

HB

349

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CS FOR HOUSE BILL NO. 349(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES MASEK. Dyson. Harris

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Board of Game, means of access for hunting, trapping,
2 and fishing, the definition of 'means' and 'methods,' and hunting safety education
3 and wildlife conservation education programs; relating to the purposes of game
4 refuges, fish and game critical habitat areas, and public use areas."

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

6 * **Section 1.** AS 16.05.221(b) is amended to read:

7 (b) For purposes of the conservation, [AND] development, and enhancement
8 of the game resources of the state, there is created a Board of Game composed of
9 seven members appointed by the governor, subject to confirmation by a majority of
10 the members of the legislature in joint session. The governor shall appoint each
11 member on the basis of interest in public affairs, good judgment, knowledge, and
12 ability in the field of action of the board, and with a view to providing diversity of
13 interest and points of view in the membership. The appointed members shall be
14 residents of the state and shall be appointed without regard to political affiliation or

1 geographical location of residence. The commissioner is not a member of the Board
2 of Game, but shall be ex officio secretary.

3 * Sec. 2. AS 16.05.255(a) is amended to read:

4 (a) The Board of Game may adopt regulations it considers advisable in
5 accordance with AS 44.62 (Administrative Procedure Act) for

6 (1) setting apart game reserve areas, refuges, and sanctuaries in the
7 water or on the land of the state over which it has jurisdiction, subject to the approval
8 of the legislature;

9 (2) establishing open and closed seasons and areas for the taking of
10 game;

11 (3) establishing the means and methods employed in the pursuit,
12 capture, taking, and transport of game, including regulations, consistent with resource
13 conservation, [AND] development, and enhancement goals, establishing means and
14 methods that may be employed by persons with physical disabilities;

15 (4) setting quotas, bag limits, harvest levels, and sex, age, and size
16 limitations on the taking of game;

17 (5) classifying game as game birds, song birds, big game animals, fur
18 bearing animals, predators, or other categories;

19 (6) methods, means, and harvest levels necessary to control predation
20 and competition among game in the state;

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

23 (8) prohibiting the live capture, possession, transport, or release of
24 native or exotic game or their eggs;

25 (9) establishing the times and dates during which the issuance of game
26 licenses, permits, and registrations and the transfer of permits and registrations between
27 registration areas and game management units or subunits are [IS] allowed;

28 (10) regulating sport hunting and subsistence hunting as needed for the
29 conservation, development, enhancement, and utilization of game;

30 (11) taking game to ensure public safety.

31 * Sec. 3. AS 16.05 is amended by adding a new section to article 6 to read:

1 **Sec. 16.05.911. Regulation of the means of access for hunting, trapping,**
2 **and fishing.** Notwithstanding other provisions of law, traditional means of access for
3 purposes of hunting, trapping, or noncommercial fishing may not be restricted except
4 as

5 (1) specifically authorized by act of the legislature;

6 (2) specifically authorized by a regulation adopted by the Board of
7 Fisheries or the Board of Game, provided that a local fish and game advisory
8 committee with jurisdiction over the area where the regulation would apply has not
9 objected in writing to the adoption of the regulation;

10 (3) necessary to maintain sustained yield management of a fish stock
11 or game population or to protect or enhance habitat that is essential to the maintenance
12 of sustained yield management of a fish stock or game population;

13 (4) necessary to achieve the statutory purpose of an area established by
14 law to protect a fish stock or game population or the habitat of a fish stock or game
15 population, such as a refuge, sanctuary, range, or critical habitat area;

16 (5) necessary to achieve temporary protection for a fish stock or game
17 population or the habitat of a fish stock or game population for a period of less than
18 one year in a specifically identified area; or

19 (6) provided by a law or by a regulation adopted by the Board of
20 Fisheries or the Board of Game that is applicable to a refuge, sanctuary, range, critical
21 habitat area, controlled-use area, or conservation area and that is in effect on the
22 effective date of this section.

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

24 (37) "means," "means and methods," and "methods" mean the tools,
25 implements, devices, or vehicles employed to take fish or game, unless the context
26 otherwise requires.

27 * Sec. 5. AS 16.20.020 is repealed and reenacted to read:

28 **Sec. 16.20.020. Purposes.** The purposes of AS 16.20.010 - 16.20.080 are to

29 (1) protect, enhance, and preserve fish and game habitat and the fish
30 and game that use the habitat;

31 (2) protect, enhance, and preserve traditional public uses of fish and

1 game, including fishing, hunting, trapping, viewing, and photography;

2 (3) perpetuate and enhance general public recreation in a quality
3 environment;

4 (4) provide for additional public uses of the refuges that are consistent
5 with this section.

