

CONFIRM.

BOARD

OF

FISH

1996



Alaska State Legislature

Senate Resources Committee

Official Business

State Capitol
Juneau AK 99801

April 26, 1996

The Honorable Druc Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182

Dear Madam President:

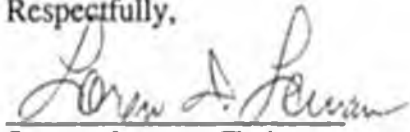
The Senate Resources Committee reviewed the following with regard to confirmation of the Governor's appointment:

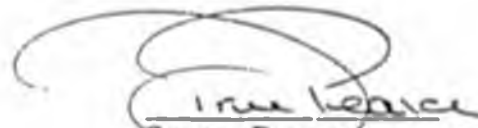
Board of Fisheries:

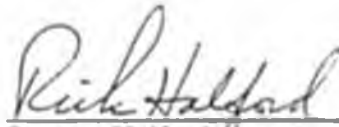
Virgil L. Umphenour - Fairbanks

Appointed 07/22/94; Reappointed 02/12/96; Expires: 01/31/99

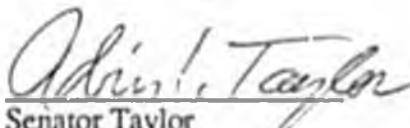
Respectfully,

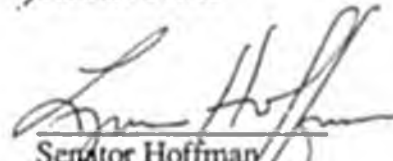

Senator Leman, Chairman

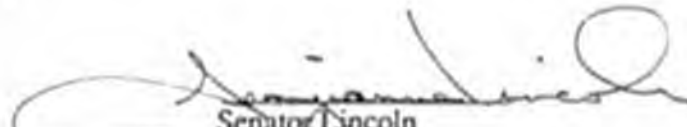

Senator Pearce


Senator Halford


Senator Frank


Senator Taylor


Senator Hoffman


Senator Lincoln

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

P O Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

February 16, 1996

The Honorable Drue Pearce
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Pearce:

In accordance with AS 39.05.080 and article III, sections 25 and 26, of the Alaska Constitution, I submit the following names for legislative confirmation of appointment to the position noted:

Board of Fisheries

Dan K. Coffey, Esq. - Anchorage

Appointed: 02/12/96 Expires: 01/31/99

Grant J. Miller - Sitka

Appointed: 02/12/96 Expires: 01/31/99

Virgil L. Umphenour - Fairbanks

Appointed: 07/22/94 Reappointed: 02/12/96 Expires: 01/31/99

The resumes for these appointments have been submitted to the offices of the Senate Secretary and the House Clerk.

Sincerely,



Tony Knowles
Governor

Enclosures

Resume - Grant J. Miller

Personal-

Born	- 12 July '47: Toledo, Ohio	
Schools	- Graduated Rossford High School, Rossford Ohio	1965
	- Ohio University, Athens Ohio	1966-67
	- Kildalls Navigational School, Seattle, WA	1978
	- Crawford's Nautical School, Seattle, WA	1991
	- Marine firefighting School, Juneau, AK	1991
	- Radar School, Seattle, WA	1992
Married	- Wife - Virginia E. Olney, Ginny	1973
	Sons - Bae Olney-Miller	Born 1973
	Nick Olney-Miller	Born 1977
Employment	- Self employed commercial fishing	
	- Bottom dragging, scalloping, fish trap, lobster inshore and offshore, Cape Cod, Mass	1966-71
	- Anchovy lampara seine, salmon troll Herring Gillnet, Sausalito, CA	1972-76
	- Salmon troll, Halibut Long Line, Herring Gillnet, Herring bait pound, SE Salmon Seine, Sitka, AK	1977-95
	- Herring Gillnet, Togiak and Norton Sound	1980-83
Boards	- Seafood Producers Co-op board	1981-85
	President	1985
	- Northern Southeast Regional Aquaculture Association	1985-Present
	President	1988-Present
	- United Fishermen of Alaska (NSRAA rep)	1990-Present
	Vice President	1991
	- Sitka committee on Alcohol and other drugs	1993-94
	- Sitka committee on fisheries	1994-Present
	- Seafood Producers Co-op	1994-Present
Licenses	- USCG mate uninspected vessels 500 tons	1978-94
	- USCG master any vessel 200 tons, master fishing vessels 500 tons, mate any vessel 1600 tons	1994-Present
	- Marine fire fighting and Radar observer	1994-Present

RESUME
VIRGIL L. UMPHENOUR
2400 Davis Road
Fairbanks, Alaska 99701
(907) 456-3885
Fax 456-3889

OBJECTIVE

Appointment to the Alaska Board of Fish

QUALIFYING EXPERIENCE

Have been involved in all aspects of the fishing industry:
commercial, sport, subsistence

COMMERCIAL

Have fished commercially on the Tanana River in Fairbanks since 1984. In 1985 became a commercial fish processor, processing both fish and roe from my fish and buying from commercial fishermen in Fairbanks, Nenana, Norton Sound and villages along the Yukon River. Have expanded this business so that now my company operates year round doing smoked fish and value added salmon products. Company does approximately 50,000 lbs of value added salmon products a year. Upwards of 250,000 lbs of salmon and roe can be processed during the summer months pending availability of fish.

SPORT

Have been an avid sport fisherman all my life. I have sport fished from the Kenai Peninsula to the Seward Peninsula and am well aware of the importance of the sport fishing industry to both the Alaskan sport fisherman and the tourism industry. My company processes in excess of 40,000 lbs/yr of sport caught fish.

SUBSISTENCE

Have subsistence fished for two seasons while living in Nome. As a commercial fish processor, have dealt extensively with the commercial/subsistence fishermen of the Yukon River Drainage and Norton Sound. For the most part, fishermen in these areas commercial fish to obtain cash to support their subsistence lifestyle. I have seen first hand the devastating effects of the failed fish runs on these people.

HUMAN RELATIONS

Past and present positions have required a wide range of interpersonal skills, public information management techniques and political awareness. As a commercial fisherman/processor and former military officer, have learned to deal with a wide range of individuals and be cognizant of their special interests and concerns. Am able to work with others to strike a consensus on critical issues. Was co-organizer of the Yukon River Drainage Fishermen's Association (YRDFA). Prior to the formation of this organization, it was a common belief that fishermen on the Yukon would never work together. YRDFA has since become a model of cooperation, by showing that when it comes to protecting the common resource, fishermen will set aside their differences and work together.

COMMUNICATION

Certified military instructor. Am completely at ease when speaking to large groups of people.

EMPLOYMENT HISTORY

CEO, Interior Alaska Fish Processors,, Inc.
Registered Alaskan Hunting guide
Officer, US Army Reserve, Retired

MEMBERSHIP

Delegate, US Canada Yukon River Salmon Treaty
Negotiating Committee since 1988
Co-Chairman, Yukon River Drainage Fishermen's
Association since Dec 1990
Tanana Valley Sportmen's Association, life member

REFERENCES

Lt. Governor Jack Coghill
State Senator Georgianna Lincoln
State Representative Richard Foster
State Representative Irene Nicholia
State Representative Allan Vezey
Charles Meechan, Deputy Commissioner, ADF&G
Roger Huntington, BOG

RESUME'

This Resume' is being submitted in conjunction with my application for a position on the State Board of Fisheries.

Name and Address:Phone Numbers

Dan Kelly Coffey
207 East Northern Lights Blvd.
Suite 200
Anchorage, Alaska 99503

(907) 274-3385 work
(907) 243-5464 home

I was born August 6, 1946 in Seattle, Washington. I came to Alaska with my mother 3 days later aboard an Arnold Airlines DC-3. We landed at Merrill Field on August 10, 1946. I remember nothing about the trip. I've been an Alaska resident ever since.

My occupation is as an attorney. I have been admitted to the Alaska Bar since May, 1975 so I have been at this work for over twenty (20) years. I am currently a sole practitioner employing one associate and one paralegal. My law practice is limited to commercial/real estate work with some commercial litigation with an emphasis on the purchase and sale of businesses particularly licensed businesses. Prior to opening my own office I was a partner in the lawfirm of Kay, Saville, Coffey, Hopwood and Schmidt for several years.

I am also the owner of two businesses in Anchorage; Dollar Rent a Car and Q-Zar Laser Tag and Family Entertainment Center. I also own Dollar Rent a Car in San Diego, California. In addition, I own and operate several commercial real estate properties in Anchorage. Finally, I am currently developing a residential subdivision in west Anchorage.

I am divorced and have sole custody of my three sons, Ryan, Kevin and Shane aged 11, 9 and 7. Since finishing law school I have lived continuously in Anchorage, Alaska.

I am a member of the following organizations:

- 1) Alaska Bar Association
- 2) Anchorage Home Builders Association
- 3) ARBA/CHARR

My experiences relative to fishing are as follows:

- 1) 1969-1971 worked as a commercial fisherman in Homer and Prince William Sound.
- 2) Previously represented fish processor in Bristol Bay.
- 3) In the late 1970s and early 1980s assisted numerous clients in applications for shore fisheries/ridgeland cases.

- 4) 1985-1990 owned 1/2 interest in 80 foot halibut, bottom fishing and commercial tendering boat.
- 5) Previously represented commercial fishermen involved in the Bering Sea crab fishery.
- 6) Previously represented clients in joint venture operations relative to bottom fishery.
- 7) I have been a sports fisherman, both fresh and salt water for many, many years.
- 8) My father was a founder of the Fisherman's Union in Alaska in the 1930s and 40s. He fished commercially in Bristol Bay in the days of sail boats. The goal of the Union was to allow the small commercial fisherman make a living by eliminating the fish traps controlled by Seattle based commercial processors. He was very proud of the role he played in eventually eliminating the traps.
- 9) I served on the Board of F.I.S.H., Inc which sponsored the initiative to increase the allocation of salmon to sports fishermen.

My experiences on previous governmental or public service Boards and Commissions are as follows.

- 1) Alaska Housing Finance Corporation Board, 1988-92.
- 2) Anchorage Museum Board, 1991-92.
- 3) Barrier Free Recreation Board, 1979-present.
- 4) Chairman of numerous Bar Association Fee Arbitration Panels.
- 5) Vice Chairman Governor's Task Force on Charitable Gaming.

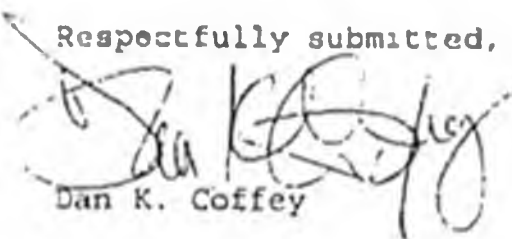
My qualifications for this position are as follows:

- 1) I am a problem solver, facilitator and a mediator. As a lawyer for twenty years, I know that the best way to resolve a difficult situation is to carefully listen to all sides, gather the facts, apply a sound criteria to the decision making process and then implement the decision in a fair and equitable manner so that all interested parties know what you are doing and why you are doing it.
- 2) I believe that reasonable solutions to difficult problems can be reached based a thorough understanding of the facts and on a willingness to engage in a dialogue with those who have differing opinions.
- 3) I have no preconceived notions about what should or should not be done. I have an open mind and a willingness to listen.
- 4) I do not represent any special interests nor do I have anything to gain from serving on the Board.

- 5) I have read the statutes establishing the Board of Fisheries, some of the regulations relative to the Board's operations and many of the cases decided by our Supreme Court relative to the duties, responsibilities and powers of the Board of Fisheries. I believe I know what is expected of the Board under the law.
- 6) Having lived in Alaska all my life, I know people all over the state in all walks of life. I can call on these people for information, for assistance and for ideas.
- 7) Having practiced as an attorney before various Boards and having sat on various Boards, I understand the public process within which the Board of Fisheries must operate.

I hope that this information is helpful to you in reaching a decision. If there is anything further which you require, please advise.

Respectfully submitted,



Dan K. Coffey

State of Alaska
Office of the Governor

TONY KNOWLES
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
NEWS RELEASE



Bob King
Press Secretary
Clare Richardson
Deputy Press Secretary
907-465-3500
FAX: 907-465-3533

FEB 13 1996

FOR IMMEDIATE RELEASE: February 12, 1996

96-032

KNOWLES APPOINTS THREE TO STATE BOARD OF FISHERIES
Praises Appointees Commitment to Consensus Building

Praising their commitment to conservation and an open, public process, Governor Tony Knowles today appointed three members to the state board of fisheries. Named to three-year terms were Sitka commercial fisherman Grant Miller, Anchorage attorney Dan Coffey, and Fairbanks fish processor Virgil Umphenour.

"These three individuals bring statewide perspective, balance among various user groups, and will maintain the diversity of experience on the fish board," Knowles said. "More importantly, they each bring a balanced, deliberative approach to resolving disputes. Fishing disputes can be among the most contentious issues that divide Alaskans, but these individuals all have a commitment to using the mediation process to seek consensus among the various users. They are strong believers of the principles of conservation, sustained yield, good science and the fish board process."

Grant Miller from Sitka has been a commercial fisherman for 30 years, including 19 years in Alaska. He has fished troll, seine, longline and gillnet gear in salmon and herring fisheries from Ketchikan to Norton Sound. Miller has served as president of the Northern Southeast Regional Aquaculture Association for eight years and has been a board member of the United Fishermen of Alaska and Seafood Processors Cooperative. Miller was endorsed by the city of Sitka, several statewide and regional commercial fishing groups, and Bill Foster, past president of the Sitka Charter Boat Operators Association.

Dan Coffey is a lifelong Alaska resident who works as an attorney in Anchorage, specializing in real estate and commercial law. An active sport fisherman, Coffey also has ties to the commercial fishery. His father fished commercially in Bristol Bay during the sailboat years. Coffey was part owner of a halibut and bottomfish boat during the late 1980s. Coffey was endorsed by numerous sport fishing groups, the Alaska Sport Fishing Industry Association, and the Northern District Setnetters Association.

Virgil Umphenour of Fairbanks is a current fish board member who has participated in both commercial and subsistence fisheries and is an avid sport fisherman and guide. Umphenour was a co-founder of the Yukon River Drainage Fishermen's Association (YRDFA). He owns Interior Alaska Fish Processors which produces 50,000 pounds of value-added salmon products annually. Umphenour was appointed in 1994 to fill a vacancy on the board. This will be his first full three-year term. He was endorsed by numerous interior villages and associations, including the Tanana Chief's Conference. Umphenour also received support from YRDFA and the Alaska Sportfishing Association.



COOK INLET SPORTFISHING CAUCUS
3620 PENLAND PARKWAY
ANCHORAGE, ALASKA 99508
(907) 276-2222 FAX (907) 278-0896

RECEIVED

JAN 23 1996

January 15, 1996

OFFICE OF THE GOVERNOR

Jim Ayers
Chief of Staff
Office of the Governor
State Capital Building
Juneau, AK 99811-0001

Dear Jim,

Sometime ago you asked us if there was some sort of a consensus as to what would satisfy the majority of sport fishermen, et al, of Cook Inlet. In other words, what would it take to put this controversy to rest that could be accomplished by the Board of Fisheries process and not require legislative action nor the initiative process.

After some months of in depth analysis and many, many rounds of meetings, we have compiled what we feel is a bottom line proposal. We have signed off on this position and are distributing it to each of our own organizations.

It requires adoption of an amendment of the Cook Inlet salmon management plan as has been put forth in Fisheries proposal #219 as attached, "A".

This would be implemented by the specific changes in attachment "B".

- I. Central District Commercial Drift Fishery
- II. Kenai River Stocks
- III. The Mat-Su Drainage
- IV. Area Wide


These attachments "A" & "B" are not our starting or compromise position, but are our bottom line.

We have worked on this issue in good faith to meet Governor Knowles' efforts to see this issue resolved if at all possible through the normal review and amelioration process of the Board of Fisheries. We'd all like to see this most controversial fishery issue settled if at all possible. It would certainly be in the best interests of all parties if this can be done.

We believe adoption of this proposal would take much of the "wind out of the sails" of the drive behind the FISH initiative also.

Please let us know your comments

Sincerely,


Robert C. Penney


Phil Cutler


Bruce Knowles

RCI/nj

attachment "A"

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Joe Hanes

(HQ-95-F-138)

PROPOSAL 219 - 5 AAC 21.363. UPPER COOK INLET SALMON MANAGEMENT PLAN.

Amend this regulation to provide the following:

(a) ADF&G should receive long-term direction in the management of Upper Cook Inlet salmon stocks rather than being called upon to respond annually to changing management policies and divisions within the department, research, administrative, and other programs. Therefore, the Board establishes the following priorities for the use of Upper Cook Inlet salmon stocks:

(1) Consistent with the statutory priority for subsistence, the harvest of Upper Cook Inlet salmon for customary and traditional subsistence uses will be allowed for specific species in appropriate areas, seasons, and periods to satisfy subsistence needs; other beneficial uses, to the extent that they are consistent with public interest and overall benefit of the people of Alaska, will be allowed in order to maximize the benefits on these resources:

(2) Northern District King, early Kenai King, and early Russian River sockeye salmon stocks, which normally move into Upper Cook Inlet to spawning areas before June 30 will be managed (primarily) for recreational uses in order to promote the public interest and provide maximum benefits to the people of Alaska and to the extent that management is consistent with the statutory subsistence priority; and:

(3) insofar as the following management steps are consistent with the statutory subsistence priority,

(a) from July 1 through August 15th, salmon stocks which normally move in Upper Cook Inlet will be managed primarily for commercial uses; except that east side set net sub-districts 244-30 and 244-30 will remain closed until July 10 and on odd numbered years when pink salmon runs do not occur, the east side set net fishery will close on August 7.

(b) after August 15, salmon stocks (moving to spawning areas in the Kenai Peninsula drainages) will be managed (primarily) for recreational uses (and)

[(c) salmon stocks other than those spawning in Kenai Peninsula drainages will be managed primarily for commercial uses.]

(b) Consistent with (a) of this section, the department shall, during the July 1-August 15 time interval:

(1) manage the Upper Cook Inlet commercial salmon fisheries to minimize the take of Northern District coho, late Kenai King, and early Kenai coho salmon stocks;

(2) assist the Board in setting optimal salmon harvest rates for all uses by monitoring Upper Cook Inlet salmon fisheries to determine the interception, of Northern District coho, late Kenai King, and early Kenai coho salmon stocks.

(3) consistent with minimizing the incidental take of Northern District coho, late Kenai King, and early Kenai coho salmon stocks, maintain the sustained yield of more abundant pink, chum, and sockeye

(4) insure that subsistence use priorities are met [, and]

[(5) manage the Northern District commercial fisheries, after August 15, to limit the harvest of coho salmon by limiting fishing time to regularly scheduled periods.]

(c) in this section "Upper Cook Inlet salmon stocks" means those salmon that move through the Northern and Central districts as defined in 5 AAC 21.200 (a) and (b) and spawn in waters draining into those districts.

PROBLEM: Current salmon allocation in Cook Inlet between commercial and recreational harvesters is, and has been for many years, unfair. A limited number of commercial fishermen are allocated nearly the entire resource. The public (sport and personal use harvesters) have been given a very minor share. This share rarely exceeds 5% of the total.

In an attempt to allocate salmon stocks, the Board of Fisheries installed the UCISMP in 1978. Seventeen years have passed since the plan was initiated.

Last year, we asked ADF&G to provide information as to harvest levels for commercial and sport fishing users both before and after the UCISMP was initiated. In summary, we were shocked to learn that despite recreational users having a harvest priority before July 1, after the UCISMP was initiated, commercial catches during that time period had increased approximately 250% from an average of 31,678 salmon to 78,755. Further, these commercial harvests exceeded the average sport harvest of 74,976.

After August 15th, when recreational users again were accorded the priority, the commercial fishery is again allocated the majority of the harvest. Since the UCISMP was enacted, commercial catches after August 15th have increased 267% from 21,668 to 58,021 salmon. It is noteworthy that nearly all of these fish are silver salmon which the Plan supposedly directs to the sport fishery. As during the fishery prior to July 1, the commercial harvest again exceeds the sport harvest which averages 48,219.

During the July 1-August 15 period, when the fishery has a commercial priority, the commercial fishers have been richly rewarded. Prior to the UCISMP, catches averaged 1.1 million. After the plan, the catches increased an average of 420% to 4.2 million per year.

