

Confirm.

K. Wardwell

Brd. of. Fish

4-3-91

Ken Wardwell (Kenneth L. Wardwell
1444 Hillcrest Dr.
Anchorage, Alaska 99503
907-272-4772 (h)
907-272-7925 (w)

Occupation: Real Estate Broker, State of Alaska since 1974. Practiced real estate sales in Alaska since 1969. Owner/broker of Wardwell Realty, 1444 Hillcrest Dr., Anchorage, Alaska 99503.

Family: Married to Liz, 3 children; Tony 21 (sophomore at University of California at Sant Barbara), Lani 19 (senior at West High Anchorage), Nathan 14 (8th grade at Romig Junior High). Children were all born in Alaska.

Born: July 31, 1943, Burbank, California; age 47

Business and Community involvement:

Anchorage Rotary East, Past president, past State Chairman of Rotary Youth Exchange, current member.

Anchorage Multiple Listing Service, past president, member.

Anchorage Independent Brokers Association, chairman.

General: Came to Alaska originally with the U.S. Army in 1966 from Los Angeles, California. Completed duty in 1969 and has resided in Anchorage since.

Has both commercial fished and sport fished as a "long line" halibut fisherman for 3 years and sport fished many of Alaska's water systems.

" I understand the particular importance that subsistence, commercial, and sport fishing together have on the State of Alaska and it's residents and visitors. I am interested in finding solutions to allocation issues between the many user groups. Whether a troller, a gill netter, a subsistence user, a sportfisherman, a seiner, a trawler, a set netter, a long liner, a crab fisherman, a diver, a charter boat operator, a sportfishing guide, or a personnal use fisherman I pledge to be available to all. I will be prepared to make the tough decisions after tough deliberations and testimony on issues affecting Alaska's bountiful fish resource."



Alaska State Legislature

HOUSE RESOURCES COMMITTEE

P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3715

28 March 1991

Kenneth L. Wardwell
1444 Hillcrest Dr.
Anchorage, AK 99503

Dear Mr. Wardwell,

Congratulations on your recent appointment as a member of the Board of Fisheries. The position is one of great importance and responsibility.

The House Resources Committee has scheduled a confirmation hearing Tuesday, April 3rd between 3:00 and 6:00 p.m. for both you and Mr. Irving Carlisle. I understand that you will be present at the Legislative Information Office (LIO) in Anchorage for that hearing.

The Committee will first take up the nomination of Mr. Carlisle. Each of you will be given an opportunity to make an opening statement followed by questions from the Committee. After Committee members and other legislators have completed their questions, the public will be given an opportunity to testify on your nomination. Finally, you will be allowed to address the Committee again to respond to any of the public's questions or concerns.

Although we have your resume on file, you may wish to submit additional material or documents for the Committee's review. You may FAX us any additional information through the Anchorage LIO.

Please contact us if you have any further questions or concerns. Our Committee phone number is 465-3715 (FAX 465-3444). My Committee staff working on this meeting is Jay Nelson. With best regards,

Cordially,

Cliff Davidson

Representative Cliff Davidson
Chairman

cc: Laird Jones

RECEIVED



34824 Kalifornsky Beach Road • Suite E • Soldotna • Alaska • 99669 • (907) 262-2492
March 25, 1991

Representative Cliff Davidson
Chairman, House Resources Committee
P.O. Box V
Juneau, Alaska 99811

Subject: Board of Fisheries Confirmation Hearings

Dear Rep. Davidson:

The Kenai Peninsula Fishermen's Association (KPFA) requests that the legislature not confirm Ken Wardwell to an appointment on the Alaska Board of Fisheries.

The KPFA is a group made up of about 400 commercial fishermen who fish primarily with set nets for salmon on the east side of Cook Inlet. This fishery is highly "political" and well publicized and has been the subject of a number of controversial Board of Fish court actions. As a result of our past experience with the Board we have acquired a keen awareness of the impact that decisions by the Board can have on the lives and livelihoods of our members as well as on other users of the State's fish resources.

Accompanying this letter are materials describing and documenting some of our experiences and concerns with Ken Wardwell, his conduct as President of the Kenai River Sport Fishing Association and his association with Bob Penny, a perennial and persistent antagonist of the commercial fishing industry in Cook Inlet. Our purpose in presenting this information is to offer a perspective on the Board of Fisheries and the role individuals from different backgrounds and groups have on the Board. We are quite concerned over the potential ill and divisive effects an appointment of an individual like Mr. Wardwell could have on that process.

We hope to convince you that Ken Wardwell should not be confirmed as a member of the Board of Fisheries because he has demonstrated in the past an inability to understand the large scope of fisheries issues that the Board deals with and an unwillingness to grapple with complexity. Rather he, and the Kenai River Sportfishing Association, have shown a propensity for advancing reckless, simplistic and ill conceived solutions to allocation conflicts that either ignore or

distort the best available information. We question his ability to be fair. The chance that he could be effective in getting the Board of Fisheries to act in a similar manner doesn't bode well for us or the many other fish resource users in the state.

Thank you for taking the time to review these materials.

Sincerely,

Brent Johnson

Brent Johnson
President

Enclosures

cc: House Resource Committee Members
Rep. Mike Navarre
Rep. Gail Phillips
Senator Paul Fischer

JUSTIFICATION FOR REJECTING MR. KEN WARDWELL'S APPOINTMENT TO THE
ALASKA BOARD OF FISHERIES

The Board of Fisheries sets the policies and regulations that govern Alaska's largest renewable resource. The Alaskan seafood industry is the largest private sector employer in the State. Decisions made by this Board affect the livelihood and lifestyles of Alaskans more directly than perhaps any other Board in the state. It is accepted, even mandated, that various user groups' concerns need to be represented on the Board to ensure informed debate on all the issues. However, no Board member should represent a single user group.