6 * Sec. 6. AS 16.20.500 is amended to read:

7 **Sec. 16.20.500. Purpose.** The purpose of AS 16.20.500 - 16.20.690 is to
8 protect and preserve habitat areas especially crucial to the perpetuation of fish and
9 wildlife and traditional uses of fish and wildlife [,] and to restrict all other uses not
10 compatible with that primary purpose.

11 * Sec. 7. AS 16.55.010 is amended to read:

12 **Sec. 16.55.010. Duties of department.** The Department of Fish and Game
13 shall

14 (1) assist in developing and coordinating activities involving private
15 organizations relating to shooting and firearms;

16 (2) develop [A] hunting safety education and wildlife conservation
17 education programs and cooperate with private nonprofit organizations
18 established for the primary purpose of preserving hunting, fishing, and trapping
19 to expand these education programs [PROGRAM] for the people of the state;

20 (3) establish a program to assist in the planning, construction, and
21 operation of public shooting ranges.

22 * Sec. 8. AS 16.55.020 is amended to read:

23 **Sec. 16.55.020. Powers of department.** In the discharge of its duties under
24 AS 16.55.010, the Department of Fish and Game may

25 (1) provide, through a departmental coordinator, technical assistance to
26 municipalities, communities, and organizations;

27 (2) make grants to municipalities and organizations as provided in
28 AS 16.55.030 to

29 (A) [TO] develop and operate public shooting ranges and
30 facilities; [AND]

31 (B) [TO] operate programs involving education and training in

1 the safe use of firearms; and

2 **(C) assist private nonprofit organizations established for the**
3 **primary purpose of preserving hunting, fishing, and trapping in providing**
4 **hunting safety education and wildlife conservation education programs.**

5 * Sec. 9. AS 16.55.030 is amended to read:

6 **Sec. 16.55.030. Grants.** Subject to legislative appropriation for the purpose,
7 the Department of Fish and Game may make grants to municipalities and private
8 nonprofit organizations established for the primary purpose of preserving hunting,
9 fishing, and trapping to provide hunting safety education and wildlife
10 conservation education in accordance with AS 16.55.020(2). The department may
11 impose reasonable restrictions on the use of funds granted under this section.

12 * Sec. 10. AS 41.23.010 is amended to read:

13 **Sec. 41.23.010. Purpose of AS 41.23.010 - 41.23.040.** The purpose of
14 AS 41.23.010 - 41.23.040 is to establish the area described in AS 41.23.040 as the
15 Nelchina Public Use Area. The Nelchina Public Use Area is established to

16 (1) protect, develop, and preserve [MAINTAIN] fish and wildlife
17 habitat and the fish and wildlife that use the habitat [, PARTICULARLY
18 CARIBOU CALVING AREAS, TRUMPETER SWAN NESTING AREAS, AND
19 OTHER IMPORTANT HABITATS FOR MOOSE, DALL SHEEP, AND BROWN
20 BEAR SO THAT TRADITIONAL PUBLIC USES OF FISH AND WILDLIFE
21 POPULATIONS MAY CONTINUE];

22 (2) protect, [PERPETUATE AND] enhance, and preserve traditional
23 public uses of fish and wildlife, [PUBLIC ENJOYMENT OF FISH AND WILDLIFE
24 AND THEIR HABITAT] including fishing, hunting, trapping, viewing, and
25 photography;

26 (3) perpetuate and enhance general public recreation in a quality
27 environment:

28 (4) [PERPETUATE AND ENHANCE ADDITIONAL PUBLIC USES
29 DESCRIBED IN THE SUSITNA AREA PLAN;

30 (5)] allow additional public uses of the area that are [IN A MANNER]
31 compatible with the purposes specified in [(1) - (4) OF] this section.

1 * Sec. 11. AS 41.23.020(c) is amended to read:

2 (c) The Nelchina Public Use Area shall be open to mineral entry under
3 AS 38.05.185 - 38.05.275, and the commissioner may adopt regulations to achieve the
4 purposes specified in AS 41.23.010. Each valid existing right or permit shall remain
5 valid and continue in full force and effect according to its terms. Exploration,
6 development, and extraction of subsurface resources shall be allowed in a manner that
7 is compatible with the purposes specified in AS 41.23.010(1) - (3) [AS 41.23.010(1) -
8 (4)].

