

S J R

64

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 1/29/90

FURTHER:

Date of 5-Day Notice: 2-22-90
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-26-90

Resources Committee considered

SJR 64

Relating to federal funding for local fish and game advisory committees and regional councils under the Alaska National Interest Lands Conservation Act.

and recommended:

- replace with _____ CS SJR 64 (Res) same title
- attached amendment(s) new title
- _____ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) _____

zero fiscal note(s) ADFG

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

Rick Halford

John G. ...

Adrian Stanger ...

OTHER RECOMMENDATIONS:

John Anthony DePas

Chair: Signature and Recommendation



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Administration	BILL NUMBER SJR No. 64	SPONSOR Coghill, et al
SHORT TITLE OF BILL Relating to federal funding for local fish and game advisory committes.			
DEPARTMENT POSITION Support.			
PREPARED BY Beverly Reaume	DATE 02/26/90	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/26/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
Section 805(e) of the Alaska National Interest Lands Conservation Act (ANILCA) (P.L. 96-487) authorizes Congress to reimburse states for up to 50 percent of costs for a maximum of \$5,000,000 per year. In recent years our highest reimbursement has been \$974,000 per year.

ANALYSIS OF BILL/PROGRAM EFFECTS
In FY 87 the state spent \$2,561,951 and was reimbursed \$939,394. Reimbursement at 50 percent would have required an additional \$341,581.
In FY 88 expenditures were \$2,471,986 with a reimbursement of \$987,000, for a variance of \$248,993.
In FY 89 expenditures were \$2,553,228 with a reimbursement of \$987,000, for a variance of \$289,614.
The FY 90 reimbursement will be \$974,000 and the FY 91 reimbursement \$750,000.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: 1/29/90
 Title: Relating to federal funding for local fish and game advisory. . .
 Sponsor: Coghill, et al
 Requestor: _____

Agency Affected: Fish and Game
 BRU: Subsistence and Boards
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	214.6	215.0	215.0	215.0	215.0	215.0
CONTRACTUAL	75.0	75.0	75.0	75.0	75.0	75.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	289.6	290.0	290.0	290.0	290.0	290.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS	289.6	290.0	290.0	290.0	290.0	290.0
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact.

Increased revenue for Boards and Subsistence based on FY 89 actual expenditures.

Prepared by: Beverly Reaume *Beverly Reaume* Phone: 465-4120
 Division: Administration Date: 02/26/90

Approved by Commissioner: *William W. H. H. H.* Date: 02/26/90
 Agency: Fish and Game

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
 Title: Relating to federal funding for BRU: _____
Fish and Game Advisory Committees & Regional Councils
 Sponsor: Sen. Coghill Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This resolution has no state fiscal impact.

Prepared by: Nancy Petersen, staff *N. Petersen* Phone: 465-3834
 Division: Senate Resources Committee Date: 2/25/90

Approved by Commissioner: _____ Date: -0-
 Agency: _____

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

LOCAL AND REGIONAL PARTICIPATION

16 USC 3115.

SEC. 805. (a) Except as otherwise provided in subsection (d) of this section, one year after the date of enactment of this Act, the Secretary in consultation with the State shall establish—

(1) at least six Alaska subsistence resource regions which, taken together, include all public lands. The number and boundaries of the regions shall be sufficient to assure that regional differences in subsistence uses are adequately accommodated;

(2) such local advisory committees within each region as he finds necessary at such time as he may determine, after notice and hearing, that the existing State fish and game advisory committees do not adequately perform the functions of the local committee system set forth in paragraph (3)(D)(iv) of this subsection; and

(3) a regional advisory council in each subsistence resource region.

Regional advisory council, authority.

Each regional advisory council shall be composed of residents of the region and shall have the following authority:

(A) the review and evaluation of proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife within the region;

(B) the provision of a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife within the region;

(C) the encouragement of local and regional participation pursuant to the provisions of this title in the decisionmaking process affecting the taking of fish and wildlife on the public lands within the region for subsistence uses;

Annual report to Secretary.

(D) the preparation of an annual report to the Secretary which shall contain—

(i) an identification of current and anticipated subsistence uses of fish and wildlife populations within the region;

(ii) an evaluation of current and anticipated subsistence needs for fish and wildlife populations within the region;

(iii) a recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs; and

(iv) recommendations concerning policies, standards, guidelines, and regulations to implement the strategy. The State fish and game advisory committees or such local advisory committees as the Secretary may establish pursuant to paragraph (2) of this subsection may provide advice to, and assist, the regional advisory councils in carrying out the functions set forth in this paragraph.

(b) The Secretary shall assign adequate qualified staff to the regional advisory councils and make timely distribution of all available relevant technical and scientific support data to the regional advisory councils and the State fish and game advisory committees or such local advisory committees as the Secretary may establish pursuant to paragraph (2) of subsection (a).

(c) The Secretary, in performing his monitoring responsibility pursuant to section 806 and in the exercise of his closure and other administrative authority over the public lands, shall consider the report and recommendations of the regional advisory councils concerning the taking of fish and wildlife on the public lands within their respective regions for subsistence uses. The Secretary may choose not to follow any recommendation which he determines is not supported

REGIONAL PARTICIPATION

otherwise provided in subsection (d) of this section, the date of enactment of this Act, the State shall establish—

(1) a subsistence resource region which includes all public lands. The number and boundaries shall be sufficient to assure that regional subsistence uses are adequately accommodated; (2) advisory committees within each region as he may determine, after notice to existing State fish and game advisory committees, to perform the functions of the local advisory council in paragraph (3)(D)(iv) of this subsection;

(3) an advisory council in each subsistence resource region.

(4) The advisory council shall be composed of residents of the region having authority:

(A) evaluation of proposals for regulations, rules, orders, and other matters relating to subsistence uses of fish and wildlife within the region;

(B) a forum for the expression of opinions and recommendations of persons interested in any matter related to the taking of fish and wildlife within the region; (C) representation of local and regional participation in the decisionmaking process of this title in the decisionmaking process of the taking of fish and wildlife on the public lands for subsistence uses;

(D) an annual report to the Secretary which

(i) describes the status of current and anticipated subsistence uses of fish and wildlife populations within the region; (ii) describes the status of current and anticipated subsistence uses of fish and wildlife populations within the region; (iii) describes the strategy for the management of fish and wildlife populations within the region to accommodate subsistence uses and needs; and (iv) describes the status of current and anticipated subsistence uses of fish and wildlife populations within the region.

(5) The Secretary shall assign adequate qualified staff to the region and make timely distribution of all available scientific support data to the regional advisory committees and game advisory committees as the Secretary may establish pursuant to this subsection (a).

(6) In performing his monitoring responsibility under this subsection (a), the Secretary, in the exercise of his closure and other authority over the public lands, shall consider the recommendations of the regional advisory councils concerning the taking of fish and wildlife on the public lands within their respective subsistence uses. The Secretary may choose not to follow any recommendation which is not supported

by substantial evidence, violates recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs. If a recommendation is not adopted by the Secretary, he shall set forth the factual basis and the reasons for his decision.

(d) The Secretary shall not implement subsections (a), (b), and (c) of this section if within one year from the date of enactment of this Act, the State enacts and implements laws of general applicability which are consistent with, and which provide for the definition, preference, and participation specified in, sections 803, 804, and 805, such laws, unless and until repealed, shall supersede such sections insofar as such sections govern State responsibility pursuant to this title for the taking of fish and wildlife on the public lands for subsistence uses. Laws establishing a system of local advisory committees and regional advisory councils consistent with section 805 shall provide that the State rulemaking authority shall consider the advice and recommendations of the regional councils concerning the taking of fish and wildlife populations on public lands within their respective regions for subsistence uses. The regional councils may present recommendations, and the evidence upon which such recommendations are based, to the State rulemaking authority during the course of the administrative proceedings of such authority. The State rulemaking authority may choose not to follow any recommendation which it determines is not supported by substantial evidence presented during the course of its administrative proceedings, violates recognized principles of fish and wildlife conservation or would be detrimental to the satisfaction of rural subsistence needs. If a recommendation is not adopted by the State rulemaking authority, such authority shall set forth the factual basis and the reasons for its decision.

(e)(1) The Secretary shall reimburse the State, from funds appropriated to the Department of the Interior for such purposes, for reasonable costs relating to the establishment and operation of the regional advisory councils established by the State in accordance with subsection (d) and the operation of the State fish and game advisory committees so long as such committees are not superseded by the Secretary pursuant to paragraph (2) of subsection (a). Such reimbursement may not exceed 50 per centum of such costs in any fiscal year. Such costs shall be verified in a statement which the Secretary determines to be adequate and accurate. Sums paid under this subsection shall be in addition to any grants, payments, or other sums to which the State is entitled from appropriations to the Department of the Interior.

(2) Total payments to the State under this subsection shall not exceed the sum of \$5,000,000 in any one fiscal year. The Secretary shall advise the Congress at least once in every five years as to whether or not the maximum payments specified in this subsection are adequate to ensure the effectiveness of the program established by the State to provide the preference for subsistence uses of fish and wildlife set forth in section 804.

FEDERAL MONITORING

SEC. 806. The Secretary shall monitor the provisions by the State of the subsistence preference set forth in section 804 and shall advise the State and the Committee on Interior and Insular Affairs and on Merchant Marine and Fisheries of the House of Representatives and the Committees on Energy and Natural Resources and Environment and Public Works of the Senate annually and at such other times as

Implementation

Reimbursement to States.

Report to Congress.

Report to congressional committees.
16 USC 3116.



SOUTHEAST REGIONAL FISH & GAME COUNCIL

c/o ADF&G, DIVISION OF BOARDS, P.O. Box 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

TO: Alaska State Legislature
FROM: Southeast Regional Fish & Game Council
DATE: February 12, 1990

RE: Request for adequate funding to the advisory committees and regional council system to ensure ANILCA compliance

There are four major aspects to the problem of funding for advisory committee and regional council activities to maintain compliance with ANILCA:

1. Fish and game regional councils and advisory committees are underfunded. Monies have been cut and/or reallocated to the point where assigned responsibilities and duties can not be accomplished. Requests for supplemental appropriations and budget increases are not receiving due consideration.

2. Regional council and advisory committees should be more involved in the oversight of the expenditure of funds concerning their activities. The Department of Fish and Game has sole oversight and makes the disbursement of funds to the Division of Boards for administrative activities. This leaves some doubt as to the Joint Boards of Fisheries and Game's ability to control their budget to enhance the public participation level in the regulatory process for public fish and game resources.

