











SB

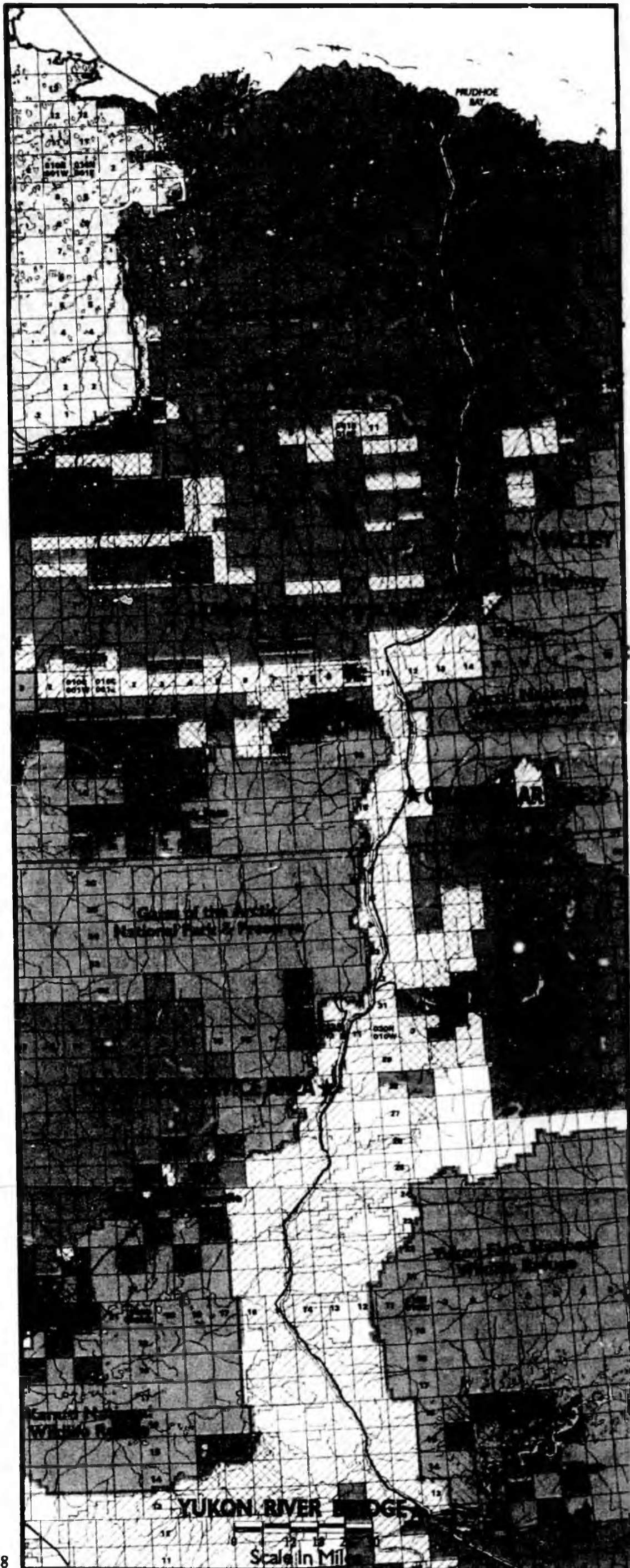
85/170

(FILE 3)

DALTON HIGHWAY CORRIDOR MAP

DALTON HIGHWAY CORRIDOR LAND OWNERSHIP

-  Bureau of Land Management Public Lands
-  Federal Lands - National Parks, Preserves, Refuges
-  National Petroleum Preserve - Alaska (NPRA)
-  State Patented or Tentatively Approved Land
-  State Selected
-  ANCSA Patented or Interim Conveyed
-  ANCSA Selected
-  Development Nodes
-  Major Roads
-  Trans-Alaska Pipeline



March, 1998

This map produced by the Department of Natural Resources, Division of Land, Technical & Data Management Section, Anchorage, AK

Mary Jackson

From: Jerry Dixon [js2dixon@hotmail.com]
Sent: Thursday, October 13, 2005 11:31 AM
To: Mary Jackson
Cc: Sen. Tom Wagoner
Subject: Hearings on Ralph Seekins' controversial ATV bill, SB 85

October 12, 2005

To: Senator Wagoner's, Resource committee chair, 907-283-7996
 Senator_Thomas_Wagoner@legis.state.ak.us
 Please distribute it to the entire committee

Dear Senator Wagoner,

As a biologist who has lived in the Arctic for seven years and was fortunate to visit this area in the 1960's and 1970's I do not want to see the Dalton Highway opened to ATV use. The main reason is security & public safety issues. There is definite lack of funding for increased demands on DOT, Public Safety, Fish & Game. There will be an increased hunting pressure that will cause competition with local subsistence users.

There will be much habitat damage from ground-contact vehicles. Just check out the damage done by ATVs here on the Kenai Peninsula.

Further as a scientist I am concerned about decreases in research funding at Toolik Field Station.

It is my understanding that there is opposition from local communities, including Barrow, Wiseman, and Anaktuvuk Pass

Presently access to the area is sufficient. Right now anyone can park their vehicles anywhere along the highway and walk, ski or hunt in the surrounding countryside.

I live in Seward and right now in the city limits ATVs play on our running and skiing trails. There is little to no enforcement in town let alone on the highways, railroads and private property where they ride all the time. I was amused to here Mr. Seekins comments,

"You have to trust the public process. They're not just going to allow unfettered access."