9 * Sec. 12. AS 41.23.030(d) is amended to read:

10 (d) The commissioner shall allow traditional access to the Nelchina Public Use
11 Area by motorized or nonmotorized means of transportation to private land, interests
12 in private land, and for lawful sport and subsistence hunting, fishing, trapping, and
13 recreational purposes in a manner that is compatible with the purposes specified in
14 AS 41.23.010(1) - (3) [AS 41.23.010(1) - (4)].

15 * Sec. 13. AS 41.23.050 is amended to read:

16 Sec. 41.23.050. Purpose of AS 41.23.050 - 41.23.080. The purpose of
17 AS 41.23.050 - 41.23.080 is to establish the area described in AS 41.23.080 as the
18 Ernie Haugen Public Use Area. The Ernie Haugen Public Use Area is established to

19 (1) protect, develop, and preserve [AND MAINTAIN] fish and
20 wildlife habitat and the fish and wildlife that use the habitat [SO THAT
21 TRADITIONAL PUBLIC USES MAY CONTINUE];

22 (2) protect, [PERPETUATE AND] enhance, and preserve traditional
23 public uses of fish and wildlife, including [PUBLIC ENJOYMENT] of fishing,
24 hunting, trapping, viewing, and photography;

25 (3) perpetuate and enhance general public recreation in a quality
26 environment; and

27 (4) allow additional public uses of the area that are [, INCLUDING
28 PERSONAL USE WOOD CUTTING, WHEN DETERMINED] compatible with the
29 purposes specified in [(1) - (3) OF] this section.

30 * Sec. 14. AS 41.23.100(b) is repealed and reenacted to read:

31 (b) The Hatcher Pass Public Use Area is established to

- 1 (1) protect, ~~enhance~~, and preserve fish and wildlife habitat and the fish
2 and wildlife that use the habitat;
- 3 (2) protect, develop, and preserve traditional public uses of fish and
4 wildlife, including fishing, hunting, trapping, viewing, and photography;
- 5 (3) perpetuate and enhance general public recreation in a quality
6 environment; and
- 7 (4) allow additional public uses of the area that are compatible with the
8 purposes specified in this subsection.

9 * Sec. 15. AS 41.23.140 is repealed and reenacted to read:

10 **Sec. 41.23.140. Purpose of AS 41.23.140 - 41.23.170.** The purpose of
11 AS 41.23.140 - 41.23.170 is to establish the area described in AS 41.23.170 as the
12 Goldstream Public Use Area. The Goldstream Public Use Area is established to

- 13 (1) protect, develop, and preserve fish and wildlife habitat and the fish
14 and wildlife that use the habitat;
- 15 (2) protect, enhance, and preserve traditional public uses of fish and
16 wildlife, including fishing, hunting, trapping, viewing, and photography;
- 17 (3) perpetuate and enhance general public recreation in a quality
18 environment; and
- 19 (4) allow additional public uses of the area that are compatible with the
20 purposes specified in this section.

21 * Sec. 16. AS 41.23.150(c) is amended to read:

22 (c) Consistent with the purposes of AS 41.23.140(1) - (4) [AS 41.23.140(1) -
23 (3)], the commissioner shall allow uses within the Goldstream Public Use Area,
24 including but not limited to horseback riding, hiking, mining, all terrain vehicle
25 driving, bicycling, dog sledding, cross-country skiing, skijoring, snowmachining,
26 camping, and other traditional public uses of fish stocks and wildlife populations such
27 as fishing, hunting, trapping, viewing, and photographing of moose, trumpeter swan
28 and other waterfowl, otter, beaver, mink, muskrat, and fox.

29 * Sec. 17. AS 41.23.150(d) is amended to read:

30 (d) The Goldstream Public Use Area is open to mineral entry under
31 AS 38.05.185 - 38.05.275, and the commissioner may adopt regulations to achieve the

1 purposes specified in AS 41.23.140(1) - (3) [AS 41.23.140(1) - (2)]. Each valid
2 existing right or permit remains valid and continues in full force and effect according
3 to its terms. The commissioner shall permit the exploration, development, and
4 extraction of subsurface resources in a manner that is compatible with the purposes
5 specified in AS 41.23.140(1) - (3) [AS 41.23.140(1) - (2)].

