

ALASKA STATE LEGISLATURE
JOINT MEETING
HOUSE SPECIAL COMMITTEE ON FISHERIES
HOUSE RESOURCES STANDING COMMITTEE

April 28, 2022

6:27 p.m.

MEMBERS PRESENT

HOUSE SPECIAL COMMITTEE ON FISHERIES

Representative Geran Tarr, Chair
Representative Louise Stutes, Vice Chair
Representative Jonathan Kreiss-Tomkins
Representative Andi Story
Representative Dan Ortiz
Representative Sarah Vance
Representative Kevin McCabe

HOUSE RESOURCES STANDING COMMITTEE

Representative Josiah Patkotak, Chair
Representative Grier Hopkins, Vice Chair
Representative Sara Hannan
Representative George Rauscher
Representative Mike Cronk
Representative Ronald Gillham
Representative Tom McKay

MEMBERS ABSENT

HOUSE SPECIAL COMMITTEE ON FISHERIES

All members present

HOUSE RESOURCES STANDING COMMITTEE

Representative Zack Fields
Representative Calvin Schrage

OTHER LEGISLATORS PRESENT

Representative Mike Prax

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

Commercial Fisheries Entry Commission

Glenn Haight - Juneau

- CONFIRMATION(S) ADVANCED

Alaska Board of Fisheries

Thomas Carpenter - Cordova

David Weisz - Wasilla

Floyd "Mike" Heimbuch - Homer

- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

GLENN HAIGHT, Appointee
Commercial Fisheries Entry Commission
Juneau, Alaska

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

MIKE MIKELSON
Cordova District Fishermen United
Cordova, Alaska

POSITION STATEMENT: Testified in support of Appointee Haight to the Commercial Fisheries Entry Commission.

MALCOLM MILNE, President
North Pacific Fisheries Association
Homer, Alaska

POSITION STATEMENT: Testified in support of Appointee Haight to the Commercial Fisheries Entry Commission.

VIRGIL UMPHENOUR
Yukon River Panel
Fairbanks Fish and Game Advisory Committee
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of Appointee Haight to the Commercial Fisheries Entry Commission; Testified in opposition to Alaska Board of Fisheries Appointee Carpenter.

THOMAS CARPENTER, Appointee
Alaska Board of Fisheries
Cordova, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Board of Fisheries.

DAVID WEISZ, Appointee
Alaska Board of Fisheries
Wasilla, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Board of Fisheries.

FLOYD "MIKE" HEIMBUCH, Appointee
Alaska Board of Fisheries
Homer, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Board of Fisheries.

JOHN HOPKINS
Cordova, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Carpenter.

STEVE BROWN
Homer, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Heimbuch.

RITA SPANN
Cordova, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Carpenter.

TRACY WELCH, Executive Director
United Fishermen of Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointees Carpenter and Heimbuch.

MIKE MICKELSON, Second Vice President
Cordova District Fishermen United Cordova
Cordova, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointees Carpenter and Heimbuch.

SHAWNA WILLIAMS

Wasilla, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Carpenter.

PAUL SHADURA

Kasilof, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointees Carpenter and Heimbuch.

DAVID ALISON, Mayor

City of Cordova

Cordova, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Carpenter.

DENNIS ZADRA

Cordova, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Carpenter.

JOHN WHISSEL

Environmental Director

Village of Eyak

Native Village of Eyak, Alaska

POSITION STATEMENT: Testified in support of Alaska Board of Fisheries Appointee Carpenter.

ACTION NARRATIVE

[6:27:33 PM](#)

CHAIR GERAN TARR called the joint meeting of the House Special Committee on Fisheries and the House Resources Standing Committee to order at 6:27 p.m. Representatives Tarr, Stutes, Kreiss-Tomkins (via teleconference), Story, Ortiz, Vance, and McCabe from the House Special Committee on Fisheries and Representatives Patkotak, Hopkins, Hannan, Rauscher, Cronk, Gillham, and McKay from the House Resources Standing Committee were present at the call to order.