Board members must have the ability and inclination to determine what is best for everyone involved. They must make decisions on what is best for the resource and the users overall and must represent and consider all Alaskans when making decisions as a Board of Fisheries member. The Board's success and credibility depends on *fair* and *impartial* members with the aptitude and motivation to deal with and comprehend a variety of statewide issues. The United Fishermen of Alaska passed a resolution to the effect at their annual meeting in February. (Appendix Page i). This resolution demonstrates the importance of due process within the framework of the Board of Fisheries to commercial fishermen across the entire state. Our government, including the Kenai Peninsula Borough Assembly and the Kenai and Soldotna City Councils also passed similar resolutions. (Appendix Pages ii - ix). We ask you to look at Mr. Wardwell's credentials to determine if he should (can) be considered an acceptable Board member.

The Kenai River Sportfishing Association (KRSA) was formed by a few anglers, notably Bob Penney, as a response to their frustration over what they felt was a skewed fisheries management system that, in their view, favored the relative small numbers of commercial fishermen over the large numbers of sport fishermen. The imbalance, they said, resulted in far too many fish (king salmon primarily) being harvested by those few commercial fishermen, again at the expense of the larger number of sport fishermen. The argument, while having superficial merit, does not hold up well when considered against the history of fish allocation in Cook Inlet, the major losses to the commercial fishery by further restrictive regulations, and the importance of both fisheries to the economic and social viability of the

Kenai Peninsula and the rest of the State.

From the beginning KRSA has advocated either the complete elimination of the east side set net (ESSN) commercial fishery or at the very least a drastic curtailment of it. Though Bob Penney, an Anchorage businessman and avid trophy king salmon angler has been and continues to be the primary spokesman for the KRSA, Ken Wardwell as President, has been active as well in the efforts of this group to restrict the ESSN.

In 1988, Mr. Wardwell took on a lead role in advancing Project US. This plan proposed the elimination of the set net fishery on the eastern shores of Cook Inlet. The fishery was to be replaced by fish traps in the Kenai and Kasilof Rivers. Proceeds from these fish traps would have been distributed in part to the displaced or eliminated ESSN. After a wide public airing and debate the plan was given little credibility by the commercial fishing industry, other sport fishing groups, the general public, management biologists, the Board of Fisheries, local government and legislators. Mr. Wardwell's advocacy of this plan hardly shows a working knowledge of fisheries issues. The "US" in Project US stood for "ultimate solution". The fact that Mr. Wardwell thinks ultimate solutions are possible in sensitive allocation issues and his willingness to eliminate an entire user group betrays a lack of understanding and sensitivity to other users' concerns.

We have enclosed newspaper clippings that attest to Mr. Wardwell's support for Project US and demonstrate his perception of the issues. We have also enclosed a list of questions we would like Mr. Wardwell to address for the public record. (Page 7).

During the 1988 Board of Fisheries deliberations on Cook Inlet Ken Wardwell, while testifying as President of KRSA, was accompanied to the microphone by Bob Penny, who literally took the microphone out of Mr. Wardwell's hands to answer questions he felt "needed" a more appropriate response. This incident may seem innocent enough to some but to us it raises serious questions about Mr. Wardwell's autonomy and ability to be an independent voice on the Board.

KPFA cannot forget what happened to the Board process when Bix Bonney, a

founding member of the KRSA and a close associate of Bob Penny, served on the board of Fisheries. In 1983 the Board of Fisheries, after intense exofficio lobbying by Mr. Bonney, "unexpectedly" reconsidered an earlier vote to maintain the status quo for the commercial fishing season and voted to set back its opening a week.

In 1987, the Board again voted in a split vote to impose a 7000 fish king quota on the ESSN. Amid allegations of vote trading that Board later in the year disintegrated. Bix Bonney, was deeply involved in the dissolution of the Board and was later forced to resign. During deliberations Mr. Bonney openly consulted with Mr. Penney by meeting with him during recesses in an adjoining suite and by accepting notes from him during deliberations. Mr. Bonney didn't even make any pretense of representing all users. He often declared his allegiance to the sport fishing industry and even broke from ongoing deliberations to conduct interviews with the TV media explaining the sport fishing point of view.

While Mr. Bonney is not at issue here, the role of KRSA and Mr. Penny is. It is not at all clear to us that Ken Wardwell is capable of being his own man on the board. In the past he's always played a subservient role to Mr. Penny and at this point there is no real indication that this will not continue. Mr. Wardwell's behavior and demeanor at the recent Board of Fisheries hearings in Juneau ring a familiar "Bonney" theme. At one point the Board had to go into a special executive session to bring Mr. Wardwell in line. (Appendix Page x). Rather we feel there is evidence to suggest that Mr. Wardwell is mainly a player delivering on a campaign promise made in person by Governor Hickel to.....you guessed it,.... Bob Penny.

Governor Hickel promised in his campaign that he would appoint members to the Board of Fisheries who not only understood the sport fish perspective but would advance it. KPFA has had a number of meetings with Governor Hickel's special assistant on fisheries, Clem Tillion. He has told us that Governor Hickel had made the decision that politically a major restriction to the ESSN was in his best interest. Mr. Tillion told us that Governor Hickel would appoint *his* people to the Board of Fisheries to accomplish this goal. He went on to state further that if the Board members did not accomplish this agenda they would be fired and replaced with people who would. We believe the appointment of Mr. Wardwell is the start of fulfilling of a campaign promise.

The role of politics in fisheries allocation has been debated for a long time. It is unlikely that politics can ever be completely excluded from fisheries decisions. After all, politics at its roots are concerned with the people and the decisions and laws that govern them. However, from a practical standpoint and even a legal one, it seems to us that the less involvement by politics the better. Clem Tillion, in an interview with the *The Alaska Commercial Fisherman*, said that it was a mistake to put people with different interests and philosophies on the Board of Fisheries because it tended to hamstring the Board. Rather, he said, it was the Governor's responsibility to set fisheries policy and the Board's responsibility to determine the mechanics of that policy. We heartedly and earnestly disagree. If Mr. Tillion is correct then why didn't the framers of the State's constitution just make fish allocation the responsibility of the Department of Fish and Game itself? It seems obvious to us that the mechanism for fish allocation is meant to be a diffuse one, with the powers more than an arm's length from the governor. If there is any area of the state where policies need to be developed through a consensus from people of various backgrounds it is that of fish and game management.