6 * Sec. 18. AS 41.23.160(a) is amended to read:

7 (a) Except as provided in this section, the commissioner may prohibit or
8 restrict uses determined to be incompatible with the purposes of the Goldstream Public
9 Use Area under AS 41.23.140(1) - (3) [AS 41.23.140(1) - (2)] within the state-owned
10 land and water described in AS 41.23.170.

11 * Sec. 19. AS 41.23.160(d) is amended to read:

12 (d) The commissioner shall allow access to the Goldstream Public Use Area
13 by motorized or nonmotorized means of transportation to private land, interests in
14 private land, and for hunting, fishing, trapping, mining, and recreational purposes in
15 a manner that is compatible with purposes specified in AS 41.23.140(1) - (3)
16 [AS 41.23.140(1) - (2)]. Existing trails remain open to public use.



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HB 349 ~ Fish and Game / Refuges / Habitat and Use Areas

Revised Position Statement

TO: House Resources Committee Members
FROM: Susan Schrader, Conservation Advocate
DATE: February 28, 2000

Alaska Conservation Voters, formerly Alaska Conservation Voice, is a not-for-profit organization dedicated to protecting Alaska's environment through public education and advocacy. Our 40 Alaskan organizations and business members represent over 22,000 registered Alaskan voters. Our members can be found in all user groups of Alaska's wildlife, including subsistence users, recreational hunters, wildlife viewers, and photographers. We respect and appreciate the long, rich tradition held by Alaskans, Native and non-Native alike, that surrounds our state's wildlife resources. We also acknowledge that opportunities to use and appreciate our wildlife belong to all Americans and to visitors to our state from other countries.

Alaska Conservation Voters supports wildlife management actions that are based on unbiased scientific studies and that reflect the values of most Alaskans. We are greatly concerned by the continued positions taken by the State Legislature that fail to recognize the legislators' responsibilities under the Alaska Constitution and the public trust doctrine to care for our wildlife for the benefit of *all* Alaskans.

We are opposed to HB 349 for the following reasons:

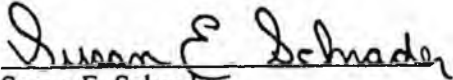
- In Sections 1 and 2 of the bill, the substitution of "enhancement" for "development" appears to be an effort to enshrine the near-sighted principles of intensive game management more deeply into Alaska statutes. Whereas "development" embodies a range of policies that address the long-term benefits of wildlife resources for all user groups, "enhancement" clearly mandates policies aimed, single-mindedly, at increasing populations of wildlife without consideration of other biologic principles.
- Section 3 represents yet another attempt to restrict members of the Boards of Fisheries and of Game as well as the biologists at ADF&G in their efforts to protect wildlife and their habitat. We cannot support any further restrictions on the ability of the Boards or the Department to regulate access.
- Section 5 markedly and dangerously expands ADF&G's management mandate of many of Alaska's premier wildlife refuges. Refuges such as Creamers Field, McNeil River, Anchorage Coastal, and Mendenhall Wetlands are highly-prized by many Alaskans for their values as sanctuaries for wildlife and people alike. To statutorily mandate that activities such as hunting, trapping, and motorized recreation should be permitted in all refuges clearly fails to recognize that some areas must be managed for viewing, photography, or other non-consumptive, quiet uses.

OVER

Conserve Alaska. It's Only Natural.

- In Section 9, the restriction of ADF&G's authority to make grants to those nonprofit organizations advocating for consumptive uses of our wildlife resources reflects an unbalanced approach that clearly excludes the interests of the many Alaskans who are nonconsumptive users of this resource. If the legislature is concerned that advocacy-based environmental groups might be recipients of ADF&G grant money, then, rather than restricting grants to groups advocating consumptive use, consider authorizing grants to the many educational organizations that do not engage in advocacy work. Examples of such groups include The Nature Conservancy, the Alaska Natural Heritage Program, and the Alaska Bird Observatory.

Clearly recognizing the volatile and divisive nature of issues surrounding wildlife management, the members of Alaska Conservation Voters join with other Alaskans who are calling for balanced, fair and far-sighted wildlife management decisions based upon the best, most comprehensive, unbiased scientific data available. Many of the provisions in HB 349 run counter to this approach, and we therefore cannot support this bill.


