

SB

231

FILE 2

ALASKA OUTDOOR COUNCIL
SUBSISTENCE CONSENSUS POINTS

AUGUST 21, 1985

1. Permitting: A permit will be required for subsistence preference use. Permitting will be based on personal or family qualifications--not on the locality in which one lives nor upon racial, cultural or ethnic considerations.
2. Limiting Qualifications: Qualifications for the permit will be very restrictive, requiring that: (1) the wild resource taken be used for personal and family consumptive use only; (2) the applicant must assert and establish that he needs the subsistence because it is reasonably necessary for his survival or the survival of his dependent family; and (3) the permit should be limited to a family unit with income from all sources at or below Federal poverty levels with no more than one subsistence license per family unit.
3. Subsistence Seasons and Bag Limits: The permit holders will be subject to specific subsistence regulations regarding applicable or substituted species by area, seasons, quotas, bag limits and methods and means as authorized by the Boards of Fish or Game. The opportunity to harvest will be given a preference but no guarantee of harvest is intended.
4. Preference Not Priority: The preference will not be an absolute priority over sport, commercial or recreational use. These latter uses need not necessarily be eliminated before subsistence preference use is restricted or regulated.
5. Trade and Barter: Trade provisions will be similar to those in current state law. Subsistence use may include trade, barter or sharing for personal or family consumption of wild renewable resources and must be limited to the first exchange. No cash exchanges or commercial sale shall be included in subsistence use.

OVERVIEW

Game Board Meeting
June 1985

- I. Eluska: The Game Board must adopt separate subsistence hunting regulations consistent with Madison, or the "subsistence defense" can be used and many regulations will be unenforceable.
- II. Madison:
- A. Unless sustained yield will be jeopardized, subsistence hunting must be authorized on any game population that has been hunted in the past and used for food, shelter, fuel, clothing, tools, transportation, customary trade, barter, or sharing; subsistence hunting means hunting by any Alaskan for these purposes.
- B. If subsistence hunting of a game population must be restricted (significantly impaired) to protect the resource, then non-subsistence uses (non-state resident hunting) must be eliminated first.
- C. If subsistence hunting on a game population must still be restricted (significantly impaired), then the board must use the three criteria listed in AS 16.05.255(b) to determine how hunting opportunities are to be distributed among Alaskans:
- (1) customary and direct dependence upon the resource as the mainstay of one's livelihood;
 - (2) local residency; and
 - (3) availability of alternative resources.
- III. Therefore, in order to have enforceable regulations, for each game population which has been hunted for food, etc., by Alaskans, the board should:
- A. Adopt separate subsistence regulations.
- B. Examine the current regulations to see if they prohibit any Alaskan from subsistence hunting, fail to provide the same legal subsistence hunting opportunity to all Alaskans, or otherwise significantly impair subsistence uses.
- C. If so, eliminate non-state residents, and see if it is still necessary to significantly impair subsistence uses, to protect the resource.
- D. If so, apply tier 2 standards.

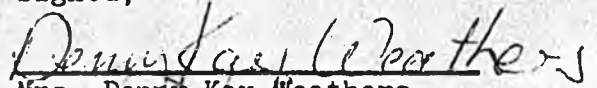
Mrs. Denny Kay Weathers
P.O. Box 837
Cordova, Alaska 99574
Resident; Hawkins Island
Lot 6, Deep Bay VHF ch. 6

(Face Letter)

Dear Committee Chairman;

Could you please see that all the members of your committee receive a copy of my letter in support of Senate Bill #231 and House Bill #288 to help ensure the safety and future of all our natural resources and wildlife throughout all Alaska. Thank you all for your time and hard work, If I can be of any help to any one of our legislators with our fishing records please let us know.

Signed;


Mrs. Denny Kay Weathers

Mrs. Denny Kay Weathers
P.O. Box 837
Cordova, Alaska. 99574
Resident; Hawkins Island
Lot 6, Deep Bay VHF ch. 6

Dear Alaska State Legislators;

I am a homemaker & mother, I live (5) water miles Northwest of Cordova on the North end of Hawkins Island in the Deep Bay area.

I am strongly in support of Senate Bill # 231 and House Bill # 288, and urge all Senate and House Chairman and Co-Chairman to work as quickly ~~as~~ possible at resolving these major issues.

My personal reasons are as follows; Fishing is our only source of an income which in turn is our survival. Survival meaning we must purchase fishing and hunting license, shells, fuel to even go get game meat.

In order to make jelly, bread or even grow a hand full of potatoes it takes an income to purchase flour, sugar or seed potatoes, and much work to even try to grow a small kelp box garden, do to our poor gardening conditions in this area, compared to Anchorage, Palmer and Fairbanks with such good growing seasons.

You must take in to consideration, our moose and deer, in the Prince William Sound, Copper River and the surrounding Cordova area. All the moose and deer were transplanted here prior to Statehood. This makes a limit on all the game meat in this area, which is set up to ensure that our children will have moose and deer when they grow up. The Alaska Fish and Game regulate these rules to ensure future stocks, this is done in the best interest of the people.

If the State was to open subsistence hunting to all residents it would destroy all that the dept. of Fish and Game has worked so hard to protect for the future of all Alaskans.

As for the Copper River Red Salmon run; in 1982 my husband caught 2,865 red salmon, 1983 was 1,323 red salmon, 1984 was 741 red salmon. Each year we have been cut back on our take of the Copper River Red Salmon to ensure the brood stock and to assure that the subsistence fisherman get thier increased quota of Red Salmon each year.

My husband in 1982 paid \$57.30, 1983 paid \$26.46, 1984 \$14.82, this was just the Aquaculture asesment for Copper River Red Salmon and by the time the cannerys mached the \$.02 per fish it totaled \$98.58 paid out for our catch to ensure the preservation of our future Copper River Red Salmon through the Aquaculture. Please also note that the subsistence fishermen do not pay the \$.02 per fish nor do they quit fishing during the closers by the State of Alaska Dept. of Fish and Game. These closers are designed to give proper escapement to ensure the proper amuont of brood stock escapement.

If the Copper River Fishermen have to cut back much more there will not be a Copper River Fisherman left.

Please understand , I beleave that subsistence is very important but not to the point of destruction-meaning our resourses can not handle every resident becoming a subsistence user. Please study this issue with the up-most care, because rivers, streams, forests and fields can only provide just so much and when it's gone it's gone forever. The Alaska State Fish And Game have been slowly accomplishing a goal, why not leave it there at least they have some facts and figures Andaa future to work with.

To me subsistence means a need and a need means necessity which brings us back to subsistence which is the minimum food and shelter necessary to support life-not the want for the food.

I beleave hunting and fishing is still a privilege and honor that the State of Alaska provides by over seeing the resources and keeping them balanced.

People that have a good income, meaning average income or higher should be willing to purchase a hunting or fishing license and leave the subsistence to the person or persons that truly need it for the reasons of survival, not for the want or greed. Remember the key words to subsistence is in the Websters Dictionary. ~~Thank you for your~~ concerns and time on these important issues.