Of all Boards, the Board of Fisheries should be free of political interference. This board regulates the lives of thousands of Alaskans. It is no place for appointments made in response to political promises.

KPFA is not opposed to the appointment of individuals with sport fishing backgrounds to the Board of Fisheries. Bud Hodson and Mike Chihuly, both who served recently, had such backgrounds and in our opinion served conscientiously and competently. Our experience and knowledge of Irv Carlisle suggest that his appointment to the Board is also a good one. We have always stated that it is not an individual's background which determines whether or not he/she can be a good Board member but rather personal qualities of competence and integrity. Ken Wardwell may fit those criteria, but his past actions, statements and associations suggest otherwise.

Again, we ask that you do not confirm Mr. Ken Wardwell to a seat on the Board of Fisheries.

QUESTIONS FOR MR. WARDWELL - CONFIRMATION HEARINGS 1991

1. What in your opinion is the job of the Alaska Board of Fisheries. What is the role of the general public in the Board of Fisheries process.
2. What qualifications and experience do you bring with you to the Board or what attributes do you have that you think make you qualified to serve the State of Alaska in the capacity of a Board of Fisheries member.
3. Clem Tillion, Special Fisheries Assistant to Governor Hickel, has stated that offshore setnets in Cook Inlet must be reduced. Do you believe that the offshore setnets in Cook Inlet constitute a biological problem for Kenai River king salmon. Have you discussed this issue with Mr. Tillion, Governor Hickel, or anyone else in the Hickel administration. If so what was the nature of your discussion. Were any commitments made regarding offshore setnets or other fisheries issues in Cook Inlet.
4. What are the goals of the Kenai River Sportfishing Association. What are the membership eligibility requirements for belonging to KRSA. How many people are members of KRSA.
5. What is your relationship with Bob Penny. Regarding Project US, do you still feel that eastside setnet fishermen should be eliminated. Do you still feel there is an "Ultimate Solution" to the Cook Inlet commercial/sport controversies. While promoting Project US, you were quoted in the Homer News (Appendix Page xi) as saying, "Kenai River stocks may provide more overall benefit to the people of Alaska if their primary purpose is for use in the sport fishery." Do you still believe this.
6. Do you think the Kenai River King Salmon Management Plan developed in December of 1988 and amended in December of 1990 will help protect king salmon. How do you feel about this plan in relationship to the sport and commercial conflicts. Do you think any additional changes in the plan are needed. If so, what changes.
7. Do you feel the unknown potential economic values of an undeveloped fishery are more important than the known economic values of an existing fishery. If so, why.
8. What mechanisms do you intend to use when you evaluate various fisheries relative to allocation decisions. Is history of a fishery an important mechanism to you. Is the number of local participants in a fishery an important consideration.

UNITED FISHERMEN OF ALASKA



211 4th Street, Suit 112
Juneau, AK 99801
907-586-2820
Fax# 907-463-2545

MEMBER ASSOCIATIONS

Alaska Crab Coalition
Alaska Independent Fishermen's
Marketing Association
Alaska Longline Fisherman's
Association
Alaska Trollers Association
Arctic Sea Fishermen's Association
Bristol Bay Driftnetters Association
Concerned Area 'M' Fishermen
Cook Inlet Aquaculture Association
Copper River Fishermen's Cooperative
Kordova District Fishermen United
Kenai Peninsula Fishermen's Association
North Pacific Fisheries Association
Northern Southeast Regional
Aquaculture Association
Peninsula Marketing Association
Petersburg Vessel Owners Association
Prince William Sound
Aquaculture Association
Prince William Sound Seiners Association
Seafood Producers Cooperative
Southeast Alaska Seiners
Southern Southeast Regional
Aquaculture Association
United Cook Inlet Drift Association
United Southeast Alaska Gillnetters
Western Alaska Cooperative
Marketing Association

Resolution 91-2

A Resolution in Support of the Board of Fish Process

BE IT RESOLVED BY THE UNITED FISHERMEN OF ALASKA:

WHEREAS commercial fisheries are renewable resources, a major employer of Alaska residents, significantly benefit the State as a whole, and that individual fisheries are extremely important to local economies; and

WHEREAS the public input process of the Board of Fisheries ensures that affected user groups and communities are able to voice concerns and support for proposed regulations; and

WHEREAS fair and impartial members able to deal with a variety of statewide issues are the basis for the success and credibility of the Board of Fisheries; and

WHEREAS regulations generated by the Board of Fisheries should be based on the Alaska Department of Fish and Game's statistics, biological data, and public input and not political considerations; and

WHEREAS the Board of Fisheries has proven it can develop suitable management plans for mixed stock fisheries having multiple user groups.

BE IT RESOLVED by the United Fishermen of Alaska that the Alaska Department of Fish and Game be allowed to manage fisheries according to the management plans and regulations established by the Board of Fisheries without political interference;

BE IT FURTHER RESOLVED by the United Fishermen of Alaska that the Board of Fisheries be allowed to promulgate regulations regarding fisheries management and allocation issues without political interference;

BE IT FURTHER RESOLVED by the United Fishermen of Alaska that new Board of Fisheries members be appointed as seats become available and that those who are appointed are honest, informed, and impartial, and do not have preconceived agendas to carry out on any fisheries issues.

COPIES of this resolution shall be sent to the Honorable Walter J. Hickel, Governor of the State of Alaska; Mr. Ron Somerville, Acting Commissioner of Fish and Game; and the members of the Alaska State Legislature House and Senate Resources Committees.