CONFIRMATION HEARING(S): **Commercial Fisheries Entry Commission**

[6:38:08 PM](#)

CHAIR TARR announced that the first order of business would be Commercial Fisheries Entry Commission Glenn Haight.

6:39:15 PM

GLENN HAIGHT, Appointee, Commercial Fisheries Entry Commission, testified as appointee to the Commercial Fisheries Entry Commission (CFEC). He offered details on his education and work history and emphasized experience related to the appointment to the commission. He noted that he had experience with most, if not all, Alaska commercial fisheries and he was familiar with the data that is available pertinent to fisheries and fisheries management. He recalled his work experience during his tenure with the Marine Advisory Program in which he provided technical assistance to the commercial fishing fleet at the operational level. He stated that his tenure at the commission would start on the following Monday, at which time he intended to recruit additional staff to fill approximately 5 vacant positions with a projected goal date of completion by summer. He noted that the anticipated workload would involve a study of the historic activities and the policies of the commission. He noted that there exists a Cook Inlet setnet fisheries study underway, and he stated his intention to summarize the data into a report. He stated his intention to develop some policies for the commission to convey to the public what it can expect from matters brought before the commission, to increase transparency. He noted one area that may not be well understood by the public would be that that the commission is obligated to respond to a petition within 30 days, and that the 30-day window was not sufficient to conclude a ruling on any petition

MR. HAIGHT reflected on the previous activities of the commission and noted that it had created stability and professionalism within the fisheries. He characterized the commission as the "gatekeeper" for the commercial fishing industry, and he noted that the average age of permit holders was increasing and stated his hope to attract younger members to the fleet. He noted that some areas had seen declines in resident permit holders and stated his intention to investigate any potential role that the commission may be able to provide to attract more Alaskans into the fleet.

6:45:09 PM

REPRESENTATIVE STUTES characterized the appointment of Mr. Haight by the administration as an astute move. She complimented Mr. Haight as being professional and responsive.

REPRESENTATIVE ORTIZ asked what Mr. Haight considered to be the primary job as a commissioner on the CFEC that would distinguish the success of a commissioner.

MR. HAIGHT answered that licensing was a primary function of the CFEC and secondarily would be optimum permit studies that are being undertaken by the commission. He added that it was his intention to offer leadership and stability that had been lacking in recent years. He suggested that, for the CFEC to be successful, the future path would need to be established. He added that there had been no fisheries limited since the early 2000s.

REPRESENTATIVE ORTIZ asked who or what would prompt the initiation of an optimum permit survey.

MR. HAIGHT answered that he had not personally been involved in any of the petitions and added that any person in the state, by means of the Administrative Procedures Act, may submit a petition to an agency requesting a regulatory change. He noted that an optimal permit study would require years to complete. He noted that such a survey would benefit from the support of the fishing fleet. He added that, should he receive such a petition, he would conduct extensive outreach to the fleet. He offered an example in which there were fisheries that experienced lower usage of permits and rhetorically asked whether that would warrant a three-year study, considering that factors such as market conditions or resource abundance which could contribute to the underutilization of permits.

REPRESENTATIVE ORTIZ asked for clarification that an individual may start the [permit survey] process.

MR. HAIGHT answered that a petition would prompt some action by the commission. He suggested that there exists a need for public-facing policies to inform the public of the next steps and the criteria that would be sought by the commission to proceed with such a request.

[6:49:24 PM](#)

REPRESENTATIVE VANCE referred to the Cook Inlet study and asked how more participation could be sought for participants in the study.

MR. HAIGHT answered that the eastern Cook Inlet setnetters had presented to the Board of Fisheries as a group that he

characterized as "embattled." He stated that proprietary financial information is sought during the course of a survey and it would come as no surprise that only an estimated 11 percent of permit holders would participate in providing such data. He stated that there exists a need for a lot more outreach. He added that there exist advocates within the fishery to encourage participation.