What a joke. ATVs right now in this valley ride in salmon streams, on beaches, on our in town running trails. I have photo documentation of all this. There is essentially no enforcement anywhere in Alaska except in the major cities, why would there be any in such a remote location?

Please make this part of the hearing record.

Jerry S. Dixon, Biologist/Teacher of the Gifted

Science Advisory Committee Alaska SeaLife Center <http://www.isu.edu/outdoor/SFAuthor.htm>
 1997 McAuliffe Fellow 2001 BP Teacher of the Year
 VP Seward Iditarod Trailblazers <http://www.geocities.com/sewardtrailblazers/>

Judge, National Outdoor Book Award

<http://www.isu.edu/departments/outdoor/bookpol.htm>

Crew Chief, National Smokejumper Assoc. Alaska Trail Project

<http://www.smokejumpers.com/>

USFS/BLM/NPS smokejumper/FMO/fire ecologist (Ret.)

10/17/2005

end of email - mj

Mary Swan

From: Scott Arko [scott.arko@a1aconsulting.com]
Sent: Sunday, October 09, 2005 11:29 AM
To: Sen. Tom Wagoner
Subject: ORV Ban Along Dalton Hwy

Hello Sen Wagoner,

As an avid Alaskan hunter and fisherman, I cannot express strongly enough my opposition to Senate Bill 85. I have hunted moose and caribou in a number of areas of the state and find the North Slope area to be one of the most rewarding hunting experiences available. This experience would only be diminished by the use of ATVs in this area. I can see no reason that ATVs are required in the Haul Rd corridor. This area provides some of the finest bow hunting in Alaska. That use would be destroyed by the allowance of ATVs. Caribou that are already spooky would be unapproachable after being chased by ATVs. This is one of the last places in the state that hunters who need to worry about their hunting budget can have a truly Alaskan experience without the extreme cost of a fly-out. I ask you to show your support for Alaskan hunters and please oppose this bill.

Kindest Regards,
Scott Arko
4371 Vista Way
Fairbanks, AK 99709

Mary Swan

From: POM3@legis.state.ak.us
Sent: Monday, October 10, 2005 4:11 PM
To: Sen. Tom Wagoner
Subject: New Pom:SB 85 Off-road Vehicle Use On Dalton Highway

Joshua Schmidt

Fairbanks ,

I strongly oppose SB 85. The haul road is one of the few areas still available to hunters without atv's. If opened, the caribou season would have to be greatly restricted. A long open season is part of what makes this hunt so great. Don't ruin it for us, please.

Senate Resources Committee
Work Session
Fairbanks, October 11, 2005

1. Testimony Roster ... 3 pages
2. Meeting Notes ... 10 pages
3. Written Testimony SB 85 ... 19 pages
4. Written Testimony SB 170 ... 36 pages
5. ADF&G: Department Summary - 5 pages

Senate Resources Committee Work Session
Fairbanks, Alaska October 11, 2005

SB 85 – Dalton Highway and SB 170 – Fish and Game Powers & Duties

Testimony Register

SB 85 Dalton Highway

<u>Name and Address</u>	<u>Representing</u>
Fran Mauer, 791 Redpollen, Fairbanks	Self
Lou (Linda) Brown, 2630 Homerun, Fairbanks	Self
Jon Miller, 2630 Homerun, Fairbanks	Self
Larry Paquin, 966 Geldmine Fox	Self
David Payer, 1250 Vixon Way, Fairbanks	Self
John Lyle, Box 83715 Fairbanks	Self
Sean McGuire, 351 Clodberry Fairbanks	Self
Frank Keim, 2220 Penrose Lane, Fairbanks	Self
Mary Shields, 2699 Waldheim Dr., Fairbanks	Self
David Koester, 3751 Old Nenana Hwy, Ester	Self
Jeanne Mars Armstrong, PO Box 83037, Fox	Self
Franz Mueter, 697 Fordham Dr., Fairbanks	Self
Andy Reynolds, PO Box 191, Ester	Self
Douglas Yates, Box 221, Ester	Self
Dan Adams, PO Box 81001, Fairbanks	Self
Julie Raymond-Yakoubian, 2780 Lawlor Rd., Fairbanks	Self
Don Ross, (no address given)	Self
Sandra Zimhela, PO Box 84236, Fairbanks	Self
Ritchie Musick, PO Box 161, Ester	Self
James Kari, 10898 Ruhn Rd., Fairbanks	Self
Dennis Goldback, 915 21 Ave, Fairbanks	Self
Dick Bishop, 1555 Gus's Grind, Fairbanks	AOC
Patrick Lovely, 678 Love Road, Fairbanks	Self

Nancy Fresco, 93 Roxie Rd., Fairbanks	Self
William Lange, 408 Nordale, Fairbanks	Self
Jeremy Mener, PO Box 753602, Fairbanks	Self
Larry Landry, 2240 Railroad Dr., Fairbanks	Self
Sepp Herrmann, 2550 Waldheim Dr., Fairbanks	Self
Glen Villeneuve, 1102 Sundance Loop, Fairbanks	Self
Jay Moore, PO Box 750182, Fairbanks	Self
Andy Keller, PO Box 84235, Fairbanks	Self
Steffanie Reed, PO Box 80261, Fairbanks	Self
Rebecca Bailey, PO Box 81432, Fairbanks	Self
Curt Lusk, 2113 Lakeview Terrace, Fairbanks	Self
Janet Kidd, PO Box 82348, Fairbanks	Self
Rebecca McGuire, PO Box 82511, Fairbanks	Self
Lamar Wood, 2605 Rawak Dr., Fairbanks	Self
Rosemary McGuire, PO Box 83553, Fairbanks	Self
Nathan Doll, PO Box 83553 Fairbanks,	Self
Torsten Bentzen, PO Box 82511, Fairbanks	Self
Brian Barnes, 1170 Sundance Loop, Fairbanks	Tooklik Station
Syndonia Bret Harte, 93 Roxie Road, Fairbanks	Self
Alex Prichard, PO Box 80222, Fairbanks	Self
Bill Payton, 165 Palace Circle, Fairbanks	Self
Carol Steward, 800 College Road, Fairbanks	Self
Thor Stacey, Coldfoot, Alaska	Wiseman, AK