APPROVED BY UNITED FISHERMEN OF ALASKA'S
BOARD OF DIRECTORS

February 8, 1991

Kenai Peninsula Fishermen's Association
Board of Fisheries Confirmation Hearings

Appendix Page 11

Introduced by: Glick,
O'Connell, McLana, Walli
Date: February 5, 1991
Vote: UNANIMOUS
Action: ADOPTED AS AMENDED

KENAI PENINSULA BOROUGH

RESOLUTION 91-14

A RESOLUTION IN SUPPORT OF THE EASTSIDE COOK INLET SETNET FISHERY

WHEREAS, the offshore setnet fishery in Cook Inlet has been a legal and accepted method of fishing for over thirty years; and

WHEREAS, the Alaska Board of Fisheries established boundaries on this fishery in 1978 of one and one-half miles offshore south of the Kenai River and one mile offshore north of the Kenai River; and

WHEREAS, the vast majority (87%) of Cook Inlet setnet permit holders are Alaska residents with over two-thirds being residents of the central Kenai Peninsula; and

WHEREAS, the eastside setnet fishery is a major economic factor within the Kenai Peninsula Borough, with an annual ex-vessel catch value for the past five years averaging \$27.9 million, employing many people in the fishery, processing and transportation industry, and directly contributing to the Kenai Peninsula Borough through real and personal property, sales and raw fish taxation; and

WHEREAS, the Alaska Department of Fish and Game and the Alaska Board of Fisheries have developed and implemented a biologically based management plan providing protection reduced interception of king salmon by establishing both minimum and optimum escapement goals; and

WHEREAS, the eastside setnet fishery targets the red salmon run and has taken measures to reduce the catch of king salmon, significantly reducing the incidental harvest in recent years and plans to institute a voluntary program dedicating the revenues from incidental catch of king salmon to improvement of Kenai River habitat;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the Assembly of the Kenai Peninsula Borough urge Governor Walter J. Hickel, the Alaska Board of Fisheries, and the Alaska State Legislature to fully examine the biological,

Kenai Peninsula Borough
Resolution 91-14
Page 1 of 2 Pages

social, and economic impacts of any proposed action to limit setnets along the eastside of Cook Inlet.

Section 2. That the Alaska Board of Fisheries be allowed to promulgate regulations regarding fisheries management and allocation issues based upon biological considerations.

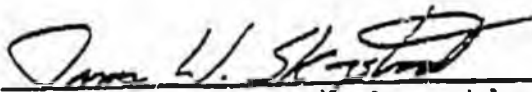
Section 3. We respectfully request that new and continuing members of the Alaska Board of Fisheries exhibit a high degree of integrity and an ability to be fair and impartial in arriving at their decisions.

Section 4. That the Alaska Department of Fish and Game be allowed to manage fisheries according to the management plans and regulations established by the Alaska Board of Fisheries without interference.

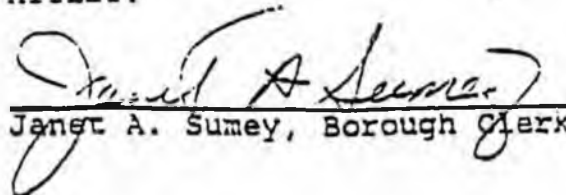
Section 5. That copies of this resolution be sent to Governor Walter J. Hickel, members of the House and Senate Resources Committees, and members of the Kenai Peninsula delegation.

Section 6. That this resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
5th DAY OF February, 1991.


James W. Skogstad, Assembly President

ATTEST:


Janet A. Sumey, Borough Clerk

SUBSTITUTE

Suggested By: Councilwoman Monfor

CITY OF KENAI

RESOLUTION 91-2

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, IN SUPPORT OF THE EASTSIDE COOK INLET SETNET FISHERY.

WHEREAS, the offshore setnet fishery in Cook Inlet has been a legal and accepted method of fishing for over thirty years; and,

WHEREAS, the Alaska Board of Fisheries established boundaries on this fishery in 1978 of one and one-half miles offshore south of the Kenai River and one mile offshore north of the Kenai River; and,

WHEREAS, the vast majority (87%) of Cook Inlet setnet permit holders are Alaska residents with over two-thirds being residents of the central Kenai Peninsula; and,

WHEREAS, the eastside setnet fishery is a major economic factor within the Kenai Peninsula Borough, with an annual ex-vessel catch value for the past five years averaging \$27.9 million, employing many people in the fishery, processing and transportation industry, and directly contributing to the Kenai Peninsula Borough through real and personal property, sales and raw fish taxation; and,

WHEREAS, the Alaska Department of Fish and Game and the Alaska Board of Fisheries have developed and implemented a biologically based management plan providing protection reduced interception of king salmon by establishing both minimum and optimum escapement goals; and,

WHEREAS, the eastside setnet fishery targets the red salmon run and has taken measures to reduce the catch of king salmon, significantly reducing the incidental harvest in recent years and plans to institute a voluntary program dedicating the revenues from incidental catch of king salmon to improvement of Kenai River habitat;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1: That the Council of the City of Kenai urge Governor Walter J. Hickel, the Alaska Board of Fisheries, and the Alaska State Legislature to fully examine the biological, social, and economic impacts of any proposed action to limit setnets along the eastside of Cook Inlet.

Section 2: That the Alaska Board of Fisheries be allowed to promulgate regulations regarding fisheries management and allocation issues based on biological considerations.

Section 3: We respectfully request that all new and continuing members of the Alaska Board of Fisheries exhibit a high degree of integrity and an ability to be fair and impartial in arriving at their decisions.

Section 4: That the Alaska Department of Fish and Game be allowed to manage fisheries according to the management plans and regulations established by the Alaska Board of Fisheries without interference.

Section 5: That copies of this resolution be sent to Governor Walter J. Hickel, members of the House and Senate Resources Committees, and members of the Kenai Peninsula delegation.


Section 6: That this resolution shall take effect immediately upon its adoption.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, the sixth day of February 1991.