Susan E. Schrader



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C.A.S.H. Courier - Spring 1999

THE END OF TRAPPING IN THE UNITED STATES

By Peter Muller

That could be a headline you'll see in papers from sea to shining sea - if a bill introduced by New York Representative Nita Lowey passes the House of Representatives and the Senate and is signed into law by our beloved President William Jefferson Clinton. Representative Lowey introduced H.R. 1581 in the House on April 27, 1999. The bill is currently in committee and we'll be watching and reporting on its progress.

So far, 62 additional representatives have signed on as co-sponsors.

The Bill starts out:

SECTION 1. DECLARATION OF POLICY.

It is the policy of the United States to end the needless maiming and suffering inflicted upon animals through the use of steel-jawed leghold traps by prohibiting the import or export of, and the shipment in interstate commerce of, such traps and of articles of fur from animals that were trapped in such traps.

The penalty provided for in this bill is a fine and a prison term of not more than two years for each violation.

C.A.S.H, as well as many other organizations, has been struggling to encourage various legislative bodies to pass local or state laws outlawing or restricting trapping. In some states that have ballot initiatives, they have succeeded in banning trapping.

If H.R. 1581 passes, then trapping will be prohibited nationwide overnight. This may well be the most important animal protective legislation ever proposed.

Let's all urge our federal representatives to support this bill.

Incidentally, Representative Lowey is considered by many observers of the New York political scene to have the "inside track" as the Democratic Party nominee for senator if Hillary Clinton decides not to run for that position. Best news we've had in a long time.

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By Dr. Sam Harbo:

Environmental Sanity: -- Think Globally, Act Locally

A presentation by Dr. Samuel Harbo, Jr., Emeritus Professor of Wildlife Management & Biometrics University of Alaska, Fairbanks representing the Alaska Outdoor Council at the Wolf Summit Fairbanks, Alaska, January 16 - 18, 1993

At the core of many of our environmental problems is our profligate use of cheap energy, energy that allows us to utilize distant resources in far-flung economies. No longer is consumption constrained by the sustainable limits of local resources.

The distancing of consumption from the source seems to have made us myopic, diminishing our sense of stewardship. We seem unable to visualize the effects an action taken in one geographic area might have on the environmental health of more distant areas. The current controversy is a case in point. To fully assess the environmental impacts of the proposed management plans, one must look beyond the three Alaskan areas proposed for wolf management. I am going to do so, relating the finding to our Alaskan situation.

U.S. food production requires enormous amounts of energy, with nearly all from fossil fuels. As the slide shows, the food system uses nearly 17 percent of the total U.S. energy budget. Within the food system, food processing and distribution account for 40 per cent of the energy use, reflecting the fact that no longer do we depend on local sources for our food. On average, a morsel of food travels 1300 miles from point of production to point of consumption.

Agriculture itself -- the on farm component -- is energy consumptive and energy dependent, with nearly all coming from fossil fuels. Most activities on the farm depend on energy consumptive machinery. As you can see from the slide, fertilizers and pesticides account for nearly one-third of the on farm energy use. We are using up nature's capital -- fossil fuels -- to produce and market agricultural products.

The relationship of energy used to production is mind boggling. For example, one gallon of gasoline is used per bushel of corn produced. On average, nearly 10 calories of energy are expended per calorie of food consumed. This dependence on fossil fuels to produce food cannot be sustained.

The dependence on nonrenewable energy has other serious consequences. Our farms have steadily increased in size to provide the capitalization needed for the large, expensive equipment now used in agribusiness. Individual fields have grown larger to accommodate the large, heavy equipment. In the process, we have lost the fencerows, marshes and small natural drainage systems that helped conserve soil and water and that provided wildlife habitat. Heavy equipment compacts soil and decreases soil friability. The most damaging consequence, however, has been the increase in land degradation.

The problem of land degradation is not restricted to the U.S. The amount of arable land surface suffering moderate or severe degradation in the late 1997's ranged from 27 per cent in South America to 52 per cent in Australia. And the situation has worsened.

Soil erosion in the U.S. is worse now than ever before. Current losses are 25 to 50 per cent greater than when the Soil Conservation Service was established in the 1930's. Currently, for every bushel of Iowa corn produced, 5 bushels of Iowa topsoil are lost. At current rates, by 2015 Iowa's topsoil will be no more. In Eastern Washington, 20 bushels of top soil are lost for every bushel of wheat harvested. Much of current agriculture is not sustainable; we are mining our soils.