SB 170 Fish and Game Powers & Duties

<u>Name and Address</u>	<u>Representing</u>
Wayne Heimer, 1089 Chena Pump Rd, Fairbanks	Self
Pete Buist, PO Box 71561, Fairbanks	Self
Nancy DeWitt, 813 Lancaster Dr., Fairbanks	Self
Oliver Burris, 2801 Talkeetna Ave., Fairbanks	Self
Dick Bishop, 1555 Gus's Grind, Fairbanks	Self
Mike Tinker, PO Box 289, Ester	Self
Amanda Kolker, PO Box 750566, Fairbanks	Self
Roger Delaney, PO Box 10864, Fairbanks	Self
Tom Scarborough, 1676 Tareka Dr., Fairbanks	Self
Sheila Dufford, 2482 Old Cheena Ridge Rd., Fairbanks	Self

Senate Resources Committee Work Session
Fairbanks, October 11, 2005

SB 85 – Dalton Highway and SB 170 – Fish and Game Powers & Duties

6:45pm

Chair Wagoner introduced Senators sitting at the table and went to public testimony on SB 85 - Dalton Highway, reading from the sign up lists.

Fran Mauer: Position – opposed. See written comments.

Lou (Linda) Brown: Position – opposed. Noted that when the haul road was built it was considered a threat to subsistence. According to original agreement was supposed to close when oil ran out. It opened so broken promise. People on atv's want an easy hunt - bow hunting will be driven out. Enforcement not possible, noting only 1 trooper and 1 wildlife officer. Atv's make a mess and land is public land owned by every one in country and in public trust. Let the bill die now.

Jon Miller: Position – opposed. Let bill die because of negative impacts on existing hunting. He's hunted for years and caribou off the slope is important to family protein needs. Quality of hunting in Fairbanks has deteriorated. Caribou hunting off haul road is good – doesn't take lot of money, people hunt with a bow or take the effort to get beyond 1 mile corridor - lot of his friends use it. Sb 85 will change that – fish and game does not want harvest levels on central herd to increase. Herd is probably near peak size now and will decline in future on it's own. Over 1/3 of herd is taken by bow hunters – does not leave room for rifles on atvs. Won't take long for Dalton to look like the Steese. Please don't try to fix it – it ain't broke.

Larry Paquin: Position – opposed. See written comments.

David Payer: Position – opposed. See written comments.

John Lyle: Position – opposed. The 5 miles corridor is 5 miles or less from the arctic wildlife refuge and 5 miles from the gates of the arctic refuge for over 100 miles. How will BLM enforce their area – not to mention the other refuges. He's seen what atv's do on land and it's not pretty he's opposed.

Sean McGuire: Position – opposed. Thanks for opportunity to speak. He has lived north of Bettles – it's fragile. One scar will be there for 100 years and there are examples all over that area. Bottom line is resource damage - have to have protection for the resource. This bill will damage the land and impact the locals negatively. You can't run atv's without damaging the land. The baseline should be to not damage the resource. Enforcement is going to be a joke and atv's can go where ever they want. There's only one trooper to cover the size of the state of Nevada when he lived there. Urge to please don't unleash this damage on the resource.

Frank Keim: Position – opposed. Residents of the Dalton highway area were promised restrictions - proposing this bill breaks that promise. Other consequences are tundra issues,

hunting pressures, damage to pipeline, security of pipeline, wildlife viewing, threats to research sites. There's no definition of an orv – no can enforce it.

Mary Shields: Position – opposed. Currently, bow hunting you have to work hard at it and sometimes they get one, most times they don't. If orv's are there, game would go further and it would diminish bow hunting. No more funding for protection per the bill. The road was supposed to be support to the pipeline and not open the road, but that has already happened. Keep promises and not allow further orv access to hurt locals.

David Koester: Position – opposed. Original agreement should prohibit this bill. There already is public access off the road – you have to hike in 5 miles.

Jeanne Mars Armstrong: Position – opposed. The land is fragile, delicate ecosystem, keep corridor as is.

Franz Mueter: Position – opposed. He uses corridor for hunting and hiking. It's a common misconception that hunters use off road vehicles. He thinks most hunters don't use orv – maybe because can't afford them and trucks and trailers. Non-motorized area like Dalton is for low budget hunters. This bill will increase impacts and would displace lot of hunters who choose not to or can't afford to hunt with orv's.

Andy Reynolds: Position – opposed. This vampire keeps rising from it's grave he thinks bill is premised on assumption that public access means some right to go anywhere in any way with any vehicle on public lands and that is not correct. There is adequate access to Dalton right now. State constitution requires that state manage lands – resources –with stewardship in mind and opening area to orv is antithetical to stewardship. Short term may be gratifying and would increase hunting pressure but in long term would be disastrous for wildlife and land itself. He has hunted there 2 of past 4 years and those were the successful hunt years. This would be a bad move to open this area.