John J. Williams, Mayor

ATTEST:



Carol L. Freas, City Clerk

(2/6/91)

CITY OF SOLDOTNA

RESOLUTION 91-3
(Proposed by Mayor Davis)

A RESOLUTION CONCERNING THE COOK INLET EASTSIDE SETNET FISHERY

WHEREAS, the offshore setnet fishery in Cook Inlet has been a legal and accepted method of fishing for over 30 years; and

WHEREAS, the target species for the Cook Inlet setnet industry is sockeye salmon; and

WHEREAS, 87% of all Cook Inlet setnet permit holders are residents of the State of Alaska and 69% are residents of the central Kenai Peninsula Borough; and

WHEREAS, the annual ex-vessel value of the eastside setnet fishery averaged \$27.9 million (1985-1990); and

WHEREAS, studies indicate eastside setnet fishermen who are Kenai Peninsula Borough residents earned an average of \$19.3 million per year between 1985 and 1990 of which 67% is spent within the Kenai Peninsula Borough; and

WHEREAS, the Alaska Board of Fisheries established boundaries on this fishery in 1978 of one and one-half miles offshore south of the Kenai River and one mile offshore north of the Kenai River; and

WHEREAS, the increase of nets within these legal areas was the result of increased wild sockeye salmon returns to the Kenai River; and

WHEREAS, Alaska Department of Fish and Game data indicates the increase in setnets has not resulted in an increased proportion of king salmon catch by commercial setnetters; and

WHEREAS, Governor Hickel's Special Assistant on Fisheries, Clem Tillion, has stated that the offshore nets in Cook Inlet do not constitute a biological problem; and

WHEREAS, the Alaska Department of Fish and Game and the Alaska Board of Fisheries have developed a Kenai River Late Run King Salmon Management Plan that provides adequate protection to late run king stocks; and

WHEREAS, during the 1990 season the minimum late run Kenai River king salmon escapement goal was exceeded by over 10,000 fish, while the optimum goal was exceeded by nearly 3,500 king salmon; and

WHEREAS, eastside setnet fishermen have been releasing the majority of live king salmon from their nets since 1987 in an effort to allow additional kings to enter the Kenai River; and

WHEREAS, since inception of the Kenai River King Salmon Management Plan in 1988, the percentage of the late Kenai River king catch in the commercial fishery has declined from 26% to 19%; and

WHEREAS, during the 1990 season the eastside setnet incidental catch of king salmon declined to an all time low of 11% of the Kenai River king salmon total return; and

WHEREAS, the amended Kenai River King Salmon Management Plan now requires the commercial fishermen to share the burden of obtaining the optimum king salmon escapement goal; and

WHEREAS, during the 1991 season many eastside setnet fishermen plan to donate the proceeds of their king salmon catch to a fund to benefit king salmon habitat and support king salmon research needs; and

WHEREAS, Governor Hickel's Special Assistant on Fisheries, Clem Tillion, has stated publicly the intention of the Hickel administration to drastically reduce the number of setnets along the eastside of Cook Inlet and has told the Kenai Peninsula Fishermen's Association Board of Directors that there will be no compensation for those fishermen eliminated from the fishery; now, therefore,

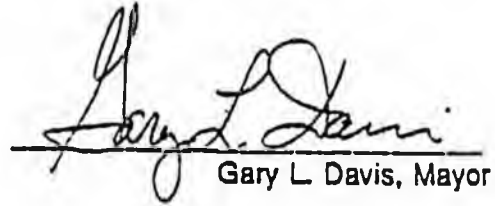
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA ALASKA AS FOLLOWS:

Section 1. That the City Council of the City of Soldotna hereby requests the Governor of the State of Alaska, Walter J. Hickel, to:

- A. Examine fully the biological, social and economic impacts of any proposed action to limit setnets along the eastside of Cook Inlet;
- B. Allow the Board of Fisheries to promulgate regulations regarding fisheries management and allocation issues utilizing biological data;
- C. Allow the Alaska Department of Fish and Game to manage fisheries according to the management plans and regulations established by the Alaska Board of Fisheries;
- D. Appoint new Board of Fisheries members as seats become available and who are informed, impartial, and who do not have a preconceived agenda to carry out on any fisheries issue.

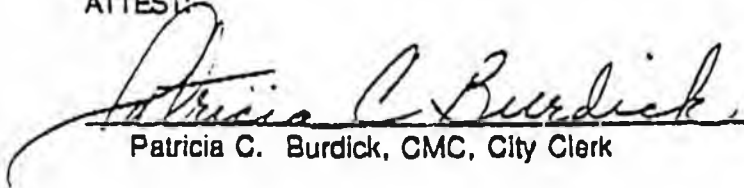
Section 2. The City Clerk is requested to send a copy of this Resolution to Governor Walter Hickel, all State Senators and Representatives who represent the Kenai Peninsula Borough, Clem Tillion, Special Assistant to the Governor on Fisheries Issues, and the Acting Commissioner, Alaska Department of Fish & Game.

ADOPTED this 6th day of February, 1991.



Gary L. Davis, Mayor

ATTEST:



Patricia C. Burdick, CMC, City Clerk

Learning the ropes:

Leadership, but whose?

by BOB TKACZ

The Board of Fisheries meeting on Southeast finfish proposals was the first for new board members Ken Wardwell, an Anchorage real estate broker, and Soldotna accountant Fry Carlisle, appointed by Gov. Walter J. Hickel to fill vacancies created by the voluntary departures of Bud Hodson and Mike Chibuly in January.

Technically, the changes only replaced experienced sport fishing advocates with less seasoned sport fishing advocates in board make-up.

Politically charged atmosphere

However, the politicized atmosphere generated by Hickel minions and what many perceive as their blind guy with a sledge hammer approach to state board appointments in general and the already touchy subsistence controversy in particular left commercial fishermen nervous and board members skittish during the meeting in Juneau.

With 13 years experience on the Kenai/Soldotna local advisory committee, Carlisle started his state board tenure conservatively.

Ken Wardwell took a similar leap into board life on several commercial proposals with little more than a passing nod to the board's semi-formal traditions. After twice failing even

to master seconds to allow his motions to be debated, he displayed his political about pants with a quick, you-don't-like-me-cause-I'm-a-sportfisherman whine.