Data on the sport catch is not available prior to the enactment of the UCISMP but in recent years (1977-1994), the public has harvested an average of 236,253 fish or 5.2% of the total catch.

From these data, it is clear that the allocation has consistently favored commercial harvesters and that the UCISMP as drafted is failing. A substantial change is needed to bring about basic fairness.

Our proposal does that. The commercial fishery, while sustaining a minor reduction will continue to be very successful. The sport fishery will be considerably more successful, particularly during times when King and Silver salmon stocks are making major migration through Cook Inlet waters.

We have included six (6) data tables compiled by ADF&G to support this proposal and the statements made in supporting testimony.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current inequity of fish allocation will continue. The failure of the UCISMP will continue. The public fishers will continue to be denied fair share of fish for their tables.

WHO IS LIKELY TO BENEFIT? The recreational fisher and the depleted salmon stocks of the Northern District.

WHO IS LIKELY TO SUFFER? The Upper Cook Inlet commercial fishermen will be slightly affected. However the impact is entirely in line with the Mixed Stock Salmon Management Plan.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Sportfishing Assoc. & Kenai River Sportfishing Inc. (HQ-95-F-177)
.....

Cook Inlet Caucus for changes to Cook Inlet Fishing Regulations attachment "B"

I. Central District Commercial Drift Fishery

- Reduce the geographical area fished by the drifters to increase the stock specific harvest of the fleet.
- Close the drift fishery no later than August 1.

II. Kenai River stocks

- Set the sockeye sonar escapement range at 500,000 to 800,000 and open the dipnet fishery every day after July 15.
- Open the Eastside Setnet fishery north of the Blanchard Line no earlier than the first regular period after July 10 or when a sonar count of 50,000 sockeye has been achieved.
- End the Eastside Setnet fishery no later than August 5th.
- Experiment with strategies to reduce the Eastside Setnet incidental catch of king salmon.
- Devise "windows" to facilitate the passage of kings through the Eastside Setnet fishery and to protect the genetic and life history diversity of salmon.
- No personal use gill net fisheries in the Central District.

III. The Mat-Su Drainage

- Set the Yentna River sonar escapement point goal of 175,000 with no hard cap. Re-examine the impact of the escapement level at subsequent Board of Fishery meetings to determine if Northern Cook Inlet stocks are being rebuilt.
- Restrict Northern District to one 12-hour opener per week between Aug. 1 and Aug. 14th. No fishing after Aug. 14.
- Close the Northern District commercial fishery for king salmon.
- Create a 1-mile sanctuary area at the mouth of the Little Susitna River that is closed to commercial fishing.
- Open Personal Use gill net fishery in July 1 in the Northern District.
- Move the Fish Creek dip net fishery onto the beach.

IV. Area Wide

- The department's first priority is to manage Cook Inlet salmon stocks to protect their genetic and life history diversity.
- Non-commercial users shall have a priority to harvest king and coho salmon that enter Cook Inlet.
- As long as it does not preempt either of the above priorities, commercial fishermen shall have a priority to harvest sockeye salmon during the month of July.

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

P O Box 110001
Juneau, Alaska 99811-0001
(907) 485-3500
Fax (907) 485-2532

January 19, 1996

Mr. Robert C. Penny
Mr. Phil Cutler
Mr. Bruce Knowles
Cook Inlet Sportfishing Caucus
3620 Penland Parkway
Anchorage, AK 99508

Dear Bob, Phil, and Bruce,

Thank you for your letter spelling out what you feel would put the Cook Inlet fisheries management "controversy to rest that could be accomplished by the Board of Fisheries and not require legislative action nor the initiative process." A lot has occurred since I posed the question to you about a year ago, including initiation of the Cook Inlet fisheries mediation process to address this very question. I know you have put a lot of time and effort into contemplating and addressing this question.

While I haven't studied the specific details of the proposals being considered within the Cook Inlet mediation process, I believe much of what you have in your proposal is being discussed within that process. The mediation process is certainly the appropriate forum for consideration of these ideas and I hope the parties are continuing sincere discussions within that process. The proposal you enclosed in your letter seems to contain many constructive and feasible goals and provides a clear outline for what I assume you intend to be a phased approach. I would think reaching agreement among users and action by the Board of Fisheries on a number of the items should be quite readily achievable.

I encourage you to continue to work on the issues addressed in the attachments to your letter through both the mediation and board processes. I remain optimistic that Cook Inlet issues will be resolved at the upcoming board meeting.

Thanks again for your efforts to sort out the issues, define the problems, and seek solutions regarding fisheries management and allocation in Cook Inlet

Sincerely,

Jim Ayers
Chief of Staff

AK
NOT RECORDED
3/21/96

March 21, 1996

Dear Governor Knowles:

Since the Board's meeting in Juneau last October we have received testimony or expressions of concern from the public regarding the impact of logging on the habitat and waters upon which or Alaskan fresh water fishes depend. We have continued to gather information during this period and have found that these concerns appear to be valid and require immediate action. However, to a greater extent the authority for corrective action does not lie within the Board of Fisheries.

You will find attached a resolution which generally outlines the problems or actions which are necessary. There are, however, two issues which require immediate action and we are asking you to provide leadership in addressing.

The first is that of protecting the watersheds of the thousands of rivers and streams which serve as the birthplace and nurseries of all of the state's anadromous fishes. At this time there are no, or a bare minimum of requirements for streamside buffers to protect the health and water quality of this habitat. We need not go further into detail on this matter as the ADF&G Habitat Division is fully aware of this problem.

The second is that of firmly establishing the lead responsibility for assessment, approving, and monitoring logging activities within the established zone of concern for fish habitat degradation. This responsibility must be applied to all lands adjacent to the waters to be potentially affected by logging activities. It is our opinion that only one state agency has the scope of interest and responsibility to accomplish this task and that is the Habitat and Restoration Division of ADF&G. If the Division is to perform this task it will require your mandate of the responsibility and assurance that necessary funds and human resources required to do the job will be made available.

At this time it would appear that budget cutting targets of the legislature will not only deny any additional duties for the Habitat Division but also prohibit it carrying out those responsibilities with which it is presently charged.

At its meeting last month the Board of Fisheries adopted a policy on habitat for all fresh waters within Upper Cook Inlet. We also established specific requirements along the Kenai River which we believe will result in means by which the public can better use lands adjacent to fishing waters with minimum abuse of vital habitat elements.

During our meeting period last October in Juneau you outlined three goals or commitments of your administration: 1. To preserve and protect the health of Alaska's resources; 2. To make decisions in regard to these resources based upon good science; and 3. To have maximum public involvement in making these decisions.

Governor, we strongly believe all three of these goals are a part of the concerns expressed above and the resolution enclosed. There are several expansions of timber harvest already scheduled in areas of the state generally devoid of any requirements for adequate buffers or watershed protection. Delay of preventative action for even one year will be too late in some of these areas.

We urge your leadership in solving this dilemma and stand ready to do our part within our legally established mandate.

Sincerely yours,

Larry Engel, Chair
Board of Fisheries

enclosure: 1

ALASKA BOARD OF FISHERIES RESOLUTION

A resolution urging the Governor of the State of Alaska to designate the Alaska Department of Fish and Game the lead agency in the monitoring of logging operations and providing the proper funding for the Habitat and Restoration Division.

WHEREAS, salvage logging or logging on a large scale provides economic development, this has the potential of being economic displacement when the impacts on habitat dependent industries are compromised. The forests provide direct and indirect protection for fish species. Forests and wetlands provide filters and reservoirs to charge the watersheds with cleaned and continuous water flows. Rivers, streams, lakes and pools become thermally unstable with temperatures rising in summer and excessive freezing in winter in clear cut forests.

WHEREAS, fish species are at risk due to the impacts of clear cut forests on the watershed's ability to maintain fish habitat. Forest management's first priority must be to provide habitat for all the indigenous species to survive and to provide a sustained yield for Alaska's citizens to enjoy and utilize.

WHEREAS, government funding has not kept up with new pressures on our resources. Budgets have been reduced for the Federal and State agencies that are responsible for resource management. Baseline data in most cases is nonexistent, and the collection of water quantity and quality data is being reduced in areas that have had data bases. Real time monitoring on our water bodies for the impacts of development is minimal at best.

Whereas, the Board of Fisheries, and the Department of Fish and Game have primary responsibility for the fishery resources of the State, and are mandated to conserve and develop them for the benefit of all, and

WHEREAS, Alaska forestlands contain much of the most productive fish habitat in the State,
and

WHEREAS, the fish produced by the wetland, riparian, lacustrine and intertidal habitats impacted by logging related activities are the backbone of the living of many people, and

WHEREAS, the cumulative effects of the logging of private, public, and trust lands lead to the long lasting diminishment of the productivity of fish habitat, and

WHEREAS, the present inadequate state oversight of development, can lead to serious decline in fish stocks in watersheds being logged in Alaska, and

WHEREAS, the sustained yield management of resources is dependent on understanding impacts on the habitats which are important at all stages of the life cycles of fish and nutrient resources.

NOW, THEREFORE, BE IT RESOLVED BY THE ALASKA BOARD OF FISHERIES:

- 1) That adequate funding be promptly allocated to ADF&G, as the lead agency in the implementation of State programs to assess the impacts from logging activities and to monitor them for compliance with the laws, and to recommend ways to better protect the fishery resource.
- 2) That this is a matter of the highest priority and the Board of Fisheries respectfully requests the Governor to direct and assist the resource agencies in implementing policy changes to protect fish resources.

As approved by the AK Board of Fisheries, March 19, 1996.



UCIDA

UNITED COOK INLET DRIFT ASSOCIATION
 P.O. Box 389 • Kenai, Alaska 99611 - 0389
 (907) 283-3600 • FAX (907) 283-3306

UCIDA BOF CONFIRMATION PACKET April, 1996

Nominees: Dan Coffey :	UCIDA opposed
Grant Miller:	UCIDA supports
Virgil Umphenour:	UCIDA opposed

Enclosures

- 1) UCIDA Letter to Senate Resources Committee, 4/23/96 on BOF confirmations
- 2) UCIDA/KPFA Letter to BOF - Dan Coffey conflict of interest
- 3) UCIDA Letter of concern over the possibility of three C.I. sport representatives on BOF
 - Concerns with Bower
 - Concerns with Engel
- 4) Dan Coffey Application for BOF, January 3, 1996
- 5) Dan Coffey Resume submitted for BOF appointment
 - Shows he served on F.I.S.H. Board of Directors
- 6) Affidavit of Avrum Gross, attorney for F.I.S.H. showing a teleconference on initiative on January 1, 1996
 - Note Coffey has claimed he withdrew from F.I.S.H. in December, 1995!
- 7) Letter from Coffey on UCIDA's APOC complaint against Cook Inlet Sportfishing Caucus (CISC)
 - This shows Coffey as attorney for CISC - i.e. Bob Penney, Phil Cutler, and Bruce Knowles.

**UCIDA**

UNITED COOK INLET DRIFT ASSOCIATION
P.O. Box 389 • Kenai, Alaska 99811 - 0389
(907) 283-3600 • FAX (907) 283-3306

April 23, 1996
Sent via telefax

The Honorable Loren Leman
Senate Resources Chairman
Room 115
State Capitol
Juneau, AK 99801-1182

Dear Mr. Leman.

United Cook Inlet Drift Association (UCIDA) represents the 585 commercial salmon drift permit holders in Cook Inlet. As commercial fishermen we UCIDA Board members are well aware that Alaska's natural and renewable resources are it's lifeblood. The lifestyle every Alaskan enjoys today can be directly attributed to these resources.

The Alaskan Seafood Industry ranks second only to oil and gas in providing state revenues and is Alaska's largest private sector employer. The harvesting and processing of Alaskan seafood provides in excess of 35 thousand jobs. A study of the Economic Impact of the shoreside processing industry upon Alaska during 1993, compiled by Pacific Associates, shows a total impact of 3.8 billion dollars upon Alaskan communities from fishery resources.

The management and harvest of these valuable fisheries resources is governed by the Board of Fisheries, (BOF). People appointed to this board play a critical role in determining the importance of each fishery to the economy of the state, region and local area in which the fishery is located. It is imperative that the members of this board understand the complexity of the fisheries and govern them accordingly to provide a viable, sustainable resource that will benefit all Alaskans.

At present a great imbalance exists in the BOF concerning area and fishery type representation. We have 3 sport fishing people for Cook Inlet, a commercial fish person for Bristol Bay, a commercial fish person and a processor, sport fish person for Western Alaska/Yukon and a commercial fish person for Southeast. There is no one representing the Aleutians/Bering Sea, Alaska Peninsula, Kodiak or Prince William Sound.

Page 2

April 19, 1996


Nor is there anyone very familiar with the shell fishing industry. In addition, five people presently represent in-river fisheries.

The UCIDA Board supports the confirmation of Grant Miller to the BOF because of his background with Aquaculture and diverse knowledge of various fisheries and areas. He has fished troll, seine, longline and gillnet gear. His knowledge of Southeast issues and the Pacific Salmon Treaty would be an asset to the Board.

The UCIDA Board opposes the confirmation of Virgil Umphenour to the BOF because of the representation imbalance in the Board. Mr. Umphenour proclaims to be an avid sport fisherman and guide. With two sportfish seats on the Board and two additional up for confirmation, we cannot support his reappointment. Western Alaska/Yukon already has a representative from Bethel.

The UCIDA Board opposed the confirmation of Dan Coffey to the BOF because of the imbalance of representation of the Board. Also, UCIDA believes a conflict of interest exists because of Mr. Coffey's connection with the F.I.S.H. Initiative and Bob Penney's sportfish caucus. (Please see attachment). Two existing Board members who are in-river sport fishermen already represent Cook Inlet. The appointment of a third member representing the same thing for the same area shows great disregard for the importance of the commercial fisheries to the economy of Alaska. To confirm an appointee who has already made decisions that will have far reaching consequences on the economic well-being of the Kenai Peninsula and Anchorage would be travesty to the voters of Alaska.

Sincerely,



Joseph Jolly
1st Vice President
UCIDA

JJ/kmt

Attachment

Kenai Peninsula Fishermen's Assoc.
34824 K-Beach Rd. Ste. E
Soldotna, Alaska 99669
(907) 262-2492

United Cook Inlet Drift Assoc.
P.O. Box 389
Kenai, Alaska 99611
(907) 285-3600

Hand Delivered on February 17, 1996

Larry Engel, Chair
Alaska Board of Fisheries
P.O. Box 25526
Juneau, Alaska 99802-5526

Re: Report of Potential Violation
Executive Branch Ethics Act

Dear Chairman Engel:

Under AS 39 . 52 . 230, Kenai Peninsula Fishermen's Association and United Cook Inlet Drift Association wish to report potential violations of the Executive Branch Ethics Act by new Board member Dan Coffey.

Background

Mr. Coffey has been actively involved in the efforts of various Cook Inlet sport fishing interests to secure a greater allocation of Cook Inlet salmon by reducing commercial harvests. Mr. Coffey is the attorney for the Cook Inlet Sport Fishing Caucus, a group registered with Alaska Public Offices Commission and which has lobbied the legislature for passage of a bill to grant sport fishermen a specific allocation of Cook Inlet salmon. The president of this caucus is Bob Penney, the treasurer is Phil Cutler, and the deputy treasurer is Bruce Knowles.

Mr. Coffey is also associated with F.I.S.H., Inc. He was one of the incorporators of that group, along with Mr. Knowles; he served on its initial board of directors, together with Mr. Knowles and Mr. Cutler, and resigned only recently to accept appointment to the Board of Fisheries; and he is the corporation's registered agent. We also understand that Mr. Coffey helped write the initiative which F.I.S.H., Inc., submitted to the Lieutenant Governor for the November election.

Potential Violation No. 1

AS 16 . 05 . 120 (a) provides that "a public officer may not . . . Intentionally secure or grant unwarranted benefits or treatment for any person." "Unwarranted

benefits or treatment' is defined, among other things, as "a deviation from normal procedures If the deviation is based on the improper motivation." 9 AAC 52 . 050 (a). "Improper motivation" means "a motivation not related to the best interests of the state, and includes giving primary consideration to a person's (B) financial association with a public officer, (C) potential for conferring a future benefit on a public officer; or (D) political affiliation." 9 AAC 52 . 990 (b) (4).

Our concern is that Mr. Coffey may vote on proposals at this meeting based on his financial association or political affiliation with, or his potential for receiving future benefits from, persons and organizations, thereby granting them unwarranted benefits and treatment. The question we raise is whether Mr. Coffey should be allowed to vote on allocation proposals that are sponsored or supported by the individuals and organizations identified above, or from which they would receive any benefit, given his personal, financial, professional, and political involvement with them.

Potential Violation No. 2

AS 39 . 52 . 120 (b) provides that "a public officer may not *** (4) take or withhold action in order to affect a matter in which the public officer has a personal or financial interest . . ." A "personal interest" is

An interest held or involvement by a public officer, or the officer's immediate family member or parent, including membership, in any organization, whether fraternal, nonprofit, for profit, charitable, or political, from which, or as a result of which, a person or organization receives a benefit.

AS 39 . 52 . 960 (18). A "financial interest" is

an interest held by a public officer or an immediate family member, which includes an involvement or ownership of an interest in a business, including a property ownership, or a professional or private relationship, that is a source of income, or from which, or as a result of which, a person has received or expects to receive a financial benefit.

AS 39 . 52 . 960 (9) (A).

The potential violation concerns Mr. Coffey taking action on matters in which he has personal and financial interests. The matters in question are proposals to restrict Cook Inlet commercial fisheries in order to increase the allocation of Cook Inlet salmon to sport fishers. Mr. Coffey's personal interests include his involvement with the Cook Inlet Sport Fishing Caucus and with F.I.S.H., Inc., from which those organizations or other persons would receive a

benefit, namely, a greater allocation of Cook Inlet salmon to sport fishers. Mr. Coffey's financial interests include his current and potential future income as an attorney working for these organizations or for individuals associated with those organizations.

Potential Violation No. 3

AS 39 . 52 . 120 (c) provides that a member of the Board of Fisheries may not act on a matter before the board if he "has not disclosed [on the record and in writing] all personal or financial interests in a business or organization relating to fish or game resources."

Our concern here is that Mr. Coffey may not fully reveal the extent of his financial interests as required by this section. As set forth above, a "financial interest" includes professional relationships that are a source of income. It is incumbent on Mr. Coffey to reveal his professional relationships, and specifically, his service as an attorney, with any and all businesses (including sole proprietorships and individuals carrying on a business, AS 39 . 52 . 960 (5)) and organizations relating to fish and game resources. In making these disclosures, Mr. Coffey must identify the extent of his involvement with such businesses and organizations - including, at the least, the nature of his work for them and the amount of his income derived from that work - so that you can assess the significance of his financial interests and determine whether any action he might take would have only conjectural effect on the matters before the Board.

Mr. Engel, we regret that circumstances compel us to file this report of potential violations of the Ethics Act. We support the Board process and have always tried to participate in that process in a fair and responsible manner. Nor do we intend this as a personal attack on Mr. Coffey. He obviously is an individual who has strong opinions on how Cook Inlet salmon should be allocated, and we respect his right to advocate those views. But we do not believe that Mr. Coffey, given his recent advocacy and his personal and financial interests, should be voting on the highly contentious sport-commercial allocation issues before the Board at this meeting. We trust that in your capacity as Board chair, and thus the designated supervisor for purposes of AS 39 . 52 . 220 and . 230, you will take appropriate action concerning the potential violations of the Act described above and declare that Mr. Coffey may not participate, deliberate or vote on proposals which pertain to sport-commercial allocation. These proposals include, but are not limited to the following:

169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 197, 198, 199, 200, 201, 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 248, 249, 251, 252, 253, 254, 255, 256

STATE OF ALASKA)
) SS.
THIRD JUDICIAL DISTRICT)

I, Joseph L Moore, being first duly sworn, do hereby state: I have been authorized by United Cook Inlet Drift Association and Kenai Peninsula Fishermen's Association to make this verification; I have read the foregoing report of potential violation of the Executive Branch Ethics Act; and I verify that the facts stated therein are true to the best of my knowledge.

Joseph L Moore

SUBSCRIBED AND SWORN TO before me this 16th day of February, 1996.



Nancy J. Ziebler
Notary Public for the State of Alaska.
My commission expires: 6-1-99.

