. He affirmed that he was qualified and had qualified for the PFD.

SENATOR REINBOLD commented that Mr. Johnstone's 50 years in Alaska is probably more than a lot of people that have served on the board. She argued that there is massive suffering going on with sportfishing and the problem needs to be addressed. She opined that Mr. Johnstone is a tough man and she appreciates his comment that he does not take comments personally, but he does take the comments seriously.

CHAIR BIRCH announced that questions and comments for the board's nominees has concluded.

[5:45:40 PM](#)

CHAIR BIRCH stated that in accordance with AS 39.05.080, the Senate Resources Standing Committee reviewed the following and

recommends the appointments be forwarded to a joint session for consideration:

Alaska Board of Fisheries

Marit Carlson-Van Dort - Anchorage

Israel Payton - Wasilla

Gerad Godfrey - Eagle River

Karl Johnstone - Anchorage

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

[5:46:18 PM](#)

At ease.

[5:46:48 PM](#)

CHAIR BIRCH called the committee back to order.

[5:47:19 PM](#)

There being no further business to come before the committee, Chair Birch adjourned the Senate Resources Standing Committee meeting at 5:47 p.m.