Personality conflicts

Later that same day personality conflicts erupted again and the board began the next meeting with a 90-minute closed session. Even Laird Jones, Division of Boards director and Fish Board chief of staff, was invited to leave and a "get here, and now" call was made to fish and game commissioner Ed Roster to fulfill his formal role of ex officio secretary to the board.

While outside the Barmof Hotel meeting room speculation among board observers kicked out of the executive session ran toward the idea that Wardwell is the governor's sport fishing enforcer disguised as the Pillsbury doughboy and other board members might be experimenting with sliced bread, the secret discussion was apparently a straight talking "This is how we do things around here" lesson.

In any event, everyone emerged smiling from the very private meeting. Roster hotfooted it for the governor's office and the board session continued at a noticeably more relaxed pace. The single marks were barely noticeable by the time the meeting ended.

Date SEP 08 1988

Home News

Radical plan may eliminate e. side setnets

by Joel Gay
Managing Editor

Setnetters on the east side of Cook Inlet would fish through the summer of 1990, then shut down forever under a plan by Anchorage anglers to put more kings and reds into the Kenal and Kaslof Rivers.

"Project US" is the pet of the Kenal River Sportfishing Association, headed by Anchorage businessman Bob Penney. The proposal, the group maintains, would end the long-standing dispute between sport and commercial fishermen over who should harvest the Kenal River kings.

Setnetters call the idea ridiculous.

It would eliminate all commercial fishing within three miles of shore from Ninlichik to the East Foreland, which would dramatically increase the number of kings and reds in the rivers available to anglers. Any fish not hooked and not needed for escapement would be herded into a pen about 40 miles upriver and harvested.

Everyone wins, according to the proposal. Sport fishermen would have more fish and therefore better fishing. Setnetters could either collect a percentage of the fish trap proceeds without working or keep their permit and fish elsewhere in Cook Inlet. And biologists would have better control over escapement.

It would require the Alaska Legislature to radically change some existing state law, including to approve the use of fish traps. But if they don't act, the angling group is prepared to put it on the ballot and have state voters decide the idea.

See "Setnetters," Page 21

... Setnetters would be shut down

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Cont. from Page 1

"We've got both short and long-term game plans to address this," said Ken Wardwell, president of the sportsman's group. "We're very serious about it. And even though we're sportsmen, we feel it's beneficial to Cook Inlet setnetters."

Economics is the bottom line of their argument. In late 1987, the Dept. of Fish and Game released an economic analysis of sportfishing in Southcentral Alaska. The exhaustive study, done by a Sacramento, Calif. economics consultant considered to be among the best in the field, surveyed thousands of resident and visiting anglers and determined how much they spend on fishing — \$127 million in 1988.

The Kenal River is the major attraction in Southcentral and over \$38 million was spent that year on fishing the river's salmon and trout. Included in that figure is the cost of flying to Alaska from Outside, rental cars, lodging, eating and drinking, guides, boat repairs, salmon eggs, waders and all other goods and services.

Compare that to the ex-vessel value of the setnetters' catch, \$13 million, and it becomes the heart of the anglers' argument. They say it would make more sense, economically, to manage upper Cook Inlet salmon stocks for the benefit of anglers, and ditch the current plan that gives priority to commercial fishermen.

In short, Project US says, "Kenal River stocks may provide more overall benefit to the people of Alaska if their primary purpose is for use in the sport fishery."

But setnetters say the Kenal River group is missing the point. "I don't agree with their premise," said Gene Palm, a board member of the Cook Inlet Fishermen's Association. The anglers can talk about economic justification, but "what it comes down to is they don't like to see us catch those fish," he said.

The setnetters have caught up to 20,000 kings in a year, but average closer to 15,000. Mr. Palm contends that closing down the east side of Cook Inlet is too radical a move to get a few thousand more kings up the river.

His family has been fishing on the Salsamatof beaches north of the Kenal River for nearly 30 years. Now it is a three-family operation, he said, with five permits — 15 nets in all.

"If (our families) were shut down, the Kenal River would have gotten another 50 kings this year. Of those, 20 would have been caught. That's seven kings per family and we don't think that's a fair cost."

And the idea of being paid not to fish reeks, he said. "It doesn't take into account the other reasons why people do this for a living. We fish because we want to fish. Contrary to what a lot of people think, money is not the reason. My family works together; there is a lot of teamwork, camaraderie, planning — those are values that don't come just from money."

Project US would build, at a cost of about \$3 million, a fish trap roughly 40 miles upstream on the Kenal River. They hired former Fish and Game biologist Dave Dalay to help design the trap. All kings and reds would enter the trap; those necessary for escapement would be released and all others would be harvested.

Processors would be waiting for the fish, which would be in mint condition, Mr. Wardwell said. Some setnetters say the fish would be in terrible condition after swimming 40 miles upstream, but the sportfishermen contend they would not. Reds taken even further, at the the Russian River, are usually bright and some still have sea lice, he said.

However, the anglers have already been warned that their proposal could bog down in a bureaucratic nightmare. Mr. Dalay wrote the group in January that environmentalists could have a field day with the idea of flooding the Kenal and Kaslof rivers with reds, which would overcrowd the banks and the water with fishermen. It will require numerous state and federal permits, and getting them may be tough, he said.

But the first hurdle comes this winter. The sportfishing association has sent a copy of their proposal to the Board of Fisheries and hope to win the board's concurrence. The final say lies with the Alaska Legislature, which would have to amend existing law for Project US to become a reality.

If the legislature balks, Mr. Wardwell said the group is already working on the process to put the plan to Alaskan voters.

However, if the legislature buys Project US and everything else works out as planned, setnetters would fish the summer of 1990 and then be done.

Opinion

Project US is a proposal by one sport-fishing group for an ambitious program aimed at enhancing sport fishing by buying the set netters off the beaches. It is offered as a way to provide fairly for conflicting interests in a limited resource - the salmon of the Kenai and Kaslof rivers.