3. When funds are not spent in accordance with the agreement for ANILCA between the U.S. Department of the Interior, and the Alaska Department of Fish and Game, the federal reimbursement of funds is placed in jeopardy. Section 805 of ANILCA requires not only the establishment of, but the operation of regional councils and advisory committees. The agreement does NOT authorize funds for the Joint Boards of Fisheries and Game or support of the Joint Boards of Fisheries and Game. Agreement attached.

4. Non-compliance with the federal ANILCA law will prompt the federal government to take over the management of fish and game resources within the state of Alaska on federal lands.

It is suggested that the Legislature strongly consider the following actions to maintain compliance with ANILCA:

- Adequately fund regional councils and advisory committees.
- Place funds as Line Items in the budget designated to the regional councils and advisory committees so the councils/committees can monitor their own monies.
- Oversee entire system to see that it is functioning as intended.

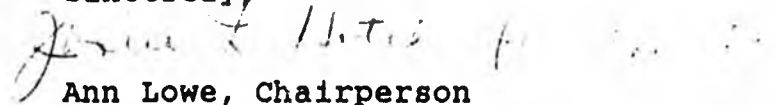
OVER

ADVISORY COMMITTEES

Angoon
Craig
Edna Bay
Elfin Cove
Gastineau Channel
Hydaburg
Hyder
Icy Straits
Kake
Ketchikan
Klawock
Klukwan
Pelican
Petersburg
Port Alexander
Sitka
Sumner Straits
Tenakee
Upper Lynn Canal
Wrangell
Yakutat

An information packet with supporting documentation is enclosed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Lowe", is written over the typed name.

Ann Lowe, Chairperson
Southeast Regional Fish & Game
Council

AL/jlh

Senator John B. (Jack) Coghill

Alaska State Legislature

Box V
Juneau, Alaska 99811
(907) 465-4797

Box 55028
North Pole, Alaska 99705
(907) 488-0862



MEMORANDUM

DATE: February 26, 1990

TO: Senator Bettye Fahrenkamp
Senate Resource Committee Chair

FROM: Senator Jack Coghill

SUBJECT: Sponsor Statement: SJR 64; ANILCA Funding for Local Fish and Game Advisory Committees and Regional Councils.

BILL SUMMARY:

The resolution requests the Secretary of Interior to take "immediate steps to obtain additional reimbursement funds to ensure that local fish and game advisory committees and regional councils mandated by the Alaska National Interest Lands Conservation Act can function effectively."

FISCAL IMPACT:

As of this morning, we have not received a fiscal note from the Department of Fish and Game, however we anticipate a zero fiscal note.

BACKGROUND:

We have received numerous requests for increased state funding of these local fish and game councils, that are federally mandated by ANILCA. The requests are justified in that the advisory system is not working as it should. The present process is almost totally centralized in the Boards of Fish and Game, while the advisory process, as I see, was to work in a decentralized manner. The objective was to manage our fish and wildlife resources in a manner that would fulfill the needs and address the concerns of importance to "local" and "regional" fish and game users, on a sustained yield basis. From the requests for additional funding, it is clear the system is not working as intended, and therefore the federal government should at least be put on notice, if not encouraged to directly participate in resolving these concerns. This resolution does both.



SOUTHCENTRAL REGIONAL FISH & GAME COUNCIL

c/o ADF&G, DIVISION OF BOARDS, 333 RASPBERRY ROAD, ANCHORAGE, AK 99502 • (907) 267-2315

ADVISORY COMMITTEES

Anchorage

Central Peninsula

Cooper Landing

Copper Basin

Copper River/Prince William Sound

Denali

English Bay/Port Graham

Homer

Kenai/Soldotna

Matanuska Valley

Mt. Yenlo

Paxson

Seldovia

Seward

Tok Cutoff/Nabesna Road

Tyonek

Valdez

September 7, 1989

The Honorable Steve Cowper

Governor

Pouch A

Juneau, Alaska 99811

Dear Governor Cowper:

The Southcentral Regional Council is comprised of 18 chairpersons of the local Southcentral Advisory Committees throughout Southcentral, representing a broad spectrum of resource users in their communities. The Southcentral Regional Council derives its authority concerning subsistence and habitat protection from ANILCA Section 805, Alaska Statute 16.05.260, and 5 AAC 96.200 - 5 AAC 96.280.

The Southcentral Regional Council has been functioning since 1979. We have attempted to do our job as we understand it from ANILCA and State of Alaska regulations. The Council has continued to try and participate despite hardships created by lack of adequate funding and support staff on the State level, as well as the Federal level.

This past year there was some progress made by the State to advance compliance to the Federal mandate contained in ANILCA concerning subsistence by recognition of the need for coordinators to the Councils. This was done through the hiring of Regional Regulatory Program Assistants also known as Regional Coordinators. Unfortunately, after adding the Coordinator positions last year, adequate funding was not provided, thereby creating an approximate \$280,000 deficit in the Division of Boards. Because the State has failed to supply this needed funding, it has created extreme problems for the proper functioning of the Councils. We have been informed that there is only enough funding for one Southcentral Regional Council meeting this coming year. The way the system is supposed to work is that advisory committees take input from their communities and then bring this input to the Council and even to the Board of Fisheries and Board of Game. With one meeting, this will not be possible. The Southcentral Regional Council needs to meet at least twice each year. Each meeting should be 2 or 3 days before each Board of Fisheries or Board of Game meeting to facilitate efficiency of time and funding. Even this cannot be done until the State's 10 day notification regulation (5 AAC 96.260 (e)) is repealed. This State regulation is part of the problem. Also, by

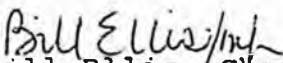
Page Two
September 7, 1989

Federal mandate, the State was required to establish regional councils; therefore, the Federal government should also be adequately funding the program as originally agreed upon in ANILCA. The State should aggressively seek this funding from the Federal government. The Regional Council cannot function on one meeting per year. As the Boards address these forthcoming subsistence issues, the Council's role is even more important as an advisor to the Board of Fisheries and Board of Game.

We have also been told only one representative from each region will be allowed to attend each of the scheduled board meetings because of inadequate funding. One representative cannot adequately represent 18 advisory committees concerns. More weight should be given to the recommendations made by the Council to state planners regarding present and future subsistence needs in their areas. This cannot be done without meetings and opportunities for community representatives to discuss their problems and to suggest ways to solve those problems. Therefore, funding is paramount to the proper functioning of the planning and implementation of the requirements spelled out in Section 805 of ANILCA. The protection and encouragement of the Regional Coordinator positions through funding, training, staff support, and travel, is also of primary importance.

The legislative intent was that the "establishment of regional advisory council support positions be given priority in the reorganization of the Boards." This intent is fine so long as adequate funding is provided. We strongly urge you to support this program through strong financial support, which is lacking at this present time. Strong financial support is the key to making this whole process work.

Sincerely,


Bill Ellis, Chairman

cc: Board of Fisheries Members
Board of Game Members
Don Collinsworth, ADF&G Commissioner
Norm Cohen, ADF&G Deputy Commissioner
Warren Wiley, ADF&G Assistant Commissioner
Division Directors, ADF&G
Walter Stieglitz, USFWS
Boyd Evison, NPS
John Katz, Governor's Office
Arctic Regional Council Chairman
Interior Regional Council Chairman
Southeast Regional Council Chairman
Southwest Regional Council Chairman
Southcentral Regional Council Chairmen
Regional Coordinators, Statewide

Page Three
September 7, 1989

Identical letters to the following:

The Honorable Ted Stevens
The Honorable Frank Murkowski
The Honorable Don Young
The Honorable Tim Kelly
The Honorable Sam Cotten
The Honorable Ramona Barnes
The Honorable John Binkley
The Honorable H.A. Boucher
The Honorable Kay Brown
The Honorable Bette Cato
The Honorable Jack Coghill
The Honorable Virginia Collins
The Honorable Cliff Davidson
The Honorable Dave Donley
The Honorable Johnny Ellis
The Honorable Jan Faiks
The Honorable David Finkelstein
The Honorable Paul Fischer
The Honorable Walt Furnace
The Honorable Max Gruenberg
The Honorable Rick Halford
The Honorable Alyce Hanley
The Honorable Lyman Hoffman
The Honorable George Jacko
The Honorable Jay Kerttula
The Honorable Ron Larson
The Honorable Loren Leman
The Honorable Curt Menard
The Honorable Mike Navarre
The Honorable Drue Pearce
The Honorable Fritz Pettyjohn
The Honorable Randy Phillips
The Honorable Pat Pourchot
The Honorable Steve Rieger
The Honorable Pat Rodey
The Honorable Richard Shultz
The Honorable Arliss Sturgulewski
The Honorable C.E. Swackhammer
The Honorable Mike Szymanski
The Honorable Rick Uehling
The Honorable Jim Zawacki
The Honorable Fred Zharoff

ADF&G: Boards

MEMORANDUM

State of Alaska

TO: Advisory Committee Members and
Regional Council Members

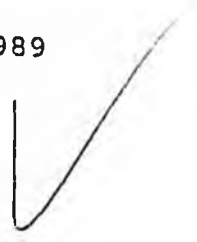
DATE: October 12, 1989

FILE NO:

TELEPHONE NO: 465-4110

THRU:

SUBJECT: Newsletter



Refer
FROM: Janice L. Hotch
Southeast Regional Coordinator
Division of Boards, ADF&G

On September 20, 1989, Donald See and Ann Lowe came to Juneau and composed the letter to the Governor. All committee members and regional council members should have received a copy of the letter. On September 29th, the Governor responded to the regional council letter (which I received on October 2, 1989) saying:

"I'm very supportive of this public process.....The Division of Boards has recently undergone a reorganization in order to increase the function and role of the regional regulatory program assistants located throughout the state. That reorganization will result in review of the budget for the Division of Boards to ascertain the funding level which will adequately allow for the services of the Division of Boards to be rendered. I'm aware that the level of funding for travel and meetings of the advisory committee and the regional councils is of concern, and this will be closely reviewed. Ultimately, of course, it will be the responsibility of the Legislature to approve the funding level for the Division of Boards."

The letter added: "Although the federal government is supposed to reimburse the State for half our expenditures for this program [advisory committee/regional council], it has been increasingly difficult to get this money into the federal budget. This year, that amount is for only \$750,000.00 [a decrease of \$220,000.00] despite the fact that our actual expenditure was more than \$3 million.

On September 25, the Governor sent a memo to Gary Slaven saying the Governor's office favors a supplemental for the Division of Boards for FY90. (The Division of Boards has a projected deficit of \$380,000.00.) The level of the supplemental is yet to be determined.