REPRESENTATIVE VANCE noted that one of the roles of the CFEC pertained to insurance and family members [of fishers] and noted that there had been some public scrutiny of the CFEC and asked what Mr. Haight's intention was to improve public confidence.

MR. HAIGHT answered that during his time at Department of Commerce, Community & Economic Development and with the Marine Advisory Program, the commissioners of the CFEC were participating in forums and conducting outreach, and a return to that approach would increase public confidence in the roles and effectiveness of the CFEC.

REPRESENTATIVE STORY asked for Mr. Haight to provide additional comments regarding solutions to the ageing of the fleet.

MR. HAIGHT noted that, during his time at the Marine Advisory Program, he had encountered the loan program and events such as the Young Fisherman's Summit that had sought to address [the ageing of the fleet.] He cautioned that it was unclear the role that the CFEC would have in addressing the concern, but he acknowledged the concern as a legitimate one. He added that the agricultural industry had a tradition of successors working with proprietors to find cost-effective planning that included tax incentives that could serve as an example of how to address the problem.

REPRESENTATIVE HANNAN complimented the credentials, intelligence, and work ethic of Mr. Haight.

[6:54:50 PM](#)

CHAIR TARR cautioned that it was possible that more transition could occur within the commission, which could result in Mr. Haight being asked to function more in a leadership role and asked him to offer comments related to any increased responsibility.

MR. HAIGHT expressed that there exist many good resources and he stated his intention to rely on informed professionals to guide

his role in leadership. He stated that he had been in contact with several former commissioners and that he welcomed their guidance.

REPRESENTATIVE KREISS-TOMKINS stated that there had emerged some grave concerns regarding the CFEC and that the appointment of the commissioner was one of great importance. He expressed his pleasure that Mr. Haight had been appointed and expressed that his appointment would serve to increase public trust in the CFEC [if confirmed.]

[6:57:00 PM](#)

CHAIR TARR opened public testimony on the appointment of Glenn Haight as commissioner to the Commercial Fisheries Entry Commission.

[6:57:15 PM](#)

MIKE MIKELSON, Cordova District Fishermen United, testified in support of Glenn Haight's appointment to the CFEC. He complimented Mr. Haight's efficiency and composure, as well as his understanding of fisheries issues.

[6:58:01 PM](#)

MALCOLM MILNE, President, North Pacific Fisheries Association, testified in support of Glenn Haight's appointment to the CFEC. He complimented Mr. Haight's capabilities as a mentor. He echoed previous complimentary testimony and encouraged the confirmation of his appointment.

[6:59:03 PM](#)

VIRGIL UMPHENOUR, Yukon River Panel, Fairbanks Fish and Game Advisory Committee, testified in support of Glenn Haight's appointment to the CFEC.

[6:59:52 PM](#)

CHAIR TARR closed public testimony on the appointment of Glenn Haight as commissioner to the Commercial Fisheries Entry Commission.

CONFIRMATION HEARING(S):
Alaska Board of Fisheries

7:00:05 PM

CHAIR TARR announced that the next order of business would be Confirmation hearings on appointees to the Alaska Board of Fisheries.

7:00:37 PM

THOMAS CARPENTER, Appointee, Alaska Board of Fisheries, testified as appointee to the Alaska Board of Fisheries. He offered a brief biographical history related to the position and thanked the administration and legislative staff for the appointment and coordination of hearings. He noted that, if confirmed, it was his intention to resign his seat on the Prince William Sound Aquaculture Association Board of Directors. He stated that it was his intention to pursue diplomacy among the different gear groups to find common ground and would consider the most current scientific data to guide his decisions.

REPRESENTATIVE CRONK asked what the role of ocean fish farming or hatchery fish had been related to the closure of subsistence fishing on the Yukon River and asked Mr. Carpenter to offer comment on matters also affecting the Copper River fisheries.