Denny Kay Weathers

March 25, 1985
Cordova, Alaska

Senator Abood
Chairman, State Affairs Committee

Dear Senator Abood,

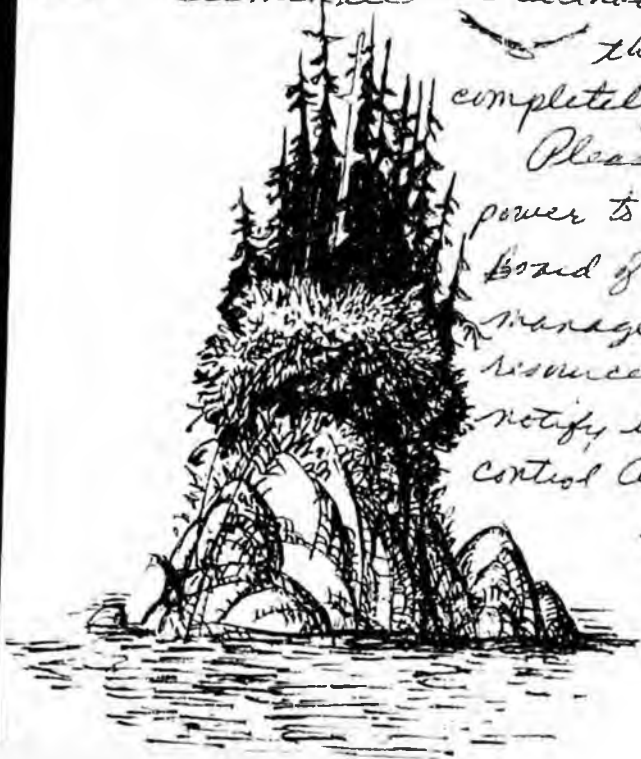
I am writing to request your prompt support of SB # 237 regarding our state fisheries management. It is critical for our community, the fishing industry, and our state central that this bill be expediently endorsed by the Senate.

The resources of our great state will disappear rapidly if there is random and wanton usage without management. Violating Federal laws regarding subsistence allows for the possibility of Federal take-over. This would eliminate our authority to manage

the resource completely.

Please exercise your power to give authority to board of Fisheries to manage and allot our resources, before the Feds notify us that they control Alaskan salmon!

Sincerely,
Jeanne Lee
Box 989
Cordova, Ak.
99574



Carol Emmett
P.O. Box 1472
Cordova AK 99574

Dear Senator Alford

I am writing to support speedy passage
of Senate Bill #231 and House Bill #288
to save the Copper River Salmon fishery.

As a resident and employee in the city
of Cordova I have become very aware of
the large contribution the P.W.S. gillnetters
make to the economic base here.
I don't believe Cordova can survive
without healthy fisheries.

I believe that the State Fish and Game
Board have done a pretty good job, if
preservation and growing numbers of
Salmon are any indication, and a return
to the system that has worked well
is the best solution.

As an Alaskan I ^{favor} ~~am in favor of~~
subsidence for those who need it.
Has anyone considered an income ceiling
for subsistence permit holders?

We are all anxiously watching the
outcome of these bills as the futures
of so many hang in the balance.

Sincerely
Carol Emmett
Bartender
Cordova.

RECEIVED
MAR 28 1985

STATE affairs - Comm.

SENATOR ABOOD

SIR

I AM quite concerned ABOUT THE madison decision, and I believe BECAUSE OF THIS decision THAT THERE IS A good chance OF THE fishing TIME ON THE COPPER RIVER delta BEING reduced OR completely closed for commercial fishing THIS year, thus spelling disaster FOR THE economy of Cordova and all commercial fishermen THAT fish THE copper RIVER.

Therefore I URGE you TO do EVERYTHING WITHIN your power TO Pass SB#231 OR ANY other legislation THAT will give THE ALASKA Board of fisheries and game THE power TO regulate and manage THE resources THE way they have BEEN regulated THE past 3 years

RECEIVED
MAR 28 1985

Thank you
Jack Keitel
Box 489
Cordova AK.

Earl N. Kari
4110 Tazlina Avenue
Anchorage, AK 99503

Mitch Abood
Senator
Pouch V
Juneau, AK 99811

Sub bill
M

Dear Senator Abood:

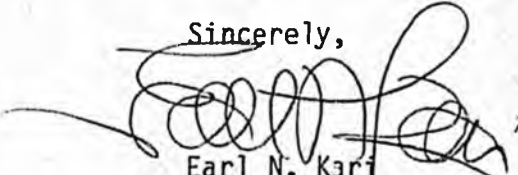
I am writing regarding the recent court ruling overturning regulation of subsistence use by the State Department of Fish and Game. As a commercial fisherman in Cook Inlet I am concerned that a protracted legislative hearing on the issue may spell financial disaster for me.

I have to assume that you and the majority of your legislative body are fairly well versed on the issue and I cannot understand Senator Bennet's response to the matter unless it represents his constituents narrow interests. There is no justification for not considering the issue now. The Department of Fish and Game had done a commendable job in balancing uses in forming a subsistence policy based on true need and merit. I think it is unfortunate that a small number of individuals who could not justifiably be considered as subsistence users have been able to overturn the present regulation.

Action is needed to put the matter on this sessions legislative agenda. From what I have read of Governor Sheffield's bill I would support his approach. I would like to request your assistance in bringing a subsistence bill to the Governor's desk this session. My personal financial future is dependent on being able to fish a normal commerical salmon season in Cook Inlet.

Thank you for any assistance you can give to this matter.

Sincerely,


Earl N. Kari

RECEIVED
MAR 20 1985

March 25

Dear Senator Alwood:

I'm writing to urge you to please pass Senate Bill 231 and give to the Board of Fisheries the flexibility to manage the resource for the user groups.

Thank you for your time.

Sincerely

Mike McKenzie

RECEIVED
MAR 27 1985

Box 1471
Cordova 99574

Box 1192
Cordova, Alaska 99574
March 22, 1985

Senator Mitch Abood
Chairman State Affairs Committee
Pouch V (MS3100)
Juneau, Alaska 99811

Dear Senator Abood,

I am writing this letter because I am very much concerned about the pending disaster that is threatening our gillnet fishery in the Copper River area.

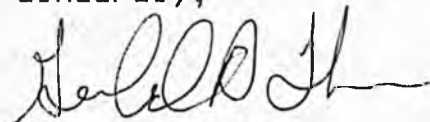
I am a resident of Cordova and a commercial fisherman. My own economic stability is threatened as well as the economy of Cordova.

I rely on the gillnet fishery for a large portion of my livelihood. The City of Cordova is heavily dependent upon the Copper River gillnet fishery and it's loss due to subsistence (personal use) conflicts, threatens the economic well being of our entire city!

I therefore urge your support for Senate Bill 231 and House Bill 288 or a means for keeping us fishing and maintaining the strength and future of this important industry in Alaska.

RECEIVED
MAR 27 1985

Sincerely,



Gerald D. Thorne

March 25, 1985

Dear Senator Alford,

I am a commercial fisherman and hold a PWS Gillnet permit. I am writing to you concerning Senate Bill 231.

As both a commercial and sports fishing enthusiast I feel it is imperative to rectify the situation created by the Madison Decision. Our fisheries resource has been managed very well by the ADF&G to provide sports, commercial and legitimate subsistence users a fair share while maintaining a healthy fish run.

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MAR 27 1985

The impact on the gillnet fishing with-
out Senate Bill 231 would be very serious

Please help us retain our livelihood by
passing Senate Bill 231 this session.

Sincerely,

Jeff Phillips
Box 1565
Cordova, Ala.

99574

RECEIVED
MAR 27 1985

Goffroy & Davis

Thank you

I am writing to urge you to pass S.D. #231
and give back to the land of fishermen the
flexibility to manage the resources for the
user groups.