On September 21, 1989, Ann Lowe and Donald See sent a letter to the Congressional Delegation in Washington, D.C. All of the advisory committee members should have received a copy of the letter with a little green card requesting your support for the advisory committee/regional council system. I hope all of you have mailed the little green card with your signatures on it. If not, I would encourage you to do so. The green cards I also sent to the Southwest and Western regions. The Arctic Regional Coordinator sent out the green card to the Arctic region and the Southcentral Regional Coordinator did the same. The Interior Regional Coordinator is presenting the idea to the Interior Regional Council for their approval.

The responses we have so far received have been from Representative Goll, Representative Taylor, and Representative Hudson. Representative Goll said: "Please feel free to call upon me whenever I can take specific action in behalf of funding for the regional council and local boards."

On November 2, 1989, Don and Ann will travel to Juneau to attend the Southeast Subsistence Summit Conference at the request of Sealaska Corporation. The conference is being sponsored by Sealaska Corporation, Alaska Native Brotherhood, Alaska Native Sisterhood and Tlingit and Haida Central Council.

The following day on November 3, 1989, Don and Ann will be in the Juneau office to write the ANILCA report which is to be submitted to the Secretary of the Interior by November 15 of each year. If you would like to make comments for the report, please call this office at 465-4110 and make your comments directly to Don or Ann.

A summary of the regulations on what is included in the regional council annual report is:

IDENTIFY current and anticipated subsistence uses of fish and wildlife populations;
EVALUATE current and anticipated subsistence needs for use of fish and wildlife populations;
RECOMMEND strategy for the management of fish and wildlife populations to accommodate the identified fish and wildlife uses and needs; and
RECOMMENDATIONS concerning policies, standards, guidelines, and regulations to implement the strategy.

I encourage the advisory committees in Craig, Kake, Ketchikan, Klawock, Sitka, Wrangell and Yakutat to submit a report as these committees have never submitted a report to date.

The Department of Natural Resources, Resource Allocations Section sent to this office on October 12, 1989, a "Prince of Wales Island Area Plan" dated June 1989 that is about 2 inches thick. If you would like a copy, please let me know and I will contact Dee Koester, the project manager and request additional copies. Since they are \$5.00 a piece, I will have to limit the requests to one book per advisory committee. Let me know.

I have, at long last, finished the Board of Fisheries summary from the Juneau meeting. The summary is 28 pages. If you would like a copy, please call this office and one will be sent as soon as possible.

When I receive correspondence, I do try to get it in the mail to the affected committees as soon as possible. I don't necessarily include buck slips or cover letters but rather put "bcc" at the bottom of the correspondence. I hope this is acceptable, but if not, please let me know.

Regarding the Kenaitze v. State of Alaska, the August 30, 1989 date to respond with a plan has been extended to October 31, 1989. I will continue to keep everyone informed.

I will be out of the office October 16-27 to attend AFN and RuralCAP's subsistence conference and to attend the Joint Board meetings in Anchorage. I will also be out of the office November 1-8, to attend the Board of Game meeting in Fairbanks. Please direct any questions you may have to Renee Fvette-Dull and she will make very sure that I receive the message so that I may respond directly.

Distribution list:

Regional Council Chairmen
Regional Regulatory Program Assistants
Southeast Alaska State Legislators
Commissioner, ADF&G
Deputy Commissioner, ADF&G
Assistant Commissioner, ADF&G
ADF&G, Division Directors: Wildlife Conservation
Subsistence
Sport Fish
Commercial Fisheries
Habitat
FRED
Public Communications
Administration

US Fish and Wildlife Service
National Park Service
Board of Fisheries
Board of Game
Saxman



SOUTHEAST REGIONAL FISH & GAME COUNCIL

c/o ADF&G, DIVISION OF BOARDS, P.O. Box 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

September 21, 1989

ADVISORY COMMITTEES

- Angoon
- Craig
- Edna Bay
- Elfin Cove
- Gastineau Channel
- Hydaburg
- Hyder
- Icy Straits
- Kake
- Ketchikan
- Klawock
- Klukwan
- Pelican
- Petersburg
- Port Alexander
- Sitka
- Sumner Straits
- Tenakee
- Upper Lynn Canal
- Wrangell
- Yakutat

The Honorable Ted Stevens
 Senator
 United States Senate
 Washington, D.C. 20510-6025

Dear Senator Stevens:

The members of the Southeast Regional Fish and Game Council are chairmen from their respective southeast communities representing the 21 local fish and game advisory committees. We are petitioning you to seek reimbursement due to the State of Alaska under Section 805 (e) of ANILCA for the implementation of our duties and responsibilities as Regional Council members. We are also petitioning you to seek adequate funding for future appropriations to ensure our effectiveness.

The State of Alaska has never been reimbursed for 50% of its expenditures under Section 805 (e) of ANILCA. This lack of adequate funding has compromised and is compromising the effectiveness of the regional advisory councils established by the State of Alaska in accordance with Section 805 (d) of ANILCA and the operation of the State fish and game advisory committees.

Ever since the State has been seeking reimbursement of expenditures under Sec. 805 (e), the Department of Interior, through the Secretary, has paid to the State all of the funds that Congress has appropriated to the Department of Interior for that purpose. Unfortunately, those amounts have been much less than 50% of the state expenditures and much less than the \$5,000,000 maximum allowed by ANILCA Sec. 805 (e) (2). The State has expended sums well in excess of those amounts for which it has obtained reimbursement on the good faith belief that Congress would reimburse the State 50% of those amounts. We feel that Congress has an obligation to appropriate funds at an adequate level to ensure that Sec. 805 (e) is carried out effectively.

The decline in oil prices over the past three years has had a severe impact on State revenues. Consequently, the Alaska Department of Fish and Game has faced severe budgetary cutbacks which have had an adverse impact on subsistence research efforts and position vacancies for the advisory councils and committees remaining unfilled. In the 1987 ANILCA Title VIII report, as with the 1986 and 1985 reports which preceded it, cite the ineffectiveness of the public advisory system owing to a lack of staff support to the regional advisory councils and local advisory committees. The Title VIII reports also summarize the federal reimbursement which has been paid to the State for its subsistence program costs. The costs include the operation of the public advisory system and research which is shared freely with federal land managing agencies which have consistently stressed the need for more research. Reports prepared by federal agencies for land management plans always include a list of "research needs." We support subsistence research objectives of federal and state agencies. But what we want most is for the Department of Interior to acknowledge that its responsibilities do not end with providing "leadership and guidance" to the State of Alaska in the management of its resources.

Remembering the drastic measures which the Department of Interior anticipated that it would be forced to take several years ago when the State subsistence law was found to be out of compliance with ANILCA, the Southeast Regional Council believes the responsibilities of the Department of the Interior also include reimbursement to the State for its legitimate subsistence program costs. Such reimbursement costs to the federal treasury are quite modest in comparison with what the federal agencies would have spent in taking over full responsibility for managing fish and game resources on federal lands in Alaska.

The facts are that funding and staff support has been critically lacking for the Regional Councils. Funding is of the utmost importance to the effectiveness of the public advisory system in the state of Alaska. We have a serious problem Senator Stevens, and we are in desperate need of all the influence you can muster to get us that adequate funding from the federal and state level. It's needed now as we struggle with the implementation of subsistence regulations in our state. The Southeast Regional Council is charged with the responsibility of taking the lead role on subsistence regulations and implementation by protecting or watchdogging subsistence users. The Southeast Regional

Council was informed we only have the funding for one meeting this year. There is no way we can do a good job let alone an adequate job on one meeting a year. We need your help now and know you can help us.

Keep up the good work you are doing for our great state.

Sincerely yours,

Donald See

Ann Lowe

Donald See, Chairman
Ann Lowe, Secretary

by Jennie Hote

DS/AL/jh

cc: Manual Lujan, Secretary, Department of the Interior
Governor Steve Cowper, State of Alaska
Commissioner Don W. Collinsworth, ADF&G
Assistant Commissioner Wiley, ADF&G
Deputy Commissioner Cohen, ADF&G
Ron Thuma, USF&WS
Arctic Regional Regulatory Program Assistant
Arctic Regional Council Members
Interior Regional Regulatory Program Assistant
Interior Regional Council Members
Southcentral Regional Regulatory Program Assistant
Southcentral Regional Council Members
Southwest Regional Regulatory Program Assistant
Southwest Regional Council Members
Western Regional Regulatory Program Assistant
Western Regional Council Members
Alaska State Legislature
Robert Loescher, Ex Vice-President, SEALASKA CORP.
Ed Thomas, President, Tlingit and Haida Central Council

Identical letter sent to:

The Honorable Frank Murkowski, Senator
The Honorable Don Young, Congressman

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED
OCT 02 1989
BOARDS

September 29, 1989

Mr. Donald See
Chairman
Southeast Regional Fish
and Game Council
Department of Fish and Game
Division of Boards
P.O. Box 3-2000
Juneau, AK 99802

Dear Mr. See:

Thanks for your letter of August 21 in which you express concerns regarding adequate funding for the Division of Boards within the Department of Fish and Game. You were especially concerned about the restriction of meetings of the regional council to one per year, and with the level of federal funding provided for regional council activities.

The regulatory process for fish and wildlife management issues does involve an extraordinary level of public participation, involving input from the advisory committees, regional councils, and general public. I'm very supportive of this public process, and feel that the quality of the resulting regulations as promulgated by the Board of Fisheries and Board of Game are greatly enhanced.

The Division of Boards has recently undergone a reorganization in order to increase the function and role of the regional regulatory program assistants located throughout the state. That reorganization will result in review of the budget for the Division of Boards to ascertain the funding level which will adequately allow for the services of the Division of Boards to be rendered. I'm aware that the level of funding for travel and meetings of the advisory committees and the regional councils is of concern, and this will be closely reviewed. Ultimately, of course, it will be the responsibility of the Legislature to approve the funding level for the Division of Boards.

As you know, ANILCA Title VIII specifies that the State and the federal government will share the cost of the subsistence resource councils. Although the federal

Mr. Donald See


- 2 -

September 29, 1989

government is supposed to reimburse the State for half our expenditures for this program, it has been increasingly difficult to get this money into the federal budget. My Washington, D.C., office has been working with the Appropriations Committee to make sure amounts for the reimbursement are included in the Interior Department's appropriation. This year, that amount is for only \$750,000, despite the fact that our actual expenditure was more than \$3 million. At present we are working with the House and Senate conferees to emphasize to them the importance of this program and the fact that it is in fulfillment of a federal mandate.

I want to commend the Southeast Regional Fish and Game Council for the work that it has done in the past in ensuring that the fish and wildlife regulation process has benefited the residents of Southeast Alaska and the fish and wildlife resources. This level of citizen participation can be found in few other states, and I feel that it is particularly pertinent in Alaska.