**UCIDA**

UNITED COOK INLET DRIFT ASSOCIATION
P.O. Box 389 • Kenai, Alaska 99611 • 0389
(907) 283-3600 • FAX (907) 283-3306

April 26, 1996

To Whom it may concern:

Governor Knowles should not be surprised to find that commercial fishermen from many areas cannot support the nomination of yet another sport fish representative that has displayed extreme antagonism to the commercial fishing industry - i.e. Dan Coffey.

I thought it might be useful to remind the Governor and UFA groups that in terms of sport fishing representatives on the Board of Fisheries we currently have:

- Dick Bower, who: at his confirmation in 1994 and at the recent Upper Cook Inlet meeting puts Limited Entry permit holders systematically at the bottom of the allocation ladder, see pps. 1-3.
- Larry Engel, who:
 - has advocated fish traps in the Kenai river and a buy-out of commercial fishermen
 - was a member of Bob Penney's Cook Inlet Sportfishing Committee
 - was Mat-Su's fish lobbyist who originated their campaign against Deborah Lyons. See pps. 4-8.

Sincerely,

Theo Matthews
Executive Director
UCIDA

TM:kmt

RECORD OF 4/11/94 HOUSE RESOURCES COMMITTEE MEETING

REPRESENTATIVE ERIC NICHOLS:

"In regard to the mixed stock fishery, please give me information regarding how you see the fisheries management priorities. For example, please rank the importance of commercial fishing, subsistence, sustained yield and explain your answers in light of your actions on the Board of Fisheries in regard to the mixed stock fishery."

MR. BILL BOWER:

"I know that you said sustained yield. I would like to respond in a little different way. Sustained yield means that we are looking at a resource and we are saying that this much of the resource we will view as a yield meaning that is usable when I am assuming. I would prefer to start out and if you want my priorities, I will say that my number one priority is to see that a sufficient number of fish reach the spawning grounds and in turn spawn and produce the fish that we are going to need. Now maybe that can be viewed as sustained yield but to me it puts a little different emphasis on it because we are saying we have got to determine and know that those fish are reaching the spawning grounds and are effectively spawning and producing the fry, the smolt, etc. The second priority is on subsistence and I think this is established for us by regulation, by law, and by historical use. From that point on, we then are involved in allocation issues. I think if you look at the constitution and if you look at the mandate of the Board and indeed at the mixed stock fishery, I think that we would see that those allocation issues are the ones that we are really caught up in and are controversial. I would say the number one allocation is to go to the broadest number of public use as possible and in the underlying existing circumstances I would say we are probably noncommercial uses. Based on that approach to it I would say that commercial allocation then becomes if you will the lowest priority although as to use that leaves a heavy benefit to the state. I think that commercial allocation needs to be tempered upon meeting number one, the spawning requirements, number two, the subsistence requirements and number three, the noncommercial fishery that may be utilized by the largest number of residents of the state of Alaska as well as those to whom we do have the responsibility which would be the other people of the United States who may come here to participate in our fisheries resources."

BOF UCI February, 1996

Tape #60

Deliberations #208

Dr. Bower

Thank you, Mr. Chairman. I want to briefly touch on several of these. Number one, the history of each personal use sport and commercial fishery. I think that it was very clear that the people of the state of Alaska back in the 70's at the time that the limited entry permit system was put in to effect that we wanted to protect the resource and to limit the impact upon that resource by an unlimited number of people being able to come to the fishery. It was under that action that we actually recognized the responsibility or shifted the responsibility to the limited number of people who would have direct commercial access to the resource. In that action, however, I think that in terms of the personal use and sport, it was not one that said we were going to limit the access of either personal use or sport or recreational fishermen to only those who were not necessary to support the commercial fishery. In number two; the characteristics and number of participants in the fisheries, we did limit the number of commercial fishermen based upon the issuance of the limited entry permits. On the other hand, we have not taken, the state has not taken, any position by which we would limit the number of non-commercial people who would have access to the fisheries resource. From that standpoint then, I think, that we do not even have the authority to say we're going to have non-residents limited, or that we are going to have from that standpoint, aliens or other people coming, limited per se. So, I think in the absence of some kind of limitation there, I think that we have to consider, and certainly in the view of the growth of the resident population of the state of Alaska, that I think we must look at some kind of equity in terms of ability to some, and an additional number of the fish beyond perhaps what was envisioned in 1972. Number four; the availability of alternative fisheries resources -- the action that we are contemplating here in a mixed stock fishery indeed, will have an effect upon some of the other fish that are being caught, and that are being considered, but this is a management plan that is directed toward the coho salmon, therefore, the alternative of fisheries resources that are there, I believe that the commercial fishery does have access to those and therefore, this is an effort that's being taken in order to have more of the coho move through this fishery. In connection with the recreational fishery, I think we have to look at it as to where and how we have access to the overall fisheries resource. The abundance of the coho has made this a popular, and I think increasingly, sought after resource. At the same time, the sockeye, which we've heard much testimony as to the methods and means and other things, the sockeye is a certainly secondary, or maybe below that in terms of the ability of the recreational fishermen to utilize it. In terms of the importance of each fishery to the economy of the state, I think we are all agreed that commercial and non-commercial and

fisheries resource is extremely important to the economy of the state. In connection with the impact and I have to go to our Principals for this, because it doesn't exactly fit as far as a part of the allocation criteria, because number seven; in the principals we spoke to in the beginning -- the stability and viability of recreational, commercial and personal use fisheries -- I believe that if we look at the total harvest of fish since the issuance within Upper Cook Inlet, since the issuance of the limited entry permits, we will find that indeed there has been a continuing increase of the commercial harvest. Now that increase in the commercial harvest over those years also indicates an increase of the population of the fish that are available, so I'm not saying that that is not what should happen, but I am saying that as we look then, to try to determine the impact that we're going to have and the considerations that we must take in to account as we make this decision, but I want to read into the record in this connection RC58, which is the commercial fishery entry commission assessment of the economic and the total catch factors that we find at least between 1983 and 1994. I believe that as we look at that then, that has to be considered as we make this decision; as far as the stability and as far as the impact that this action will have upon those who hold the limited entry permits. Thank you Mr. Chair.

COOK INLET FINFISH & N. DISTRICT SETNET

LARRY ENGEL - Tape #135 @ 102

That is what we are thinking and our terms of our allocation was. You've missed your escapement in the River waters 5 out of 7 years. So, anyhow that is one of our solutions.

The other one, even more innovative, so innovative that you probably couldn't tolerate thinking about it seriously. But what if, in the mouth of the Kanai River we had a big old salmon trap, that blessed thing that we all were confronted with at statehood? Maybe two of them down near the mouth of the River. And what if we knew we can't look possibly at that 700,000 fish up that River, but we still had a commitment to the Sustine or some other depressed stock. And we caught these fish in the trap? And of course we turned the cone loose if they needed to be that and we turned the kings loose and we sold these fish, this surplus, this excess, that we couldn't possibly allow up there because it would allow overescapement, over grazing, they would starve to death? We sold these fish and we took the top, clear off the top, and we use this money to put the trap back in the following year and defray the cost of operating the fish trap that year perhaps. And maybe we would use some of the money from this thing and we really seriously try to look at how we can manipulate the fishery. Is it really impossible, so that we really don't have to use these what if type of methods of allocating, of preventing overescapement. And if there is still some money left over, there is all kinds of possibilities for that. You know, you could apportion it back out to the commercial fisherman according to what their percentages of that catch was, of course none would go to the Northern District fisherman because Kanai fish don't go up there much, but, or you could just put a car out there like we do for Hidden Creek and the people would just come flocking down and you could give them to them. So these are some potential solutions to this thing. They are not impossible. They are impossible, perhaps if you believe the current knowledge today if we use our traditional and historic ways of harvesting the fish. We have got a serious problem.

COCK INLET SPORTFISHING COMMITTEE
3820 Penland Parkway
Anchorage, Alaska 99508
(907) 276-2222

Enclosure #1

December 23, 1993

Representative Haney Ciberg
P.O. Box 1989
Valdez, Alaska 99586

Dear Mr. Ciberg:

House Speaker Ramona Barnes suggested we address a letter to you and tell you how important this bill would be to people along the railbelt.

Many people from Fairbanks fish the tributaries of Cock Inlet each year for different species of salmon. This bill would provide about twice as many rads to the sportfishing public as we have harvested historically.

The number of rads we've been allocated for over eight years has been fixed, while the need and demand from the public has increased at least ten fold.

The bill would also allow a bigger escapement of mixed stock salmon into upper Cock Inlet. It really is in the public's best interest.

We'd appreciate it if you would join with many other of the railbelt legislators in helping sponsor this important public legislation. We'll be contacting you next week to answer any questions you may have.

Sincerely,

Cock Inlet Sportfishing Committee
Robert C. Fennay (276-2222)
Larry J. Engel (743-4132)



cc: R. Barnes

Handwritten mark resembling a stylized 'G' or '5'.

Film
JOE
FAX TO
peggy
283-3306

Cock Inlet Sportfishing Caucus
- 3620 Perland Parkway
Anchorage, Alaska 99508
(907) 276-2322

February 4, 1994

To:

B.F. B.E.
D.D. (2 T.O.) B.E.
P.C. P.C.
P.R. J.Z.
L.E. R.B. ←
E.M. (2 staff) J.R. (and everyone else who has given their support).....

OUR HARD WORK IS PAYING OFF....

Here are the standings from last Wednesday, 4/2/94 through today, 4/9/94..... CONGRATULATIONS CREW - WE'RE ON OUR WAY (and lookin' good too may I add).....

Wednesday -	(140/299) 35/292	Monday -	176/306
Thursday -	60/295	Tuesday -	203/309
Friday -	140/299	Wednesday -	220/310
Monday -	176/306	Thursday -	251/316
Tuesday -	203/309	Friday -	203/309 ← 4:10 PM 251/316

Thank you, Thank you, Thank you for all your support, help, assistance, advice, dedication and devotion you have given to our cause.....

(P.S. - Congrats to Larry Engel and Dick Bowser - "NG" to go Guys'.....)

Kathy Lewis
CTSC

(6)

BOARDS AND COMMISSIONS DOCUMENT
 CONTRACT & AM FORM

L. P. 122
 Matanuska-Susitna Borough
 150 East Dablia Avenue
 Palmer, Alaska 99645

For Agenda of: June 15, 1993

Mo AY 93-149

SUBJECT: Status Report on Board of Fisheries and Four-Point Strategy for Continuing Efforts on Susitna Basin Salmon Fishery

ATTACHMENTS: Fiscal Note: Yes No

Route to:	Department/Committee/Individual	Initials	Remarks
	Originator		
	Clerk		
3	Assistant to the Manager	<i>MS</i>	
	Attorney		
2	Finance Director	<i>MS</i>	
1	Planning Director	<i>MS</i>	
	Assessor		
	Public Works Director		
4	Mayor		

SECURITY STATEMENT:

The Matanuska-Susitna Borough has been submitting proposals to the Alaska Board of Fisheries addressing the Upper Cook Inlet Salmon Management Plan for the last five years. To date, we have made very modest progress in our efforts. A chronological summary of the borough's efforts is attached.

Mr. Larry Engel was hired to represent the borough at the November 1992 Board of Fisheries meeting and has been working with the borough in its efforts to improve management of the Susitna Basin Salmon Fishery since that time. On April 13, 1993, Mr. Engel reported to the Assembly on actions taken by the Alaska Board of Fisheries during the March 1993 meeting. At that time he recommended the Assembly adopt a four-point strategy for continuing efforts to improve and protect the Susitna Basin Salmon Fishery. They are summarized below.

RECOMMENDED ACTION: Adoption by the Assembly of the four-point strategy for continuing efforts to improve and protect the Susitna Basin Salmon Fishery.

APPROVED BY:

Donald L. Moore
 Donald L. Moore, Borough Manager

P. 18
Fish/app.

MEMO

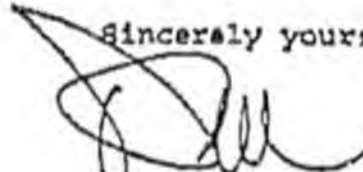
TO: MARLA HUSS
FROM: DAN COFFEY
RE: APPLICATION TO BOARD OF FISHERIES
DATED: 1-3-96

BOARDS & COMMISSIONS
JAN 03 1996

The purpose of this memo is to inform you that I am interested in a seat on the Board of Fisheries. Attached is my resume in support of my application.

Thank you for your attention to this matter. Call if you need any additional information or if you have any questions.

Sincerely yours,



Dan K. Coffey

Encls:

Enclosure #5

RESUME'

This Resume' is being submitted in conjunction with my application for a position on the State Board of Fisheries.

Name and Address:Phone Numbers

Dan Kelly Coffey
207 East Northern Lights Blvd.
Suite 200
Anchorage, Alaska 99501

(907) 274-3385 work
(907) 243-5464 home

I was born August 6, 1946 in Seattle, Washington. I came to Alaska with my mother 1 day later aboard an Arnold Airlines DC-3. We landed at Merrill Field on August 10, 1946. I remember nothing about the trip. I've been an Alaska resident ever since.

My occupation is as an attorney. I have been admitted to the Alaska Bar since May, 1975 so I have been at this work for over twenty (20) years. I am currently a sole practitioner employing one associate and one paralegal. My law practice is limited to commercial/real estate work with some commercial litigation with an emphasis on the purchase and sale of businesses particularly licensed businesses. Prior to opening my own office I was a partner in the lawfirm of Kay, Saville, Coffey, Hopwood and Schmidt for several years.

I am also the owner of two businesses in Anchorage; Dollar Rent a Car and Q-2ax Laser Tag and Family Entertainment Center. I also own Dollar Rent a Car in San Diego, California. In addition, I own and operate several commercial real estate properties in Anchorage. Finally, I am currently developing a residential subdivision in west Anchorage.

I am divorced and have sole custody of my three sons: Ryan, Kevin and Shane aged 12, 9 and 7. Since finishing law school I have lived continuously in Anchorage, Alaska.

I am a member of the following organizations:

- 1) Alaska Bar Association
- 2) Anchorage Home Builders Association
- 3) AREA/CHARR

My experiences relative to fishing are as follows:

- 1) 1969-1971 worked as a commercial fisherman in Homer and Prince William Sound.
- 2) Previously represented fish processor in Bristol Bay.
- 3) In the late 1970s and early 1980s assisted numerous clients in applications for shore fisherman/ridalands

- 4) 1985-1990 owned 1/2 interest in 80 foot halibut, bottom fishing and commercial tendering boat.
- 5) Previously represented commercial fishermen involved in the Bering Sea crab fishery.
- 6) Previously represented clients in joint venture operations relative to bottom fishery.
- 7) I have been a sports fisherman, both fresh and salt water for many, many years.
- 8) My father was a founder of the Fisherman's Union in Alaska in the 1930s and 40s. He fished commercially in Bristol Bay in the days of sail boats. The goal of the Union was to allow the small commercial fisherman make a living by eliminating the fish traps controlled by Seattle based commercial processors. He was very proud of the role he played in eventually eliminating the traps. I served on the Board of F.I.S.H., Inc which sponsored the initiative to increase the allocation of salmon to sports fishermen.

My experiences on previous governmental or public service boards and Commissions are as follows:

- 1) Alaska Housing Finance Corporation Board, 1988-92.
- 2) Anchorage Museum Board, 1991-92.
- 3) Barrier Free Recreation Board, 1977-present.
- 4) Chairman of numerous Bar Association Fee Arbitration Panels.
- 5) Vice Chairman Governor's Task Force on Charitable Gaming.

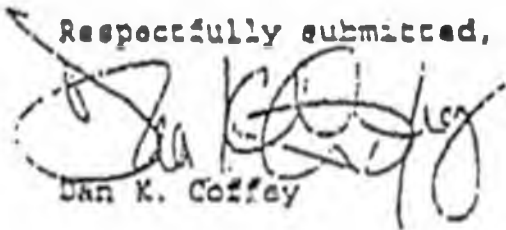
My qualifications for this position are as follows:

- 1) I am a problem solver, facilitator and a mediator. As a lawyer for twenty years, I know that the best way to resolve a difficult situation is to carefully listen to all sides, gather the facts, apply a sound criteria to the decision making process and then implement the decision in a fair and equitable manner so that all interested parties know what you are doing and why you are doing it.
- 2) I believe that reasonable solutions to difficult problems can be reached based a thorough understanding of the facts and on a willingness to engage in a dialogue with those who have differing opinions.
- 3) I have no preconceived notions about what should or should not be done. I have an open mind and a willingness to listen.
- 4) ~~I do not represent any special interests~~ nor do I have anything to gain from serving on the Board.

- 5) I have read the statutes establishing the Board of Fisheries, some of the regulations relative to the Board's operations and many of the cases decided by our Supreme Court relative to the duties, responsibilities and powers of the Board of Fisheries. I believe I know what is expected of the Board under the law.
- 6) Having lived in Alaska all my life, I know people all over the state in all walks of life. I can call on these people for information, for assistance and for ideas.
- 7) Having practiced as an attorney before various Boards and having sat on various Boards, I understand the public process within which the Board of Fisheries must operate.

I hope that this information is helpful to you in reaching a decision. If there is anything further which you require, please advise.

Respectfully submitted,



Dan K. Coffey

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

HARVEY PULLEN and UNITED)
FISHERMEN OF ALASKA, INC.,)
)
Plaintiffs,)
)
vs.)
)
FRAN ULMER, Lieutenant Governor)
of the State of Alaska,)
FAIRNESS IN SALMON HARVEST INC.,)
)
Defendants.)

Superior Court No. 1-JU-95-2385 CI

AFFIDAVIT OF AVRUM M. GROSS

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

NOW COMES AVRUM M. Gross and upon being duly sworn deposes
and says:

1. I am a partner in the firm of Grosse and Burke, which
was retained to defend the Fairness in Salmon Harvest, Inc.
defendants in this litigation, and have personal knowledge as
to the work that was performed by both me and Susan A. Burke,
the only attorneys in the firm, on behalf of the defendants.

2. All of our billings to the defendants in this matter
to date are attached as Exhibit A to this affidavit. Those
billings disclose that the time incurred for Ms. Burke and me
was billed at the rate of \$150 per hour for each of us.

LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
425 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801
(907) 586 2777

STATEMENT
 LAW OFFICES
GROSS & BIRKE
 A PROFESSIONAL CORPORATION
 424 NORTH FRANKLIN STREET
 JUNEAU, ALASKA 99801

(907) 586-2777
 February 1, 1996

Mr. Bob Fenney
 Penco Properties
 3620 Penland Parkway
 Anchorage, Alaska 99508

For legal services rendered through January 31, 1996:

			HOURS
1/4	AMG	T/conf with Fenney, Simpson.	.50
1/5	AMG	T/conf w/Coffey; meet in Governor's office with J. Ayers.	1.50
1/8	AMG	T/conf w/H. Malone.	.25
1/10	AMG	Review materials on initiative sent by Hall; t/conf w/Baldwin.	.75
1/11	AMG	T/conf concerning stipulation w/Robinson, Baldwin; subsequent conf w/Baldwin concerning same.	1.50
1/16	AMG	Review additional language of stipulation.	.25
1/24	AMG	Review draft of stipulation; t/conf with AG's office.	.75
1/25	AMG	Final review and signature of stipulation of facts in case.	.75

TOTAL HOURS

6.25

6.25 HOURS AT \$150 PER HOURS
 SALES TAX
 OFFICE EXPENSES (Phone & fax)
 TOTAL AMOUNT DUE

\$ 937.50
 \$ 37.50
 \$ 49.61
\$1,024.61

Enclosure #7 P.24

OFFICE OF
DANK COFFEY
107 E. Northern Lights Blvd., Suite 100
Anchorage, Alaska 99503

ARRIVED

007 374-4311 FAX

(907) 374-3316

December 2, 1994

APOC-ANCH
SM 10

Alaska Public Offices Commission
2221 East Northern Lights Blvd.
Room 128
Anchorage, Alaska 99508-4143

Attn: Jim Knetch

Re: Cook Inlet Sportsfishing Caucus

Dear Mr. Knetch:

Enclosed with this letter you will find a Group Registration Form for Cook Inlet Sportsfishing Caucus and a Campaign Disclosure Statement, Schedules A through G. As you and I previously discussed these forms are being filed in order to protect my client from a subsequent finding by APOC that they were a required filing and in order to limit any sanctions which might be imposed based on a non-filing.