3-21-85

Don Donahoe

P.O. Box 1142
Cordova, Alaska 99574
March 24, 1985

Senate State Affairs Committee
Alaska State Legislature
Fouch V
Juneau, Alaska 99811

Dear Sirs,

As a commercial fisherman, an Area E limited entry permit holder and a resident of Cordova, Alaska, I urge you to support SB #231. Please return to the Alaska Board of Fisheries and Game the power to regulate and manage our fish and game resources.

The implications of the Madison Decision on myself and this community are economically devastating. If SB #231 is not acted upon in an expedient and just manner financial hardships to the extent of filing a chapter eleven will ensue for myself and a good portion of my fellow fishermen in Prince William Sound and Cook Inlet. Is commercial fishing no longer an Alaskan tradition?

Sincerely,

Karol R. Marx

Karol R. Marx

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MAR 27 1985

P.O. Box 1142
Cordova, Alaska 99574
March 24, 1985

Senate State Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

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Sincerely,

Karol R. Marx

Karol R. Marx

RECEIVED
MAR 27 1985

Box 842
Cordova, Alaska 99574
March 22, 1985

Senator Mitch Abood
Chairman State Affairs Committee
Pouch V (MS3100)
Juneau, Alaska 99811

Dear Senator Abood,


I am writing this letter because I am very much concerned about the pending disaster that is threatening our gillnet fishery in the Copper River area.

I am a resident of Cordova and a commercial fisherman. My own economic stability is threatened as well as the economy of Cordova.

I rely on the gillnet fishery for a large portion of my livelihood. The City of Cordova is heavily dependent upon the Copper River gillnet fishery and it's loss due to subsistence (personal use) conflicts, threatens the economic well being of our entire city!

I therefore urge your support for Senate Bill 231 and House Bill 288 or a means for keeping us fishing and maintaining the strength and future of this important industry in Alaska.

Sincerely,



Gerald E. Thorne

RECEIVED
MAR 27 1985

March 25, 1985

Open Letter to All Senators

RE: SB # 231, HB # 288

RECEIVED
MAR 27 1985

Dear Senator Alford,

There has been a lot of discussion on the Madison opinion, its implications on our Natural Resource management plans, and the Administrations bill presented to the House and Senate. My residence is Cordova, Ak. I have been making my livelihood from commercial fishing on the Copper River Flats since I was 16 years of age. I've been fishing for 16 years. I would like to give you my perspective on the Madison opinion as it stands, how it may/will affect this commercial fisheries, and the effect that SB#231 will have on remedying this.

Subsistence defined in regulation by the Board of Fisheries followed a set of criteria that put the State in compliance with the Federal Governments Alaska Native Lands Claim Act (ANILCA) Specifically, one had to be a RURAL resident that customarily and traditionally used a natural resource for subsistence needs. At the time that this definition was drafted, reports showed that the resource was being used by many residents of Alaska outside of the Rural defined area, (Dept. of Fish and Game- Subsistence Division reports). Now, I will go back to the Copper River. RURAL was defined as the Copper Basin Drainage. Statistics compiled showed that 98.5% of the subsistence permits for dipnetting salmon were outside of the basin area. 80-85% were from the Urban areas of Anchorage, Fairbanks, and the large military bases. A PERSONAL USE category was defined by regulation for the residents outside of the Basin area. At that time it was determined that urban demands on the resource were not true subsistence needs. The PERSONAL USE category recognized the use of the Salmon resource by a quasi-recreational homepack group of residents.

The main difference between Personal Use as defined by regulation and Subsistence as defined by the Madison Opinion is that Personal Use has a QUOTA of 60,000 salmon in the Copper River. Under Subsistence there would be no quota. The bag limits under personal use are Individual 15, Household 30 (about 150 lbs of dressed salmon). Under Subsistence limits are Household 200 (about 1000 lbs of dressed salmon). The impact of these figures of the Personal use put into Subsistence use (by including personal use as Subsistence) on the Copper River Redsalmon Resource would severely restrict the commercial fleet in 1985, and surely replace it in future years!

SB #231 defines Subsistence so that it is in compliance with ANILCA. This is done by inserting RURAL as a criteria. This Bill also defines a personal use category to give all residents an equal opportunity to recreate in the Resource.

SB # 231 has been put in the following committees:

Senate State Affairs
Senate Resources
Senate Judiciary
Senate Finance
Rules

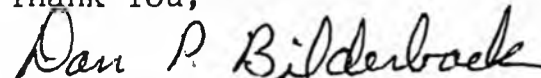
HB # 288 has been put in the following committees

House Resources
House Judiciary
Rules

In Conclusion, I urge you to take action on waiving SB# 231 from Senate Judiciary and Senate Finance. Please give this Bill the time and attention that it deserves. But don't let it die because of being put in too many committees!

We fishermen and the citizens of Cordova are very much afraid of the Madison Opinions' impact on our economic dependence on the Copper River Salmon Resource

Thank You,



Dan P. Bilderback
P.O. Box 723
Cordova, AK 99574
Ph# (907) 424-3475

Enclosures: SB# 231

ADF&G Position on the Madison opinion as relates to the management of the Copper River
Board of Fisheries and Board of Game Joint Resolution on the Madison opinions' effects on management of resource management

SENATE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the taking of fish and game for subsistence and personal use; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. FINDINGS. The legislature finds that:

(1) the taking of fish stocks and game populations for personal and family consumption and related uses is essential to the health, safety, and general welfare of Alaskans domiciled in rural communities or rural areas in which the taking of fish and game for such uses is a significant part of the economy of the community or area; and

(2) the taking of fish stocks and game populations for personal, sport, and commercial uses is also of economic and recreational importance to Alaskans who reside anywhere in the state.

Sec. 2. AS 16.05.251(a) is amended to read:

(a) The Board of Fisheries may adopt regulations it considers advisable in accordance with the Administrative Procedure Act (AS 44.-62) for

(1) setting apart fish reserve areas, refuges and sanctuaries in the waters of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishing open and closed seasons and areas for the taking of fish;

(3) setting quotas, bag limits, harvest levels, and sex and size limitations on the taking of fish;

(4) establishing the means and methods employed in the pursuit, capture and transport of fish;

(5) establishing marking and identification requirements for means used in pursuit, capture and transport of fish;

(6) classifying as commercial fish, sport fish, personal use fish or predators or other categories essential for regulatory purposes;

(7) watershed and habitat improvement, and management, conservation, protection, use, disposal, propagation and stocking of fish;

(8) investigating and determining the extent and effect of disease, predation, and competition among fish in the state, exercising control measures considered necessary to the resources of the state;

(9) prohibiting and regulating the live capture, possession, transport, or release of native or exotic fish or their eggs;

(10) establishing seasons, areas, quotas and methods of harvest for aquatic plants;

(11) establishing the times and dates during which the issuance of fishing licenses, permits and registrations and the transfer of permits and registrations between registration areas is allowed; however, this paragraph does not apply to permits issued or transferred under AS 16.43;

(12) personal use fishing.

*Sec. 3. AS 16.05.940(23) is amended to read:

(23) "subsistence uses" means the customary and traditional uses by rural (IN) Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption; for the purposes of this paragraph, "family" means all persons related by blood, marriage, or adoption, and any person living within the household on a permanent basis;

*Sec. 4. AS 16.05.940 is amended by adding a new paragraph to read:

(28) "personal use fishing" means the taking, fishing for, or possession of finfish, shellfish, or other fishery resources, by Alaska residents for personal use and not for sale or barter, with gill or dip net, seine, fish wheel, long line, or other similar means defined by the Board of Fisheries.