Douglas Yates: Position – opposed. He thinks bill is unnecessary and sees no call for it. Challenges the sponsor statement that current law prohibits access. If you have two legs you have access. It's not an outmoded ban and for a number of reasons we should not consider the bill. It will probably end a popular bow hunt - force state to pay for more public safety - place first responders at risk and increase budget. He drove the road for tourists and they enjoyed it to see the wildlife. If orv's use it, businesses that now attract people from all over world will suffer because animals will be driven away and it stresses ecosystem.

Dan Adams: Position – opposed. See written comments.

Julie Raymond-Yakoubian: Position – opposed. She uses area - enforcement is a concern, only one trooper and not reasonable to expect that as enforcement. No provisions in bill to put funds to deal with this. Vandalism probably going to increase as will fires. Will increase hunting pressure in general and subsistence in particular. Could also have impacts on local tourism. What is definition of orvs – thought of hummers is horrifying. Very concerned about cultural losses – she is archeologist. Area outside of pipeline has not been inventoried and nowhere in bill is there a concern with this. Looting archeological site is potential problem – see Tangle Lakes as example.

Don Ross: Position – opposed. - former bush pilot. See written comments (poem).

Sandra Zirnheld: Position – opposed. We have a long and shameful history of making/breaking promises to native peoples. Change to remedy that now to kill the bill. Orv's on tundra is a problem, you can hunt now - just have to walk it - so it's not closed. If you must use an orv, go to the Denali highway which is open to that style. Also issue of safety – a vehicle accident near Wiseman took 4 hours to reach them and it was a miracle anyone was alive. Dalton has lack of pullouts and massive vehicles with huge clouds of dust and for safety it doesn't make sense to open it.

Ritchie Musick: Position – opposed. Where would funding come from to protect the 380 mile long area. She was stuck behind a fatal accident and it was 45 minutes before met trooper coming from Fairbanks after being behind the accident for long time. Don't need to open it up.

James Kari: Position – opposed. See written comments.

Dennis Goldback: Position – opposed. Agrees with basic statement but the corridor area – where he has hunted almost 2 times a month – is in 3 parts. Yukon to Coldfoot is regular vegetation. Atigun north is fragile - about 20 years ago BLM discussed it and wanted to keep it like now. Fifteen years ago natives said would be big change in life and so we built access like we did along Denali highway. Up until 2 years ago could use small dirt bikes. Was a loophole in system and didn't change nothing. Somewhere in future will change – he's seen the road grow. If it is authorized, suggest access ways like Galbrith lake. Can already go about 2.5 miles – some sort of collection point or trail. The tundra is fragile and already have rifle hunters up and down the road. They are not going to walk caribou out 5 miles. Will reduce bow hunters – will be hard to supervise. Look at south of Coldfoot and north of Atigun pass as separate areas.

Senator Olson: Question about how would be deterioration of vegetation and animals.

Reply would be to deteriorate area in camp sites like Finger Mountain, where is a congestion of camp sites. The trails become a muddy highway. Once get outside 5 mile corridor they will tear up vegetation - period. Someone once told him will take 100 years to recover from vehicle marks.

Dick Bishop: Position – supports. Interior Alaska Outdoor Council Representative. Thinks that in terms of the constitution to benefit public with public resources this is right. Is necessary to look at alternatives on state lands because the federal lands are tied up. Early restrictions on highway were because of industrial use and are no longer necessary or appropriate. Important part of bill is delay to allow for planning for appropriate regulations and AOC wants to actively participate in that if the bill passes. The concerns expressed tonight can be dealt with at the regulation process. (Also submitted written – see SB 170 written testimony.)

Senator Seekins: Comment about the process done with board of game - through the public process to provide public input and this is similar public process for land use under state law.

Patrick Lovely: Position opposed. See written comments.

Nancy Fresco: Position opposed. Many points already been addressed. Public access already allowed so this is about other specific access. Average Alaskan can certainly walk – despite zero fiscal note there will be a cost including loss of troopers in Fairbanks area to cover this new area. Confused that the bill says is outdated but many rationales for bill still stands. Tundra, public safety, promises made and so on, still stand.

William Lange: Position – opposed. He is a hunter, owns atv, owns snow machine, doesn't feel deprived that he can't access via the Dalton. Agrees with many other points. Subsistence hunting will be negatively impacted. Is competition right now for bow hunters and subsistence. Thinks will see decimation of game and going further away from corridor that in turn will impact bow hunting. Only 2 troopers there and not enough people to control increased access. Value of why people live in Alaska is because it is a wild area. Increase road system slowly but surely diminishes the wild areas. Would like to keep as wild as possible.

Jeremy Mener: Position – opposed. There should be many exceptions and not a blanket repeal like this – can't rely on regulation. Proposed land use is liberal and he hears no outcry for more uses. This upsets current balance and pressure, fears government underestimation of costs. Average Alaskans don't have off road vehicles. Most people can't afford them.

Larry Landry: Position – opposed. Comes home empty handed from hunting but they had a wonderful trip. If it's not broke don't fix it. The goal is to NOT trash the country and don't see a way around that if bill passes. A Kenai person talked about atv use of salmon spawning and it hurt the spawning. It's certain to happen here - especially with a zero fiscal note. Hard to get up there and a lot of people will go unprepared and you have to look at added cost of that.