As you and I have discussed, my client does not believe that it is a "Group" under the statutory or regulatory definitions. As we discussed, if my client is not a "Group", then no filing of a Group Registration form is required and there is no financial reporting requirement. If, on the other hand, it is subsequently determined that my client is a "Group" which must report its contributions and expenditures, these filings will cover that requirement. Thus, this filing is being made with the express understanding that the filing is without prejudice to my client's right to challenge its obligation to file as a "Group" and to report its contributions and expenditures.

Finally, pursuant to your advice, we are filing one report for all contributions and expenditures. Since the amount raised and spent was relatively small and took place over a short period of time, this should not cause you any problems. However, if you have any questions or if the Treasurer and I incorrectly completed any portion of the forms, please advise and we will answer your questions.

For local calls 75-4175
For filing by FAX 275-7018

Re: to: Ak. Public Office Comm.
222 E. Northern Lights Blvd. Rm. 128
Anch., Ak. 99508

1994 GROUP REGISTRATION

IMPORTANT: File this form **BEFORE** spending funds for or against a candidate or ballot issue.

NAME OF GROUP: COOK INLET SPORTS FISHING CLUBS

Note: The name of a group for or against a single candidate must include the candidate's name.

OFFICIAL MAILING ADDRESS: 3620 PENLAND PARKWAY
ANCHORAGE AK 99508

We mail forms and priority special notices to your official address **ONLY**. Choose a convenient, reliable address as your official address. This may help to avoid filing problems and late fines.

1994 CAMPAIGN PLANS Check the boxes that apply.

Our group plans to spend money campaigning in the:

- PRIMARY ELECTION ON AUGUST 23.
- GENERAL ELECTION ON NOVEMBER 8
- MUNICIPAL ELECTION (APR. 19 OR OCT. 4) in _____
(circle one or both) (name of Municipality)
- SPECIAL or RUNOFF ELECTION (on _____) in _____
(circle one) (date) (name of Municipality)

Our group does not plan to campaign in 1994, but will collect or expend money to influence 1995 elections, pay debts or for administrative costs:

- YEAR-END RPT. required. Note: You must report even if you have only admin. costs.

Our group will be disbanding during 1994. We have no plans to re-form, and will be closing out our checking account.

- DISBANDING Note: File a FINAL report within 10 days of close-out.

UPDATE APOC: IS YOUR PLANS CHANGE: If you are active in an election and don't report to APOC, you may run up a large fine. ~~Keep us updated~~ so we can notify you when you miss a deadline. An informal note is all that's needed to amend this registration.



GROUP OFFICERS - use secretary unless I am secretary.

OFFICER	NAME	MAILING ADDRESS	HOME PHONE
CHAIR:	BOB PENNER	3620 PENLAND PARKWAY	276-2222
TREASURER:	PHIL CUTLER	6622 RASUMUS DR ANCH	243-4667
DEPUTY TREASURER:	RANCE KNOWLES	7401 EOW Circle WILKIN	745-4965

OTHER PRINCIPAL OFFICERS: STELLING COMMITTEE IS 3 LISTED ABOVE

Note: The chair's name must appear in the "paid for by" on ads and other communications. AS 15.13.090. The treasurer must sign a report before it is certified. AS 15.13.090. Only treasurers and deputy treasurers may receive or spend campaign funds on an on-going basis. 2 AAC 30.324.



UCIDA

UNITED COOK INLET DRIFT ASSOCIATION
P.O. Box 389 • Kenai, Alaska 99611 - 0389
(907) 283-3600 • FAX (907) 283-3306

FAX TRANSMITTAL LETTER

Date: 4/29/96 Time: 10:13

Number of Pages (Including Cover Letter): 25

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL (907)283-3600 AS SOON AS POSSIBLE.

To: Senator Loren Leman From: Shes Matthews

Subject: _____



Alaska State Legislature

Please enter into the record my testimony to the Senate Resources
committee name

committee on Dan Coffey Confirmation, dated 4/26/96
bill/subject

I oppose Dan Coffey's confirmation because he doesn't represent my views, and he is affiliated with the sport fish industry to the extent that I don't believe he will fairly treat the Cook Inlet commercial fishing industry. I am a life long Alaskan and have fished Cook Inlet (drift) since 1970

Signed: Tony Lindow
Testifier

myself and family
Representing (Optional)

POB 2772 Soldotna
Address

262 2579
Phone No.

TO: Senate Resources Cmte. - Confirmation
hearing
SOME SIMPLE STATEMENTS

- 1) MR COFFEY WAS FAIR, CONSIDERED ALL VIEWS, MADE EQUITABLE DECISIONS BASED ON PROVIDED INFORMATION AND PERSONAL HARD WORK ON HIS PART.
2. HE WAS COMPLETELY DEDICATED TO APPLYING THE BOARD PROCESSES TO ALL USER GROUPS (I.E. STEP DOWN PLAN)
3. HE WAS WILLING TO LISTEN TO POSSIBLE ALTERNATIVE METHODS OF HARVESTING FISH IN COOK INLET (1ST TIME IN MY EXPERIENCE WITH THE BOARD OF FISH. THAT THIS OCCURRED.
4. IF ANY LEGISLATORS WERE AT THE BOARD MEETING IN FEBRUARY, YOU WERE IMPRESSED, AS I WAS, IN MR COFFEY'S ABILITY IN THE BOARD PROCESS
5. AS A COMMERCIAL FISHERMAN I FEEL COMPLETELY CONFIDENT THAT MR COFFEY WILL MAKE DECISIONS THAT ARE IN THE BEST INTEREST OF ^{THE REASONABLE &} ~~THE~~ USER GROUPS IN COOK INLET.

Les Hogan

933 Clay Ct.

Anchorage, AK 99503

279-6762

North Dist. Setnetters



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

committee on Appt. Confirmation dated April 26, 96
bill/subject

Please vote for Dan Coffee, I am
Alaska Native, + Vote for Virgil Umphenour
We need them, Or do we need Federal
Fish + Game Takeover, Cause the State
F+G doesn't do there job, not for
Northern Dist. Please look into this +
ask Dan Coffee for records on Northern
Dist. We made less than 5,000 in
the last 6 yrs. How would you like to
struggle like I am. Just pray you
never have to walk in my shoes, a
real Indian

Signed: Lella Ring
Testifier

Representing (Optional)
Box 10 - 3212, Anch. Ak. 99510
Address
373-2080
Phone No.

II

There Voting against D. Coffee
& Virgil Umphrenow, SO They the
Drifters, and East side Fish Setnet
Can keep on getting all the Fish
a nothern Dist Fish Permit.

Ella Ring



Alaska State Legislature

Please enter into the record my testimony to the Senate Resources
 Confirmation - Board of Fish committee name
 committee on Dan Coffey, dated 4-26-96
 bill/subject

I have testified on this confirmation process through the house committees and would ^{hope} that these comments are available for your review by this committee. I have two new comments/questions to testify here.

- ① On Mr. Coffey's disclosure listing he states that one of his clients as the F.I.S.M. initiative. Was Mr. Coffey being compensated ~~at the same time~~ ~~by~~ by this client at the same time he had been appointed to the Board of Fish.
- ② I remember one unsettling ^{comment} made to two of us at the B.O.F. meetings in Anc (96) by Mr. Coffey. That is "Well you know the only place for graft any more is the boards and commissions" and walked off with a smile?! This confused me? Maybe Mr. Coffey could explain why he made this comment?

Signed: Paul A. Madara, Jr.
 Testifier
myself
 Representing (Optional)
P.O. Box 1622 Kenai AK 99611
 Address
262-1771
 Phone No.



Alaska State Legislature

Senators: Lemman, Salo, Torgerson
Representatives: Gary Davis, Gail Phillips, Mike Navarra

Senate Resources

Please enter into the record my testimony to the _____
committee on Confirmation of appointees committee name
to the Board of Fish, dated April 26, 1996
bill/subject

I respectfully urge the committee to deny a seat on the Board of Fish to Dan Coffey.

I think we all know and understand political payoffs for "services rendered" or "giant monetary contributions acknowledged" in running for a political office. Governor Knowles has gone beyond the morally acceptable when he appoints Dan Coffey to the Board of Fish to pay off Bob Penney.

Dan Coffey is a lawyer who knows nothing about fishing of any kind; who takes his orders from his "client" Bob Penney. Coffey penned the F.I.S.R. initiative for Bob Penney. This man cannot perform as a fish board member without bias. He has publicly stated that he has accepted this position for the short term only to change the allocation of Cook Inlet salmon. Dan Coffey has a "personal" agenda which is NOT the agenda for which the board was created.

The commercial net fishermen have one representative on the Board (Miller). The balance of the Board are sports fishermen (commercial or non), terminal fisheries, or processing related.

I urge you again, please deny Dan Coffey a seat on the Board of Fish and Ours.

Signed: _____

Francis K. DeRossett
Testifier Francis K. DeRossett

Representing (Optional)

Bx 7305 Nikiski, Alaska 99635

Address

907-776-8901

Phone No.

TESTIMONY ON CONFIRMATION OF BOARD OF FISHERIES MEMBERS

To: Chairperson/Committee Members
Senate Resource Committee

From: James L. Evenson
P. O. Box 324
Kenai, Alaska 99611-0324

I SUPPORT GRANT MILLER:

He has a thorough knowledge of Alaskan fisheries, both commercial and sport, and is especially well versed on the southeastern issues including the U. S.-Canadian Salmon Treaty.

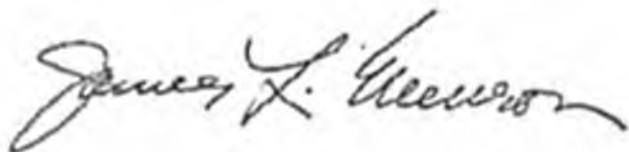
He listens carefully to all testimony and tries to be impartial in his decisions.

I OPPOSE DAN COFFEY:

He has stated publicly that he is a "one issue" appointee: to take fish from the commercial fishery of Cook Inlet and reallocate them to the sport fishing/guiding/tourism industry. He has demonstrated a totally biased attitude during public testimony, staff testimony, and deliberations.

I OPPOSE VIRGIL UMPHENQUER:

He seems to lack a grasp of the issues, sport or commercial. His responses to public and staff testimony indicate a very narrow breadth of knowledge of fisheries issues, and a lack of ability, or interest, in making decisions based on the testimony presented.



26 April 1996

Alaska State Legislature
Senate Resources Committee
c/o LIO 283-3075

Please enter into the record of the Senate Resources Committee hearing, 26 April 1996, our testimony regarding the confirmation of Board of Fisheries appointees Dan Coffey and Grant Miller as follows:

We support the confirmation of Dan Coffey and Grant Miller to the Board of Fisheries, and encourage others to do so as well. In our estimation, these two appointees offer to the board process an important combination of soberness, good will, integrity, experience, and analytical skills. Their fairmindedness will be of benefit to all Alaskans.

Thank you,

Heidi and Dan Chay
HCOI Box 196
Kenai, Alaska 99611
283-3450

Shirley and Guy Morgan
Box 2169
Soldotna, Alaska 99669
262-4888

Marguerite and Oliver Felton
Box 1367
Homer, Alaska 99603
235-5605

Libby and John Ludvick
Box 2680
Homer, Alaska
235-6709

Marlie Johnson
Box 1267
Kenai, Alaska 99611
283-4117



Alaska State Legislature

Please enter into the record my testimony to the Senate Resource Committee
 committee name
 committee on Confirmation Board of Fish , dated 4-26-96
 bill/subject

Mr. Chairman and Committee Members:

I would strongly support Mr. Dan Coffey and Mr. Virgil Umphenhour for the Board of Fish. Supporting reasons are as follows:

1. Objectivity used in discerning between Fish & Game and public testimony during recent Board Meetings.
2. These two people are more representative of the people who use the resource in general.
3. Experience with other voluntary board meetings and Virgil's past experience on the Board of Fish.
4. Both see a balance in personal, recreational and commercial use of the resource without damage to associated resources.
5. Strong ability to listen to all sides and make difficult decisions and support their decisions.

Signed: *Thomas M. Lyons*
 Testifier

Self
 Representing (Optional)

PO Box 731 Sterling, Alaska
 Address

(907) 262-3732
 Phone No.

AVCP

Association of Village Council Presidents
P.O. Box 219 • Bethel, Alaska 99559 • Phone 543-3521

APR 22 1996

April 16, 1996

Senator Loren Leman
Alaska State Legislative
Room 113, State Capitol
Juneau, Ak. 99801-1182

Dear Senator Leman:

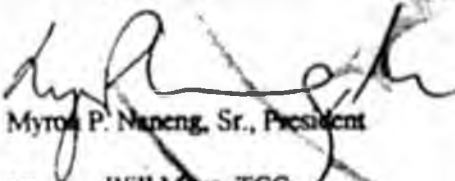
The Board of Fisheries at their special meeting failed to act on the closure of Area M, which has caused us concern over the years and has convinced us that the State of Alaska is in no position to manage the resources that our people rely on for survival.

Governor Knowles has made appointments to the Board of Fisheries with people who he thinks will address the clam cap concerns. The lack of action at the Board reflected otherwise and we once again feel rejected by the system that is there to protect the commercial fisheries and sportsfishing interests only. AFN on Friday wanted the legislative committee to vote on the Governor's plan to introduce a proposal to have the voters vote to have the State of Alaska take back management of the fish and game resources. AVCP voted against this and the recent BOF only reflects our concern that with the State management we will only be pushed to extinction by this system.

We request when the three recent appointees come up for confirmation that you voice your support of Mr. Virgil Umphress and your opposition to the appointments of Mr. Coffey and Mr. Grant. Please advise the Governor that the system has to be reformed if AVCP will ever buy back to the state the management of fish and game resources.

Thank you in advance for supporting our position.

Sincerely,
David O. David, Chairman


Myron P. Naneng, Sr., President

cc: Will Mayo, TCC
Terry Hoelzer, BBNA
Loretta Bullard, Kawerak
Ken Johns, Copper River Native Association



ADF&G file

April 24, 1996

Bob Penney
Chairman

Dear Senator Loren Leman,

The Board of Directors of Kenai River Sportfishing Association, Inc. urge you to support the confirmation of DAN COFFEY and VIRGIL UMPHENOUR to the Alaska Board of Fisheries.

Mr. Coffey even drew praise from Paul Ruesch last month during the Board hearing on Cook Inlet. Mr. Ruesch is the ADF&G Southcentral Regional Commercial Fisheries biologist. Nearing the end of the two weeks of deliberations, the biologist said he had gained a tremendous respect for Mr. Coffey. "He asks good questions and is very willing to learn. That's about all you can ask from a board member," Ruesch said.

We agree.

Mr. Umphenour has also shown, during the last year and a half he has served on the board, that he is a very qualified individual who places the importance of the resource first. His record was outstanding enough that a second governor reappointed him to a full three-year term because there is more he would like to accomplish before leaving the board.

We would ask that you allow him that opportunity.

To meet the challenges our fisheries face, we need members on the Board who will act to protect the resource first, provide non-commercial users their constitutional rights and allow for a responsible commercial harvest.

We believe Dan Coffey and Virgil Umphenour meet those standards. We might not agree with all of their decisions as board members, but after listening to their reasoning, it is hard to fault these two men who bring perspectives from southcentral and the interior of Alaska.

This is a critical time for the Board of Fisheries. It must be comprised of members who will respond to sound biological principles, understand public sentiment and be able to undertake experimental, adaptive points of view when deciding salmon management plans. Dan Coffey and Virgil Umphenour know what needs to be done. We ask you give them the chance. Confirm Dan Coffey and Virgil Umphenour for the Alaska Board of Fisheries.

Sincerely,

Ben Ellis

Ben Ellis
Executive Director
Kenai River Sportfishing Association

would like to sit down with you and talk contributions, if possible ~

The Sportfishing Voice of the Kenai River



UNITED FISHERMEN OF ALASKA

FEB 14 1996

211 Fourth Street, Suite 112
Juneau, Alaska 99801
907/586-2820
Fax: 907/463-2545

FOR IMMEDIATE RELEASE

February 14, 1996

Jerry McCune (907/586-2820)

STATEMENT ON APPOINTMENT OF DAN COFFEY TO THE BOARD OF FISHERIES

United Fishermen of Alaska (UFA) is concerned that the appointment of Dan Coffey to the Board of Fisheries may prejudice Board decisions at the upcoming Board of Fish meeting on Cook Inlet fisheries issues.

Mr. Coffey is an Incorporator and Director of the group pushing the F.I.S.H. Initiative. The F.I.S.H. Initiative is a hostile attack on family businesses that make up Alaska's commercial salmon industry across the entire state of Alaska.

Coffey, an Anchorage attorney, has represented the interests of the Anchorage Sportsfishing Caucus which has long been a militant foe of the families and jobs that depend on commercial salmon fishing.

Board of Fisheries members must approach their decisions with an open mind and all user groups need confidence that they will receive a fair hearing. Based on Coffey's activism against the commercial salmon fishing industry, no reasonable person can conclude that Mr. Coffey will make Board decisions with an open mind nor that the Governor is fulfilling his campaign pledge to "depoliticize" the Board of Fisheries. UFA believes the appointment of Dan Coffey to the Board of Fish by Governor Knowles is unfortunate for the whole state.

UFA has been a strong advocate of the Board of Fisheries process. However, in order to work effectively, the appointment of individuals with a wide array of experience, a belief in the Board process, and an absence of personal agendas is critical.

///

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Longline Fishermen's Association • Alaska Trollers Association • Area K Seiners Association
British Bay Driftnetters Association • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association
Cordova Dredge Fishermen United • Kasilof Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Peninsula Marketing Association
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Puvion Sound Vessel Owners Association
Sealard Producers Cooperative • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association • United Cook Inlet Drift Association

HELLO, MY NAME IS STEVE PERRIZO, I RESIDE AT 2290 ROYAL STREET, KENAI. I OWN A HOME ON THE WATERFRONT, JUST SOUTH OF THE KENAI RIVER. IN LIVING THERE, I HAVE HAD FIRST HAND EXPERIENCE WATCHING THE DESTRUCTION AND DEVASTATION OF THE FRAGILE DUNES AND SURROUNDING HABITAT. HABITAT ALONG THE RIVER BANKS IS ALREADY SEVERELY COMPROMISED AND THREATENED BY THE HEAVY PRESSURE BEING APPLIED TO THE KENAI RIVER SYSTEM. IT IS MY BELIEF THAT THE RIVER CANNOT HANDLE MORE PRESSURE BY HAVING MORE FISH PUT INTO THE RIVER SYSTEM, SUBSEQUENTLY ALLOWING MORE FISHERMEN, MORE POWER BOATS, MORE POLLUTION, ETC.

Post-it brand fax transmittal memo 7571 4 of pages 4

To:	S. Perry
From:	Kenai Liu
Dept.:	
Phone #:	
Fax #:	

I BELIEVE IT IS OF THE UTMOST IMPORTANCE TO HAVE A FAIR AND EQUITABLE GROUP OF PEOPLE SERVE ON THE BOARD OF FISH. THE DECISIONS THEY WILL BE MAKING THAT DETERMINE THE FUTURE OF THIS RIVER WILL LAST LONG BEYOND OUR TIME. IT IS FOOLISH TO BELIEVE THAT ONE OF THE FOUNDING FATHERS OF THE FISH INITIATIVE WOULD BE "FAIR AND EQUITABLE". I BELIEVE PUTTING DAN COFFEY ON THE BOARD OF FISH IS A DIRECT ATTEMPT BY TONY KNOWLES TO TAINT THAT BOARD AND TO PAY BACK LONG TIME FRIEND BOB PENNEY FOR POLITICAL SUPPORT.

IT IS NOW TIME TO KEEP POLITICS OUT OF THE FISH BOARD PROCESS AND MOVE FORWARD WITH THE GOOD, SOUND BIOLOGICALLY RESPONSIBLE MANAGEMENT THAT WILL KEEP OUR RIVER SYSTEMS HEALTHY.

I URGE YOU NOT TO ENDORSE DAN COFFEY FOR THESE REASONS. THANK YOU.

Steve M. Perrizo

April 18, 1996

Erik Huebach
P.O. Box 599
Kasilof, AK 99610

Dear Legislator:

I am concerned that Governor Knowles is playing politics with the Board of Fish through his appointments to that Board. Most of the Governor's appointees have been sportfishers from the Cook Inlet area or commercial salmon fishers from terminal harvest areas. Fishery issues across the state have a much broader scope than these two categories. I would appreciate you doing your part to ensure a fair, knowledgeable and balanced Board. Please consider the following during the Confirmation Hearings for Board of Fish appointees.