*Sec. 5. This Act takes effect immediately in accordance with AS 01.-10.070(c).

Passed 3/24/85

Resolution of Joint Board of
Fisheries & Board of Game

WHEREAS, it is unclear to what extent the boards may restrict subsistence harvest after the Madison ruling and as a result, substantial and significantly disruptive reallocations of opportunities to harvest fish stocks and game populations may be necessary. For example:

1. The commercial gill net fishery which is an important component of the Prince William Sound economy may need to be significantly restricted in 1985 or, eventually, even closed. Prior to the Madison decision the Board of Fisheries had adequate regulatory flexibility to accommodate both the historic commercial fishery and other users.

Box 842
Cordova, Alaska 99574
March 22, 1985

Senator Mitch Abood
Chairman State Affairs Committee
Pouch V (MS3100)
Juneau, Alaska 99811

Dear Senator Abood,

I am writing this letter because I am very much concerned about the pending disaster that is threatening our gillnet fishery in the Copper River area.

I am a resident of Cordova and a commercial fisherman. My own economic stability is threatened as well as the economy of Cordova.

I rely on the gillnet fishery for a large portion of my livelihood. The City of Cordova is heavily dependent upon the Copper River gillnet fishery and it's loss due to subsistence (personal use) conflicts, threatens the economic well being of our entire city!

I therefore urge your support for Senate Bill 231 and House Bill 288 or a means for keeping us fishing and maintaining the strength and future of this important industry in Alaska.

RECEIVED
MAR 27 1985

Sincerely,

Ina M. Thorne

Ina M. Thorne

JEFF COOK

279-0724

1113 POTLATCH CIRCLE

ANCHORAGE, AK 99503

JUST PURCHASED A SPORT FISHING LODGE. ~~MY SAVINGS INVESTED.~~

IN FAVOR OF SB 231. ~~COULD LOSE LODGE~~ IF THIS LEGISLATION IS NOT IMPLEMENTED.

SB 231 - BY GOVERNOR

SUBSISTENCE & PERSONAL USE OF FISH & GAME



*
* DELIVER TO: JFOM *
* *
* ORIGINAL *
* SENT: 03/22/85 TIME: 16:26 *
* FROM: PEGGY SIMONS *
* SUBJECT: POM *
* PRINT DATE: 03/22/85 TIME: 16:30 * 3 *
* *

TO: SENATOR ABOOD, DE VRIES
FR: TOM LOPEZ, 1231 W. 7TH, ANCHORAGE, 99501
PH. 278-2402
RE: SB 231 SUBSISTANCE

I WOULD LIKE TO URGE THE SENATORS TO QUICKLY PASS SB 231 AND HB 288. OUR LIVLIHOOD DEPENDS ON IT. I AM A COPPER RIVER DRIFT GILL NET FISHERMAN.

RECEIVED
MAR 25 1985

RECEIVED
MAR 19 1985

*
* DELIVER TO: JROM *
* *
* ORIGINAL *
* SENT: 03/18/85 TIME: 13:48 *
* FROM: MARTIE ROZKYDAL *
* SUBJECT: POM - MATR-0108 *
* PRINT DATE: 03/18/85 TIME: 13:53 *
*

7

TO: SENATORS KERTTULA, ABOOD, DEVRIES, V. FISCHER, KELLY, RAY
FROM: DAN BILDERBACK
FD BOX 723
CORDOVA 99574
424-3475
RE: SB 231, SUBSISTENCE

I AM A LIFELONG RESIDENT AND COMMERCIAL FISHERMAN OF THE COPPER RIVER. URBAN DEMANDS ON NATURAL RESOURCES CAN BE MET THROUGH A PERSONAL USE CATEGORY. IF URBAN DEMANDS FALL UNDER SUBSISTENCE, THE LONG TERM IMPACT WOULD DESTROY THE COMMERCIAL AND SPORT FISHERIES OF THE COPPER RIVER.

231

MARCUS F. JENSEN
P.O. BOX 2220
JUNEAU, ALASKA 99803

April 29, 1985

Dear Editor:

Governor Sheffield's radio talk on Sunday, April 28, on his subsistence bill, House Bill 288. His talk indicated a lack of understanding of the problem. His bill adds the word "rural" to circumvent the recent Alaska Supreme Court decision. The "Madison" decision says existing state law provides for subsistence regulations but that they must cover both rural and urban Alaskans.

While HB 288 would allocate subsistence only to "rural" residents, it fails to define "rural". Who are the rural residents of Alaska? Are they those individuals living in cities and towns served by roads, commercial aircraft, ferries and trains? Or are they the individuals residing in truly remote areas? And should subsistence be available only to "rural" Alaskans? The Governor should address the intent and scope of his proposal. Merely tossing the Boards another law on subsistence that further restricts their ability to fairly allocate the resources among the various beneficial uses is not the answer.

The answer must include protection of the resources and fairness in the allocation of their uses.

The Governor says he is afraid of federal take-over as is provided for in ANILCA. Instead of meekly complying with a bad federal act, perhaps he should use his authority to test the validity of the federal act. Many lawyers feel it is unconstitutional. By testing the federal act the Governor would be representing most Alaskans who want to control their own resource without federal intervention. This is what statehood was all about.

The need for a state subsistence act is greatly diminished when one understands that 42 million acres were given to the Natives for top priority use for subsistence. This land mass is equal to one mile wide and sixty five thousand miles long. It should raise a few animals.

The Governor's proposed law will only further confuse and alienate people and it is not needed. We should all accept the Alaska Native Claims Act for what it was--settlement of aboriginal claims including special claims on fish and game, and get on with fair and equitable allocation of these resources for all Alaskan citizens.

Sincerely yours,

Mark
Marcus F. Jensen

RECEIVED
APR 29 1985

Attachment #1

ALASKA OUTDOOR COUNCIL
3780 McGinnis Dr.
Juneau, AK. 99801

SB 231
RECEIVED
MAY 1 1985

SPECIAL NOTICE
4/29/85

Alaska Subsistence Issue--Myths & Facts

Recent comments by the Governor, members of the Legislature and certain special interest groups have created a growing sense of hysteria over the Alaskan subsistence issue. As a result, numerous distortions of fact have occurred in order to panic the general public, the various user groups and the legislature into supporting a quick fix to the extremely complicated subsistence law. For your information, we are providing you a copy of our 4/17/85 Special Notice on the issue and we are also including herein a few comments on some of the myths and facts that have been circulated recently to the Legislature and the public.

MYTH - The Governor's proposed bills (HB 288 & SB 231) will return the subsistence situation to pre-Madison (Supreme Court Ruling) by inserting the word "rural" into the existing State law and by creating a "personal use fishery" category.

FACT - The Governor's bills do not resolve the major problems clearly enunciated in the Madison Supreme Court ruling. His bills will allow the Boards of Fisheries and Game to eliminate urban users from subsistence uses but the Court also ruled (Supreme Court Opinion #2911):

1. The Boards must adopt regulations giving subsistence uses an absolute priority (Page 5).
2. The Boards must eliminate competing uses such as sport or commercial uses before restricting subsistence uses (Page 16 & 17).

MYTH - The Governor's proposed legislation will solve the potential crisis situations involving sport fishing in Cook Inlet, commercial fishing in Prince William Sound and sport hunting throughout Alaska this spring and summer.