The proposal is built on the premise that something is radically wrong, and it therefore suggests a radical solution. This is where it runs into problems both practical and political, for it proposes an unprecedented fish-trapping program to replace a system that has worked effectively, if not perfectly, for almost two decades.

Up a busy river

What is radically wrong? According to Project US, there is "an inequity in the current allocation scheme for Kenai River salmon" in that a few hundred commercial set netters who work the eastside Cook Inlet beach sites from July 1 to Aug. 15

catch more king salmon each year than an estimated 100,000 rod-and-reel anglers on the Kenai River.

This premise is underscored, in the Project US view, by a study that sportfishermen believe proves the sport-caught king is much more valuable to the local economy than the commercial-caught king, and the belief that it could be even more so if more salmon were allowed to reach the river.

This emphasis is promoted by Bob Penney and Ken Wardwell of Anchorage, the leaders of Project US and of the Kenai River Sportfishing Association. In their 67-page Project US proposal, they admit to working from a bias, but they also earnestly beseech others to consider the potential they offer for solving longstanding differences. Their idea: let the salmon enter the river and provide for the set netters' incomes and the processing industry's salmon supply by trapping the red salmon at Mile 40 up the Kenai River.

Here are some of the problems:

1. The study Project US cites for the value of the sport-caught fish adds to that value all related economic factors (buying groceries or meals or gas in Soldotna or Kenai or Ninilchik, and so on) vs. considering the value of the commercially caught fish on the basis of its sales price at the dock alone. Failure to roll in the factors of employment on beach sites or drift boats, of cannery sales and cannery jobs, and the degree of local residents hired (as opposed to Anchorage fishermen who take their money home) distorts the data.

Kenai Peninsula Fishermen's Association
Board of Fisheries Confirmation Hearings

2. Regardless of the actual king salmon catch (12,250 estimated by rod and reel in 1987), the evidence is that 53,000 kings got into the Kenai River that same year, and there is reason to doubt that (a.) the sport catch will increase significantly by having more fish in the river or (b.) that the river can bear much more traffic without grossly multiplying adverse environmental effects and the risk of actually killing off the habitat that makes the king salmon fishery possible to begin with.

3. Project US proposes private financing for the fish-trap operation, yet does not spell out how this could be done consistent with governmental responsibilities or how the removal of the free market could improve, or at least not hurt, the economy.

4. Project US postulates that the 40-Mile red salmon is as edible and commercially desirable as the beach-caught salmon, but the set netters counter that the deterioration of the important salmon oils and the natural changes proceeding within the salmon after he enters the river make the 40-Mile fish a significantly inferior product. They further claim that the beach-caught fish, not subject to being crushed in the bottom of a drift boat's hold for up to 24 hours, is the highest quality commercial catch available from wild stocks.

5. Set netters like their work, subscribe to the work ethic, and do not wish to sit at home collecting checks from Bob Penney & Co. Furthermore, the removal of their work would remove the jobs of all their employees, and replace them with nothing.

Project US is being proposed to the state Board of Fisheries early this winter. Now is not too soon for the public to review and debate its merits.

Quotable

Catching a trophy size Kenai king in a set net is the same as cutting down a redwood tree for firewood.

Ken Wardwell, president, Kenai River Sportfishing Assoc.

'Project US' hot topic at chamber

A capacity crowd showed up to hear the Kenai Peninsula Fishermen's Association debate "Project US" with its supporters Tuesday at the Soldotna Chamber of Commerce luncheon.

Each side discussed the issue for 20 minutes, then fielded questions for 20 minutes.

Ken Wardwell, president of the Kenai River Sport Fishermen's Association, and David Daisy, Project US fisheries consultant, defended the proposal to eliminate eastside set netting in favor of a fish trap located upriver from prime sport fishing spots.

Ninilchik resident Cheryl Sutton, set netter Gene Palm and their fishermen's cooperative's new executive director Loren Flagg spoke out against the plan.

"Project US, we believe, is a solution to the long-term conflict between commercial fishermen and sport fishermen," Wardwell said. "We are a strong and biased advocate for sport fishing."

"We believe that everybody wins," he said.

The plan calls for a fish trap at

Mile 40 on the Kenai River. Commercial fishermen could harvest more efficiently, escapement could be better controlled, and sport fishermen could take more fish, he said.

Daisy said the plan is needed because he expects sockeye salmon runs to average 2 million fish in the future. He also predicts falling prices due to ocean ranching and Atlantic salmon farming, and increasing sport fishing pressure on the Kenai.

"It spells change," Daisy said, adding, this is where Project US makes sense. He invited the audience to do its own research and reach its own conclusions, instead of just agreeing with one side or the other.

Sutton said eastside set netters are willing to risk lower fish returns, but not the risks of letting Project US ban set netting. She said no set netter supports the plan, which she called socialism.

"We (set netters) love what we do and that's why we do it," she said. "We're people who have been

involved in a heritage we're very proud of."

Sutton also used an economic approach. She said set netters employ thousands of workers directly and thousands more indirectly.

Palm, a set netter, also called Project US socialistic. He said there is no reason to predict smaller runs, and denied claims that set netting takes too much of the king salmon return.

"The best use of our fisheries is multiple use," Palm said. "It's unreal to expect final and complete solutions."

Flagg, who also guides on the Kenai River, said both commercial and sport fishermen deserve a place on the Kenai. Almost every hand went up when Flagg asked if the audience agreed.

Flagg said Project US is environmentally dangerous. The proposed fish trap site is one of the more important juvenile salmon habitats, he said. Increasing the sport catch will mean more damage to banks from fishermen walking the shore.

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A fine kettle of fish: News and views, Project US to a 'gender bender'

When the Eastside set netters and the Project US guys eat lunch in the same restaurant, you can bet their food is a long time digesting.

And they weren't the only ones who felt the tension at last week's Soldotna Chamber of Commerce noon meeting. The controversy brought a "standing-room-only" crowd to watch the two adversaries argue about a plan that would put fish traps back in the Kenai River and kick the set netters off the Eastside beach. "I haven't seen this many people at a chamber meeting since Sam McDowell was here," Irv Carlisle said, remembering an earlier king salmon war.