Please oppose Dan Coffey's appointment. Mr. Coffey is one of the original sponsors of the "F.I.S.H." initiative which demonstrates his contempt for the Board of Fish process and his obvious bias towards the sportfish user group. There are already two sportfish representatives from Cook Inlet on the Board. To appoint a third would further handicap the Board when making decisions that affect other areas of the state.

Please oppose Virgil Umphenour's appointment. If the Governor's appointments are confirmed, the Board will be composed of the three sportfish representatives from Cook Inlet, three commercial salmon fishers from terminal harvest areas and one commercial fisher from Southeast. Mr. Umphenour is one of the three terminal harvesters. The state deserves a better balance of interests and expertise on this Board that manages Alaska's most valuable renewable resource.

Please support Grant Miller's appointment. He has extensive knowledge of different fisheries in different geographic areas. He is the type of Board member who can make informed decisions.

Thank you for your attention to my concerns.

Sincerely,



Post-It® Fax Note	7871	Class	12345
To	Kanette	From	
Co/Dept		Co.	
Phone #		Phone #	
Fax #	465-3810	Fax #	



OFFICIAL BUSINESS

Alaska State Legislature
Senate
Office of the Secretary

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX 465-2822

February 19, 1996

MEMORANDUM

TO: Senator Leman, Chair
Resources Committee

FROM: Nancy Quinto
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Pearce has referred the following names for legislative confirmation to your committee for a hearing, recommendation and report:

Board of Fisheries

Dan K. Coffey, Esq. - Anchorage

Appointed: 02/12/96; Expires: 01/31/99

Grant J. Miller - Sitka

Appointed: 02/12/96; Expires: 01/31/99

Virgil L. Umphenour - Fairbanks

Appointed: 07/22/94; Reappointed: 02/12/96; Expires: 01/31/99

NQ:vsww

Resumes attached



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 112
Juneau, Alaska 99801
907/586-2820
Fax: 907/463-2545

MEMORANDUM

DATE: April 26, 1996

TO: The Honorable Loren Lehman
Chairman, Senate Resources Committee

FROM: Jerry McCune
President, United Fishermen of Alaska

RE: Submission of position on the appointments
to the Alaska Board of Fisheries of Mr. Grant Miller
and Mr. Dan Coffey

Attached you will find copies of our statement supporting the confirmation of Grant Miller and opposing the confirmation of Dan Coffey to the Alaska Board of Fisheries.

Sufficient copies are enclosed for members of the committee and committee staff.

Thank you for making this information available to the Resource Committee and its members.

If you have any questions, please contact me.

MEMBER ORGANIZATIONS

Alaska Longline Fishermen's Association • Alaska Trollers Association • Bristol Bay Driftnetters Association • Concerned Area UFA Fishermen
Cook Inlet Aquaculture Association • Copper District Fishermen United • Ketchikan Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
Kodiak Seiners Association • North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Peninsula Marketing Association
Peterson Vessel Owners Association • Prince William Sound Aquaculture Corporation • Puffin Borne Vessel Owners Association • Sealock Producers Cooperative
Southeast Alaska Boners Association • Southern Southeast Regional Aquaculture Association • United Cook Inlet Drift Association • United Southeast Alaska Gillnetters



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 112
Juneau, Alaska 99801
907/586-2820
Fax: 907/463-2545

FOR IMMEDIATE RELEASE

April 26, 1996

Contact: Jerry McCune
907/586-2820

STATEMENT ON APPOINTMENT OF DAN COFFEY TO THE ALASKA BOARD OF FISHERIES

United Fishermen of Alaska supports the appointment of Mr. Grant Miller and opposes the appointment of Mr. Dan Coffey to the Alaska Board of Fisheries.

Mr. Coffey was an Incorporator and Director of the group pushing the F.I.S.H. (Fairness in Salmon Harvest) Initiative. The F.I.S.H. Initiative is a hostile attack on family businesses that make up Alaska's commercial salmon industry that is the backbone of many local economies across Alaska.

Coffey, an Anchorage attorney, has represented the interests of the Cook Inlet Sportsfishing Caucus, which has long been a militant foe of the families and jobs that depend on commercial salmon fishing.

Board of Fisheries members must approach their decisions with an open mind, and all user groups need confidence that they will receive a fair hearing. Based on Coffey's activism against the commercial salmon fishing industry, no reasonable person can conclude that Mr. Coffey will make Board decisions with an open mind; nor that the Governor is fulfilling his campaign pledge to "depoliticize" the Board of Fisheries.

UFA believes that the appointment of Dan Coffey to the Board of Fish by Governor Knowles is an unfortunate choice for the entire state.

UFA has been a strong advocate of the Board of Fisheries process. However, in order to work effectively, the appointment of individuals with a wide array of experience, a belief in the public Board process, and an absence of personal agendas is critical.

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MEMBER ORGANIZATIONS

Alaska Longline Fishermen's Association • Alaska Trollers Association • Bristol Bay Driftnetters Association • Concerned Area "M" Fishermen
Cook Inlet Aquaculture Association • Cordova District Fishermen United • Ketchikan Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
Kodiak Seiners Association • North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Peninsula Marketing Association
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Prince George Vessel Owners Association • Seaford Producers Cooperative
Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association • United Cook Inlet DFM Association • United Southeast Alaska Generators

Knowles pick for fish panel stirs criticism

By TOM KIZZIA
Daily News reporter

An Anchorage lawyer who helped write a controversial ballot measure calling for a statewide sportfish priority was one of three people named Monday to the state Board of Fisheries.

The appointment comes on the eve of a two-week showdown at the fish board over allocating Cook Inlet salmon between sport and commercial fishing interests.

Dan Coffey, a founder of the Fairness In Salmon Harvest organization and a longtime friend of Kenai River sportfish activist Bob Penney, was chosen for one of three vacancies by Gov. Tony Knowles.

Please see Back Page, FISH BOARD

FISH BOARD: Knowles selection stirs controversy

Continued from Page A-1

The appointment drew quick condemnation from Cook Inlet commercial fishing groups, who said Knowles had gone further than previous governors in pushing politics on the fish board.

Also named to three-year terms on the board were Grant Miller, a 30-year commercial fisherman from Sitka, and Virgil Umphenour, a Fairbanks fish processor whose term had just expired. Miller and Umphenour won endorsements from fishing interests who often clash in front of the fish board.

"These individuals all have a commitment to using the mediation process to seek consensus among the various users," Knowles said.

The appointments will not change the existing balance on the seven-member board, which currently consists of three members associated with sportfish interests, two commercial fishermen and two members from Interior Alaska with commercial fishing ties and an interest in building in-river salmon runs.

But critics said Coffey's activism on behalf of sportfishing threatens the board's ability to rise above partisanship.

"It's an absolute insult to the commercial fishing industry," said Theo Matthews, executive director of United Cook Inlet Drift Association, a driftnetters group. "How could anyone expect we'll get a fair hearing from someone with this background?"

Coffey, best known in Anchorage as a lawyer for the liquor industry, was one of five founding board members of FISH, though he resigned after applying for an appointment to the fish board. The FISH initiative, calling for a statewide sportfish priority for salmon, is scheduled to go before voters this fall. Cook Inlet commercial fishermen say such a law would force most of them out of business.

Coffey also represented Penney's group, the Cook Inlet Sportfishing Caucus, during the 1994 elections. The group, which publicized candidates' stands on sportfish issues, failed to file financial reports until

threatened with fines by the Alaska Public Offices Commission.

The Board of Fisheries is supposed to provide a measure of political insulation for decisions about allocating fish among various user groups in Alaska.

Commercial fishermen said Knowles appears to be pushing the board to reach a particular conclusion in Cook Inlet.

The new members, though unconfirmed by the Legislature, will take their seats Saturday, in time for a two-week meeting on Cook Inlet Salmon allocation.

"The fish board was set up to isolate allocation from whoever can provide the best sound bite and make the most campaign contributions," said Karl Kircher, president of the Kenai Peninsula Fishermen's Association, a setnetters group. Kircher noted that Penney recently donated \$8,000 to a political fund for the governor.

Knowles spokesman Bob King said the governor appointed Coffey because he was the best candidate

among the 13 others who applied.

"(Coffey) stressed the fact that he considers himself to be a problem solver, a facilitator and a mediator," King said.

Sportfishing activists have charged that the board has been controlled politically by commercial fishermen and has failed to meet growing sportfishing demands in the Anchorage region.

"It's been too politicized for 40 years in the other direction," Penney said Monday.

Coffey said he expects to learn a lot as a fish board member and won't make up his mind until he has all the facts.

"Allocation has got to be done fairly and equitably, but there's a lot of room within that," Coffey said. He said conservation and sustained yield are his top priorities.

Coffey's appointment won the support of one Cook Inlet commercial fishing group, the Northern District Setnetters, whose nets would be more productive if other commercial fishermen didn't intercept so many salmon bound for

Alaskans tune to

■ Telephone, cable companies will compete with each other for customers

By MARK SABBATINI

THE JUNEAU EMPIRE

Lower rates and improved access to communications technology, especially in rural areas, are some of the benefits Alaskans should receive from the recently passed federal Telecommunications Act, state officials said today.

But some voiced concern about provisions restricting certain services or allowing cost increases. Those who believe greater competition among companies will result in layoffs and lower-paying jobs are also worried.

An overview of the act and its statewide implications was pre-

sented at a Capitol forum today chaired by Lt. Gov. Fran Ulmer.

Earl Comstock, an aide to U.S. Sen. Ted Stevens, said the most important part of the act is a provision allowing telephone and cable providers to compete with each other in offering phone, cable and Internet services.

"They want to be able to provide you with one big package," Comstock said.

Costs should be reduced because of competition, Comstock said. But he noted some regulations — such as cable rates for non-basic services — are eliminated.

Such provisions concerned Larry Buzzell, a local cable activist who said in an interview today Juneau doesn't have the technology to allow a second cable operator to compete with Alaskan Cable Network Inc. He said that means the company will be able

Biologists expect record July run of Kenai kings

THE ASSOCIATED PRESS

KENAI — King salmon fishing on the Kenai River in July may be the best it's ever been.

Alaska Department of Fish and Game biologists estimate 91,811 kings will return to Southcentral Alaska's Kenai River during the July run.

That's up sharply from 1996's July run, which saw 60,134 kings return to the river. And it would be more than have ever been counted since Fish and Game started keeping statistics in 1964.

"This is probably going to be bigger than anything we've seen ... since statehood," said Steve Hammarstrom, a Soldotna Fish and Game biologist who made the predictions.

Hammarstrom emphasized the numbers are an estimate and could be wrong. Past returns

have been both higher and lower than projected.

Even if the kings don't show up in quite the numbers forecast, fishing in July is still expected to be excellent. The highest recorded return was 79,837 in 1968.

While considerably smaller than the July run, biologists believe the Kenai's early king run will also be strong in 1998.

Hammarstrom said the expected run should produce enough kings to assure the river will not have to be limited to catch-and-release fishing.

In fact, if the forecast holds true, Hammarstrom said anglers would likely be able to fish with bait before the end of the season. Regulations require the Kenai to be closed to bait until Fish and Game can be sure the river meets its escapement goal.

Dog dies in Yukon Quest

DAWSON CITY, Yukon Territory — A dog in the Yukon Quest International sled dog race died

and the cause of death is not readily apparent.

Anglers' red take boosted

Decision angers commercial crews

By TOM KIZZIA
Daily News reporter

Sportfishermen won a long-sought victory for Cook Inlet on Tuesday night when the state Board of Fisheries voted unanimously to allow up to 150,000 additional red salmon to be swim past commercial nets and into the Kenai River.

Depending on further board action this week, the decision will probably force new closures on Kenai Peninsula setnetters and bring additional king salmon to the Kenai River in July.

The increase could double the daily bag limit for red-salmon anglers to six and push spawning numbers slightly past the current target for maximum productivity.

The higher in-river allocation of sockeyes could also bring more sportfishermen to the river, resulting in more riverbank habitat damage, board members acknowledged. The Fish Board told officials at the state Department of Fish and Game to measure the impacts, saying it would lower the red-salmon allocation in three years if habitat damage by anglers increases.

The Fish Board based its decision on a new set of "guiding principles" adopted this week to govern Cook Inlet salmon allocation. The principles call for the board to consider such things as habitat, the best scientific information, and maintenance of genetic diversity in the overall salmon population by preserving small salmon runs.

The principles were drawn in large part from recommendations by fisheries consultant Phil Mundy, hired by Gov. Tony Knowles in an unsuccessful effort to mediate a change in the way Cook Inlet salmon are allocated.

Commercial fishermen, stunned by the swift debate and sudden reversal of fortune before the

PANEL: Kenai red escapement boosted

Continued from Page A-1

board, said the additional closures could cut some setnetters' income in half.

The new decision requires Fish and Game to manage Inlet fisheries this summer so that between 550,000 and 800,000 reds reach sonar counters on the Kenai. Some of those fish will be caught by anglers and most will spawn. The top end of the formula rises to 850,000 by 1998. The old management plan called for a target of 450,000 to 700,000 fish.

Angry commercial fishermen said they were being cut back to meet the needs of non-resident anglers, whose numbers have been growing rapidly. They said the board ignored public testimony, staff reports and its own new principles — especially regarding habitat — in a rush to satisfy sportfish activists who backed the election of Knowles.

"This thing was gressed from the word go," said Soldotna setnetter Gary Holler.

But Kenai River sportfish activist Bob Penney said Tuesday's decision proved the board is willing at last to listen to demands of the public at large.

"This is exactly what the governor promised us, and it's working," Penney said after Tuesday's vote, interrupting himself to accept congratulatory handshakes from other sportfishermen. "The board totally refused to listen for 18 years. Now they're listening. It means democracy is working."

Knowles, elected in 1994 with support from Penney and other sportfish activists, added two members to the Fish Board immediately before the current meeting. Leading the board's debate Tuesday was new appointee Dan Coffey.

Coffey said he would oppose an allocation increase if it resulted in a net loss of habitat. But he said during the debate he believed Penney's testimony that habitat improvement projects on the Kenai River were making up for new damage. Coffey, an Anchorage lawyer, worked with Penney on several sportfish organizations and was backed by him for the board.

The increase could double the daily bag limit for red-salmon anglers to six and push spawning numbers slightly past the current target for maximum productivity.

"I would like to take Mr. Penney at his word that we have turned this thing around," Coffey said.

The comment brought howls from commercial fishermen in the audience, who later pointed to a 1993 Fish and Game study showing increased habitat trampling by anglers.

"One hundred people testified there was a habitat problem on the Kenai River. Bob Penney said there wasn't, and he turned the board around," said Karl Kircher, president of Kenai Peninsula Fishermen's Association, a setnetters group.

The board improvised a way to monitor changes to river habitat, telling Fish and Game to repeat a 1994 study of riverbank damage along the Kenai. Sportfish division director Kevin Delaney said the study can be repeated but will have to begin with a new baseline study because of changes to the river caused by a 100-year flood last fall.

Commercial fishermen said the higher in-river returns could reduce the Kenai River's productivity over time. Fish and Game says the Kenai produces the most fish when spawning escapements are between 350,000 and 600,000 fish. Under the high end of the new in-river target, even with a six-fish bag limit, 600,000 fish might return to spawn, biologists testified.

The new number is in an untested range, but is close enough to the known ideal to pose no great problem, Delaney said after the vote. Board member Dick Bower said the additional salmon carcasses could enrich the river's ecosystem.

Commercial fishermen embrace status quo

The Associated Press

Commercial fishermen Tuesday told the Alaska Board of Fisheries that the state's management of the upper Cook Inlet salmon fishery has been good for them, for sportanglers and for the habitat.

The popular sportfishery on the Kenai River has developed as a result of the upper Cook Inlet salmon management plan, said Karl Kircher, president of the Kenai Peninsula Fishermen's Association.

"The solid growth it has achieved is a testament to the fairness of the original plan," Kircher said in testimony before the board. "It guaranteed that the present commercial fishery would remain a viable industry and allowed for economic gains to be realized from the in-river fisheries."

Kircher said his group, which primarily represents setnetters on the Kenai Peninsula, opposes proposals to allow an additional 200,000 sockeye salmon to go up the Kenai River, giving sportanglers more fish to catch.

"I'm hoping that the argument is heading in the

direction that they will look at whether 200,000 additional fish in-river will significantly benefit Alaskan resident sportfishermen, because it certainly will cost Alaskan families jobs," Kircher said.

Ben Ellis, executive director of the Kenai River Sport Fishing Association, said an increased run of salmon into the river would actually help the ecosystem.

Ellis said fewer fish in the river actually means more habitat damage from sportanglers.

"If they're not catching fish, they walk," he said.

The board also heard from Walter Ward of the Kenai River King Salmon Fund, who said it was time to ban motorized watercraft and practically all bank fishing to preserve the Kenai habitat.

"Decisions must be made now and actions taken that will ensure the health of the Kenai River for the next 50 years and beyond," Ward said. "Land use controls are needed for the entire watershed, because creeping urbaniza-



tion will inevitably damage water quality and increase the frequency and severity of flood events."

Unless action is taken soon, Ward said, the Kenai will repeat the history of numerous salmon-producing rivers in the Pacific Northwest where native stocks are becoming extinct.

"All the user groups agree if we don't have the habitat, we will have nothing in the final analysis," he said.

The board is considering several proposals to amend the management plan for

Cook Inlet, including one from the Matanuska-Susitna Borough to boost the number of fish that get past commercial fishermen in the Inlet to reach Susitna Basin streams.

The board, late in the day, also wrestled with legal problems associated with the June sockeye fisheries at the tip of the Alaska Peninsula.

The board went into a closed-door session to decide how to deal with a hold placed on the June salmon fishery at False Pass by a state judge.

Kotzebue Superior Court Judge Richard Erlich last year halted the fishery until the board explains why False Pass fishermen have been allowed to continue taking chum salmon that may be headed for the Yukon River and other streams that empty into the ocean in western Alaska.

Fish Board decisions will mean loss of jobs, revenue and habitat

I found your commentary (Clarion, March 8, 1996, on the Fish Board) sappy and moronic. Members of the Board of Fish only had to sit back and watch as an Anchorage millionaire passed notes to his personal attorney sitting on the board, put there by a partisan governor with a pro-tourism, non-resident sport-fishermen agenda. All of this part of the governor's inner circle from Anchorage, the proverbial sanctum sphinctorum.

According to creel census data, only 20 percent of the sports fishermen will benefit from putting additional sockeyes in the Kenai River. Further, the funds for the habitat baseline study (to the Alaska Department of Fish and Game, \$75,000) will not be available until July 1, 1996, which means any habitat degradation for 1996 will not be included in the study. Information available indicates the additional 100,000 sockeyes will only expand a nonresident, in-river snag fishery.

Fish Board member Umpenhower called the sockeye fishery a snag fishery and authored a motion allowing snagging whenever a fish is hooked in the head or gill plate. The board justifies these numbers under the umbrella of the buzz phrase "genetic diversity," but it is widely known that this is already and easily accomplished by managing for maximum sustained yield.

The commercial fishery has been managed for a number of years so that the drift fleet is kept out of the middle of Cook Inlet around July 11. This statement eliminating "just one day" is false: as if to mitigate and, of course, we come to realize allocation as a euphemism for larceny.

These new regs will cost the Kenai Peninsula 120 jobs, untold revenue from the raw fish tax, and who knows how much from the social impact of a round-the-clock dipnet fishery.