FACT - The Madison Supreme Court ruling essentially eliminated the regulations that the Board of Fisheries had established discriminating between Alaskans on the basis of residency--including the ten point criteria used by the Board. Even if the Governor's legislation were to pass there is not enough time under the Administrative Procedures Act for regulations to be properly adopted before the fishing and hunting seasons commence. The only means for immediate relief is under the emergency powers of the Commissioner of Fish and Game.

MYTH - The creation of a "personal use fishery" will provide for urban subsistence needs.

Fact - The personal use fishery provided in the Governor's bill gives no priority to the personal use fishery. Whenever it comes in conflict with subsistence uses, it must be eliminated along with sport or commercial uses. In addition, there is no proposed "personal use hunting" provision in the Governor's bills.

MYTH - The Governor's bills resolve the subsistence problems.

Fact - HB 288 and SB 231 further exacerbate a growing conflict between urban and rural users by giving an ultimate priority over use of common property resources to a portion of Alaskan residents based on their residency.

MYTH - The Governor is concerned with Federal takeover of Fish and Wildlife Management.

Fact - The Governor and the majority in the House refused to accept an amendment to HB 288 which would keep us in compliance with the Federal law but would have provided a sunset clause next year.

MYTH - The Federal Government will manage fish and wildlife if HB 288 does not pass in its present form.

FACT - Deputy Under Secretary William P Horn in his April 18, 1985 correspondence to Representative Goll indicated that "we would afford the State an opportunity to correct the program deficiencies". He also indicated "the Department has no immediate plans to undertake activities to discharge its obligations under Sections 805 (a), (b), and (c) if it is finally determined that the Madison decision puts the State in non-compliance and there are indications that the State will act to come into compliance". He did indicate that a Federal Court could require the Federal Government to assume subsistence management, however.

MYTH - The Anchorage Sportfishing organizations support HB 288.

FACT - Both the Alaska Sportfishing Association and the Kenai River Sportfishing Association have indicated:

1. They oppose HB 288 in its present form.
2. They favor a permanent solution to the Alaska subsistence law conflicts.
3. They favor legislation with a sunset clause which will allow the Boards of Fisheries and Game to regulate in the interim.
4. They favor hearings during the interim.

MYTH - The Governor's bills resolve the Court of Appeals ruling on the Eluska case.

Fact - The Eluska case provided that the State could not continue to provide for subsistence uses under sport regulations and a subsistence priority must be provided by regulation. The court held that the Board may not restrict subsistence hunting at all in an area in which sport or commercial hunting is permitted. Lacking regulations giving subsistence a priority, a subsistence user may essentially harvest game unrestricted. The Governor's proposal does not deal with this issue in any way.

MYTH - The Governor supports taking politics out of fish and game management by proposing HB 288.

FACT - The Governor's bills insert politics into management by legislatively instructing the Boards of Fisheries and Game to discriminate against most of Alaskans in the allocation of Alaska's common property fish and wildlife resources.

MYTH - Residents of Anchorage, Fairbanks, Juneau and Ketchikan may be allowed to participate in subsistence uses if HB 288 is passed.

FACT - ANILCA requires that a definition of the term "rural" requires that Anchorage, Fairbanks, Juneau and Ketchikan be considered urban and ineligible for subsistence.

MYTH - The Legislature and this Administration will take up the State subsistence law next year if there are still problems.

FACT - This Administration and many legislators promised to correct the problems three years ago; however, they failed to do so until the recent Supreme Court decision forced them to address the issue this year.

There remain several major questions that should be answered:

1. Why does the Governor and certain special interest groups oppose a thorough review of the State subsistence law during the next year. Especially, if an interim law with a sunset clause could be passed keeping us in compliance with the Federal law while giving the regulatory Boards authority to regulate during the interim?
2. Why must all existing subsistence users in Anchorage, Fairbanks, Juneau and Ketchikan be eliminated from participating in legitimate subsistence activities if they also have the same needs?
3. Why does this Administration and certain special interest groups oppose a precise definition of the word "rural" if it is inserted into the State's law so that Alaskan's will know if they are subsistence users or not?

4. Why do the supporters of HB 288 oppose defining the term "restrict" which will allow for subsistence uses to be regulated?

5. Why do the supporters of HB 288 oppose amendments which will provide that in some cases, as determined by the regulatory Boards, that subsistence, sport and commercial uses may all be regulated rather than requiring that all sport and commercial uses be eliminated before restricting any subsistence uses?

6. Why do the supporters of HB 288 oppose "personal use fishing" including "hook and line" fishing?

7. Why do the supporters of HB 288 oppose a definition of "priority" to include a reasonable preference but not an exclusive use?

8. Why do the supporters of HB 288 oppose amendments which will exclude new Alaskan residents who move into a subsistence community from having a priority over Alaskans elsewhere who have greater dependency and history of use of the same fish and wildlife resources?

These are questions whose answers may help unravel the political web that is making the issue of subsistence nearly impossible to deal with.

ALASKA OUTDOOR COUNCIL
3780 McGinnis Dr.
Juneau, AK. 99801

SB 231

SPECIAL NOTICE
4/17/85

Alaska Subsistence Issue

This special notice summarizes, from the Alaska Outdoor Council's point of view, the most important issues involved in the present controversies surrounding the State's subsistence law. Because the legislature is examining amendments to the law, it is important that the amendment process carefully consider all major problems with the existing law so that these controversies are not perpetuated.

The Alaska Supreme Court Ruling

The Alaska Supreme Court February 22, 1985 struck down a Board of Fisheries regulation that had identified eligibility for subsistence fishing in the Cook Inlet region. Under the regulation, certain residents of the Kenai Peninsula had been eliminated from subsistence fishing.

The Court opinion emphasized the following points:

1. The State law requires the Boards to adopt regulations permitting "subsistence uses".
2. The State subsistence law does not allow the Boards of Fisheries and Game to distinguish between rural and urban subsistence fish and game users.
3. The State law does not allow the Boards to restrict subsistence use to a specific community, unless the resource is in jeopardy.
4. A major point of departure from the State's previous position was the ruling by the Court that all sport and commercial uses must be eliminated before subsistence uses are restricted in any way.

The Alaska Court of Appeals Ruling

On April 12, 1985 the Alaska Court of Appeals issued a ruling dealing with the State's prosecution of a subsistence hunter who had taken a deer on Kodiak Island during the closed season. The court indicated:

1. "Substantial uncertainty" exists on these issues but the

defendant is correct in arguing that his unregulated subsistence use is legitimate in the absence of regulations to the contrary.

2. The Board of Game must (emphasis added) adopt subsistence regulations according to the State's 1978 subsistence law.

3. The State has failed to carry out its responsibilities by not adopting subsistence regulations.

4. "A potential subsistence user must be able to determine before he or she hunts whether the hunt will comply with the law before he or she can be subjected to criminal prosecution for his or her hunting."

5. "The State must prove guilt beyond a reasonable doubt by convincing a jury that the hunting in question was not a subsistence use."

The practical effects of this case means that in instances where the State Boards have failed to identify and provide for existing subsistence uses, the subsistence users may legally participate in that activity. Since the Boards has recognized only a relatively few subsistence uses, most of the State could be essentially unregulated for subsistence.

The Administration Proposal

The Sheffield Administration introduced HB 288 and SB 231 to insert the word "rural" into the State law and provide for a "personal use fishery" category. This offers a patchwork response to the court rulings, fails to correct major flaws in the law and will perpetuate the present political atmosphere of direct competition between urban and rural residents.