Again, thanks for bringing these concerns to my attention.

Sincerely,

Steve Cowper
Governor

ROBERT C BYRD, WEST VIRGINIA, CHAIRMAN

WEL K. WOULFE, HAWAII
IST F. HOLLINGS, SOUTH CAROLINA
KENNETT JOHNSTON, LOUISIANA
JENNIFER M. BUNDSIE, NORTH DAKOTA
PATRICK J. LEAHY, VERMONT
JIM SASSER, TENNESSEE
DENNIS DECONCINI, ARIZONA
DALE BUMPER, ARKANSAS
FRANK R. LAUTENBERG, NEW JERSEY
TOM HARKIN, IOWA
BARBARA A. MIKULSKI, MARYLAND
HARRY REID, NEVADA
BROCK ADAMS, WASHINGTON
WYCHE FOWLER, JR., GEORGIA
J. ROBERT KEMREY, NEBRASKA

MARK O. MATTHEW, OREGON
TED STEVENS, ALASKA
JAMES A. MCCLEURE, IDAHO
JAKE GARN, UTAH
THAS COOYER, MISSISSIPPI
ROBERT W. KASTEN, JR., WISCONSIN
ALFONSO M. D'AMATO, NEW YORK
WARREN RUDDMAN, NEW HAMPSHIRE
ARLEN SPECTER, PENNSYLVANIA
PETE V. DOMBROWSKI, NEW MEXICO
CHARLES E. GRASSLEY, IOWA
DON NICOLLE, OREGON
PHIL GRAMM, TEXAS

JAMES M. ENGLISH, STAFF DIRECTOR
J. KEITH KENNEDY, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-8025

RECEIVED
OCT 23 1989
BOARDS

October 13, 1989

Donald See, Chairman
Ann Lowe, Secretary
Southeast Regional Fish & Game Council
c/o Alaska Department of Fish and Game
P.O. Box 3-2000
Juneau, Alaska 99802

Dear Donald and Ann:

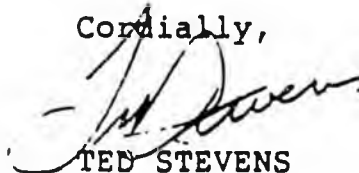
Thanks for contacting me to express your concern about funding for Alaska's Regional Fish and Game Councils, which were formed under ANILCA.

At my request, \$750,000 was added to the FY90 Interior budget to reimburse the cost of running these state councils. I had originally requested \$1.55 million, but the money was not included in the Interior Appropriations bill. I had to offer an amendment in Committee to include this funding, and then had to take money out of another Alaska program for this purpose. It was just not possible to provide the full authorized funding level of \$1.55 million, given the severe budget constraints under which we are operating.

Thanks again for writing.

With best wishes,

Cordially,


TED STEVENS

Senator Johne Binkley

Senate Finance Committee

P.O. Box V • Juneau, Alaska 99811 • (907) 465-4985

November 6, 1989

Finance Committee
Co-Chairman

Donald See, Chairman
Southeast Regional Fish & Game Council
c/o Division of Boards
P.O. Box 3-2000
Juneau, AK 99802

RECEIVED
NOV 08 1989
BOARDS

Dear Mr. See:

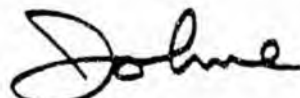
Thank you for writing me about the funding problems of the Division of Boards within the Department of Fish and Game. I had my staff check into the matter for me. It was certainly not the Legislature's intent to underfund the regional councils and advisory committees. I believe strongly in this system, and urged the department to beef up this system so that rural Alaskans would be full participants in the management of our fish and game resources. In fact, we increased the Division of Board's budget from \$1,118,900 in Fiscal Year 1989 to \$1,330,600 in Fiscal Year 1990.

I am told that the funding problem was the result of three actions: the filling of all the regional coordinator positions, many of which had been vacant for a long time; the re-activation of a number of advisory committees, which required extra travel monies; and a decrease in the amount of money we get reimbursed from the federal government (the ANILCA funding).

I believe that if the advisory committees and councils do fully participate in the decision-making process, the work-load of the Boards of Fisheries and Game should be reduced. Many of the issues brought before the boards can, and should, be solved at a more local or regional level.

I'm not sure what, if anything, can be done about this problem this year. However, we'll be working with the department to do what we can.

Sincerely,



Senator Johne Binkley
Yukon-Kuskokwim and
Interior Rivers

mem

cc: Commissioner Collinworth

REPRESENTATIVE
PETER GOLL



P O BOX 4
JUNEAU ALASKA 99801
(907) 485 4925

STATE OF ALASKA
HOUSE OF REPRESENTATIVES

December 8, 1989

RECEIVED
DEC 11 1989
BOARDS

Mr. Donald See, Chairman
Southeast Regional Fish and Game
Council
c/o ADF&G
Division of Boards
P.O. Box 3-2000
Juneau, AK 99802

Dear Mr. See:

Thank you very much for sending us a copy of your November 3rd letter, with attachments, to Secretary of the Interior Lujan.

Representative Goll is out of the state right now; however, I will make sure he receives this information immediately upon his return.

Sincerely,

A handwritten signature in cursive script that reads "Hayden Kaden".

Hayden Kaden
Legislative assistant

Alaska State Legislature

SENATOR
ARLISS STURGULEWSKI
Senate President Pro Tempore
Chairman, Senate Rules Committee



RECEIVED

DEC 15 1989

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

Office in Juneau
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 645-3818

December 13, 1989

Senate

Gary Slaven
Chairman
Board of Fisheries
Box 3-2000
Juneau, AK 99802

Henry Springer
Chairman
Board of Game
Box 3-2000
Juneau, AK 99802

Dear Gary and Henry:

Thank you for bringing forth this important issue of adequate funding for regional fish and game councils and advisory committees throughout the state. There must be more attention focused on the lack of funding and I appreciate your efforts at generating an increased awareness. The serious aspect of this lack of funding, as you point out, is the concern that it might lead to violations of specific ANILCA provisions.

I would certainly advise contacting Senator Bettye Fahrenkamp, Chairman of the Senate Resources Committee, with this information and suggest making a presentation to the committee early in the upcoming session. That might also provide an opportunity to make the information available to the House Resources Committee as well as both finance subcommittees on the Department of Fish and Game budget.

I have taken the liberty of sending copies of this material to the Senate and House Resources and Finance committees.

Kindest regards,

A handwritten signature in cursive script that reads "Arliss".

Arliss Sturgulewski
Alaska State Senator

cc: Board of Fish members
Board of Game members
Regional Councils
Senator Bettye Fahrenkamp
Senator John Binkley
Senator Rick Uehling
Representative Curt Menard
Representative Cliff Davidson
Representative Lyman Hoffman
Representative Ron Larson

cc: JB
CJ
NG
SL
RRPAB



Alaska State Legislature

REPRESENTATIVE DICK SHULTZ

PO Box 1
Juneau, Alaska 99811
(907) 465-4941
Home PO Box 487
Tok, Alaska 99781

Member
Finance Committee
December 20, 1989

RECEIVED
12 20 1989
BOARDS

Mr. Gary Slaven
Joint Boards
P.O. Box 3-2000
Juneau, Alaska 99802

Dear Mr. Slaven;

I have communicated with the Commissioners office about a letter from the Joint Boards to Advisory Committee Chairman. The letter gives the impression that individuals selected by Committees to represent them at Board meetings will not be recognized if the state does not provide funding for their travel.

Traditionally, our committees have selected an individual and usually that individual has paid his or her own way to the board meetings and has presented testimony on behalf of their committee members. By doing this the state has saved money for other members to travel from more remote distances. Now it seems these citizens are to be penalized if they pay their own way. Of course the other possibility is the boards are attempting to limit testimony, or even more disturbing, deliberately using our constituents as a blackmail tool in securing legislative funds for advisory committee travel money.

I, for one, do not respond well to negative incentives, and I do not believe our advisory committee system should be used in any type of political charade. Committee members are discouraged enough as it is with the National Park Service and the anti-hunting groups past influence on the boards.

If need be, I can get a legal opinion as to why the Board can not refuse to acknowledge the testimony of an individual elected and sent to represent a committee. I would rather not waste state time and money doing so. What I would rather see is a letter to all committee chairman from the Boards clarifying that elected committee representatives would be recognized as such when they present testimony to the boards. I appreciate your cooperation in this matter.

Sincerely,

Dick Shultz
Dick Shultz

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF BOARDS

August 8, 1989

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4110

Dear Local Advisory Committee Members and Alternates:

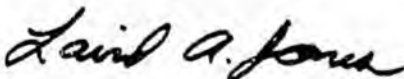
I am writing to personally inform you all of the financial dilemma the Division of Boards of Fisheries and Game is in for State Fiscal Year 1990 (June 30, 1989 through July 1, 1990). My intent is to advise you of the situation so you can plan your advisory committee and regional council activities for this coming board cycle

To be uniform and fair to all the advisory committees and regional councils statewide the following number of meetings and attendance at board meeting will be funded at this time. You should plan for two advisory committee meetings and one regional council meeting. Each region will be allowed to send one representative to each scheduled board meeting (both the Board of Fisheries and the Board of Game) and two representatives to the joint board meetings.

I appreciate that this places extreme hardship on the committees and councils and is quite different from past participation and arrangements. However, in projecting the board meeting costs, working with the Regional Coordinators to project the costs of the committee and council travel, per diem and meeting rooms costs, we found the above minimum needs could not even be fully met with the funding provided.

This division will be working with the commissioner and the board members, then the governor, and finally the state legislature to request additional funding to meet the above meeting schedule and provide for board attendance to the committees and councils. It is unclear if we will receive this additional funding, thus we cannot allocate funding for any additional meetings at this time. Any ideas you have to help reduce the costs of the meetings, other cost saving ideas, or concerns regarding the above plan would be appreciated. I will keep you informed on the progress of the additional funding request. If you have any questions, suggestions or ideas, please feel free to contact myself or your Regional Coordinator.

Sincerely,



Laird A. Jones
Director

cc: Commissioner Don Collinsworth
Board of Fisheries Members
Board of Game Members

Regional Coordinators
Division Directors



REGIONAL FISH & GAME COUNCILS

c/o ADF&G, DIVISION OF BOARDS, P.O. BOX 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 586-4110

October 27, 1989

The Honorable Morris K. Udall
Chairman
Committee on Interior and Insular Affairs
United States Congress
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Udall:

The Regional Council representatives met in Anchorage at the Joint Board of Fisheries and Game meeting October 22-26, 1989. The six Regional Fish and Game Councils (see appendix I) are made up of 79 local Fish and Game Advisory Committees throughout the state. The Division of Boards which provides administrative support to the Boards of Fisheries and Game and to the regional councils/advisory committees, presented a disturbing budget which would make the public advisory system completely ineffectual. The proposed budget would allow for only one regional council meeting per region this year and the attendance of the one regional council member to represent their region at upcoming board meetings (see appendix II).