Having larger farms and fewer farmers also causes social ramifications. No longer do we have cohesive rural communities with strong local economies based on local resources. The soybean futures on the Chicago Exchange in early September may be influenced less by the harvest prospects in the midwest than by the state of the seed bed preparation in Argentina. We have lost our sense of local economies, and with it our strong ties to the land and our sense of stewardship.

The connections between reliance on local resources, attitudes toward the environment, and energy conservation are being increasingly recognized in conservation and environmental thinking.

Cheap energy has also changed animal husbandry in the U.S. No longer do we have small operations using local resources with the objective of serving local needs. Rather, we have very large operations that cannot be supported only with local resources: operations that are designed to satisfy distant markets. The associated transportation, processing, storage and distribution are energy intensive.

An added environmental insult is that most of the large dairy and beef operations involve penned animals. No longer do we allow those plant eaters to be efficient solar energy converters. Rather we grow and harvest the hay and grains, using energy intensive and soil destroying methods, and then transport those feeds to the penned animals. And then comes the problem of concentrated animal wastes; a problem we attempt to solve using energy intensive methods.

Our reliance on energy intensive methodology is the root cause of many of our environmental problems. Air pollution, soil erosion, ozone problems and water pollution all relate to our demand for energy.

Some of our ground water pollution is directly related to agriculture, particularly our use of commercial fertilizers. My brother in the corn and soybean area of the midwest no longer drinks water directly from his 80-foot well, but distills the water first due to the dangerous levels of nitrates in solution.

What is the relevance of all this to our current topic? I will use a moose management example for Game Management Subunit 20A to show the relevance.

Subunit 20A lies immediately to the south of Fairbanks, and consists of between 16 and 17 thousand square kilometers of moose habitat. The moose population has varied greatly in size, with a high of about 23,000 animals in the early sixties and a current population of about 11,000 animals.

I will describe a plausible scenario showing the potential for Subunit 20A. A temporary reduction in wolf numbers would allow the moose population to increase. Naturally occurring wildfires and modest habitat manipulation consisting of small-scale prescription burning, could provide additional high quality habitat for moose -- habitat that could support a very productive moose population of 20,000 animals. Let's suppose we decide to maintain a wolf population of 350 wolves in 20A. In a nearly pure moose-wolf system, a ratio of one wolf to 30 moose results in nearly stable moose numbers. Subunit 20A is not a pure system. Other predators of note are black and grizzly bears. However, 20A also has other large prey -- caribou and Dall sheep. For ease of presentation I am assuming that, so far as the effects on moose numbers are concerned, the additional predator species are offset by the additional prey species. A more sophisticated analytic approach indicates that this simplistic approach is warranted.

Using the 1 wolf to 30 moose ratio, the 350 wolves could be supported by 10,500 moose, leaving 9,500 moose to produce a surplus for take by humans. In a productive situation a harvest rate of 25 per cent is sustainable. Hence, the 9,500 moose could produce a harvestable surplus of 2,375 moose annually, more than 2,000 animals greater than the current average harvest of about 350 moose. Assuming an average of 500 pounds of meat per moose, the increased harvest is more than one million pounds greater than our

current harvest. In addition, the wolf population would have increased by more than 20 per cent.

All of this could be done solely through predator management and modest habitat manipulation. Both are ecologically and environmentally safe.

Comparing the energy inputs of the 20A moose scenario with that of beef production in the Lower 48 is revealing. In the Managed Wildlife System, the integrity of the natural ecosystem and the efficiency of the system's solar energy converters -- the moose -- remain intact. The system runs almost entirely on solar energy, without significant inputs of fossil fuel energy, without tillage that leads to soil erosion, and without using fertilizers, herbicides, pesticides or growth hormones. In addition, most benefits accrue directly to the local residents, providing strong incentives to manage the system in a healthy, sustainable manner.

[In contrast,] the Managed Domestic Meat Production System is fossil fuels dependent. In most beef operations, energy intensive cropping and haying operations separate the primary producers from the primary consumers. The entire marketing effort, which includes processing, storage and distribution, also is energy intensive, since most products from such systems are destined for distant markets. Without substantial inputs of fossil fuels, fertilizers, herbicides and pesticides, the Managed Domestic Meat Production System would collapse.

>From an Alaskan conservationist's perspective, the choice of System is clear.

A closing comment about value systems is appropriate.