The Alaska Outdoor Council Position

The Alaska Outdoor Council offers the following points and option as a basis for permanently correcting the flaws in the present subsistence law:

1. The courts rulings have focused on several critical issues involved with the socially divisive State subsistence law and any changes should be carefully considered and the public fully involved.

2. The Governor created a Subsistence Task Force two years ago that was a total failure and was disbanded.

3. Legislative action this session should focus on clarifying the elements of the issue as the first step in resolving this controversy. Poorly crafted amendments will

cause the issue to emerge annually. Due deliberations and consideration of all alternatives are essential.

4. If it is determined, after full deliberations by the legislature, that immediate temporary corrective measures are essential, we propose that the legislature consider passing a law creating a one year moratorium or "freeze" on the subsistence law which will give them, the public and the Administration one full year to appropriately tackle the entire issue.

5. The 7 year history of controversy and court rulings is a clear statement that neither the public nor the elected public officials clearly understand "subsistence".

6. Other specific recommendations:

a. The position of the Alaska Outdoor Council membership has consistently been that subsistence should be based on some equitable basis of individual or family "need".

b. No common property resources, under provisions of the State Constitution, should be allocated on an exclusive use priority basis.

c. No subsistence user qualifications should be based on residency, including any community.

d. Terms like "Customary and traditional", "rural" or "family" must be clearly defined if they are used in any form in the law. It is imperative for the legislature to clearly define the terms of any subsistence law to allow an Alaskan resident to determine whether he is or is not a subsistence user.

e. The term "customary trade" must exclude all commercial sales.

f. The law must authorize the Boards of Fisheries and Game to regulate subsistence uses at any time, when appropriate.

g. Competing uses should not be eliminated whenever there is a conflict with subsistence uses.

h. The Boards should be allowed to regulate subsistence uses at historic levels of harvest.

i. The term "restricted" must be clearly defined to allow on-going regulation of subsistence uses.



SB 231

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

April 18, 1985

Honorable Peter Goll
Chairman, House Special Committee
on Fisheries
Alaska State Legislature, Pouch V
Juneau, Alaska 99811

Dear Mr. Goll:

Thank you for your letter of April 1 regarding the State of Alaska's subsistence program and the recent Madison decision. In early 1982, the Department of the Interior certified that Alaska's subsistence program was in compliance with Title VIII of the Alaska Lands Act (ANILCA). This action followed extensive consultation between the State authorities and the Department. We had advised the State that the program which was certified (and the focus of the Madison case) was not the only approach that would comply with Title VIII. Although the focus during recent years has been on the urban and rural classifications, ANILCA specifies that rural residency is not the only criterion to be used in determining eligibility for the preference for nonwasteful subsistence taking. Section 803 provides that eligibility for the preference may be limited to those rural residents for whom subsistence is customary and traditional.

Our preliminary review of the Madison decision indicates that it puts the State in a position of non-compliance. The decision appears to require that, under Alaska law, the subsistence preference be extended to urban residents--an extension barred by Title VIII. We have written your Attorney General and asked for his opinion on this preliminary assessment. We prefer not to make a final ruling on the effect of a State of Alaska court decision which focused solely on a State statute and State implementing regulations without the views of Alaska's chief legal officer.

RECEIVED
APR 23 1985

Attachment #20

If our final determination remains the same as our preliminary assessment, we would afford the State an opportunity to correct the program deficiencies. Since the apparent non-compliance is the result of an unexpected court ruling rather than willful action by the State's executive or legislative branches, we are persuaded that Title VIII implicitly requires us to provide the State with a reasonable opportunity to take appropriate corrective action. Efforts by the State to comply with the spirit if not the letter of Title VIII would lend support to this approach. Consequently, the Department has no immediate plans to undertake activities to discharge its obligations under Sections 805 (a), (b), and (c) if it is finally determined that the Madison decision puts the State in non-compliance and there are indications that the State will act to come into compliance. Please note, however, that this course of action is not completely free of risk. It is possible someone could pursue the judicial remedy specified in Section 807 and argue that we must take immediate action under Sections 805 (a), (b), and (c). Should a Federal court agree with that assertion, the Department could be compelled to assume subsistence management on public lands notwithstanding our decision to afford the State an opportunity to come back into compliance with Title VIII.

You posed a series of questions regarding how we would take action pursuant to Section 805. Since we have not yet prepared plans for assumption of subsistence management, many of your questions cannot be answered. Nonetheless, it is likely that some form of NEPA compliance will be required. We could however, invoke the emergency rulemaking authorities under the Administrative Procedures Act to save additional time.

If Federal action is required, coordination with the State would be extremely important since the one-third of Alaska that is non-Federal land would remain subject to State fish and game management. The resulting dual management scheme would cause many problems and is one of the primary reasons why we are strongly supportive of continued State management and hope that the State will cure the apparent deficiencies created by the Madison decision.

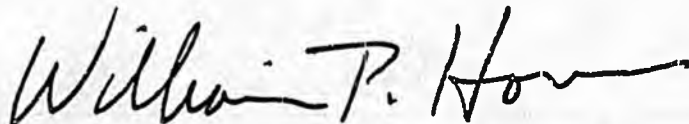
You also inquired about an arrangement, following Federal action, under which the State would continue on-the-ground management of fish and wildlife resources under the aegis of the Federal Government. The legality of such an arrangement is currently

under review but your Department of Fish and Game might be barred from complying with the statutorily-required Federal directions if existing State law did not permit distinctions to be made between customary and traditional rural subsistence users and other users of fish and wildlife resources.

Your last question addressed the Department's ability to discharge the management responsibilities it might have to assume under Section 805. Presently we do not have such capabilities; however, we shall take all required steps to acquire such capability if necessary to fulfill our legal obligations.

I trust that this is responsive to your concerns. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "William P. How". The signature is written in dark ink and is positioned above the typed name.

DEPUTY UNDER SECRETARY



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

April 1, 1985

Mr. Bill Horn
Deputy Undersecretary
Department of the Interior
Washington, D.C. 20240

Dear Mr. Horn:

A recent ruling by the Alaska Supreme Court striking down regulations governing subsistence fishing in Cook Inlet has resulted in the submission of Legislation modifying the state's subsistence law. State compliance with the provisions of ANILCA is an issue that concerns many lawmakers as the legislation is being dealt with in committee.

A timely response by Department of the Interior to the following issues would help the Legislature in its deliberations.

- 1) Has the Department of Interior reviewed the Madison decision? If so, has it made a determination of whether it would put the state in the position of non-compliance with ANILCA?
- 2) What kinds of situations would put Alaska in non-compliance with ANILCA?

If the courts or federal government determines the state is not in compliance with ANILCA and the federal government steps in to manage fish and wildlife on federal lands:

- 1) What kind of regulation promulgating process would the Department of the Interior undertake for fish and game management? Do you envision a NEPA-type process? If so, how long would it take from regulation proposal to enactment?
- 2) How would the Department of the Interior coordinate its fish and wildlife management on federal areas with state management within state jurisdiction? Does Interior envision problems with a dual management system?
- 3) Would Interior opt for a management approach where the state continues to be the fish and wildlife manager with federal approval?

- 4) Does Interior have the in-house expertise to adequately handle the management responsibilities that it might be delegated?

I respectfully request your prompt response to these questions as the subsistence Legislation is under consideration in the House. Please contact me if you need clarifications. Thank you for your consideration of my informational request.