Sepp Herrmann: Position – opposed. In 1982 he lived north of Chandalar and trapped by dog team - now here in town. Had dog team, snow shoed 500-800 mile to get trail for dogs. Main income is trapping and this would ruin it. Machines will use a trail even if it asks them not to use it. Should go see the Tok cut off by Glenallen - heavily used area. Can't use trails anymore by foot, spread out for hundred of yards. When they get stuck they put chains around the trees and winch themselves out through the mudflats. They go further out and make another trail from the one before them that got stuck. Only a few places in Alaska left to go without being bothered by noise and so forth. One of them is north of the Yukon – it would destroy his life and trapping. A lot of people think now will be more game – he says no, there is less game. If go off corridor there is pressure from commercial game guides. They will have to go further out and all will leave scars. In beginning of 70's there was a trail from atv and can still see it today.

Glenn Villeneuve: Position – opposed. Lives part in Fairbanks and part 60 mile walk off Dalton to the east. Opposed to atv or snow machine. He walks it and never needed atv. Hunts there, traps there and fishes there. Ample opportunity to access area on foot or horse or dog team. Don't have to have atv outside 5 mile corridor to get the meat out. Also hunting pressure by airplane because not in park or ANWR. Not uncommon to see 8-10 plane per day. Ample access by other means, this bill is one particular way – ovr. Hunting regulations will have to change to allow transport hunters and meat and that will affect adversely people who don't hunt with atv. Others will compete with atv use. Keep commitments that were made when haul road was originally built to limit access north of Yukon River. Now a person can drive up the haul

road and walk it. Dalton needs to be kept quiet - no other place in Alaska where this can be done.

Senator Olson: Question in reference to the agreement – is there any way to access that agreement because he's never seen one.

Senator Elton: There's a 1978 agreement MOU with state and North Slope borough which DNR has.

Jay Moore: Position – opposed. There is already access for oil and gas, mining claims, rural residents access. There is nothing that prohibits any one from driving right now and walking in. The bill says that currently you must be either wealthy enough to fly or healthy enough to walk to get in. He is average Alaskan who can't afford atv. If average Alaskan can afford atv he can probably afford plane trip to drop them off.

Senator Seekins: That language is not in the bill it is part of sponsor statement – the bill is only two sentences long.

Andy Keller: Position – opposed. See written comments.

Steffanie Reed: Position – opposed. The last 6 summers she was a guide on Dalton highway. It's a unique experience – stems from things people already said. Also concern with safety – she travels with cb in the vehicle and can talk with all truckers. Other vehicles are not aware was not built as other than industrial road. There will be violations and also tourists will not give way to industrial traffic and this will cause problems. It's a unique and beautiful landscape.

Rebecca Baily: Position – opposed. See written comments.

Curt Lusk: Position – supports. Agrees with people who have spoken. He has hunted up there previously but can't anymore because he's disabled. Putting trail in for miles would be great you could regulate use snow machines but not atvs. Won't hurt the land too much – yes it's fragile but already have snow machine use in it – what's the difference. Who's going to go from Sag River - subsistence hunters would shoot right from the road. Pipeline's been shot a lot but only one time was it a serious problem. Do it for disabled people – Kenai has one hunt for disabled. Maybe the same thing can be done up north. Realizes troopers have a hard job but only go from Nov. 1 to May 15 and limit the time.

Senator Olson: Question - are you in favor?

Reply yes, he is in favor.

Janet Kidd: Position – opposed. See written comments.

Rebecca McGuire: Position – opposed. Thirty year resident shoots off Dalton. She works up north and just walking on tundra makes an impact. There are other places to do atv - please no to Dalton.

Lamar Wood: Position – opposed. Fifty-four year resident - past president bow hunters. Against atv use but he owns one. North of Atigun Pass is fragile - area would be too impacted and greatly reduce opportunity to bow hunters. North slope area is too fragile for atv use.

Senator Elton: Question - is the bow hunting group member of AOC?

Reply is yes, they are members, but disagree with AOC in this particular issue.

Rosemary McGuire: Position – opposed. They are three generations of commercial fishers, hunt and fish motorized and non-motorized. Has to be significant habitat damage with atv use. Reminded committee of Jay Hammond saying of when in doubt, err on side of conservation.

Nathan Doll: Position – opposed. Atv's throughout the state give damage. Only very few place where can go without off-road vehicles and would like to keep Dalton that way.

Torsten Bentzen: Position – opposed. Only 9 years in Fairbanks. Discovered Dalton highway and it is very accessible to get there. He is not bow hunter goes beyond 5 mile corridor. Not impossible for most Alaskans – foot, ski, dogs, aircraft. Keep that area the way it is.

Brian Barnes: Position – opposed. Toolik station is a national asset brings 350 scientists to Alaska. Great concern that change to allow wheeled vehicle would jeopardize research and compromise the future. He said Senator Seekins suggested they work with him to put in restrictions and they intend to do that. He suggests that those restrictions become part of the bill rather than a regulation.

Senator Olson: Questions how long he had been there?

Reply was 20 years.

Syndonia Bretharte: Position – opposed. Toolik field station employee, the arctic tundra is fragile. 1970's tracks are still visible. Oil and gas direct on tundra are restricted and thinks others should also be restricted. Toolik is 36 million dollar industry. Don't jeopardize it.

Alex Pricard: Position – opposed. Reiterated positions of people before him.

Bill Pavton: Position – opposed. Archer, rifle hunter and atv user. He's seen the degradation in ever widening trails. Hunted in Atigun and urge to NOT pass the bill.