One of the most important and cherished attributes in our society is our cultural and value system diversity. I don't believe any single value system or viewpoint should be imposed on everyone, everywhere, at all times. It is doubly important that such not occur if elements of that value system fly in the face of environmental sanity, undermining the creed "think globally, act locally."

I also believe an ethical question is raised if individuals pursue a course of action that they know to be environmentally damaging.

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Representative Beverly Masek

HB 349

"An Act relating to the powers of the Board of Game"

SECTIONAL ANALYSIS

Sec. 1. Deletes the term [DEVELOPMENT] and inserts the term enhancement in AS 16.05.221(b)

Sec. 2. Deletes the term [DEVELOPMENT] and inserts the term enhancement in AS 16.05.255(a) (3) and (a) (10).

Sec. 3. Adds a new section that provides direction to the Board of Game in relation to the regulation of traditional means of access for hunting and trapping. The new section, AS 16.05.911 would allow the Board to restrict access under the proscribed circumstances in (1) - (5) on page 3, lines 5 - 21.

Sec. 4. AS 16.05.940 is amended to include a definition of means and methods.

Sec. 5. Changes the statutory language in AS 16.20.020 so as to make clear that fishing, hunting and trapping are protected uses of state wildlife refuges.

Sec. 6. Changes AS 16.20.500 adds traditional uses of fish and wildlife as a purpose of critical habitat areas.

Sec. 7. Amends AS 16.55.010 so as to clarify that it is the duty of the Department to assist non-profit organizations interested in preserving fishing, hunting and trapping to develop hunter education and wildlife conservation education programs.

Sec. 8. Changes the Department's granting authority under AS 16.55 by directing that any grants given by the department for hunter education, or wildlife conservation education must go to an organization whose purpose it is to preserve fishing, hunting and trapping as described in AS 16.55.030.

- Sec. 9. Amends AS 16.05.030 so that only non-profit organizations established to preserve fishing, hunting and trapping are eligible to receive grant moneys under this section.
- Sec. 10. Amends AS 41.23.010 to clarify the Nelchina Public Use Area has as its purposes the enhancement and preservation of wildlife and wildlife habitat, and the protection of traditional uses of fish and wildlife.
- Sec. 11. Amends AS 41.23.020(c) to make it compatible with the new language in AS 41.23.010.
- Sec. 12. Amends AS 41.23.020(d) to make it compatible with the new language in AS 41.23.010.
- Sec. 13. Amends AS 41.23.050 to clarify the Ernie Haugen Public Use Area has as its purposes the enhancement and preservation of wildlife and wildlife habitat, and the protection of traditional uses of fish and wildlife.
- Sec. 14. Amends AS 41.23.100(b) to clarify the Hatcher Pass Public Use Area has as its purposes the enhancement and preservation of wildlife and wildlife habitat, and the protection of traditional uses of fish and wildlife.
- Sec. 15. Amends AS 41.23.140 to clarify the Goldstream Public Use Area has as its purposes the enhancement and preservation of wildlife and wildlife habitat, and the protection of traditional uses of fish and wildlife.
- Sec. 16. Amends AS 41.23.150(c) to make it consistent with AS 41.23.140 (1) – (4) and adds the term stocks after the term fish.
- Sec. 17. Amends AS 41.23.150(d) so that it is consistent with AS 41.23.140(1) – (3).
- Sec. 18. Amends AS 41.23.160(a) so that it is consistent with AS 41.23.140(1) – (3).
- Sec. 19. Amends AS 41.23.160(d) so that it is consistent with AS 41.23.140(1) – (3).



Alaska State Legislature

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Sponsor Statment for HB 349

Fish and Game/Refuges/Habitat & Use Areas

An Act relating to powers of the Board of Game, means of access for hunting, trapping, and fishing, the definition of 'means' and 'methods', and hunting safety education and game conservation education programs; relating to the purposes of game refuges, fish and game critical habitat areas, and public use areas.

Posted: February, 2000

HB 349 was introduced, along with HJR 53, to alleviate the problems many Alaskans face due to the inability of the State to provide adequate management and protection to those traditional uses of wildlife that have sustained many Alaskans, including Native Alaskans throughout time.

Since the mid-1970's, the imposition of "urban" values on those Alaskans who choose to remain in a culture that is tied closely to the land has escalated. Although little or no scientific evidence exists to discredit traditional management techniques of wildlife resources for human consumptive uses, the zealots in the environmental movement continue to try and force their belief system on the rest of society by denying access to proven remedies supportive of human consumptive values.