Sincerely,



Representative Peter Goll
Chairman, House Special Committee on Fisheries

108
3/15/85

*****POMK106M - 3/15

TO: SENATORS ARJUD, DEVRIES, V. FISCHER, KELLY, RAY
REPS. HERRMANN, SHULTZ, WALLIS, CATO, JENKINS, M.W. MILLER,
PEARCE, SUND, THOMPSON

FR: ART DRABECK
SRC BOX 9338
PALMER 99645

SB 231
24

RE: SB231 & HB288 - SUBSISTENCE LEGISLATION

THE PEOPLE OF ALASKA HAVE VOTED FOR SUBSISTENCE. FEDERAL LAW

AUTHORIZES SUBSISTENCE. THE ALASKA SUPREME COURT SAYS ALL
PEOPLE, URBAN AND RURAL, ARE ELIGIBLE FOR SUBSISTENCE. WHAT YOU
NEED TO DO IS HOLD PUBLIC HEARINGS THROUGHOUT ALASKA FOR AT LEAST
ONE YEAR AND THEN DECIDE WHAT SUBSISTENCE IS. REPLY REQUESTED.

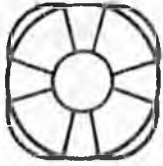
RECEIVED
MAR 18 1985

RECEIVED
MAR 26 1985

SENATOR ABOOD,

I'M WRITING IN RESPECT TO THE ISSUE OF SUBSISTENCE FISHERY REGULATION. SPECIFICALLY ABOUT MADISON VS STATE & SB#231. IT IS VERY IMPORTANT FOR THE WHOLE COMMUNITY OF CORDOVA THAT THIS BILL BE SCHEDULED FOR HEARING THRU' THE SENATE COMMITTEES & TO PUSH FOR QUICK FIX LEGISLATION BEFORE MAY 15TH WHICH IS WHEN WE ARE SCHEDULED TO START FISHING THE COPPER RIVER DELTA FOR SOCKEYE & KINGS. THIS PARTICULAR FISHERY COMPRISES LITERALLY $\frac{1}{2}$ (50%) OF MY & THE REST OF THE TOWN'S INCOME FOR THE YEAR. I WOULD APPRECIATE VERY MUCH A LITTLE, OR A LOT OF HELP IN THIS MATTER.

THANK YOU VERY MUCH,
A VERY CONCERNED FISHERMAN
E. J. Cheshire
BOX 2204 CORDOVA 99574



Tacoma
Marine/Cordova

3-20-85

SENATOR MITCH ABOOD
CHAIRMAN STATE AFFAIRS COMMITTEE
ALASKA STATE LEGISLATURE
POUCH V (MS 3100)
JUNEAU, ALASKA 99811

RECEIVED
MAR 26 1985

Dear Senator Mitch Abood;

~~I am very concerned about the new~~
~~subsistence ruling.~~ If it is not changed back
to rural; it could wipe out Cordova's economy
this year.

Cordova survives from commercial gillnetting
on the Copper River Delta. We have already lost our
winter crab fishery three years ago. If gillnetting
on the Copper River Delta is cutback or discontinued,
it will spell disaster for Cordova this summer.

It is very important that emergency
legislation is completed before May 15-85.

Please do all you can to support HB#288
and SB#231.

Sincerely,
Frederick J. Newirth
Manager
FREDERICK J. NEWIRTH

March 21, 1985

Dear Senator Mitch Abood,
I am writing this
letter in regards to
pushing up the date
on the hearing of the
bill SB# 231.

This as you know
is a very touchy item,
but to Prince William
Sound fishermen and
the community it is very
important that this
bill is pushed thru before
May 13th which is our
opening date for our
Red Season which is
to be the best since
1980.

Would you please
consider us, as Cordova
families which all deal
w/ commercial fishing

one way or the
other.

Thanking you for your
help in this matter.

Mrs Joy Kuder
Box 353
Cordova, Alaska
99574

RECEIVED
MAR 26 1985

RECEIVED
MAR 26 1985

3-20-85
Cardona Alaska

Senator Mitch Aboud:

We are writing to ask you to push for the scheduling of hearings on SB# 231 through the Senate Committees (Judiciary, Finance, State Affairs and Resources) and to push for quick fix legislation (SB# 231) before this years fishing season.

We have been residents & fishermen in Cardona for 25 years our children are in the fishing business and we sure would hate to lose our means of making a living

Sincerely
Mary Beth & Cliff Albee
Box 22
Cardona, Alaska
99574

March 20, 1985

Senator Mitch Abood
Alaska State Legislature
Pouch V (Ms 3100)
Juneau, Alaska 99811

RECEIVED
MAR 26 1985

Dear Senator Abood,

It is of great importance to the City of Cordova that the matter of subsistence be clarified before the adjournment of the 1985 session of the 14th Legislature. Fishing is our only industry and fish our only export. Not having this controversial matter settled will have a devastating effect on Cordova and most other coastal communities which are already suffering from economic woes due to lower exvessel prices, reduced fishing time and the loss of winter crab fishing from depleted stocks. The salmon industry is in operation from May 15th until approximately October 1st, a period of only 4 1/2 months. If the subsistence issue remains unsettled it could represent a 50% reductions in fishing time and a complete shutdown of our gillnet fishery representing over 500 permits. Using last years figures that would represent a loss of \$8,000,000 in raw product alone not to mention hundreds of other jobs in local processing plants and \$240,000 in raw fish tax. Some legislators may feel they can procrastinate on this issue, but the coastal communities of this state cannot afford to see their only resource swim upstream while the subject is being debated in the Halls of Juneau. I personally feel that subsistence should be handled on a case by case basis taking into account historical and customary use, need and regional residency. This is not to say that all Alaskans cannot share in the fishery since we can all buy a sport fishing license and try our luck with rod and reel or dip net.

I would appreciate your support of Senate Bill 231. It is very important that this issue be settled before the 1st of May.

Sincerely,

Leonard Pingatore
Box 520
Cordova, Ak. 99574

I am presently serving as mayor of the City of Cordova. I also own and operate the Cordova Drug Store and fish commercially in the salmon seine fishery.

Leonard Pingatore

F/V Belen-C
Joe and Belen Cook, Jr.

P. O. Box 215
Cordova, Alaska 99574
Phone (907) 424-3507

Senator Mitch Abood

I am writing to ask you
to push, for the scheduling of the
hearing on S.B. 231 through the Senate
committees and to push for quick fix
legislation before this year's fishing season
May 15, 1985.

95% of my income, is made on the
Copper River flats. With out your help. I
will not be able to make a living

RECEIVED
MAR 26 1985

Thank You
Joe Cook Jr.



Senator Mitch Abood

Please push for scheduling of hearings on SB #231 through our Senate committees. Alaska will suffer as a whole if its not done soon, I sure hope you share our governments foresight, in that grave suffering will be had by Cordova in particular, and the entire State on a smaller scale. Please push for SB #231 before it is too late, or major damage will be done to Cordova and its people.

Thank you for taking the time to read this.

Sincerely,

William B. Wome

Box 1314 Cordova 99574

RECEIVED
MAR 26 1985

Senator Mitch Abood
Chairman State Affairs Committee
Alaska State Legislature

March 20, 1985

Dear Senator Abood

I am writing in regard to Senate Bill "231" "Subsistence". At this time I understand that the Bill has been referred to the State Affairs Committee but it is yet to be scheduled. I am asking you to do anything and everything you can possibly do to get this Bill scheduled and through the State Affairs Committee.