7:05:07 PM

MR. CARPENTER allowed that the issues were complicated. He stated that there had been cooperation among the aquaculture associations, the State of Alaska, and the University of Alaska, Fairbanks to establish the Alaska Hatchery Research Project to investigate issues affecting multiple fisheries. He added that there was also a Deep Blue Ocean study in process in the Gulf of Alaska and the Bering Sea that should produce data that will answer some of the questions [regarding the effect of hatchery fish on wild stocks.] He noted that the warming waters in the Gulf of Alaska and the Bering Sea had had an impact on chinook salmon. He added that he had been motivated to apply to serve on the Board of Fisheries to attempt to restore the chinook fisheries to previous levels.

7:08:09 PM

DAVID WEISZ, Appointee, Alaska Board of Fisheries, testified as appointee to the Alaska Board of Fisheries. He offered a brief biographical history related to the position. He stated his understanding that the goal of the Board of Fisheries was one of preserving the fisheries for all current and future fishers. He

stated that balancing the interests of all parties with a reliance on scientific data would inform his decisions, if confirmed.

REPRESENTATIVE HANNAN asked noted that Mr. Weisz's background had been outside the commercial fishing industry and asked for him to explain his understanding of the role of the Board of Fisheries and to offer any other experience such as that of on an advisory council or his participation in public meetings related to fisheries.

MR. WEISZ answered that he had not served on any board or advisory committees. He offered that he had entered retirement, and it was his desire to "give back" to the state. He expressed that he held concern over the preservation of natural resources.

REPRESENTATIVE HANNAN cautioned that the Board of Fisheries had a requirement of participation in 3-4 annual meetings, for a full week, and asked whether he understood the time commitment required and whether he would be able to meet it.

MR. WEISZ answered that he did.

[7:12:32 PM](#)

REPRESENTATIVE STUTES stated that she had been encouraged by Mr. Weisz's intention to rely on scientific data to inform his decisions, if confirmed.

REPRESENTATIVE VANCE asked Mr. Weisz to describe his philosophy and perspective related to the role in allocation by the Board of Fisheries.

MR. WEISZ stated that he did not consider himself to be a controversial person and that he was motivated to preserve the natural resources while considering the needs of all user groups.

REPRESENTATIVE VANCE asked what solutions may exist related to the controversial decisions associated with the Cook Inlet fisheries.

MR. WEISZ answered that, if confirmed, he would rely on the scientific data related to the fisheries, which he had not yet obtained. He cautioned that he did not have a solution to the controversies associated with the Cook Inlet fisheries as he did

not yet have access to all the related information to be considered.

REPRESENTATIVE ORTIZ recalled that the Alaska Constitution mandates that fisheries be managed to the maximum sustained yield principle and asked how Mr. Weisz would characterize the prior 10 years of the Board of Fisheries in fulfilling that mandate.

MR. WEISZ stated that he had observed highs and lows in the performance of the board among the sport and commercial fisheries management. He stated that his goal would be to seek stability in management.

REPRESENTATIVE CRONK stated his excitement of the potential for an appointee with a fresh perspective which he characterized as an untainted one.

CHAIR PATKOTAK reminded the appointee to consider the subsistence user group in addition to the sport and commercial fisheries.

[7:18:35 PM](#)

FLOYD "MIKE" HEIMBUCH, Appointee, Alaska Board of Fisheries, testified as appointee to the Alaska Board of Fisheries. He offered a brief biographical history related to the position. He stated that the state was near 100 percent utilization of the fisheries resource, and that the economic, political, and biological considerations pertaining to the actions of the board contributed to confusion. He questioned how quickly the board should respond to fisheries of concern. He noted that legislative action also affected the utilization of the resource. He expressed his focus was to provide economic opportunity to coastal communities and address the matter of the ageing of the fleet.