The key to our ability to function properly is funding! At this meeting, the six Regional Councils recommended an acceptable minimum standard for meetings and funding of the public advisory system established by the State statutes and ANILCA. The six regional council representatives agreed that the minimum we should meet for conducting business and still have some degree of efficiency would be twice a year for each regional council. We agreed that each local fish and game advisory committee must meet at least 3 times a year. One representative from each fish and game advisory committee should attend the Board meetings for at least five days.

3 advisory committee meetings/year	Minimum
2 regional council meetings/year	Standards
1 advisory committee representative to	(Cost:
attend 5-days at Board meetings	\$1.2 mil)

Without this minimum amount of participation, the regional council/advisory committee structure will not be able to function. Furthermore, without adequate funding it will violate ANILCA Sec. 805 (d).

The Honorable Morris K. Udall

The State of Alaska has been charged with implementing the subsistence resources management as mandated by ANILCA. The public advisory system has the responsibility to protect subsistence uses in Alaska through recommendations to the regulatory body of the Boards of Fisheries and Game. This cannot be done without appropriating full funding needed for travel and per diem for the members of the public advisory system to attend the Board meetings, attend advisory committee meetings, and regional council meetings.

If this regulatory process is improperly funded or does not receive sufficient funds, it delays the implementation of the subsistence law, and reduces the public advisory system to the Board's deliberations. The domino effect will be the Board's decisions would be made without proper public information propelling the state into the courts repeatedly. Thus, it causes the whole process to be taken out of the public domain and into the courts where there is no public input or public control. These court cases will be and are becoming more and more costly to the State of Alaska and eventually to the federal government. If the State of Alaska and the federal government give full funding now, it will allow the public advisory system to work effectively in a shorter span of time which will save a lot of money over the long term for both bureaucracies.

The advisory committee/regional council system needs a supplement of \$1.2 million now to meet our responsibilities for this year which includes the present supplemental request from the Division of Boards. When you meet this fiscal responsibility, you should also plan to appropriate full funding until the subsistence regulatory process has been established. Give us (the regional councils, advisory committees, the Board of Fisheries and Game, and the Alaska Department's Subsistence Division) the full funding now to do at least an adequate job.

The advisory committee/regional council participation has not been given the priority status it needs for funding by the State of Alaska, or by the federal government in the budgetary process. All agencies involved in appropriating fiscal notes need to re-evaluate their priorities and decide if this is a valuable process or not. If it is, fund it.

We appreciate the support that has been given to our request for full staffing to provide administrative support to the public advisory process. This, however, is only half of the solution to our problem. The other is the ability to come together for the common purpose of helping implement subsistence uses and priorities.

The Honorable Morris K. Udall

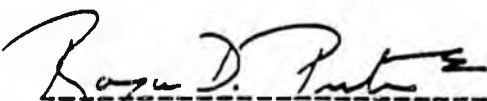
We thank you in advance for your assistance as we are sure you will understand the priority needs of this process.

Sincerely,

Regional Councils of Alaska



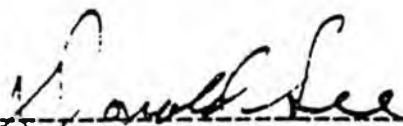
Pete Schaeffer, Chairman
Arctic Regional Council



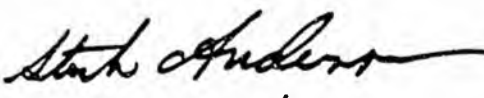
Royce Purinton, Chairman
Interior Regional Council



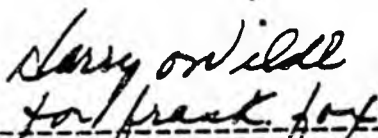
Bill Ellis, Chairman
Southcentral Regional Council



Donald See, Chairman
Southeast Regional Council



Robert Heyano, Chairman
Southwest Regional Council



Frank Fox, Chairman
Western Regional Council



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

CRITERIA FOR PROJECT APPROVAL

Introduction

These Criteria control the annual reimbursement from the Secretary of the Interior to the State of Alaska under subsection 805(e) of the Alaska National Interest Lands Conservation Act (ANILCA). 16 U.S.C. § 3115(e). In accordance with the requirements of title VIII of ANILCA, 16 U.S.C. §§ 3111-3126, reimbursement will cover reasonable costs relating to the establishment and operation of regional councils and the operation of fish and game advisory committees. Final determinations on reimbursable costs will be made by the Secretary of the Interior.

In the event the State subsistence management and use program approved by the Secretary on May 14, 1982, its underlying statute, or its implementing regulations are modified so as to require a finding of noncompliance with title VIII, these Criteria shall cease to be in effect, and the project agreement shall terminate. These Criteria may be amended by agreement of the State and the Department of the Interior.

Subject to the availability of appropriated funds, reimbursement shall not exceed 50 per centum of costs approved pursuant to these Criteria. 16 U.S.C. § 3115(e)(1). Total payments to the State shall not exceed \$5,000,000 in any fiscal year. 16 U.S.C. § 3115(e)(2).

Effective October 1, 1982, project agreements and reimbursement requests shall be submitted to the Regional Director, Fish and Wildlife Service, Alaska Region.

Criteria

1. Maintenance And Logistical Support

Reimbursement shall apply to expenditures covered by title VIII for the fish and game advisory system and for logistical support to that system. The regional councils and local committees form a structure through which the authorized council and committee functions can be fulfilled in accordance with the requirements of title VIII. Expenditures that allow the structure to exist are reimbursable; including, but not limited to, maintenance of membership rolls, communications among system units, and regional staff assigned as liaison to the councils and committees. Also reimbursable are the costs of providing the tools that allow the structure to operate; including, but not limited to, supplying to councils and committees copies of technical and scientific reports and qualified persons to assist

in interpreting and applying the reported data. Expenses associated with council and committee meetings are reimbursable; including, but not limited to, costs of members' travel and per diem, meeting rooms, and other meeting support services.

2. Socioeconomic Research

Information on subsistence uses and socioeconomic systems is essential if regional councils and local committees are to carry out their functions meaningfully within the structure discussed in Criterion 1, and reimbursement properly includes expenditures for social science research that supplies these data.

Reimbursement costs include the socioeconomic research program of the Division of Subsistence, Alaska Department of Fish and Game, which gathers, analyzes, and provides to the fish and game advisory system data on subsistence uses. Reimbursable costs include administrative functions and support services within the Division of Subsistence that are associated with socioeconomic research. Also reimbursable are other costs incurred in satisfying the requirements of title VIII.

3. Resource Program Adjustments

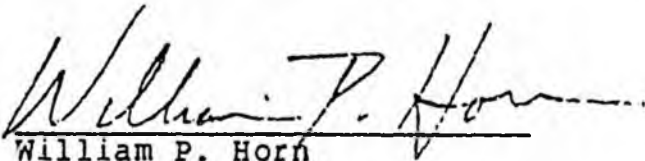
Other Divisions and Sections of the Alaska Department of Fish and Game make specific adjustments in their ongoing programs to

address subsistence management questions, to gather additional biological data on matters being addressed by the fish and game advisory system, and to provide services to the regional councils and local committees on subsistence resource issues. Reimbursement covers program adjustments made specifically to assist the regional councils and local committees in addressing subsistence management and resource questions. The connection between program adjustments and subsistence issues considered by regional councils and local committees will be documented in the reporting process.

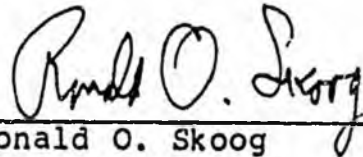
4. Administrative Overhead

Reimbursement covers the indirect costs associated with the expenditures described in Criteria 1, 2, and 3. The indirect cost rate is established by the Indirect Cost Negotiation Agreement between the Alaska Department of Fish and Game and the U.S. Department of the Interior. The rate under these Criteria will conform to the rate set pursuant to that agreement.

The above Criteria and the statutory requirements upon which they are based will control the annual reimbursement process. Additionally, other costs will be allowed upon the State's showing that, although not included in the Criteria, the expenditures were reasonable costs relating to the establishment or operation of regional councils or the operation of local advisory committees.



William P. Horn
Deputy Under Secretary
Department of the Interior



Ronald O. Skoog
Commissdiorer
Alaska Department of
Fish and Game

Date: _____

9/10/82

13 Sep 82

EVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED
DEC 22 1989
BOARDS

#4

December 21, 1989

Regional Fish and Game Councils
Chairmen
c/o Department of Fish and Game
Division of Boards
P.O. Box 3-2000
Juneau, AK 99802-2000

Dear Regional Council Chairmen:

Thanks for your letter of October 25, which we received in late November, in which you express concerns regarding adequate funding for the Division of Boards within the Department of Fish and Game. The regulatory process for fish and wildlife management issues does involve an extraordinary level of public participation, involving input from the advisory committees, regional councils, and the general public. I am most supportive of this public process, and feel that the quality of the resulting regulations, as promulgated by the Boards of Fisheries and Game, are greatly enhanced.

The Division of Boards has recently undergone a reorganization in order to improve the functioning of the regional regulatory program assistants located throughout the state. This reorganization has resulted in the need for more funding in order for the Division of Boards to adequately do its job. I'm aware that the level of funding for travel and meetings for the advisory committees and the regional councils is of concern, and this will be closely reviewed. Ultimately, of course, it will be the responsibility of the Legislature to approve the funding level for the State.

As you know, ANILCA Title VIII specifies that the State and federal government will share the cost of the subsistence law. Although the federal government is supposed to reimburse the State for half our expenditures for this program, it has been increasingly difficult to get this money into the federal budget. My Washington, D.C., office has been working with the Appropriations Committee to make sure amounts for the reimbursement are included in the Department of Interior's appropriation. This year, that

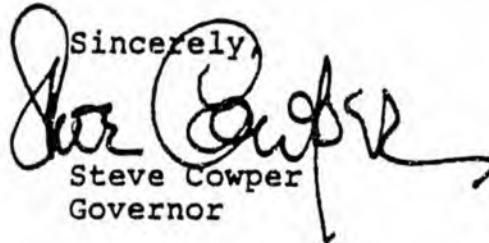
December 21, 1989

amount is for only \$750,000, despite the fact that our actual expenditure was more than \$3 million for the Division of Boards and Division of Subsistence. We will attempt next year to increase the support for this program, which is in fact a fulfillment of a federal mandate.