I am a resident of Cordova Alaska and commercial fishing is my sole means of income. Without quick fix legislation to the recent State Supreme Court ruling, my livelihood is at a total loss!

Sincerely
Tom Masolini
BX 102
Cordova AK 91574

Roy + Jerry Estes
Box 1309
Cordova, Alaska
99574

Mitch Abood
Pouch V
Juneau, Alaska
99811

RECEIVED
MAR 26 1985

Dear Mr. Abood;

I'm writing concerning our fisheries S.B. [#]231. I cannot believe our own state legislator is going to rape our state! Without rules and regulations, our fisheries would cease to exist, as a re-newable resource or anything else.

Unless action is taken immediately, there will be no comm. fishing on the Copsen River flats. Do you have any idea what this will do to Cordova? Why do some of our own state senators seem so horribly ignorant on our commercial fishing industry? It will be here long after the oil is gone; but only if we take care of it. What is happening now doesn't fall into that category.

All the help we can get is needed now,
not after the meeting of the board of feet.
They can't do much; their hands have
been well tied.

Thank you
Jury + Rosy Estes

RECEIVED
MAR 26 1985

3-20-85

Senator Mitch Abood,

I'm asking you as a fellow Alaskan to remember that this state subsisted on commercial fishing exclusively until oil was found.

Since oil was found there has been escalation in revenue for the state as well as a lot more people moving in.

I'm a commercial fisherman, I've had to fight every year politically to protect my means of living, the oldest means of a living in the state.

Why don't the new politicians cater only to the oil people who also have many votes?

Why do I feel ripped off?

Please consider Bill #231 quickly.

The Fishing Season is pending a quick decision and Salmon don't wait.

Thank

JAMES KALLANDEK

PO Box 2272

CORDOVA AK 99574

RECEIVED
MAR 26 1985

March 21, 1985

The Honorable Abood,
Alaska State Legislature
Pouch V
Juneau Alaska, 99811

Dear Senator Abood,

We urge your support of SB #231 which will help save our Copper River fishery.

This request is not from a casual concern, but we are dependent on the salmon fisheries for our livelihood.

Sincerely yours,
Chris D. Billings
Chris D. Billings
P.O. Box 219
Cordova Ak. 99574

Senator Abood
State Affairs Committee

As a life long commercial fisherman, and Native of Alaska I feel your support of Senate Bill 231 is necessary for my family to remain in Cordova.

Commercial fishing on the Copper River starts May 15, so resolving this issue this session is of utmost importance. If we don't go fishing the 15th of May or there abouts the fish will have gone by, the best fish prices will have gone by. Because when False Pass and Bristol Bay come on line, our fish prices fall in line with theirs.

It is almost certain Cordova will become a ghost town without fishing the Copper River. Some years 80% of my income comes from these fish.

Right now Cordova, is a Commercial salmon fishing town, we do not have any other industry.

Best Regards
Thomas W. Anderson
P.O. Box 995
Cordova, Alaska 99574

RECEIVED
MAR 26 1985

March 20, 1985

To Sen. Mich Abood;

Just a short note to let you know that I am in favor of Senate Bill #231. We need to get this straighten out as soon as possible.

I also think we need to have Public hearings on this issue.

Thank You,

Robert H. Lohse
Star Route Box 310
Copper Center, Ak.

99573

RECEIVED
MAR 26 1985

March 21, 1985

Senator Mitch Abood
Chairman-State Affairs Committee
Alaska State Legislature
Juneau, Alaska 99811

Dear Senator Abood:

I'm writing to urge you and the rest of the Senate to consider and support S.B. 231 as soon as possible. As a life-long resident and Area E fisherman, I believe that ~~my livelihood is in jeopardy~~ unless this subsistence issue is resolved in a timely manner.

Thank you for your consideration of this matter.

Sincerely,

Kenneth D. Kritchen

Kenneth Kritchen
Box 1255
Cordova, AK 99574

RECEIVED
MAR 26 1985

BOX 2271
Cordova AK
99574

Dear Senator Abood

I'm writing in regards to S.B. #231, it's a nessecity to me that this bill or something similiar be passed. I'm a second generation fisherman of Cordova, and the family head of four. I have always made my living as a fisherman, and don't have an alternative resource should the copper River be closed to commercial fishing 70% of my income derives from the Copper River fisheries. I've invested heavily in my trade, without it it will be impossible of me to make my payments as well as support my family. Nonsupport of this bill does not only hurt myself, and other gillnetters of this area, but will also be crucial to the economy of Cordova. Also, it would force us to leave our community in which we were reared, to try and seek employment elsewhere. I believe we need to keep our faith in the Board of Fish, where the sport, dipnetters and subsistence fisherman all had a fair and equal opportunity to the fish due them. We have always gone fishing in May - PLEASE HELP KEEP IT THIS WAY.

RECEIVED
MAR 26 1985

Thank You.
Kim Olson

Mar. 21, 1985

John F. Burch
P.O. Box 1012
Cordova, Alaska

99574

Senator Mitch Abood
Chairman State Affairs Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Mitch Abood,

I would like to take this opportunity to ask for your help in the swift passage of Bill #231.

I am a commercial fisherman, 36 years old, and I make 100% of my livelihood from commercial fishing. I am also an Alaska state resident and live in Cordova year round. Non-passage of this bill would mean a substantial loss of income for myself and hundreds of other fishermen, not to mention the community as a whole. Thank you.

Sincerely,

John F. Burch

John F. Burch

RECEIVED
MAR 26 1985

RECEIVED
MAR 26 1985

LYNN W. POTTER
P.O. Box 1472
CORDOVA, AK 99574

STATE SENATE AFFAIRS COMM.,
SENATOR ABOOD, CHAIRMAN

THIS LETTER IS IN SUPPORT OF SENATE BILL #231
AND HOUSE BILL #288 WHICH WILL SAVE THE COPPER
RIVER FISHERY.

I MOVED TO CORDOVA TOO LATE TO BE ELIGIBLE
FOR A LIMITED ENTRY PERMIT ON THE POINT
SYSTEM. FOR THE PAST 10 YEARS I HAVE FISHED
FULL-TIME AS A DECKHAND ON CRAB & SALMON
BOATS WHILE ALSO RUNNING MY SMALL BOAT
ON OTHER HARVESTS.

AS OF LAST YEAR MY HOUSE WAS NEARLY PAID
~~OFF~~ FOR AND I COULD INVEST IN A P.W.S GILLNET
PERMIT (VIA A STATE LOAN). IF I AM NOT ALLOWED
TO FISH THE COPPER RIVER RED SALMON TEN
YEARS OF EFFORT, IN ACCORDANCE WITH
LEGISLATIVE POLICY; WILL HAVE BEEN WASTED.

CRAB & OTHER FISHERIES AT THIS POINT ARE NOT
LUCRATIVE ENOUGH TO MAKE PAYMENTS. WITHOUT
THE GILLNET FISHERY I WOULD BE FORCED TO
LEAVE CORDOVA.

AFTER WORKING FOR 10 YEARS, IN COMPLIANCE
WITH LEGISLATIVE POLICY, TO HAVE ALL I'VE
WORKED FOR THROWN OUT BY LEGISLATIVE
ACTION WOULD ~~BE~~ LEAVE ME WITH A
DEEP RESENTMENT A LOSS OF RESPECT FOR
THOSE LAWS I HAVE TRIED TO OBEY AND
RESPECT.

SINCERELY
LYNN POTTER - COMM. FISHERMAN
CORDOVA.