I keep reading that habitat is the big winner. Spawning areas are already at minus 12 percent. Anywhere else in fisheries management, once the fish reach spawning areas, they are safe? This no net loss of habitat might be monitored but will not be reported for three years when the board is scheduled to take up Cook Inlet proposals next. So with a round-the-clock dipnet fishery and another 100,000 reds and countless more in-river fishermen, how does

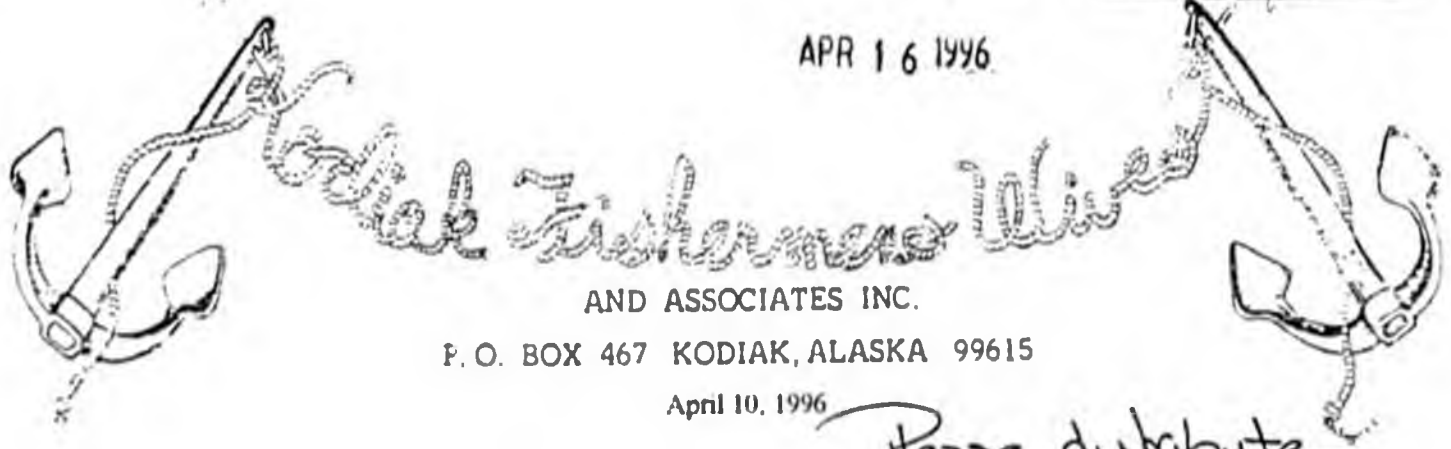
this benefit habitat?

Finally your comment "that Cook Inlet enjoys healthy commercial and sport fisheries," does not speak to actions of the Board of Fish (that outcome cannot be measured until sometime in the future) but more to the soundness and durability of the Cook Inlet Management Plan that was written a long time ago.

John McCombs
Ninilchik

AK (JCF Confirmation)

APR 16 1996



AND ASSOCIATES INC.

P. O. BOX 467 KODIAK, ALASKA 99615

April 10, 1996

Please distribute

copies

4/16/96

Pearce

Senator Drew Pearce, Senate President
Capitol Building
Room 111
Juneau, Alaska 99801

Dear Senator Pearce:

The Fishermen's Wives Association is very concerned about the Governor's appointments to the Board of Fish, and we would like to see these concerns addressed.

Alaska's fisheries need to be represented fairly. By Governor Knowles own admission, the existing board (including the new nominees) do not have the expertise to manage the groundfish fisheries. If the State is to become involved in the management of groundfish within State waters, it is imperative to have a person from Central or Western Alaska. This person must be familiar with a very diverse fleet consisting of vessels that can range from twenty-five to one hundred and twenty-five feet, utilizing a variety of gear types.

You will find attached a signed petition asking the Legislature of the Great State of Alaska to refuse to confirm the new appointments. ~~We would like for you to give each member of the Legislature a copy of this letter and petition.~~ If the vote is to refuse the appointments, we would appreciate a review of any and all decisions made at the meetings attended by the nominees.

Thank you for your consideration of our concerns, we remain

Yours very truly,

Barbara Burch

Barbara Burch, President

Emily Salter

Emily Salter, Vice President

BB/cdn

cc: Governor Knowles
Representative Gail Phillips, House Leader
Representative Alan Austerman
Senator Fred Zharoff

Attachments

PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
 REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS

The undersigned fishermen request that the Legislature of the State of Alaska refuse to confirm the Governor of Alaska's new Board of Fish appointments until a change is made to include at least one appointment from the Central/Western Gulf of Alaska.

In making this request, we note that only the fishermen of the Central/Western Gulf are familiar with and fish all gear types and all fisheries; which allows its representative(s) to understand fisheries in other regions. The Governor's proposed appointments effectively deny the State of Alaska, the fishermen in Alaska and the residents of Central/Western Gulf any access to a Board of Fish representative familiar with groundfish and with diverse gears. Thus failure to allow representation for the State's most diverse fishermen from the State's only area with year round fisheries is detrimental to the integrity of the Board of Fish process.

SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>Paul R Finzer</i>	Paul R Finzer	Fisherman	P.O. Box 4364 Kodiak AK.
<i>Jay Sinsco</i>	Jay Sinsco	Fisherman	P.O. Box 3845 Kodiak AK
<i>Edward James Hoodcock</i>	EDWARD JAMES HOODCOCK	"	1917 Kouskov St Kodiak.
<i>Tom Termala</i>	Tom Termala	FISHERMAN	1592 MENAKA CIR Kodiak
<i>MKE P... ..</i>	MKE P...	Fisherman	Box 124 Lagoon Bay AK
<i>AL BURCH</i>	AL BURCH	FISHERMAN	BOX 834 KODIAK AK 99615
<i>Paul Phillips</i>	Paul Phillips		Box 3845 Kodiak AK 99615
<i>David Jentry</i>	DAVID JENTRY	FISHERMAN	Box 3128 Kodiak AK 99614
<i>Terrence F. Ouel</i>	TERRENCE F. OUEL	FISHERMAN	Box 1304 Kodiak AK 99615
<i>Dave Vaurrin</i>	DAVE VAURRIN	Fisherman	216 Birch Ave Kodiak AK 99615
<i>Bill Borch</i>	Bill Borch	KONGSHORE	AK 834 Kodiak AK 99615
<i>Pick Radford</i>	Pick Radford	Fisherman	3158 Park Dr #4 Anchorage AK 99518
<i>Ed Sanchez</i>	Ed Sanchez	Fisherman	Box 7004 Nikiski AK 99655
<i>Vicki M. Martin</i>	Vicki M. Martin	Fisherman/Cab Driver	Box 9001 Kodiak 99615
<i>Michael L. Her</i>	Michael L. Her	Fisherman	Box 800 Kodiak AK 99615
<i>Tom Kimmel</i>	TOM KIMMEL	FISHERMAN	SALTIER COVE
<i>Victor A. Dillon</i>	Victor A. Dillon	Fisherman	P.O. Box 8001 Kodiak
<i>Louie Hen</i>	LOUIE HEN	FISHERMAN	P.O. Box 15
<i>Red West</i>	Red West	USCG	2474 Spruce Crk Rd

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	Kathy	Spinn & Co	412 Cape St. Ady -
<i>[Signature]</i>	^{TOM} LARRY DODDY	W. Rebel	P.O. Box 2175 Kodiak AK. 99615
<i>[Signature]</i>	CHRISTY HREN	self emp.	P.O. Box 4463 Kodiak
<i>[Signature]</i>	JACK RUCH	CIV. USCG	10883 KAC:INDR KODIAK
<i>[Signature]</i>	MARK G. LADU	Flysalmon Bay	Box 2862 Kodiak AK 99615
<i>[Signature]</i>	MORRIS	Retired	Box 702
<i>[Signature]</i>	JANICE COE	Handwork Clerk	Box 2061 Kodiak
<i>[Signature]</i>	Michael Brown	FISHERMAN	P.O. Box 934 UNALASKA, AK.
<i>[Signature]</i>	Peter Alku	Fly Orion	Box 2160 Kodiak
<i>[Signature]</i>	MARK THOMAS	FISHERMAN	PO 1955 Kodiak
<i>[Signature]</i>	Brian J. Leiby	Wotches Millworks	POB 1872 Kodiak AK
<i>[Signature]</i>	Justin Sped	U.S. Marine	# 712 Marine Hwy Kodiak
<i>[Signature]</i>	Malcolm S. Amundson	Fly REBEL	P.O. Box 3323 Kodiak
<i>[Signature]</i>	Joseph Spiccam	OH I	1513 Mission Kodiak
<i>[Signature]</i>	Tricia Friend	Friend Fisheries	1515 Broadway
<i>[Signature]</i>	Michael S. Eni	contractor	915 Willow St Kodiak.
<i>[Signature]</i>	Carl H. Anderson	Fly Tipton	914 Riverside Kodiak
<i>[Signature]</i>	Kurt Pedersen	Salmonberry	Box 2405 Kodiak AK
<i>[Signature]</i>	Joe Steiens	ARVIA	1623 Mill Pt Rd Kodiak

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SIGNATURE	PRINTED NAME	BUSINESS	ADDRESS
<i>Chuck Gabel</i>	Chuck Gabel	Sport Fish	SR 11522 S. E. Union Kodiak
<i>Aaron Walton</i>	AARON Walton	Sport Fish	PO BOX 2942 KODIAK
<i>Lyle Baker</i>	LYLE Baker	Kodiak Motors	2011 Meritt St
<i>John Stachurski</i>	John Stachurski	Kodiak Motors	Box 2021 Kodiak 99615
<i>Ed Pennington</i>	Ed Pennington	KODIAK MOTOR	PO Box 277, Kodiak AK 99615
<i>Ken Newman</i>	KEN NEWMAN	SUNNYSIDE CHARTERS	1424 MISSION RD KODIAK 99615
<i>Chris Toight</i>	CHRIS Toight	Sport Fish	P.O. BOX 8076, KODIAK
<i>Deber Baker</i>	Deber Baker	Kodiak Motors	201 Carter Ave Kodiak
<i>Colleen Newman</i>	COLLEEN NEWMAN	Kennamarie Charters	1424 MISSION - KODIAK
<i>Shirley Dizon</i>	Shirley Dizon	Sport fish	PO BOX 3991 Kodiak
<i>John Elmer</i>	John Elmer	COMMERCIAL	TDA 192 KODIAK
<i>Frank Jones</i>	Frank Jones	Commercial Fish	PO Box 277 Kodiak
<i>Harold Jones</i>	HAROLD JONES	COMMERCIAL	1917 KODIAK ST
<i>Harold Jones</i>	HAROLD JONES	COMMERCIAL	KODIAK
<i>Arthur Jones</i>	Arthur Jones	COMMERCIAL	Box 3 Kodiak
<i>Doreen Setton</i>	Doreen Setton		Kodiak
<i>Trish Cox</i>	TRISH COX	SETTON SITE	KODIAK
<i>Randi Lanahan</i>	Randi Lanahan		KODIAK
<i>Tia Lanahan</i>	TIA LANAHAN	Small world	Box 4424 Kodiak

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>Bruce Schacter</i>	BRUCE SCHACTER	FISHERMAN	Box 2256 Kodiak
<i>Todd Hiner</i>	Todd HINER	F/V SALSA Fisherman	Box 671 Kodiak
<i>Matt Schacter</i>	MATT SCHACTER	FISHERMAN	Box 5312 Kodiak
<i>Dan Wilson</i>	Dan Wilson	Pilot	1325 Mission Rd Kodiak
<i>Kurt Stallknecht</i>	Kurt Stallknecht	Fisherman/Vegetarian	5108 Sentinel Island Ave.
<i>Bec Martin</i>	Bec MARTIN		Billinaden Ave
<i>Brenda Ainlay</i>	Brenda Ainlay		500 A Sentinel Is.
<i>Michelle Gifford</i>	Michelle Gifford	Oil Field Electric Tech	774P Lake Louise Dr.
<i>Sandra Johnson</i>	Sandra Johnson		823A Lake Louise Dr.
<i>Lolita Velicaria</i>	LOLITA VELICARIA	Cleaning 4.00/HR	515 Maple Kodiak, AK
<i>Diana K. Estrada</i>	Diana K. Estrada	ANALYST	Box 871733 Wasilla, AK
<i>William Osborne</i>	William Osborne	biologist	1119 Madsen Kodiak AK
<i>WEC Live</i>	WEC Live		PO Box 3757 Kodiak AK
<i>Stacie Peterson</i>	Stacie Peterson	business	P.O. Box 1221 Kodiak, AK
<i>Helena R. Jentry</i>	Helena R. Jentry	retired	Box 431 Kodiak AK 99615-
<i>Bacchar B. Majdic</i>	Bacchar B. Majdic	Business	Box 345 Kodiak, AK 99615
<i>Frances R. Cater</i>	FRANCES CATER	retired teacher	P.O. Box 1472 Kodiak
<i>Helena R. Jentry</i>	Helena R. Jentry		
<i>Helena R. Jentry</i>	Helena R. Jentry	self-employed	P.O. Box 505 Kodiak, AK 99615

PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
 REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS

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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>John R. Rubb</i>	John R. Rubb	F/V WILDLIGHT	202 CENTRAL ST. SUITE 31522 Kodiak, AK
<i>Dwayne Swidam</i>	Dwayne Swidam	F/V Wenona	21521 SR 9 SE Wadsworth, AK 99672
<i>Marc H. Bartram</i>	Marc H. Bartram	F/V Wenona	P.O. Box 105 Port L., AK 99611
<i>Rex Leath</i>	Rex Leath	F/V Wenona	3265 Woody Wray Loop Kodiak, AK
<i>Wenona Swidam</i>	Wenona Swidam	F/V Wenona	P.O. Box 980 Kodiak, AK 99615
<i>Kevin Swidam</i>	Kevin Swidam	F/V Wenona	" "
<i>Mike Jones</i>	Mike Jones	F/V Star	5302 Hart + Lohokoi Anchorage, AK 99501
<i>Lucke Finley</i>	Lucke Finley	F/V Renaissance	Box 3359 Kodiak
<i>Dave Hines</i>	Dave Hines	F/V Ventures	Box 381 Kodiak, AK
<i>Darius Kasprisin</i>	Darius Kasprisin	F/V Ventures	Anc 2018 Anc AK 99503
<i>Chris Causey</i>	Chris Causey	F/V Ventures	196 Unalaska, AK 99685
<i>Larry Tom Wiley</i>	Larry Tom Wiley	F/V Rebel	P.O. Box 2175 Kodiak, AK
<i>Janet Swidam</i>	Janet Swidam	F/V Swidam	POB 1313 Kodiak, AK 99615
<i>Joe All</i>	Joe All	F/V Shearwater	Box 2714 Kodiak
<i>Gary Swidam</i>	Gary Swidam	F/V Shearwater	Box 2807 Kodiak
<i>Antrel Swidam</i>	Antrel Swidam	F/V Jill Anne I	Box 2807 Kodiak, AK
<i>John Leverett</i>	John Leverett	F/V Jill Anne I	Box 2807 Kodiak, AK
<i>Joe Hayes</i>	Joe Hayes	F/V Jill Anne I	Box 2807 Kodiak, AK
<i>Alexus Kwachika</i>	ALEXUS KWACHIKA	F/V MAJOR	BOX 8280 KODIAK AK
<i>Steven Swidam</i>	Steven Swidam	F/V Cinnamon Beauty	Box 4367 Kodiak, AK

**PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	John	Pacific Star	12100 Edgewater Ave 99515
<i>[Signature]</i>	Hugh R. Wadsworth	Fl. Inguayon	Box 2753 Kodiak, AK
<i>[Signature]</i>	James E. Johnson	F/G Herring	Box 2592 Kodiak, AK 99615
<i>[Signature]</i>	DALE	Storage	Box 2910 Kodiak, AK
<i>[Signature]</i>	DALE	Marine	Box 2784 Kodiak, AK
<i>[Signature]</i>	Peter	RAIDING	PO 3307 Kodiak, AK
<i>[Signature]</i>	Charles	Spur	Box 3904 - Kodiak, AK
<i>[Signature]</i>	Russ	FLYING	Box 8382 Kodiak, AK
<i>[Signature]</i>	Bill	CONTRACTOR	Box 2737 Kodiak, AK
<i>[Signature]</i>	Viki Jo	Trucking	P.O. Box 2785 Kodiak, AK 99615
<i>[Signature]</i>	Cape Prud'homme	Craig Schauf	Box 8400 Kodiak, AK 99615
<i>[Signature]</i>	Darren	Crewman	Box 8506 Kodiak, AK
<i>[Signature]</i>	BLAKE KINZER	F/LIN-3 SEWER	211 Hillcrest Kodiak, AK
<i>[Signature]</i>	STEVEN	Kodiak, AK	816 Chickadee St
<i>[Signature]</i>	MIKE	EVENING STAR	Box 2009 Kodiak, AK
<i>[Signature]</i>	Gus	FISHING	Box 3356 Kodiak, AK
<i>[Signature]</i>	ERDIE	SEWER WORKER	Box 3351 Kodiak, AK 99615
<i>[Signature]</i>	William Polson	Herdi Key OWNER	Box 2594 Kodiak, AK 99615
<i>[Signature]</i>	Tim	CONTRACTOR	Box 1123 Kodiak, AK
<i>[Signature]</i>	Retired		Box 726 Kodiak, AK
<i>[Signature]</i>	G. W. EDWARDS	FLYING	Box 8101 Kodiak, AK 99615
<i>[Signature]</i>	Edna	FLYING	1110 Dunbar St Kodiak, AK
<i>[Signature]</i>	Dennis	SEWER	1718 S. Concord St Kodiak, AK

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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>John R. Thomas</i>	John	F/V Mavidian	P.O. Box 3131 Kodiak
<i>James E. [unclear]</i>	JAMES	CREWMAN	Box 3809 Kodiak
<i>K.C. Dackermann</i>	K.C. Dackermann	F/V Stormbird	Box 714 Kodiak
<i>C. Dale [unclear]</i>	DALE	F/V GUSTO	Box 2912 Kodiak
<i>L. Doughty [unclear]</i>	LUDGAR	F/V NORTHWIND	Box 714 Kodiak AK
<i>Ken Knowles</i>	KEN	LIGHTFOOT INC	Box 1934 Kodiak
<i>Thomas [unclear]</i>	THOMAS	SEA-LAND	228 N. Curtis Kodiak
<i>Mary Ann Hickey</i>	MARY ANN	F/V ORION	PO Box 1907 Kodiak
<i>Hans [unclear]</i>	HANS	F/V LUCKY LADY	1221 Kouskov Rd, Kodiak
<i>Charles [unclear]</i>	Charles	Ketchikan	Box 3285
<i>Fred O'Neen</i>	FRED	LUCKY HATCHMAN	Box 88 Kodiak
<i>Cathy [unclear]</i>	Cathy	Kupuk Cabinetry	1940 Blarant Kodiak
<i>John [unclear]</i>	John	Kodiak Kingbusters	Box 653 Kodiak
<i>Courtney [unclear]</i>	Courtney	EXPICTOR	Box 4300 Kodiak
<i>John [unclear]</i>		F/V ZACHARY R.	Box 2624
<i>Patricia [unclear]</i>	Patricia	F/V MARY JANE	P.O. Box 2780 Kodiak, AK
<i>Dave [unclear]</i>	Dave	Self employed	1112 Baranof St. Kodiak, AK
<i>Ken [unclear]</i>	Ken	ALEXANDER C	531 Port #3
<i>Joe [unclear]</i>	Joe	F/V Stormbird	PO Box 2087 Kodiak

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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	Larry	Fishing	Kodiak AK
<i>[Signature]</i>	Brad	Fishing	Kodiak AK
<i>[Signature]</i>	Robert	Fishing	Kodiak AK
<i>[Signature]</i>	ROBERT	FISHING	KODIAK AK
<i>[Signature]</i>	GEORGE	Fishing	Kodiak AK
<i>[Signature]</i>	Michael	Fishing	Kodiak AK
<i>[Signature]</i>	Mark	Fishing	Kodiak AK
<i>[Signature]</i>		Fishing	Kodiak AK
<i>[Signature]</i>	Bob	Fishing	Kodiak AK
<i>[Signature]</i>	Steve	Fishing	Kodiak AK
<i>[Signature]</i>	Mike	Fishing	Kodiak AK
<i>[Signature]</i>	William	Fishing	Kodiak AK
<i>[Signature]</i>	VIRGINIA	FISHING	KODIAK, AK, 99615
<i>[Signature]</i>	SCOTT	"	" " "
<i>[Signature]</i>	Frank	"	" " "
<i>[Signature]</i>	Carol	"	" " "
<i>[Signature]</i>	David	Fishing	666 Anderson Way, Kodiak
<i>[Signature]</i>		"	" " "

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	Ernie Tamm	Commercial Fishing	General
<i>[Signature]</i>	John W. ...	Commercial Fishing	PO Box 451
<i>[Signature]</i>	W. H. ...	Commercial Fishing	PO Box 3434 Kodiak
<i>[Signature]</i>	Mike ...	"	PO Box 1252
<i>[Signature]</i>	ROB FALCON	"	PO Box 2865
<i>[Signature]</i>	Alan ...	Commercial Fishing	PO Box 356 Kodiak AK 99615
<i>[Signature]</i>	Linda ...	Commercial Fishing	Box 4367 Kodiak AK 99615
<i>[Signature]</i>	Stewart ...	Commercial Fishing	Box 4367 Kodiak AK
<i>[Signature]</i>	Toll ...	"	Box 436 Kodiak
<i>[Signature]</i>	Chad ...	Com Fish	Box 156 Seldovia 99669
<i>[Signature]</i>	...	...	12372 S. ...
<i>[Signature]</i>	Marvin ...	...	1232 ...
<i>[Signature]</i>	...	...	...
<i>[Signature]</i>	Terry ...	"	117 ...
<i>[Signature]</i>	MARTIN H. OWEN	HARBORMASTER	403 Marine Way, Kodiak
<i>[Signature]</i>	Bob ...	"	PO Box 5144 Kodiak AK
<i>[Signature]</i>	1576 ...
<i>[Signature]</i>	Lisa Johnson	US TRAVEL	Box 3712 Kodiak, AK

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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	WILSON GARDNER	FISHERMAN	Box 2077 Kodiak, AK
<i>[Signature]</i>	DAVE	"	Box 177 Kodiak
<i>[Signature]</i>	GEORGE	"	374 BENNY BENSON KODIAK
<i>[Signature]</i>	CHRISTY	FISHERMAN	1421 KAUSKOV KOD
<i>[Signature]</i>	ISLAND GULF	FISHERMAN	77 Upper Mill Bay Rd.
<i>[Signature]</i>	LENN	FISHERMAN	1913 SIMPSON ST
<i>[Signature]</i>	PATRICK	MARINE TECH	Box 601 Kodiak
<i>[Signature]</i>	KODIAK GULF	FISHERMAN	Box 2632 Kodiak
<i>[Signature]</i>	JACOB	FISHERMAN	412 Eurskian
<i>[Signature]</i>	DALE	FISHERMAN	Box 7963 Kodiak
<i>[Signature]</i>	WIMBERG	FISHERMAN	615 Upper Mill Bay
<i>[Signature]</i>	JIM	WELDER	PO Box 2941 Kodiak
<i>[Signature]</i>	JIM	FISHERMAN	PO Box 668 Kodiak
<i>[Signature]</i>	BROWN	DECKHAND	FV Gold Dagger
<i>[Signature]</i>	KURT	OWNER	FV Advantage
<i>[Signature]</i>	JOHN	DECKHAND	PO Box 1633 Kodiak
<i>[Signature]</i>	DAVID	PHONE ELECTRICIAN	Box 3693 Kodiak AK 99615
<i>[Signature]</i>	KEVIN	OPERATOR	Box 2752
<i>[Signature]</i>	KEVIN	DECKHAND	210 W. CLAW C.V.