Carol Stewart: She went to Anaktuvik Lake for one visit. She would like the creatures to have wild experience and in their natural habitat without gatoraid bottles and snow machines. She will probably never go up there again - hoping that her lack of use will help keep it wild.

Thor Stacey: Position – opposed. Thanks for coming through with what you said. The issue affects large part of Alaska renewable and nonrenewable. As you go north, keep eyes open and look at country itself. You will get a chance to talk to locals, enjoy the scenery and watch the details. There's a value to wilderness lands that will be affected. People from across the country visit this. Coldfoot is basically a work camp – Wiseman is a home and community.

SB 170:

Wayne Heimer: Position – supports. See written comments.

Pete Buist: Position – supports. See written comments.

Nancy Dewitt: Position – unknown. See written comments.

Senator Seekins: Planning is 3 to 1 match. He has not had a lot of support for non-game funds but he supports it. Does not appear to be a lot of support for a conservation pass, note Senator Bunde's concept.

Nancy Dewitt: May be problem is can't do dedicated funds.

Senator Seekins: Thinks maybe can for Title 16 programs – there is an AG opinion on it.

Oliver Burris: Retired from ADF&G in 1986. He was elected to Fairbanks fish and game advisory committee. He is vice-chair. It's a lot of years. He was game biologist and retired as same in 1986. Suggest he change division name to game management division. Lack of game management is real problem – not living up to constitutional and legislature mandate to manage. The constitution gives legislature responsibility and authority to manage and legislature has authority to delegate to board of game and fish. But can't delegate responsibility for game management. It has gone downhill – look at unit 19 controversy over wolf control. That predator control program by department was proposed in 1984 but it was 20 years before even a semblance of program came about. Problems seeing on haul road where are only 2/3rds of number of hunters. Some suggest lower numbers because of change in culture - others say is lack of game. Anchorage area probably has 10,000 hunters lost. Guides have to leave because don't have ability to take moose. Fairbanks is fortunate but hunters coming to Fairbanks area and haul road and Koyokuk River because it's failure of system in other areas. In his view it is a series of governors who did not want to manage game but did it via budget.

Comment on haul road – when repeal a law, like in SB 85, you need more money and when you pass one you need more money – strange fiscal note process.

Dick Bishop: Position – supports. See written comments.

Mike Tinker: Position – supports. See written comments.

~~Senator Seekins~~: Please comment on units as a guide.

Mike Tinker: There was loss of moose and sheep had to close business. Noted that mining claims also was at opening of sheep season - their motorized equipment allowed in corridor.

Tom Scarborough: Position – supports. See written comments.

Shiela Dufford: She's a hunter and bird watcher so both consumptive and nonconsumptive user. Would like to see other sources of funds to support non-consumptive user contributions. Not having it available, limiting game license fees to only consumptive use is neither fair nor realistic. Accidents per capita in Alaska is very high and would like to see hunter's education programs. Questions consistency of terms for board of game and wildlife. Maybe name change for boards as well. maybe say Department of Fish and Wildlife? Maximum sustained use – when start managing for a particular species then you start managing against other specifics. Old growth forests were cut down to allow newer ones to come in under maximum sustained use. Almost like farming wild life for harvest. She hunts to get out and enjoy the outdoors and not just food for freezer.

Commissioner Campbell: 10:03 pm.

Matt Robus, Kelly Hepler & Sarah Gilbertson here today. Proud of them as critical part to help restore department to best fish and wildlife agency in the world.

Over past dozen years department has gotten beaten down – agrees with many of sb 170 and six points of outdoor council.

Gov Knowles stopped predator control and that caused legislature to take the tack to starve division of wildlife into submission. (Reference graph on computer for budgets). Whole department has problems but wildlife more than any other.

He came back to department on April 5th and looked at use of fish and game funds. He did not consider them appropriate – not illegal – but he understands how they got there. They used F&G funds and put as federal match to keep people working to keep in place game management because license fees were not enough and GF went away. He has stopped that – a principal of SB 170 that he agrees with is transparency in this public process.

He quickly put out report on expenditures for 04 and didn't receive any feedback. Just have 05 info in draft form on web site, now is a summary – will be doing it project-by-project basis and notify legislature so all can look at it in 1st week of session. License fee people need to see how their fees have been used. But SB 170 is still a wrong fix.

As an example, in many places in SB 170 where every action they do would have to go through board process for approve. Skip that the board would soon become a permanent board - but you make every thing a political battle and process if you move every action before the board. There is a strong risk of unintended consequences if every action is before the board.

Advisory committees are not subject of SB 170 but he agrees with comments heard tonight. They are grossly under funded, he has submitted an increment for that, and is talking to all 82 of them on how to work with them all better, Anchorage, Fairbanks, etc.

He knows it's late and won't go on too much longer, but has a department now that is responding to many of the problems. Back in 1970's and 1980's yes we had the best department. Right now having problem recruiting and retaining people - they could go to feds and do less work and make more money. He's lost two directors this year already. He's going to be coming to legislature about the budget. He is happy to comply with standards, happy to be transparent. With SB 170, urge you to very careful. Will do it later during session to go section by section.

Senator Seekins: Question him which directors left - they retired?

Commissioner Campbell: Doug Meecham retired and went to national marine fisheries service other director moved to the university.

Senator Seekins: So one moved and the other retired plus is getting another salary. Has the department any draft language that would be more appropriate - since you oppose it, have you providing any draft language to help fix this bill?

Commissioner Campbell: We have provided you with a sectional analysis and we have talked. While there are some things we can fix, frankly there are some things in here that are not fixable. Many issues are straight management concerns.