REPRESENTATIVE VANCE lauded the experience that Mr. Heimbuch would bring to the appointment and asked how his experience could guide the board through the complexities he had stated in his opening remarks.

MR. HEIMBUCH answered that, if confirmed, his role would be to articulate what the discrete user groups are asking of the board. He stated that the matter of allocation was one of "robbing Peter to pay Paul" since the resource was near 100 percent utilization, and that a matter of importance was to

consider the future fishers to grow a residential, small-boat fishing fleet.

[7:24:12 PM](#)

REPRESENTATIVE VANCE asked Mr. Heimbuch to share his perspective on fair allocation for the Yukon River for both coastal and in-river fisheries.

MR. HEIMBUCH noted that the work towards solutions would need to consider the Pacific Salmon Treaty and considerations brought forth by Canada. He cautioned against solutions that would result in winners and losers in consideration of resource utilization.

REPRESENTATIVE HANNAN asked whether Mr. Heimbuch was a resident of Homer.

MR. HEIMBUCH answered that he was.

REPRESENTATIVE CRONK stated that he was sympathetic to commercial fishers but that his primary concern would be for the cultural lifestyle associated with personal use fisheries. He expressed his concern that allocation would result in residents migrating between rivers that could strain the resources further.

MR. HEIMBUCH stated that he fully understood Representative Cronk's concerns. He stated that the "vagaries of mother nature" had impacted every stream in Alaska and cautioned that a balanced and nuanced approach was required.

[7:30:15 PM](#)

CHAIR TARR opened public testimony on the appointees to the Board of Fisheries.

[7:30:40 PM](#)

JOHN HOPKINS testified in support of Appointee Carpenter to the Board of Fisheries.

[7:32:51 PM](#)

STEVE BROWN testified in support of Appointee Heimbuch to the Board of Fisheries.

7:34:48 PM

RITA SPANN testified in support of Appointee Carpenter to the Board of Fisheries.

7:35:52 PM

TRACY WELCH, Executive Director, United Fishermen of Alaska, on behalf of the United Fishermen of Alaska, testified in support of Appointees Carpenter and Heimbuch to the Board of Fisheries. She offered information from the letter entitled, "Board of Fisheries - Letter of Support - Carpenter and Heimbuch 4.27.22.pdf" [included in the committee packet], which read as follows [original punctuation provided]:

United Fishermen of Alaska (UFA) is the statewide commercial fishing trade association representing 37 commercial fishing organizations participating in fisheries throughout the state, and the federal fisheries off Alaska's coast.

UFA supports the confirmation of the Governor's appointment [sic] of Tom Carpenter and Mike Heimbuch to the Alaska Board of Fisheries. Both candidates have significant experience with fisheries around the state and have held leadership roles in various committees, councils, and groups.

Tom Carpenter possesses a wealth of knowledge and fisheries related experience, earned on both local as well as regional levels. He has been an active participant on the Southcentral Regional Advisory Council to the Federal Subsistence Board and the Copper River/ Prince William Sound Fish and Game Advisory Committee, and was awarded the Alaska Department of Fish and Game Excellence in Service Award in 2020 for his ability to connect with diverse user groups and approachability. He currently serves as the Chairman of the Board of Directors for Prince William Sound Aquaculture Corporation. Mr. Carpenter is also a long-time business owner, former commercial fisherman, and an avid sportsman. His history of working with a variety of user groups, along with his reputation amongst fishery professionals around the State, speaks to his qualifications to serve as a member on the Board of Fisheries.