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	Michael J. Fricco	Fisherman	Box 2187 Kodiak AK
<i>[Signature]</i>	James Mad. Jamie Murdock	self-employed	PO Box 151, Kodiak.
<i>[Signature]</i>	BARBE WOLFF	bar-tender	Box 21, Kodiak, Ak
<i>[Signature]</i>	DARWIN PENNEMANZ		PO BOX 1852 CITY
<i>[Signature]</i>	GARY C PETERSON		Box 1221 KODIAK
<i>[Signature]</i>	John Whinnow	SEEL	116 BARRACK KODIAK
<i>[Signature]</i>	CINDY AMBERFIELD	CANDY STORE	PO Box 2518 Kodiak
<i>[Signature]</i>	STANLEY AUSTERMAN	SEWYOR	P.O. Box 3174 "
<i>[Signature]</i>	Peggy Morris	Video Store	326 Carter Ave. Suite 101 KODIAK, AK.
<i>[Signature]</i>	BIBBE FIVANOFF	COMM-FISH	Box 2374 Kodiak AK.
<i>[Signature]</i>	DANA CHLOS	PROCESSOR	1621 LARCH, KODIAK
<i>[Signature]</i>	CHEEK GLEASON	FISH	M-21 SCHERMANS KODIAK
<i>[Signature]</i>	PATRICIA MATSON	SELF	Box 77 Kodiak
<i>[Signature]</i>	CALISTA MATSON	"	Box 77 Kodiak
<i>[Signature]</i>	NATASHIA FROST	"	Box 141 Kodiak
<i>[Signature]</i>	WILLIAM MALONEY	Office Work	Box 2277, Kodiak
<i>[Signature]</i>	ADA WOLKOFF	RESTAURANT	Box 21023 Kodiak
<i>[Signature]</i>	Mark Blakeslee	ingmor	Box 3196 Kodiak
<i>[Signature]</i>	Tina Gill	collegegrad	1620 Larch St. Kodiak, A.
<i>[Signature]</i>	MATTHEW M. FINE	FISHING/FIREMAN	PO BOX 3050 KODIAK AK

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	Velun Haley	J & E Repair	1910 Rezanof Kodiak
<i>[Signature]</i>	Emily Sauer	Emily's Alterations	Box 2423 Kodiak, AK
<i>[Signature]</i>	Immer Henry	Cinema Primary	Digwell
<i>[Signature]</i>	Way Hadrat	FLV Jet	
<i>[Signature]</i>	Pete Henderson	FISH LIVING SHORE	Box 54 Unalaska AK
<i>[Signature]</i>	Mike Satchuk	Education	Box 970 Kodiak
<i>[Signature]</i>	Budget Hillgen	Kodiak Courts	PO Box 821 Kodiak
<i>[Signature]</i>	SELMA BETTY CRADOCK		P.O. Box 4474 Kodiak, AK
<i>[Signature]</i>	Don Kitchin	Grand Slam Spz.	P.O. Box 2295 Kodiak
<i>[Signature]</i>	Clair Elliott		309 Enzline Kodiak
<i>[Signature]</i>	Judy Michalek		Box 4071 Kodiak
<i>[Signature]</i>	MATT SHADUP	FISHERMAN	PO BOX 10016 AK
<i>[Signature]</i>	Tom Levenson	WATER	Box 1341 Kodiak AK
<i>[Signature]</i>	JAMES SCHAUFF	Post office	Box 3150 Kodiak AK
<i>[Signature]</i>	KERRY JORGENSEN	FISH	Box 2362 Kodiak AK 99615
<i>[Signature]</i>	James O'Fen	FISH	Box 907 Kodiak AK 99615
<i>[Signature]</i>	Paul Elizabeth	PROVIDER	Box 902 Kodiak AK 99615
<i>[Signature]</i>	Peggy Smith	Truck Driver	Box 18163 Kodiak AK 99615
<i>[Signature]</i>	NICHOLAS BEAN	FISHERMAN	Box 55 Kodiak AK 99615
<i>[Signature]</i>	Kenny & Brown	VETERINARIAN	PO Box 1001 Kodiak AK 99615

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SIGNATURE	Print FIRST NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	VAL FUNDIGS	"LUCKY TIERRE"	BOX 64 KODIAK
<i>[Signature]</i>	ROBE BURNAY	"SANDY SEA"	BOX 4067 KODIAK
<i>[Signature]</i>	ROY WAUSON		40
<i>[Signature]</i>	CRAIG PETS	"	"
<i>[Signature]</i>	KEVIN CRUISE	"	"
<i>[Signature]</i>	CRICK WARDEN	FISHING	202
<i>[Signature]</i>	...	...	P.O. Box 251
<i>[Signature]</i>	CHARLES ...	...	P.O. Box 817
<i>[Signature]</i>	DEVON ...	...	1715
<i>[Signature]</i>	FL ...	...	1512
<i>[Signature]</i>	...	...	1312
<i>[Signature]</i>	TIM HALTER	FISHING	...
<i>[Signature]</i>	DAVID ZIMMERMAN	FISHING	P.O. Box 1157
<i>[Signature]</i>	...	...	...
<i>[Signature]</i>	...	...	...
<i>[Signature]</i>	HARRY ...	...	...
<i>[Signature]</i>	SCOTT TIMPKA	HEIDI JEAN	2689 Kodiak
<i>[Signature]</i>	DAVID KEIM	CLYDE	1310
<i>[Signature]</i>	Box 4194 Kodiak

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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>Elise Roddy</i>	Elise	Beul's	1089 Summit Circle
<i>Deanna C. Cullen</i>	Deanna	KODIAK FISHING CO FISH LUCRATIVE	PO BOX 1351 KODIAK, AK 99615
<i>Harry D. Colborn Sr.</i>	GARY	FISH LUCRATIVE	Box 1634 KODIAK AK 99615
<i>Don Desperado</i>	Don	FISH DESPERADO	Box 1979 Kodiak
<i>Chris</i>	Chris	FISH LUCRATIVE	Box 3225 Kodiak
<i>Mike Devere</i>	Mike	FISH DESPERADO	Box 331 Kodiak AK 99615
<i>Charles</i>	Charles	FISH LUCRATIVE	Box 2534 Kodiak
<i>Rick</i>	Rick	FISH LUCRATIVE	Box 1415 Kodiak AK 99615
<i>William</i>	Bill	FISH MARY	Box 1224 Kodiak
<i>Tim</i>	TIM	FISH HERITAGE	Box 8443
<i>Francis</i>	FRANCIS	FISH LUCRATIVE	Box 4451
<i>William</i>	William	FISH MARY	Box 2843 Kodiak AK 99615
<i>Gerrit</i>	GERRIT	FISH POLAR STAR	3331 TONALAN AK 99615
<i>Chud</i>	Chud	FISH ANDY S.	P.O. Box 150 Kodiak AK 99615
<i>Steve</i>	STEVE	FISHERMAN	P.O. Box 420 Kodiak AK 99615
<i>Travis</i>	TRAVIS	ANDY SEAT	POB 4016 Kodiak
<i>David</i>	DAVID	FISHERMAN	Box 3341 Kodiak
<i>Joe</i>	Joe	FISH LUCRATIVE	335 Desperado Kodiak
<i>Chad</i>	CHAD	FISH LUCRATIVE	P.O. Box 2200 Kodiak
<i>Stephen</i>	Stephen	PACIFIC COAST	Box 3378

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	NORM K. BERTMAN	SEA COAST	2573 Kodiak AK
<i>[Signature]</i>	PETER P. DANIELSKI	U.S.F. INC.	PO BOX 2333 KODIAK 99615
<i>[Signature]</i>	CHARLES ALBYN	SEA COAST	BOX 8547
<i>[Signature]</i>	DILL D. JONES	SEA COAST	Box 1215 Kodiak, AK
<i>[Signature]</i>	FRANCIS S. TOLIN	SEA COAST	Box 1213 Kodiak AK
<i>[Signature]</i>	CLIFF DAVIDSON	SEASIDE	Box 746 Kodiak, AK
<i>[Signature]</i>	DAN M. GUMMEL	SEASIDE	PO Box 463 Kodiak
<i>[Signature]</i>	DAN POWELL	F/V Echo Belle	Box 8397 Kodiak
<i>[Signature]</i>	SCOTT JONES	SEA COAST	Box 1372 Kodiak
<i>[Signature]</i>	FREDRYN WOOD	A.P.S.	627 STELIKOF ST. Kodiak
<i>[Signature]</i>	STEVE PRICE	A.P.S.	2060 KODIAK, AK
<i>[Signature]</i>	VIRGILIO FLORES	A.P.S.	Box 1157 Kodiak, AK
<i>[Signature]</i>	JOHN RYAN	A.P.S.	Box 36 Kodiak AK
<i>[Signature]</i>	T. A. SANCHEZ	A.P.S.	Box 5157 Kodiak, AK
<i>[Signature]</i>	WALTER S. SPOFFORD	NET SYSTEM	Box 2573 Kodiak
<i>[Signature]</i>	KENNETH PETERSON	COMM. FISHERMAN	20109 Eagle River Rd, E. Kodiak 99611
<i>[Signature]</i>	P. GUMMEL	SEA COAST	Kodiak AK
<i>[Signature]</i>	DAVE HANDEL	NET SYSTEM	332 STELIKOF
<i>[Signature]</i>	DAVE SPELLMAN	SEASIDE	Box 3399 Kodiak

PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS

The undersigned fishermen request that the Legislature of the State of Alaska refuse to confirm the Governor of Alaska's new Board of Fish appointments until a change is made to include at least one appointment from the Central/Western Gulf of Alaska

In making this request, we note that only the fishermen of the Central/Western Gulf are familiar with and fish all gear types and all fisheries, which allows its representative(s) to understand fisheries in other regions. The Governor's proposed appointments effectively deny the State of Alaska, the fishermen in Alaska and the residents of Central/Western Gulf any access to a Board of Fish representative familiar with groundfish and with diverse gears. This failure to allow representation for the State's most diverse fishermen from the State's only area with year round fisheries is detrimental to the integrity of the Board of Fish process.

SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>Elizabeth A. King</i>	Elizabeth A. King	owner fisherman	P.O. Box 3523 - Kodiak, AK
<i>Barbara G. Burch</i>	BARBARA G. BURCH		618 ANDERSON WAY KODIAK AK
<i>Emily S. Her</i>	Emily S. Her	Emp. Fisherman	112 3433 Kodiak AK
<i>Amie Egan</i>	Amie Egan	Fisherman	P.O. Box 2352 Kodiak AK
<i>John S. Her</i>	John S. Her	Fisherman	112 3433 Kodiak AK
<i>Tim M. Her</i>	Tim M. Her	Fisherman	Box 1753 Kodiak AK
<i>Wendy Egan</i>	Wendy Egan	Fisherman	Box 3103 Kodiak AK
<i>Diana Egan</i>	Diana Egan	Fisherman	112 3433 Kodiak AK
<i>Joe Egan</i>	Joe Egan	Fisherman	2533 S. 1st Kodiak AK
<i>Mel Burtin</i>	MEL BURTIN	Fisherman	112 3433 Kodiak AK
<i>Eric Hansen</i>	ERIC HANSEN	Fisherman	112 3433 Kodiak AK
<i>Nicholas Evans</i>	NICHOLAS VA. EVANS	SEA-AND-IND	P.O. Box 1123 KODIAK AK 99515
<i>Rick Ketchum</i>	Rick Ketchum	Sea-land	P.O. Box 5555 Ch. Kodiak, AK 99515
<i>Donna R. Lee</i>	Donna R. Lee	Sea-land	P.O. Box 3315 Kodiak, AK 99515
<i>Andrew Stagle</i>	Andrew Stagle	Sea-land	P.O. Box 2124 Kodiak, AK 99515
<i>Ken Hunt</i>	Ken Hunt	Sea-land	P.O. Box 2338 Kodiak, AK 99515
<i>Don Hunt</i>	Don Hunt	SEA LAND	1721 ISLANDS Kodiak AK
<i>John Hunt</i>	John Hunt	SEA LAND	112 3433 Kodiak AK

**PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS**

The undersigned fishermen request that the Legislature of the State of Alaska refuse to confirm the Governor of Alaska's new Board of Fish appointments until a change is made to include at least one appointment from the Central/Western Gulf of Alaska.

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SIGNATURE	FIRST NAME	BUSINESS	ADDRESS
<i>Muddy</i>	Muddy	Hella Leta Now	Box 3963 Kodiak AK 99615
<i>Colleen Tutney</i>	Colleen	Caretaker	PO Box 9356 Kodiak AK 99615
<i>Jim</i>	Jim	Fisherman	POD 424 Kodiak AK
<i>John</i>	John	Executive Excellence	Box 57 Kodiak AK 99615
<i>Danielle</i>	Danielle	Bookkeeper	PO Box 3092 Kodiak
<i>Brenda</i>	Brenda	Wholesale	PO Box 2155
<i>Mark</i>	Mark	Uxnic	Box 93 Kodiak
<i>Ray</i>	Ray	Nunc	Box 442 Kodiak
<i>Judy</i>	Judy	EYE CARE EXCELLENCE	Box 8317 Kodiak
<i>Stephanie</i>	Stephanie	clerk	Box 8923
<i>Betsy</i>	Betsy	CLERK	Box 2198
<i>Clara</i>	Clara	OFFICE MANAGER	Box 1232 Kodiak ALASKA 99615
<i>Martha</i>	Martha	Bookkeeper	Box 1713 Kodiak Alaska 99615
<i>Alan D. Lorge</i>	Alan	Grocery Employee	1710 Simeonoff Kodiak AK 99615
<i>Marilyn</i>	Marilyn	Grocery Employee	1015 P.O. Box Kodiak AK
<i>Donna</i>	Donna	SBI	1940 Reservoir Dr Kodiak AK
<i>Donna</i>	Donna	Baker	2851 Kodiak AK
<i>Cor</i>	Cor	Executive	318 Carolyn - Kodiak AK
<i>Car</i>	Car		Box 911 Kodiak

PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
 REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS

The undersigned fishermen request that the Legislature of the State of Alaska refuse to confirm the Governor of Alaska's new Board of Fish appointments until a change is made to include at least one appointment from the Central/Western Gulf of Alaska.

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
<i>[Signature]</i>	Scott Gilliland	Fisherman	Box 3207 Kodiak
<i>[Signature]</i>	Gary Nielsen	Fisherman	Box 2452 Kodiak
<i>[Signature]</i>	Terry Davis	Kodiak Oil Sales	Box 1325 Kodiak
<i>[Signature]</i>	Mike Rosoff	Fisherman	Box 911 Kodiak
<i>[Signature]</i>	Peter J. Olsen	Quarrying	Box 2723 Kodiak
<i>[Signature]</i>	Bert Rippey	Kodiak Oil Sales	Box 3211 Kodiak
<i>[Signature]</i>	Peter Thompson	SEWER MARI	Box 3037 Kodiak
<i>[Signature]</i>	David Clouston	Fisherman	Box 666 Kodiak
<i>[Signature]</i>	Tam Knacke	SMALL BUSINESS	1940 KODIAK AK
<i>[Signature]</i>	Brian Swanson	Fisherman	Box 3708 Kodiak
<i>[Signature]</i>	James Sandin	Fisherman	Box 1223 Kodiak
<i>[Signature]</i>	Lee Neel	Kodiak Oil Sales	Box 671 Kodiak
<i>[Signature]</i>	Gregory C Spalmer	Small Business	Box 2635 Kodiak
<i>[Signature]</i>	HARRY DODGE	Small Business	SR Box 5500 Kodiak
<i>[Signature]</i>	Howard Torsan	Fisherman	Box 2858 Kodiak
<i>[Signature]</i>	Celeste Mansueti	Kodiak Oil	Box 8116 Kodiak
<i>[Signature]</i>	Shipley Linder	APS	Box 7886 Kodiak
PHILIP S DEAR	Phil S Dear	F/V COHO	Box 645 WARRENTON OR 97146
Peter Kauper	UPK	F/V Tenacious	Box 285 Kodiak AK

[Handwritten mark]

PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS

The undersigned fishermen request that the Legislature of the State of Alaska refuse to confirm the Governor of Alaska's new Board of Fish appointments until a change is made to include at least one appointment from the Central/Western Gulf of Alaska.

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SIGNATURE	PREVIOUS FIRST NAME	BUSINESS	ADDRESS
<i>Timothy</i>	Timothy	Boat Rep	785 Willow Cir
<i>Gregory</i>	Gregory	FISHERMAN	112 BANCROFT
<i>Peter</i>	PETER	"	P.O. 84045 FBUS AK 9974
<i>Steve</i>	Steve	Fisherman	BX 3586 Kodiak AK
<i>Robert B Gowers</i>	Robert	"	KWP USAMK BAY
<i>Walter Fox</i>	Walter	FISHERMAN	Box 1713 Kodiak
<i>Ken</i>	Ken	Cap	3430 Antae Kusik
<i>Danielle Allen</i>	Danielle	waitress	Bx 8209 Kodiak
<i>Chris</i>	Chris	FISHERMAN	Box 36 Kodiak
<i>Jason</i>	Jason	FISHERMAN	Box 2171 Kodiak
<i>George</i>	George	FISHERMAN	Box 2796 Kodiak
<i>Butch</i>	BUTCH	FISHERMAN	Box 3841 KODIAK
<i>Ralph</i>	Ralph	FISHERMAN	Box 3347 Kodiak
<i>Richard Simonoff</i>	Richard	Retired	Box 2095 Kodiak
<i>John</i>	John	FISHERMAN	P.O. Box 2872 Kodiak
<i>Curt</i>	Curt	Captain	P.O. Box 3 Kodiak
<i>Tom</i>	Tom	FISHERMAN	Box 2770 Kodiak
<i>Robert</i>	Robert	FISHERMAN	Box 3593 Kodiak
<i>Steve</i>	Steve	Truck Driver	P.O. Box 1771 Kodiak

PETITION TO THE LEGISLATURE OF THE STATE OF ALASKA
 REQUESTING DENIAL OF CONFIRMATION FOR THE NEW BOARD OF FISH APPOINTMENTS

The undersigned fishermen request that the Legislature of the State of Alaska refuse to confirm the Governor of Alaska's new Board of Fish appointments until a change is made to include at least one appointment from the Central/Western Gulf of Alaska.