Although Alaskans who fish, hunt and trap may not be able to agree upon specific allocation remedies due to competition inherent among all consumptive users of the resource, including non-human predators, we should be able to agree on the necessity of protecting those cultural values from constant attack by those whose values differ. HJR 53 and HB 349 is part of the plan to move us back towards rules that require respect for differing values. I have never heard of a fisher, hunter, or trapper speak in front of the Board of Fish or Board of Game requesting non-consumptive uses be eliminated in any part of Alaska; however we constantly hear from the environmental community about how their beliefs are somehow superior to the beliefs of others and

should therefore be imposed upon the rest of us.

Mankind has been competing with non-human predators for thousands of years and part of that competitive struggle has included a variety of measures intended to lesson the competition. With the advent of modern wildlife conservation sciences, we reached a stage where we could insure the health of all species and sustain meaningful levels of human harvests. That is until recently when animal rights activists essentially eliminated sustained yield management.

HJR 53 and HB 349 should mark the beginning of our attempt to fight back by once again allowing for proven management techniques to take place. Sound scientific measures minus the emotional hysteria will insure that the important cultural values attendant to fishing, hunting and trapping are protected. It is also important to make sure that we continue the prohibition against using the government to impose personal values held by one segment of the population on others. And make no mistake about it, the use of government processes by environmentalists has only one intended goal, and that is to impose their values on the rest of society regardless of the facts.

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HB 349 ~ Fish and Game / Refuges / Habitat and Use Areas

TO: House Resources Committee Members
FROM: Susan Schrader, Conservation Advocate
DATE: February 28, 2000

Alaska Conservation Voters, formerly Alaska Conservation Voice, is a not-for-profit organization dedicated to protecting Alaska's environment through public education and advocacy. Our 40 Alaskan organizations and business members represent over 22,000 registered Alaskan voters. Our members can be found in all user groups of Alaska's wildlife, including subsistence users, recreational hunters, wildlife viewers, and photographers. We respect and appreciate the long, rich tradition held by Alaskans, Native and non-Native alike, that surrounds our state's wildlife resources. We also acknowledge that opportunities to use and appreciate our wildlife belong to all Americans and to visitors to our state from other countries.

Alaska Conservation Voters supports wildlife management actions that are based on unbiased scientific studies and that reflect the values of most Alaskans. We are greatly concerned by the continued positions taken by the State Legislature that fail to recognize the legislators' responsibilities under the Alaska Constitution and the public trust doctrine to care for our wildlife for the benefit of *all* Alaskans.

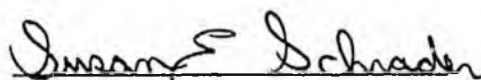
We are opposed to HB 349 for the following reasons:

- In Sections 1 and 2 of the bill, the substitution of "enhancement" for "development" appears to be an effort to enshrine the near-sighted principles of intensive game management more deeply into Alaska statutes. Whereas "development" embodies a range of policies that address the long-term benefits of wildlife resources for all user groups, "enhancement" clearly mandates policies aimed, single-mindedly, at increasing populations of wildlife without consideration of other biologic principles.
- Section 3 represents yet another attempt to restrict members of the Boards of Fisheries and of Game as well as the biologists at ADF&G in their efforts to protect wildlife and their habitat. We cannot support any further restrictions on the ability of the Boards or the Department to regulate access.
- In Section 9, the restriction of ADF&G's authority to make grants to those nonprofit organizations advocating for consumptive uses of our wildlife resources reflects an unbalanced approach that clearly excludes the interests of the many Alaskans who are nonconsumptive users of this resource. If the legislature is concerned that advocacy-based environmental groups might be recipients of ADF&G grant money, then, rather than restricting grants to groups advocating consumptive use, consider authorizing grants to the many educational organizations that do not engage in advocacy work. Examples of such groups include The Nature Conservancy, the Alaska Natural Heritage Program, and the Alaska Bird Observatory.

OVER

Conserve Alaska. It's Only Natural.

Clearly recognizing the volatile and divisive nature of issues surrounding wildlife management, the members of Alaska Conservation Voters join with other Alaskans who are calling for balanced, fair and far-sighted wildlife management decisions based upon the best, most comprehensive, unbiased scientific data available. Many of the provisions in HB 349 run counter to this approach, and we therefore cannot support this bill.


Susan E. Schrader