Mike Heimbuch is a longtime commercial fisherman who has participated in fisheries across the state, dating back to the 60s. Throughout his fishing career, he has fished Prince William Sound, Cook Inlet, Bristol Bay, the Alaska Peninsula, and Adak. In addition to fishing experience, Mr. Heimbuch has been active in fishing issues across the state. He has previously worked in the legislature as a fisheries aide to the Speaker of the House, been active in fisheries associations, served on the Bering Sea Advisory board, and been nominated twice for a seat on the North Pacific Fishery Management Council. Mr. Heimbuch has also been active in his hometown of Homer, having served on the City Council, Port and Harbor Commission, and Library Board. His fisheries experience, paired with his experience on a variety of boards and commissions, and familiarity with fishing issues around the state will serve him well on the Board of Fisheries.

Thank you for lending your full consideration to this letter of support. Should you or your staff have any follow up questions with regards to our recommendation, please feel free to reach out to our office.

[7:37:57 PM](#)

MIKE MICKELSON, Second Vice President, on behalf of the Cordova District Fishermen United, testified in support of Appointees Carpenter and Heimbuch to the Board of Fisheries. He stated that it had been more than 45 years since the inclusion of a member from the Prince William Sound had served on the Board of Fisheries. He expressed that Mr. Carpenter is knowledgeable about sport, personal use, commercial, and subsistence fisheries and that the issues before the board were important to Alaskans. He complimented Mr. Carpenter's work ethic and encouraged his confirmation.

[7:39:45 PM](#)

SHAWNA WILLIAMS testified in support of Appointee Carpenter to the Board of Fisheries. She stated that she had served with Appointee Carpenter on the Prince William Sound Aquaculture. She complimented his work ethic and his ability to negotiate among user groups.

[7:41:19 PM](#)

PAUL SHADURA testified in support of Appointees Carpenter and Heimbuch to the Board of Fisheries. He expressed concern with a lack of fisheries experience on the part of Appointee Weisz and recommended that the legislature adopt a conflict of interest policy pertaining to the Board of Fisheries for cases in which board members may be serving other boards or commissions. He acknowledged that Mr. Weisz brought local business acumen to the position and asked for additional reassurance that no conflict of interest exists regarding the appointment of Mr. Weisz.

[7:45:01 PM](#)

DAVID ALISON, Mayor, City of Cordova, testified in support of Alaska Board of Fisheries Appointee Carpenter. He stated that Mr. Carpenter had demonstrated competency and preparedness when participating in various boards and commissions.

[7:46:22 PM](#)

DENNIS ZADRA testified in support of Alaska Board of Fisheries Appointee Carpenter. He echoed previous testimony that characterized Mr. Carpenter as effective and hard working.

[7:47:42 PM](#)

JOHN WHISSEL, Environmental Director, Village of Eyak, testified in support of Alaska Board of Fisheries Appointee Carpenter. He stated that he was a member of the Board of Fisheries and complimented Mr. Carpenter's engagement during meetings. He echoed previous testimony complimenting his breadth of knowledge and extensive experience.

[7:49:43 PM](#)

MR. UMPENOUR testified in opposition to the appointment of Thomas Carpenter to the Board of Fisheries, citing a potential conflict existing due to his association with hatcheries. He offered fisheries data and claimed that hatchery fish interfere with wild stocks.

[7:53:07 PM](#)

CHAIR TARR closed public testimony on the appointees to the Board of Fisheries.

[7:53:46 PM](#)

CHAIR PATKOTAK encouraged continued public testimony regarding confirmation of appointees.

CHAIR PATKOTAK reminded the two committees that signing the report regarding appointments to boards and commissions is in accordance with AS 39.05.080 and in no way reflects individual members' approval or disapproval of the appointees, and the nominations are merely forwarded to the full legislature for confirmation or rejection. [The names advanced to the full legislature were: Glenn Haight, appointee to the Commercial Fisheries Entry Commission; and Thomas Carpenter, David Weisz, and Floyd "Mike" Heimbuch, appointees to the Board of Fisheries.]

[7:54:48 PM](#)

ADJOURNMENT

There being no further business before the committees, the joint meeting of the House Resources Standing Committee and the House Special Committee on Fisheries meeting was adjourned at 7:54 p.m.