In this regard, I have just approved a Department request for full funding for the Division of Boards. An increment in the amount of \$350,000 will be presented to the Legislature for their consideration during the FY 91 budget deliberations. I have also approved an increment intended to make up the shortfall in federal funding. Together, we will be requesting \$475,000 in increased State funding for the division. What level of supplemental funding for FY 90, the current fiscal year, is still under consideration. Your interest in the support for the public regulatory and participation program will be of great interest to the Legislature as they consider these requests.

Again, thanks for bringing these concerns to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name and title.

Steve Cowper
Governor



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

January 18, 1990

RECEIVED
JAN 22 1990
BOARDS

Chairmen
Regional Fish and Game Councils
Alaska Department of Fish and Game
Division of Boards
Post Office Box 3-2000
Juneau, Alaska 99802

Gentlemen:

Secretary Lujan asked me to respond to your letter of October 27, 1989, cosigned by each of you, concerning funding problems facing the fish and game advisory system in Alaska. The Secretary and I are aware of these problems and have documented this fact in both the annual Section 806 Subsistence Monitoring Report, as required by the Alaska National Interest Lands Conservation Act (Lands Act), and the triennial Section 813 Subsistence Management and Use Report. Both reports are prepared here in the Department and submitted to the Congress for their consideration.

As you are aware, the Lands Act directs the Secretary to reimburse the State of Alaska, from funds appropriated for this purpose by Congress, up to 50 percent of the reasonable cost of operating the Regional fish and game advisory councils in meeting their subsistence responsibilities. Since the beginning of the grant program in 1982, the Department has reimbursed the State an average of about 30 percent or \$980,000 per year.

I am happy to report that \$750,000 was appropriated to the U.S. Fish and Wildlife Service in Fiscal Year 1990 for Alaska Subsistence Grants. However, pursuant to the Budget Reconciliation Act (P.L. 101-239), this funding is subject to sequestration and \$740,325 is available to the State of Alaska for subsistence grants. I recognize that the funding needs for this program may be greater than the amount currently available and I fully appreciate the importance of the regional councils and the role of the public advisory system in implementation of the subsistence law.

I am hopeful that the funding available in 1990 will go a long way toward implementation of subsistence resource management. If I can be of assistance in this matter, please let me know.

Sincerely,

Deputy Assistant Secretary for Fish
and Wildlife and Parks

WALTER B. JONES, NORTH CAROLINA, CHAIRMAN

GERRY E. STUDDS, MASSACHUSETTS
 CARROLL HUBBARD, JR., KENTUCKY
 LIAM J. HUGHES, NEW JERSEY
 HUTTO, FLORIDA
 TAUZIN, LOUISIANA
 MAS M. FOGLIETTA, PENNSYLVANIA
 ERNIE M. HERTEL, MICHIGAN
 ROY DYSON, MARYLAND
 WILLIAM O. LIPINSKI, ILLINOIS
 ROBERT A. BORSKI, PENNSYLVANIA
 THOMAS R. CARPER, DELAWARE
 DOUGLAS H. BOSCO, CALIFORNIA
 ROBIN YALLOU, SOUTH CAROLINA
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 GEORGE J. HOCHBRUECKNER, NEW YORK
 BOB CLEMENT, TENNESSEE
 STEPHEN J. SOLARZ, NEW YORK
 FRANK PALLONE, JR., NEW JERSEY
 GREG LAUGHUN, TEXAS
 NITA M. LOWEY, NEW YORK
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ROBERT W. DAVIS, MICHIGAN
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 NORMAN F. LENT, NEW YORK
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 JACK PHILDS, TEXAS
 CLAUDBRE SCHMIDER, RHODE ISLAND
 HERBERT H. BATEMAN, VIRGINIA
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 JOHN R. MILLER, WASHINGTON
 HELEN DELICH BENTLEY, MARYLAND
 HOWARD COBLE, NORTH CAROLINA
 CURT WELDON, PENNSYLVANIA
 PATRICIA SAIKI, HAWAII
 WALLY MERGER, CALIFORNIA
 JIM BUNNING, KENTUCKY
 JAMES M. INHOPE, OKLAHOMA
 PORTER J. GOSS, FLORIDA

CHIEF COUNSEL
EDMUND B. WELCHCHIEF CLERK
BARBARA L. CAVASMINORITY STAFF DIRECTOR
GEORGE D. PENCEMINORITY CHIEF COUNSEL
DUNCAN C. SMITH III

U.S. House of Representatives
Committee on
Merchant Marine and Fisheries
 Room 1334, Longworth House Office Building
 Washington, DC 20515-6230

November 28, 1989

RECEIVED
 DEC 07 1989
 BOARDS

Regional Fish and Game Councils
 c/o ADF&G
 Division of Boards
 P.O. Box 3-2000
 Juneau, AK 99802

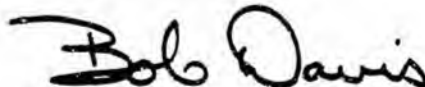
Gentlemen:

Thank you for your recent correspondence concerning the budgetary needs for the six Regional Fish and Game Councils as established in ANILCA for the State of Alaska.

Please be aware that the Merchant Marine and Fisheries Committee, on which I serve as Ranking Minority Member, has gone on record as supporting full funding for the six Regional Councils and has made recommendations to the Appropriations Committee on this position. I am aware that the FY '90 budget did not provide a full funding amount for the six Councils although I am hopeful that other monies may become available so that full funding needs for these Regional Councils can be met. Also, as we proceed into the Second Session of the 101st Congress, the FY '91 budget for the Department of the Interior, Fish and Wildlife Service, specifically the line item for funding ANILCA Regional Councils, will soon be before us. I am a strong supporter of full funding for these Regional Councils and would hope that with the upcoming budget submission by the Administration that full funding is obtained.

Again, thank you for your recent correspondence.

Sincerely,



ROBERT W. DAVIS
 Republican Vice Chairman
 Committee on Merchant Marine
 and Fisheries

RWD:tmm

DON YOUNG
CONGRESSMAN FOR ALL ALASKA

WASHINGTON OFFICE
2331 RAYBURN BUILDING
TELEPHONE 202/225-5765

COMMITTEES:
INTERIOR AND INSULAR
AFFAIRS
MERCHANT MARINE AND
FISHERIES
POST OFFICE AND
CIVIL SERVICE



Congress of the United States
House of Representatives

Washington, D.C. 20515

January 10, 1990

DISTRICT OFFICES

701 C STREET BOX 3
ANCHORAGE ALASKA 99513
TELEPHONE 907 271-5978

BOX 10, 101 12TH AVENUE
FAIRBANKS ALASKA 99701
TELEPHONE 907 456-0210

401 FEDERAL BUILDING
P O BOX 1247
JUNEAU ALASKA 99802
TELEPHONE 907 586-7400

501 FEDERAL BUILDING
KETCHIKAN ALASKA 99902
TELEPHONE 907 225-6880

RT 1, BOX 1605
KENAI ALASKA 99611

BOX 177
KODIAK ALASKA 99615

PO BOX 1860
SITKA ALASKA 99762

RECEIVED
JAN 19 1990
BOARDS

Chairmen
Regional Fish and Game Councils
c/o Alaska Department of Fish and Game
Division of Boards
P.O. Box 3-2000
Juneau, AK 99802

Dear Fellow Alaskans:

Thank you for your letter regarding additional funding for Regional Fish and Game Councils. I appreciated hearing from you.

In its final version, the Fiscal Year 1990 appropriations bill for the Department of the Interior contains funding for the Regional Councils. Although the amount appropriated was not as much as you requested, I believe it will help offset the costs that you face in conducting your operations.

If I can provide any additional assistance, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Young", written over the typed name.

DON YOUNG
Congressman for all Alaska

DY:rmm

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF BOARDS

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4110

November 7, 1989

TO WHOM IT MAY CONCERN:

The Joint Board of Fisheries and Game has serious concerns about the level of funding available to the Department of Fish and Game, Division of Boards. This concern is based on our State and Federal ANILCA mandate, as well as the practical aspects of doing board business. We list below the specific violations we see with the spirit and intent of ANILCA Sec. 805(D):

ANILCA Sec. 801(5) "rural residences...to have a meaningful role in the management of fish and wildlife and of subsistence uses..."

ANILCA Sec. 805(a)(C) "the encouragement of local and regional participation...in the decision making process..."

ANILCA Sec. (d) "...establishing a system of local advisory committees and regional advisory councils...shall provide that the State rule making authority...the advice and recommendations..."

In addition to those legal mandates, the practical aspect of advisory committee and regional council participation in the board process is apparent. We cannot and should not engage in the allocation process without informed and widespread public comment from affected resource users. The funding of this activity is an important public policy decision.

Please read the attached letter carefully. The Joint Board of Fisheries and Game is in full support with the spirit and detail of the Regional Councils' letter.

Thank you for your attention to this concern.

Sincerely,

for Gary Slaven
Gary Slaven
Chair
Board of Fisheries

Henry Springer
Henry Springer
Chair
Board of Game



REGIONAL FISH & GAME COUNCILS

c/o ADF&G, DIVISION OF BOARDS, P.O. BOX 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

October 27, 1989

The Honorable Morris K. Udall
Chairman
Committee on Interior and Insular Affairs
United States Congress
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Udall:

The Regional Council representatives met in Anchorage at the Joint Board of Fisheries and Game meeting October 22-26, 1989. The six Regional Fish and Game Councils (see appendix I) are made up of 79 local Fish and Game Advisory Committees throughout the state. The Division of Boards which provides administrative support to the Boards of Fisheries and Game and to the regional councils/advisory committees, presented a disturbing budget which would make the public advisory system completely ineffectual. The proposed budget would allow for only one regional council meeting per region this year and the attendance of the one regional council member to represent their region at upcoming board meetings (see appendix II).

The key to our ability to function properly is funding! At this meeting, the six Regional Councils recommended an acceptable minimum standard for meetings and funding of the public advisory system established by the State statutes and ANILCA. The six regional council representatives agreed that the minimum we should meet for conducting business and still have some degree of efficiency would be twice a year for each regional council. We agreed that each local fish and game advisory committee must meet at least 3 times a year. One representative from each fish and game advisory committee should attend the Board meetings for at least five days.

3 advisory committee meetings/year	Minimum
2 regional council meetings/year	Standards
1 advisory committee representative to	(Cost:
attend 5-days at Board meetings	\$1.2 mil)

Without this minimum amount of participation, the regional council/advisory committee structure will not be able to function. Furthermore, without adequate funding it will violate ANILCA Sec. 805 (d).