LES PALMER
An Outdoor View

The set netters were there, looking prosperous after record year on Eastside beaches. Project US threatens their way of life, so they were on the edges of their chairs.

The fishing guides were there, looking prosperous after a record year on the river. Project US offers them hope, so they, too, were on the edges of their chairs.

Most of the rest of the crowd were chamber members, who showed up like the Riverbuds was church and it was Easter Sunday.

And it might well have been, given the silence that befell the crowd when chamber president-elect Phil Turkington called the meeting to order. Following the introductions of Team Setnet on his right, and Team Project US on his left, Turkington referred to the chamber's so-far neutral stance on the Project US issue, saying, "We don't take a stand one way or the other."

Then, trying to lighten the obvious strain, he said, "Frankly, as a businessman, I love them both." The crowd laughed politely.

Ken Wardwell, a Project US spokesman, was first to speak, and his nervous attempts at humor in his opening remarks were met by a silence I'd thought impossible in such a crowded room.

The "US" in Project US stands for "Ultimate Solution," Wardwell said, meaning it would resolve the conflict between Kenai River king salmon anglers and Eastside set netters. "We believe that everybody wins," he said.

But he obviously hasn't had a heart-to-heart chat with set netter Cheryl Sutton, who said, "If anyone thinks Project US is a good idea, I want to see you after this meeting."

The set netters, scarred from many battles, had their nets well lined up, and very little got by them. The Project US group, on the other hand, seemed to be fishing with a half-empty tackle box.

Wardwell went in over his head at least twice.

'We don't want to come across as glamorous. We're just fishermen. We believe in the idea, and we're going to get the word out, whether we stumble or not.'

Ken Wardwell, Project US

Several people challenged him when he said, "Eastside set netters catch two-thirds of the kings." Even his own team couldn't pull him out of that one.

A woman sitting at a table jammed with set netters stood and said that, although Project US is aimed at Eastside set netters, it would also displace the drift fleet, which had been moved close to Eastside beaches in 1987 and 1988 to protect Susitna salmon. Her remark was answered with silence.

I expected better from the Project US folks. Too bad. If this was the opening battle in a new fish war, the set netters won it hands down, as they have won so many in the past.

I talked to Ken Wardwell after the meeting. When I asked him if he thought he had been adequately prepared, he said, "We don't want to come across as glamorous. We're just fishermen. We believe in the idea, and we're going to get the word out, whether we stumble or not."

The supporters of Project US didn't ask for my opinion, but here it is anyway: When you're proposing something that jeopardizes the livelihoods of every commercial fisherman in Cook Inlet, there's damn little difference between stumbling and falling flat on your face.

Fish and politics don't mix. Or do they? Former governor Jay Hammond thinks they should — at least when salmon are being intercepted in large numbers before they reach traditional fisheries. Hammond says most fishermen have reached the conclusion that the legislature, not the Board of Fisheries or the Department of Fish & Game, should set policy when it comes to interception.

The idea makes sense. Interception of salmon is politics, whether on the high seas, or off Egegik in Bristol Bay. But the thought of the legislature being involved at all is enough to make you shudder.

Also on the subject of fish and politics is a column by Tom Elias, president of the Alaska Sportfishing Association, in that group's latest newsletter. The ASA was badly disappointed by Gov. Steve Cowper's recent appointment of Mike Chihuly to the Board of Fisheries. Why?

In a letter to Cowper, the ASA complained that Chihuly has had nothing to do with sportfishing organizations and has not been involved in the issues of importance to sport fishermen. Worse, the

ASA complained, Chihuly lives in Ninilchik, a small community with commercial fishing, not sportfishing, as its base. They asked that Cowper reconsider and appoint Joe Sikma, of Kenai, instead.

Cowper's response? He didn't even answer, Elias said.

Summarizing his column, Elias writes, "A lot of us believe the only way to get sport fishing representation appointed to the Board of Fisheries by Governor Cowper is to nominate someone acceptable to the Eastside set net fishermen. Welcome to another chapter of Alaska politics."

Only time will tell about Cowper's choice for the board. But neglecting to respond to a group of his constituents as large as the ASA might just prove a serious error, come next election.

I know some of you may think otherwise, but I try to keep this column relatively free from sexist language. You know the kind: "That trail up Bear-breach Mountain really separates the men from the boys." Stuff like that.

Oh, sure, I kid around at times, but you gals can take a little joke. Right?

I have limits, though, and the word *fisherman* is one. I've seen this word abused several times, lately, and it's time to put a stop to it.

What abuse? I refer to the use of such non-words as *fisherpersons* and *fisherwoman*. I won't even waste words on these, because there's one more deserving of scorn.

Just the other day, in this very newspaper, an editor (who will not be named) wrote *fisher* in reference to a fisherman of the female persuasion.

Object! Yes, the dictionary says that a fisher is one who fishes. But a fisher is also a flesh-eating animal of the weasel family, while the word *fisherman* has but a single meaning, and one that is universally understood and respected.

Need more reason? Back in 1979, when Juanita Kreps was the U.S. Secretary of Commerce, she attempted to pacify the militant feminists of her time by decreeing that *fishermen* would from that time forward be officially called *fishers*.

She should have asked the women fishermen first. The Pacific Coast Fishermen's Wives Coalition quickly told Ms. Kreps what they thought of her *fisher*. Men were *fishermen*, by gawd, and so were women, and that was that!

And that was that. Somewhere, deep in the bowels of a musty file room in Washington, D.C., moulders a memo from J. Kreps to Staff, which puts the noominable *fisher* in its rightful place, which is under said memo. I believe that I speak for all fishermen — be they man or woman, sport or commercial, fin or shellfish — when I say it should stay there.

Any of you gals man enough to argue about it?

LES PALMER is a freelance writer who lives in Sterling, where he's an Outdoor View for The Tide.