Senator Seekins: So you didn't provide any language.

Commissioner Campbell: We didn't give language on some things because there are some things we can't fix.

Senator Seekins: Did you tell anchorage advisory committee that if SB 170 passed that you would quit?

Commissioner Campbell: No sir, I did not.

Senator Seekins: I want that on the record because their record says you did.

Commissioner Campbell: Let me be unequivocal, check the record, I certainly did not say that.

Senator Seekins: It's in their minutes - you may want to check that.

Commissioner Campbell: I will be happy to check that. I know it's recorded. I may have said if SB 170 passes you don't need a commissioner, just put the boards and LB&A into his office because that's who will be running the department.

Senator Seekins: so you don't think that the same kind of transfer of fund responsibilities that the Department of Transportation is under would be appropriate for the Department of Fish and Game?

Commissioner Campbell: I am not sure of your question. Do they have to have more than \$10,000 per transfer?

Senator Seekins: Addressed question so someone in audience – unidentified person – who answered about LB&A in 1978's but has no idea about process at current time.

Senator Seekins: What he is curious about is that an analysis of what someone doesn't like is one thing, but he is very frustrated. He still hasn't seen a project report as required by 16.130 and is concerned about that. He did get a broad summary but not the project report.

Senator Wagoner: He understands that but thinks this is getting outside of SB 170. If there isn't more to say on SB 170, he's going to adjourn – it's getting very late.

Senator Elton: It's important for the committee to have a discussion, but not tonight, on whether we have a legal problem or a management problem. He thinks is certainly is a management problem based on the comments on this bill. But he's not sure you fix a management problem with a different recipe. He has known the current commissioner a long time and even run against each other in the past. He believes, unequivocally, if there is a management problem then we have the right guy, who is new, to solve the problem. It would be unfair to deny him the ability to solve this management problem.

Senator Wagoner: Noted that it was not only DOT who came under budget restraints, but the University also was in a position of needing legislative approval for \$10,000 or more in expenditures. It may be we have a new manager we can work things out.

Adjourned meeting at 10:15pm.

Senate Resources Committee
Work Session
Fairbanks, October 11, 2005

Written Comments:
SB 85 – Dalton Highway

#1

Testimony by Fran Mauer
On SB 85
October 11, 2005
City Hall, Fairbanks, AK

My name is Fran Mauer. I live at 791 Redpoll Ln, Fairbanks, AK 99712.

Thank you for coming to Fairbanks to hear our concerns.
This proposed legislation would lift the current restriction on the use of all terrain vehicles in the Dalton Highway corridor. If ~~passed~~ it would:

enacted

- Result in significant damage to sensitive tundra vegetation, soils and cause erosion, siltation of streams, and create a maze of unsightly scars and quagmires. (We need to only look at areas off the Denali Highway to see how these vehicles can be. The Dalton Highway area is more sensitive with nearly continuous permafrost, ice rich fine soils, and sensitive vegetation that is extremely slow to heal).
- This proposal would negate a carefully crafted measure to prevent such damage which was implemented ~~some during~~ the construction of the pipeline and haul road. *incorporation with*
- Provisions regarding the development of management plans for ATV's in the Dalton Highway corridor are a farce. The extensive amount of sensitive vegetation, soils, terrain and slow recovery rate in this region make it literally impossible to prescribe any reasonable plan to protect resources. Besides, there is no conceivable means to enforce provisions that might be developed. These machines are designed to travel off roads and trails, they are advertised to do so, and most operators want to use them that way.
- This proposal would result in increased hunting pressure on extremely vulnerable game species. The Fish & Game department has already indicated that if enacted this bill would likely result in implementation of additional hunting restrictions to try to compensate. There will be reduced bag limits, seasons and other restrictions.
- It will have severe impacts on the subsistence activities of local residents, and especially bow hunters who currently can hunt in the corridor. The influx of ATV's will interfere with bow hunters stalking caribou, and can also disturb caribou away from the road, impacting bow hunters, and opportunities for wildlife viewing from the road.
- Problems associated with enforcement of management measures will also result in damage to long term scientific study plots in the Toolik Lake Research Station. These study sites represent millions of dollars of funding to establish and monitor. This proposal will threaten existing studies, and discourage future investment by various funding institutions ~~in~~ doing business in Alaska.

From

PAQUIN

October 11, 2005

SB 85 Needs a No Vote

When the Haul Road or Dalton Highway was constructed, restrictions on off-road vehicles (ORV) were part of the original agreement upon which the highway was built. This good faith agreement then provided assurances to arctic communities and others affected by this construction project. SB 85 severely undercuts those guarantees. Restrictions on ORV's were put in for a good reasons.

There are security and public safety issues with ORV access of the pipeline corridor. Within the entire corridor and surrounding lands, a single trooper patrols. The already strained law enforcement capability in the area would become untenable. As it is there is a lack of funding for the Departments of Transportation, Public Safety; and Fish and Game. These stretched agencies then could not provide the security, safety, or enforcement necessary if unrestricted ORV access were allowed in the corridor.

Without restrictions on ORV use there would be increased hunting pressure on local subsistence users within the corridor area. Conflicts over resources would likely occur to the detriment of the impacted communities. Just how quickly could the underfunded and undermanned agencies respond to some distant disturbance?

As the public has seen in a recent News Miner article, ATV trails that are not especially prepared or laid out for hard impact wheeled vehicles quickly turn into mudholes. The land along the corridor is even less hardy than the Fairbanks area and if ORV access is allowed it would turn into a quagmire that would alter drainage patterns and vegetation. Those problems would quickly become long lasting. SB 85 just doesn't address the impacts it would create.