The Honorable Morris K. Udall

The State of Alaska has been charged with implementing the subsistence resources management as mandated by ANILCA. The public advisory system has the responsibility to protect subsistence uses in Alaska through recommendations to the regulatory body of the Boards of Fisheries and Game. This cannot be done without appropriating full funding needed for travel and per diem for the members of the public advisory system to attend the Board meetings, attend advisory committee meetings, and regional council meetings.

If this regulatory process is improperly funded or does not receive sufficient funds, it delays the implementation of the subsistence law, and reduces the public advisory system to the Board's deliberations. The domino effect will be the Board's decisions would be made without proper public information propelling the state into the courts repeatedly. Thus, it causes the whole process to be taken out of the public domain and into the courts where there is no public input or public control. These court cases will be and are becoming more and more costly to the State of Alaska and eventually to the federal government. If the State of Alaska and the federal government give full funding now, it will allow the public advisory system to work effectively in a shorter span of time which will save a lot of money over the long term for both bureaucracies.

The advisory committee/regional council system needs a supplement of \$1.2 million now to meet our responsibilities for this year which includes the present supplemental request from the Division of Boards. When you meet this fiscal responsibility, you should also plan to appropriate full funding until the subsistence regulatory process has been established. Give us (the regional councils, advisory committees, the Board of Fisheries and Game, and the Alaska Department's Subsistence Division) the full funding now to do at least an adequate job.

The advisory committee/regional council participation has not been given the priority status it needs for funding by the State of Alaska, or by the federal government in the budgetary process. All agencies involved in appropriating fiscal notes need to re-evaluate their priorities and decide if this is a valuable process or not. If it is, fund it.

We appreciate the support that has been given to our request for full staffing to provide administrative support to the public advisory process. This, however, is only half of the solution to our problem. The other is the ability to come together for the common purpose of helping implement subsistence uses and priorities.

The Honorable Morris K. Udall

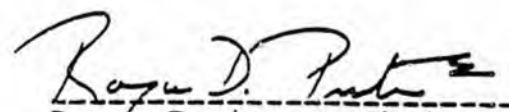
We thank you in advance for your assistance as we are sure you will understand the priority needs of this process.

Sincerely,


Regional Councils of Alaska




Pete Schaeffer, Chairman
Arctic Regional Council




Royce Purinton, Chairman
Interior Regional Council



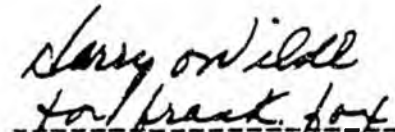
Bill Ellis, Chairman
Southcentral Regional Council



Donald See, Chairman
Southeast Regional Council



Robert Heyano, Chairman
Southwest Regional Council



Frank Fox, Chairman
Western Regional Council

APPENDIX I

FISH AND GAME REGIONAL COUNCILS



Appendix II

FY 90 BUDGET PROJECTIONS
LINE 71000 - 74000

Description	Personal 71000	Travel 72000	Services 73000	Supplies 74000	Total
Personal Services	732.8				
SUB TOTAL					732.8
Board/Subcommittee/Hearing		380.0			
AC and RC		185.7			
Administrative		93.1			
SUB TOTAL					658.8
Board Meeting Contractual			81.0		
Other Meeting Costs			36.7		
Other Contractual Costs			194.3		
SUB TOTAL					312.0
Headquarters				6.5	
F ions				4.5	
SUB TOTAL					<u>11.0</u>
TOTAL					<u>1714.6</u>
Minimum Budget Requirements	1714.6				
Authorized FY90 Budget	-1330.6				
Deficit	384.0				
Deficit	384.0				
Requested Supplemental	-320.0				
Difference	64.0				

Appendix II
cont

FY90 BUDGET PROJECTIONS
LINE 71000-74000

Description	Personnel 71000	Travel 72000	Services 73000	Supplies 74000	Total
Additional supplemental (5-day attendance of AC members from each AC)		706.7			
Additional supplemental (10-day attendance of AC members from each AC)		962.9			
Additional supplemental (3 AC meetings per year)		48.0	2.8		
Additional supplemental (2 RC meetings per year)		54.0			
SUB TOTAL (5-day attendance, 3 AC, 2 RC)		808.7	2.8		811.5
) TOTAL 10-day attendance, 3 AC, 2 RC)		1064.9	2.8		1067.7

**FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL**

Travel and per diem for 1 advisory committee member to attend all scheduled board meetings (not including joint board meetings). Column figures are travel only, travel and 5-day attendance (with 2 travel days) per diem, and travel and 10-day attendance (with 2 travel days) per diem.

Southeast Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Angoon	4.4	9.1	12.3
Craig	6.1	10.7	13.9
Edna Bay	6.3	10.3	14.2
Elfin Cove	4.6	9.2	12.5
Gastineau Channel	3.4	8.0	11.2
Hydaburg	5.9	10.4	13.7
Hyder	6.5	11.1	14.4
Icy Straits	3.9	8.5	11.8
Keke	5.7	10.3	13.6
Ketchikan	4.9	9.5	12.8
Klawock	6.0	10.6	13.8
Klukwan	4.6	9.2	12.4
Pelican	4.3	8.9	12.2
Petersburg	4.6	9.2	12.5
Port Alexander	3.4	8.0	11.2
Sitka	4.4	9.0	12.3
Turner Straits	6.7	11.3	14.5
Unalaska	3.9	8.5	11.8
Upper Lynn Canal	4.6	9.2	12.4
Wrangell	4.8	9.4	12.7
Yakutat	<u>4.7</u>	<u>9.3</u>	<u>12.6</u>
SUB TOTAL	103.7	199.7	268.8

Southcentral Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Anchorage	.5	1.7	2.6
Central Peninsula	1.3	5.9	9.2
Copper Basin	1.4	6.0	9.3
Copper River/PWS	1.7	6.3	9.5
Cooper Landing	1.0	5.5	8.8
Denali	1.6	6.2	9.5
English Bay/Port Graham	1.9	6.5	9.8
Homer	1.4	6.0	9.3
Kenai/Soldotna	1.2	5.8	9.1
Matanuska	.7	5.2	8.5
Mt. Yenlo	.7	5.3	8.6
Paxson	1.4	6.0	9.3
Seldovia	1.8	6.4	9.7
Sevard	1.1	5.7	9.0
Tok Cutoff/Nabesna Road	2.1	6.7	9.9
Tyonek	.9	5.5	8.7
Valdez	1.9	6.4	9.7
Whittier	<u>1.0</u>	<u>5.6</u>	<u>8.9</u>
SUBTOTAL	23.6	102.7	159.4

FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL

travel and per diem for 1 advisory committee member to attend all scheduled board meetings (not including joint board meetings). Column figures are travel only, travel and 5-day attendance (with 2 travel days) per diem, and travel and 10-day attendance (with 2 travel days) per diem.

Southwest Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Chignik	13.3	17.8	21.1
False Pass	12.5	17.0	20.3
Iliamna	9.7	14.2	17.5
King Cove	12.5	17.0	20.3
Kodiak	2.0	5.9	8.8
Lower Bristol Bay	5.4	10.0	13.3
Neknek/Kvichak	3.9	8.3	11.8
Nelson Lagoon	14.1	18.6	21.9
Nushagak	2.9	7.4	10.7
Sand Point	5.8	10.4	13.7
Togiak	5.7	10.3	13.6
Unalaska/Dutch Harbor	<u>10.9</u>	<u>15.4</u>	<u>18.7</u>
SUB TOTAL	98.7	152.5	191.7

Western Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Central Bering Sea	6.6	11.2	14.5
Central Kuskokwim	5.6	10.2	13.5
Lower Kuskokwim	3.1	7.7	11.0
Lower Yukon	<u>8.0</u>	<u>12.6</u>	<u>15.8</u>
SUB TOTAL	23.3	41.7	54.8

Arctic Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Eastern Arctic	11.5	16.1	19.4
Kotzebue Sound	3.8	8.4	11.7
Lower Kobuk	4.5	9.1	12.4
Noatak/Kiveline	4.6	9.2	12.5
Northern Norton Sound	8.5	13.1	16.3
Northern Seward Peninsula	4.6	9.2	12.5
Southern Norton Sound	7.2	11.8	15.1
St. Lawrence Island	8.5	13.1	16.3
Upper Kobuk	5.2	9.7	13.1
Western Arctic	<u>7.4</u>	<u>12.0</u>	<u>15.2</u>
SUB TOTAL	65.8	111.7	144.5

FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL

Travel and per diem for 1 advisory committee member to attend all scheduled board meetings (not including joint board meetings). Column figures are travel only, travel and 5-day attendance (with 2 travel days) per diem, and travel and 10-day attendance (with 2 travel days) per diem.

Interior Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Delta	2.3	6.9	10.1
Eagle	2.6	7.2	10.5
Fairbanks	1.9	5.8	8.7
Gash	3.2	7.7	11.1
Koyukuk River	3.3	7.9	11.1
Lake Minchumina	3.1	7.7	11.0
McGrath	1.6	6.1	9.4
Middle Nenana River	1.1	5.7	9.0
Middle Yukon	3.0	7.6	10.9
Minto/Nenana	2.6	7.2	10.4
Ruby	3.3	7.9	11.1
T-R-M	2.6	7.2	10.4
Upper Tanana/Fortymile	1.8	6.3	9.6
Yukon Flats	<u>2.6</u>	<u>7.2</u>	<u>10.4</u>
SUB TOTAL	35.0	98.4	143.7
	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
<u>TOTALS</u>	<u>350.1</u>	<u>706.7</u>	<u>962.9</u>

Additional needed request (5 days per diem) 706.7
 Additional needed request (10 days per diem) 962.9

FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL

Travel and per diem for advisory committee members to attend three advisory committee meetings per year. No staff costs included.

Southeast Region

Angoon	0.0
Craig	0.0
Edna Bay	0.0
Elfin Cove	0.0
Gastineau Channel	0.0
Hydaburg	0.0
Hyder	0.0
Icy Straits	1.5
Kake	0.0
Ketchikan	0.0
Klavock	0.0
Klukvan	0.0
Pelican	0.0
Petersburg	0.0
Port Alexander	0.0
Sitka	0.0
Sumner Straits	0.0
Tanakee	0.0
Upper Lynn Canal	1.7
Wangall	0.0
Winkutat	<u>0.0</u>

SUB TOTAL

3.2

Southcentral Region

Anchorage	0.0
Central Peninsula	0.0
Copper Basin	0.0
Copper River/PWS	0.0
Cooper Landing	0.0
Denali	0.5
English Bay/Port Graham	0.3
Homer	0.0
Kenai/Soldotna	0.0
Matanuska	0.0
Mt. Yanai	2.4
Paxson	0.0
Seldovia	0.0
Seward	0.3
Tok Cutoff/Nabesna Road	0.0
Tyonek	0.0
Valdez	0.0
Whittier	<u>0.0</u>

JBTOTAL

3.5

**FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL**

Travel and per diem for advisory committee members to attend three advisory committee meetings per year. No staff costs included.