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SIGNATURE	PRINT NAME	BUSINESS	ADDRESS
	Armin Reinhardt	F/V Annapolis	Box 2483 Kodiak, AK
	Brian Campbell	F/V THREE SISTERS	Mill Bay Kodiak AK
	Alex Fisk	F/V Lajelia	2302 Kodiak AK
	Ralph Bore	F/V Northern Star	3549 Kodiak, AK
	Mike Fitzgerald	RIMROCK LTD	Box 5038 Kodiak, AK
	Jerry Martzke	F/V Tip Gun	Box 1343, Kodiak
	Steve Angon	F/V Swallow	809 N Lake Louise, Kodiak
	Ty Rouse	Self prop	Box 8041 Kodiak AK 99615
	Ah Drabek	SELF	Box 761 Kodiak AK
	CJ Knowles	SELF	Box 31 LARSEN BAY AK
	Rick Fluke	SELF	Box 67 LARSEN BAY
	Kevin Hunt	SELF	2020 W. 7th #202A #315-248 Kodiak
	DAN MOEN	SELF	6242 WADSWORTH AVE #20F N.B. CA 92647
	BRITT	SELF	4105 X AVE. W.F. 99617
	Dan McFarland	F/V Threestars	P.O. Box 1002 Kodiak
	Frank Kaskewicz	SELF	P.O. Box 255 Seledovia
	Herman Moorhead	Christina K	Box 87 Seledovia AK 99663
	SARA ROLDANIS	th. resources	Box 3043 Kodiak
	Josh Roper	F/V yon	1026 N. Selkirk

PENINSULA MARKETING ASSOCIATION

P.O. BOX 248

SAND POINT, ALASKA 99661

PH(907)383-3600 FAX(907)383-5618

April 5, 1996

Al Burch
Alaska Draggers Association
PO Box 991
Kodiak, Alaska 99615
FAX 486-6292

Dear Al:

I received your FAX which included a form for starting a petition drive regarding the Board of Fisheries appointments. We agree with you that the recent appointments do not represent all fishermen and gear groups equally. The Aleutians East Borough circulated a petition a few months ago that was turned in to the Governor's office which also addressed the need for equal representation with his appointments. He obviously did not heed our wishes. I believe that the petition drive did acquire around 1000 signatures from people in this area and from other areas around the state.

As soon as people come back from our next round of Board meetings in Anchorage we will certainly see what can be done to help with your current petition request. There will probably be other fishermen's groups around the state that have similar concerns. I will keep in touch with you on this.

Sincerely,



Melanie Gundersen,
President

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

HARVEY PULLEN and UNITED)
FISHERMEN OF ALASKA, INC.,)
)
Plaintiffs.)
)
vs.)
)
FRAN ULMER, Lieutenant Governor)
of the State Of Alaska,)
FAIRNESS IN SALMON HARVEST INC.,)
)
Defendants.)
)

Superior Court No. 1-JU-95-2385 CI

AFFIDAVIT OF AVRUM M. GROSS

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

NOW COMES Avrum M. Gross and upon being duly sworn deposes
and says:

1. I am a partner in the firm of Gross and Burke, which
was retained to defend the Fairness in Salmon Harvest, Inc.
defendants in this litigation, and have personal knowledge as
to the work that was performed by both me and Susan A. Burke,
the only attorneys in the firm, on behalf of the defendants.

2. All of our billings to the defendants in this matter
to date are attached as Exhibit A to this affidavit. Those
billings disclose that the time incurred for Ms. Burke and me
was billed at the rate of \$150 per hour for each of us.

LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
426 MORRIS PRANKLIN STREET
JUNEAU, ALASKA 99801
(907) 586-2777

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3. The total hours expended on items that relate to the defense is 122.25. At the previously stated rate of \$150 per hour, the total actual and necessary fees incurred by the defendants in this litigation was \$18,897.00.

DATED: April 10, 1996.


Avrum M. Gross

SUBSCRIBED AND SWORN before me this 10th day of April, 1996.


Notary Public in and for Alaska
My Commission Expires March 5, 1997

LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
428 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801
(907) 586-2777

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

HARVEY PULLEN and UNITED)
FISHERMEN OF ALASKA, INC.,)
)
Plaintiffs,)
)
vs.)
)
FRAN ULMER, Lieutenant Governor)
of the State Of Alaska,)
FAIRNESS IN SALMON HARVEST INC.,)
)
Defendants.)

Superior Court No. 1-JU-95-2385 CI

MEMORANDUM IN SUPPORT OF CBJ DEFENDANTS'
MOTION FOR ATTORNEY FEES

On April 5, 1996, this court denied plaintiffs' motion for summary judgment on that portion of it's complaint that related to whether or not the FISH initiative was an "appropriation" of State assets prohibited by Article XI, section 7, of the Alaska constitution. The court stated that an appeal could be taken immediately from its oral decision though a written decision would be issued shortly. The court also stated that the time for filing motions for costs and attorneys fees would also be computed from the date of its oral decision.

We are, frankly, a bit unclear as to the meaning of the court's ruling. The case has not yet been resolved; there are additional claims pending that were not affected by the court's ruling. It is unclear that plaintiffs have any rights of

LAW OFFICES
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A PROFESSIONAL CORPORATION
428 NORTH PRINCELTON STREET
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(907) 586 2777

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appeal at this time, though they may, of course, take a
Petition for Review to the Supreme Court. Out of an abundance
of caution, however, in the event the court concludes that a
judgment has been entered justifying a motion for attorneys
fees at this time, we have made the motion within the requisite
ten days required by Rule 82(c). Should the court conclude
that an award of attorneys fees would not be appropriate at
this stage of the litigation, then we ask that the motion
either be denied with leave to renew at the conclusion of the
case, or held in abeyance for future resolution.

RESPECTFULLY SUBMITTED


By: Avrum M. Gross

LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
422 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801
(907) 586-2777

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

HARVEY PULLEN and UNITED)
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)
Plaintiffs,)
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vs.)
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FRAN ULMER, Lieutenant Governor)
of the State Of Alaska,)
FAIRNESS IN SALMON HARVEST INC.,)
)
Defendants.)

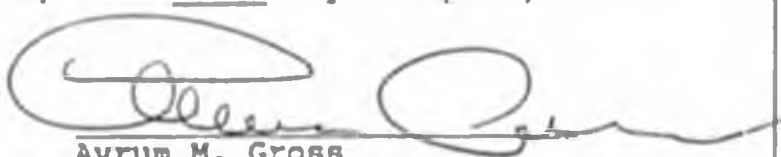
Superior Court No. 1-JU-95-2385 CI

MOTION FOR ATTORNEY FEES

Defendant Fairness in Salmon Harvest, Inc. defendants, by and through counsel, hereby move the court for an award of attorney fees pursuant to Civil Rule 82(b)(2) and (3). Specifically, defendant is entitled to an award of attorney fees under Civil Rule 82(b)(2) equal to 20 percent of its actual attorney fees necessarily incurred. The total amount of those actual necessary fees was \$18,897.00; 20 percent of that amount is \$3,779.40.

This motion is supported by the attached memorandum and affidavit of counsel.

DATED at Juneau, Alaska, this 10th day of April, 1996.



Avrum M. Gross
Counsel for Defendants

LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
425 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801
(907) 586-3777

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The undersigned hereby certifies that on the 10th day of April, 1996, copies of the Motion for Attorney Fees, Memorandum in Support of Motion and Affidavit of Counsel were mailed to:

James L. Baldwin
Attorney General's Office
Box 110300
Juneau, Alaska 99811-0300
and

Arthur S. Robinson
Robinson, Beiswenger & Ehrhardt
35401 Kenai Spur Hwy.
Soldotna, Alaska 99669

Debra D. Perrin-Wahl
Debra D. Perrin-Wahl

LAW OFFICES
GRINS & BURKE
A PROFESSIONAL CORPORATION
824 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801
(907) 586 2777

December 1, 1995

Mr. Bob Penney
Penco Properties
3620 Penland Parkway
Anchorage, Alaska 99508

For legal services rendered through November 30, 1995:

			HOURS
11/8	AMG	First review of complaint; review Community College case concerning initiatives as "appropriations"; t/conf w/Penney.	2.50
11/15	SAB	T/c w Dan Coffey re initiative litigation; review complaint, Lt.Gov's certification and petition summary, AG's opinion and initiative; t/c with Jim Baldwin re State's position; further t/c w/Dan Coffey; begin review of initiative statutes.	2.75
11/20	AMG	T/conf w/Baldwin, Coffey.	.50
11/21	AMG	Complete review of complaint; t/conf with Baldwin.	1.00
11/22	AMG	Preparation for and attendance at conf call between Robinson, Baldwin and Judge Week's secretary setting calendaring conf and discussing possible stipulation of facts.	1.50
11/27	AMG	Meet w/Baldwin, Commissioner Rue, Deputy Commissioner Bosworth and other Fish and Game personnel re strategy in litigation; dictate and revise answer to complaint.	3.25
11/29	AMG	T/conf w/Penney; complete and file answer; t/conf w/Baldwin.	.50
11/30	AMG	T/conf w/Penney; t/conf w/Bud Simpson re participation of Charter boat operators in subject dispute.	.50
		TOTAL HOURS	<u>12.50</u>
		12.50 HOURS AT \$150 PER HOURS	\$1,875.00
		SALES TAX	\$ 75.00
		TOTAL AMOUNT DUE	<u>\$1,950.00</u>

STATEMENT
 AN OFFICE
GROSS & BURKE
 A PROFESSIONAL CORPORATION
 100 NORTH FRANKLIN STREET
 JUNEAU, ALASKA 99801

(907) 586-1777
 December 31, 1995

Mr. Bob Penney
 Penco Properties
 3620 Penland Parkway
 Anchorage, Alaska 99508

For legal services rendered through December 31, 1995:

			HOURS
12/1	AMG	T/conf w/Penney; review pleading filed by Robert Hall re scheduling conference.	.50
12/4	SAB	Attend scheduling conference; conf w/Av Gross re same; draft letter to B. Penney re schedule for briefs and argument.	1.00
12/5	SAB	Conf w/A. Gross re fact stipulation.	.25
12/5	AMG	Letter to Bob Penney.	.25
12/6	AMG	T/conf w/Baldwin re stipulation.	.25
12/7	AMG	T/conf w/Asst. A.G. Sarah Felix; receive and review proposed fact stipulation; second t/conf w/Felix.	1.50
12/8	AMG	Receive and review new draft of stipulation; t/conf w/Felix re same.	1.00
12/15	SAB	T/c w/J. Baldwin's office re stipulation of facts.	.25
12/18	AMG	Review proposed stipulation submitted by Robinson; t/conf w/Baldwin; review correspondence from Robert Hall.	1.00
12/29	AMG	T/conf w, Baldwin.	.25
TOTAL HOURS			6.25
6.25 HOURS AT \$150 PER HOURS			\$ 937.50
SALES TAX			\$ 37.50
TOTAL AMOUNT DUE			\$ 975.00

STATEMENT
LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
424 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801

19071586-2777
February 1, 1996

Mr. Bob Penney
Penco Properties
3620 Penland Parkway
Anchorage, Alaska 99508

For legal services rendered through January 31, 1996:

			HOURS
1/4	AMG	T/conf with Penney, Simpson.	.50
1/5	AMG	T/conf w/Coffey; meet in Governor's office with J. Ayers.	1.50
1/8	AMG	T/conf w/H. Malone.	.25
1/10	AMG	Review materials on initiative sent by Hall; t/conf w/Baldwin.	.75
1/11	AMG	T/conf concerning stipulation w/Robinson, Baldwin; subsequent conf w/Baldwin concerning same.	1.50
1/16	AMG	Review additional language of stipulation.	.25
1/24	AMG	Review draft of stipulation; t/conf with AG's office.	.75
1/25	AMG	Final review and signature of stipulation of facts in case.	.75
		TOTAL HOURS	<u>6.25</u>
		6.25 HOURS AT \$150 PER HOURS	\$ 937.50
		SALES TAX	\$ 37.50
		OFFICE EXPENSES (Phone & fax)	\$ 49.63
		TOTAL AMOUNT DUE	<u>\$1,024.63</u>

STATEMENT
OF WORK
GROSS & BURKE
ATTORNEYS AT LAW
1000 MARSHALL STREET
ANCHORAGE, ALASKA 99501
PHONE 581-2777

March 1, 1996

Mr. Bob Penney
Penco Properties
3620 Penland Parkway
Anchorage, Alaska 99508

For legal services rendered through February 29, 1996:

			HOURS
2/4	AMG	First review of Pullen brief; review cases.	2.50
2/5	AMG	Additional review of brief.	.75
2/22	AMG	T/conf with E. McKinnon re commercial fish group efforts.	.25
2/26	AMG	Review brief preparatory to begin drafting of answering brief.	2.00
2/29	AMG	Work on brief; review Pullen brief, cases, and research on Supreme Court decisions.	3.75
		TOTAL HOURS	<u>9.25</u>
		9.25 HOURS AT \$150 PER HOURS	\$1,387.50
		SALES TAX	\$ 55.50
		TOTAL AMOUNT DUE	<u>\$1,443.00</u>

STATEMENT
 AS FILED
GROSS & BURKE
 ATTORNEYS AT LAW
 1100 EAST BROADWAY STREET
 ANCHORAGE, ALASKA 99501

DATE: 4/1/96
 April 1, 1996

Mr. Bob Penney
 Penco Properties
 3620 Penland Parkway
 Anchorage, Alaska 99508

For legal services rendered through March 31, 1996:

			HOURS
3/2	AMG	Work on brief; research on Community College Case; other initiative cases.	3.50
3/5	AMG	Conf with Burke re brief.	.50
3/5	SAB	Review plaintiffs' summary judgment motion; legal research and analysis.	2.25
3/6	SAB	Further work on summary judgment opposition.	1.75
3/6	AMG	Work on brief; conference with Fish & Game personnel re existing allocation criteria.	2.25
3/7	SAB	Further work on summary judgment memo.	3.00
3/7	AMG	Work on brief' research.	4.50
3/8	AMG	Work on brief, research and drafting.	4.75
3/8	SAB	Further work on memo; conf with A. Gross re issues; further legal research re initiatives and appropriations; draft section of memo re continued discretion of Board of Fish.	5.50
3/9	AMG	Work on section of brief on "appropriations."	6.75
3/10	AMG	Complete first draft; begin revisions.	8.25
3/11	SAB	Conference w/A. Gross re brief.	.50
3/11	AMG	Work editing first draft of brief; additional research; t/conf w/B. Penney.	8.75
3/12	AMG	Continue revision of brief; edit section on present "allocation" as opposed to standards for future "allocations."	0.25
Sub-total hours page 1.			60.50

Mr. Bob Penney
April 1, 1996 Statement
Page 2 of 2

		Sub-total hours from page 1.	60.50
3/13	AMG	Review final draft of brief; complete and file; transmit to Penney.	3.75
3/18	SAB	Review State's opposition to plaintiffs' summary judgment motion.	.75
3/20	AMG	Review of State's brief opposing Summary Judgment; review of cases cited; transmit to Penney.	2.25
3/21	AMG	T/conf w/Robinson concerning late filing of Reply brief.	.25
3/26	AMG	Receive and review reply brief by plaintiffs; review cases; cover letter to Penney with brief.	3.50
3/26	SAB	Review plaintiffs' reply brief; conf with A. Gross re same.	1.50
3/27	AMG	Work on oral argument outline.	2.50
3/28	AMG	Continue preparation for oral argument; outline cases.	1.25
3/29	AMG	Work on argument.	1.75
3/29	SAB	Conf w/A. gross re oral argument.	1.00
		TOTAL HOURS	79.00
		79.00 HOURS AT \$150 PER HOURS	\$11,850.00
		SALES TAX	\$ 300.00
		TOTAL AMOUNT DUE	<u>\$12,150.00</u>

STATEMENT
LAW OFFICES
GROSS & BURKE
A PROFESSIONAL CORPORATION
424 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801

(907) 586-2777
April 10, 1996

Mr. Bob Penney
Penco Properties
3620 Penland Parkway
Anchorage, Alaska 99508

For legal services rendered through April 10, 1996:

			<u>HOURS</u>
4/1	AMG	T/conf w/R. Hall; fax brief; review cases.	1.50
4/2	AMG	T/conf w/Baldwin re oral argument working out joint strategy; work on argument.	1.00
4/3	AMG	Review cases; work on outline of argument.	1.50
4/4	AMG	Work on oral argument.	1.00
4/5	AMG	Prepare for and participation in oral argument.	3.00
4/9	AMG	Prepare attorney fees motion, memo, affidavit and form of order.	1.00
TOTAL HOURS			<u>9.00</u>
9.00 HOURS AT \$150 PER HOURS			\$1,350.00
SALES TAX			\$ 54.00
TOTAL AMOUNT DUE			<u>\$1,404.00</u>



Alaska State Legislature

Senate Resources Committee

Official Business

State Capitol
Juneau AK 99801

April 26, 1996

The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182


Dear Madam President:

The Senate Resources Committee reviewed the following with regard to confirmation of the Governor's appointment:

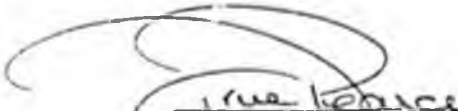
Board of Fisheries:

Dan K. Coffey, Esq. - Anchorage
Appointed 2/12/96; Expires: 01/31/99

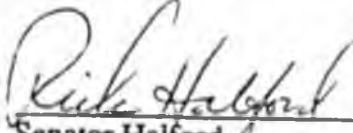
Respectfully,



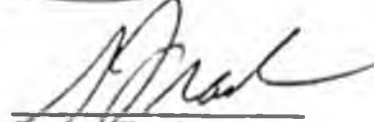
Senator Leman, Chairman



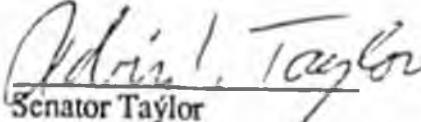
Senator Pearce



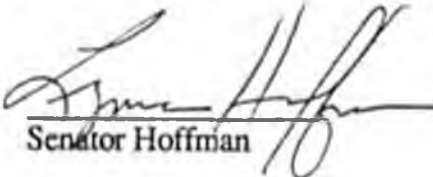
Senator Halford



Senator Frank



Senator Taylor



Senator Hoffman



Senator Lincoln



Alaska State Legislature

Senate Resources Committee

Official Business

State Capitol
Juneau AK 99801

April 26, 1996

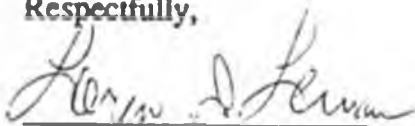
The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182

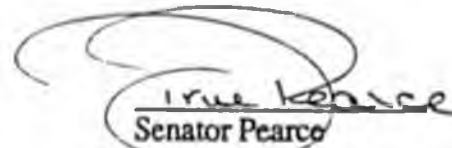
Dear Madam President:

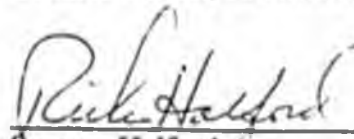
The Senate Resources Committee reviewed the following with regard to confirmation of the Governor's appointment:

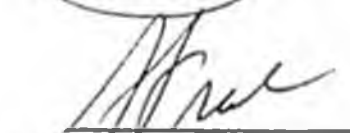
Board of Fisheries:
Grant J. Miller - Sitka
Appointed 2/12/96; Expires: 01/31/99

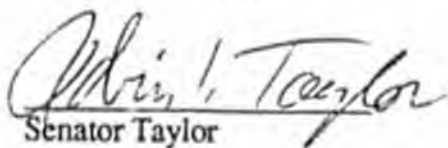
Respectfully,


Senator Leman, Chairman

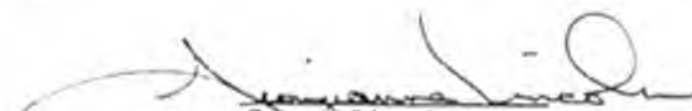

Senator Pearce


Senator Halford


Senator Frank


Senator Taylor


Senator Hoffmann


Senator Lincoln