Southwest Region

Chignik	6.0
False Pass	0.0
Iliamna	2.7
King Cove	0.0
Kodiak	2.2
Naknek/Kvichak	0.6
Nelson Lagoon	2.1
Lover Bristol Bay	3.3
Nushagak	3.2
Sand Point	0.0
Togiak	0.7
Unalaska/Dutch Harbor	<u>0.0</u>

SUB TOTAL 20.8

Western Region

Central Bering Sea	14.4
Central Kuskokwim	12.0
Lover Kuskokwim	8.6
Lover Yukon	<u>16.5</u>

SUB TOTAL 51.5

Arctic Region

Eastern Arctic	14.2
Kotzebue Sound	0.0
Lover Kobuk	2.2
Noatak/Kivalina	1.5
Northern Norton Sound	6.8
Northern Seward Peninsula	2.7
Southern Norton Sound	5.7
St. Lawrence Island	0.0
Upper Kobuk	2.2
Western Arctic	3.8
Regulatory Review	<u>2.5</u>

SUB TOTAL 41.6

**FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL**

Travel and per diem for advisory committee members to attend three advisory committee meetings per year. No staff costs included.

Interior Region

Delta	0.0	
Eagle	0.0	
Fairbanks	0.0	
Gash	2.9	
Koyukuk River	5.3	
Lake Minchumina	0.0	
McGrath	3.0	
Middle Nenana River	1.2	
Middle Yukon	1.6	
Minto/Nenana	2.7	
Ruby	0.0	
T-R-M	4.6	
Upper Tanana/Fortymile	0.8	
Yukon Flats	<u>8.5</u>	
 SUB TOTAL		 30.6

TOTAL ALL REGIONS 151.2

3 AC meetings per year	151.2
2 AC meetings per year	<u>-103.2</u>
Additional needed request	48.0

FY90 BUDGET PROJECTIONS
LINE 72000-TRAVEL

Travel and per diem for regional council members to attend two regional council meetings per year.

Southeast Region	23.3
Southcentral Region	17.4
Southwest Region	27.7
Western Region	4.7
Arctic Region	15.5
Interior Region	<u>16.8</u>
TOTAL	<u>105.4</u>

2 RC meetings per year	105.4
1 RC meeting per year	<u>- 51.4</u>
Additional needed request	54.0



SOUTHEAST REGIONAL FISH & GAME COUNCIL

c/o ADF&G, DIVISION OF BOARDS, P.O. Box 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

TO: The File

DATE: November 8, 1989

ADVISORY COMMITTEES

Angoon
Craig
Edna Bay
Elfin Cove
Gastineau Channel
Hydaburg
Hyder
Icy Straits
Kake
Ketchikan
Klawock
Klukwan
Pelican
Petersburg
Port Alexander
Sitka
Sumner Straits
Tenakee
Upper Lynn Canal
Wrangell
Yakutat

FROM: *Janice L. Hotch*
Janice L. Hotch,
Southeast RRPAs

RE: Distribution List

The Regional Councils' letter along with the Joint Board letter was mailed to the following distribution list:

1. The Secretary of Interior, Manual Lujan
2. Ron Thuma, Sub Spec, USF&WS
3. The Honorable Steve Cowper, Governor
4. Alaska Congressional Delegation
5. Southeast Alaska State Legislators
Cheri Davis
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Richard Eliason
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6. Honorable J. Bennett Johnston, La.
Chairman
Committee on Energy and Natural Resources
United States Senate
SD-364 Dirksen Senate Office Building
Washington, D.C. 20510
7. James A. McClure, Id.
Ranking Minority Member
Committee on Energy and Natural Resources
8. Honorable Quentin N. Burdick, N.D.
Chairman
Committee on Environment and Public Works
United States Senate
SD-458 Dirksen Senate Office Building
Washington, D.C. 20510
9. Honorable John H. Chafee, R.I.
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10. Honorable Daniel K. Inouye, Hawaii
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United States Senate
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13. Honorable Kent Conrad, N.D.
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SH-838 Hart Senate Office Building
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15. Honorable Thad Cochran, Miss.
Minority Member
Select Committee on Indian Affairs
16. Honorable Morris K. Udall, Arizona
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Committee on Interior and Insular Affairs
United States Congress
1324 Longworth House Office Building
Washington, D.C. 20515
17. Honorable George Miller
Majority Member
Committee on Interior and Insular Affairs
United States Congress
18. Honorable Walter B. Jones, N.C.,
Chairman
Committee on Merchant Marine and Fisheries
United States Congress
1334 Longworth House Office Building
Washington, D.C. 20515
19. Honorable Robert W. Davis, Michigan
Ranking Minority Member
Committee on Merchant Marine and Fisheries

(1/90)

SEALASKA CORPORATION POSITION PAPER
on the
STATE LOCAL ADVISORY/REGIONAL COUNCIL SYSTEM AND ANILCA

Sealaska Corporation has a strong commitment to the well-being of its shareholders - a majority of who reside in rural Alaska. The subsistence lifestyle is vital to that well-being. Because there are questions about the effectiveness of state's implementation of ANILCA and the regional council system, Sealaska authorized research on the regional council system in Southeast Alaska. The key conclusions and results of that research are summarized here and represent Sealaska's position:

- o ANILCA requires that subsistence must be given the priority over all other consumptive uses of the forest. This would result in the "least adverse impact possible on rural residents who depend upon subsistence uses. Sealaska believes that this is not occurring either in the state's management of the fish and wildlife resources or the federal government's management of the land and resources.
- o ANILCA requires that the local advisory committees and regional councils provide subsistence recommendations to the state rulemaking authority and requires that they be permitted to participate in the decisions of all federal agencies having authority over public lands when agency decisions could significantly affect subsistence. This has not occurred. Presently the USFS is preparing to make major decisions regarding subsistence in the Tongass without the participation of the regional councils.
- o While the councils have not been effective, with proper guidance and budgetary support, Sealaska believes that they have the potential to ensure that the resources are properly managed in accordance with the priority subsistence provisions and consistent with their important mandate under ANILCA.
- o Section 805(d) requires the Board to adopt the advice and recommendations of the Regional Council unless Council recommendations are not supported by substantial evidence, violate recognized principles of fish and wildlife conservation or would be detrimental to the satisfaction of rural subsistence needs. At the Board's Juneau hearing in February 1989, the Board of Fisheries refused to accept SERC recommendations because they were not transmitted to the Board ten (10) days prior to the Board's meeting. In cases where the Council has met the 10 day rule the Board, with few exceptions, has ruled contrary to the advice of the Council without setting out the factual basis and reasons for its decision.
- o ANILCA establishes an extremely specific and discreet area of concern and responsibility for the local advisory committees/regional councils. The State has defined the area of concern in much broader terms which creates conflicts within the system because of confusing mandates and membership representation. Subsistence competes with other interests and uses on the same agenda *and as a result is compromised.*

- o Sealaska's analysis indicates that many of the active members of the regional council understand the importance of subsistence in the Native community, however, they continue to be stymied by lack of guidance and support from the administrative agency, both from a policy and budget perspective.
- o Section 810 of ANILCA requires federal agencies to give notice to local committees and regional councils, and to hold hearings in the affected area, prior to such decision making. This has not occurred.

- ANILCA states that federal agencies "shall evaluate" the effect a land management or disposal decision may have upon subsistence uses and needs. This language is mandatory. When the potential effect on subsistence is significant, ANILCA requires the agency to provide a forum for the regional council, the local advisory committees, and local citizens to provide information and to air their views. The agency must listen to and consider the information provided and its findings must be supported by the facts before it. The agency must weigh alternatives and sound management principles. The amount of the affected lands must be the minimal amount necessary to meet the purposes of the disposition. Finally, the agency must find that "reasonable" steps will be taken to limit any potential adverse impacts upon subsistence uses and resources.

- o Where a federal agency finds that proposed land use action poses no significant possibility of a significant restriction upon subsistence uses and as a consequence does not give notice or hold local hearings under section 810, affected parties may challenge the finding in federal court. *It is possible that the regional councils and the advisory committees would have standing to sue in such a case;* however, we are not aware of any case where a regional council has challenged an agency action in court.
- o Section 805 authorizes each regional council to prepare and submit to the Secretary an annual report identifying subsistence needs and making recommendations for subsistence management on federal lands. Regional council involvement is superficial and sporadic. The 806 report doesn't examine why this situation exists.
- o The 806 reports directly references the lack of coordination between state and federal land/resource agencies and functions, but makes no reference to the role that the regional councils should play in facilitating and channeling information to federal agencies.
- o From the time the State began requesting payment from the U.S. Department of the Interior, it has received less than 20 percent and considerably less than the \$5,000,000 upper limit established under ANILCA. USFWS attributes this to tight federal budgets and the relative importance of the subsistence grant in relation to other high priorities in the Interior.
- o All of the regional councils have expressed concern that the Federal grant program which helps finance the state subsistence program is inadequately funded and should be significantly increased. Sealaska agrees.
- o The councils historically have not had enough time, nor the resources nor the necessary understanding of what its mission and responsibilities are to effectively carry out its subsistence responsibilities. Administrative support for the regional council system is limited. However, since the reorganization of the Division of

Boards, additional staff has been hired. It is ADF&G's hope that they will improve council effectiveness.

- o As a result of the improved process proposed in their FY 1990 Application for Federal Assistance, ADF&G contends that the "public, through the committees, will be intimately involved". Sealaska feels that two advisory committee meetings and two regional council meetings a year is hardly conducive to intimate public involvement, nor is it adequate to carry out the responsibilities and authorities listed in ANILCA.

As a matter of information, the Alaska Department of Law Alaska Native Law Section 1989 Subsistence Update, gives an interpretation of Title VIII which is supportive of Sealaska's official position. In that document they state:

"Title VIII is important for four major reasons. First is that it establishes an absolute priority for subsistence users over all other competing consumptive purposes. Second is that it guarantees subsistence users access to fish and game on federal land which would otherwise be closed to hunting and fishing. Third is that it requires federal land managers to incorporate subsistence uses in their land use decision process. Fourth is that it establishes an administrative structure which would potentially serve to increase the representation of Alaska Native interests in fish and game management."