There is united opposition against unrestricted ORV use in the corridor from Barrow, Wiseman, and Anaktuvuk Pass. They know increased competition over limited resources can wreck havoc on the land. SB 85 and its attempts to repeal original restrictions on ATV's breaks faith with the communities.

Thus SB 85 needs to be defeated. While it seeks short term gains, it does so at the expense of local subsistence users; compromises safety and security in the pipeline corridor and will result in extensive and permanent damage to sensitive tundra habitat.

Larry Paquin

PAYER

Thank you for the opportunity to comment on SB85.

I staunchly oppose this bill for the following reasons:

1. Allowing increased access to this area by liberalizing current restrictions on some types of motorized use would create serious security concerns for the trans-Alaska pipeline. The events in Livengood a few years back just miles from Fairbanks serve to warn us how vulnerable this structure, and the economy that depends on it, really is. It is not reasonable to believe that the state and industry could ensure adequate surveillance and enforcement of this area if use of the pipeline corridor increased dramatically as it likely would if this bill was to pass.
2. Likewise, given increased hunting pressure, adequate surveillance and enforcement of regulations would be impossible to provide in this vast and remote area. This includes the pipeline corridor itself and adjacent lands under both state and federal management.
3. Displacement of wildlife by off-road vehicles in open landscapes such as those typical of northern Alaska is well documented. These populations are extremely vulnerable to disturbance. A paradoxical result of this bill could very well be reduced success for all hunters, regardless of means of access. This would have a significant impact on rural residents that rely on the area for their subsistence. Further, the growing numbers of people who visit the area to view arctic and subarctic species may be deprived of this unique opportunity, which could have significant repercussions to the nascent tourist industry in the region.
4. The threat that this bill poses to the integrity of the research carried out at the Toolik Field Station is simply unacceptable. The work of this world-class research facility is too significant for the state of Alaska to be jeopardized by lifting restrictions on ORVs in this region.
5. In the last 2 years we have seen nearly unprecedented levels of wildfire activity in Interior Alaska. Projections for future climate support the conclusion that the vulnerability of our Alaskan landscapes to catastrophic wildfire will remain elevated. The

heightened potential for increased human-caused fires in the corridor and beyond must be given serious consideration in the debate on the wisdom of this bill. I submit that an analysis of this risk will result in the conclusion that the bill is untenable in light of our already overwhelmed fire suppression systems.

6. The vegetation and soils of this region are fragile, and do not heal well following disturbance. Passage of this bill would inevitably result in widespread damage that would be essentially irreversible well beyond the lifetimes of our children. I have seen too many examples of this throughout our beautiful state to remain silent on this issue. The situation would only be worse in the north because of the unique fragility of the vegetation and soils found there. The Senate should consider the extraordinary efforts of state and federal regulators to right earlier wrongs committed during North Slope development and to mitigate on-going impacts to the environment by industrial activities there. The Dalton Highway corridor is considered by many to be a showcase of responsible resource development balanced with environmental protection. This point can be debated, but the fact remains that passage of SB85 would have severe negative effects on the aesthetics and ecology of the Dalton Highway corridor, and would thereby impart a negative image to the State's plans to continue responsible development of its resources. I urge you to consider that the Nation is watching how we manage these lands.

Mgmt plans should precede consideration of
the bill!

Submitted 10/11/05 by:

DAVID PAYER

1250 VIXON WAY, PO BOX 73108

FAIRBANKS, AK 99707

Written #1

There are serious concerns with the enactment of legislation to open the Haul Rd corridor to motorized vehicles. First, this legislation does not benefit the majority of Alaskans but is special interest legislation that opens sensitive wild lands to off-road vehicle use that makes these lands vulnerable to all sorts of abuse. Some, ~~some~~ of these special interest groups won't be satisfied until every square inch of Alaska is opened to off-road vehicles. The vast majority of Alaskans want protections from this kind of vehicular invasion.

Secondly this corridor was carefully thought out and established to prevent the kinds of habitat destruction, highway safety risks, and enforcement issues that this legislation would completely dissolve. When these corridor protections were put into place the state made a promise to its citizens to avoid the host of potential problems that were a major concern to so many. Does this bill mean that the bill's sponsor^s and its legislative supporters can no longer be trusted whenever they make promises that the lands and the public's interests will be protected? Trust, the public's trust in all legislative promises is what's at stake here.

Safety and security is at stake. Alyeska never even wanted the road opened to the public for safety and security reasons. I'm sure the gas pipeline developers don't want to face those same security and worker safety risks. This bill needs to be scrapped.


Dan Adams

PO Box 81001

Fairbanks, AK 99708

3750 CHIGMIT Dr.

Fax 92709

Testimony of Don Ross
2532 Roland Rd., Fairbanks, AK 99709

ATVs have no place above the trees
Here the caribou still roam free
I've seen the nuts left in our trails
Hence it is a sound tale
Let's not spoil a place by leaving nuts.
Your bill if passed, I say is nuts.

WRITING

Comments on Senate Bill 85.

I am very opposed to S.B. # 85. The timing of this bill is ironic, as presumably its proponents support the opening of ANWR sec. 1002 lands to oil development. However, by removing the 5-mile ~~cor~~ ban on OHV useages, we will be inviting OHV trail proliferation adjacent to and even within the 1002 lands.

The OHV community must consider its ^{most} abusive element. Clearly Alaska will have to deal with irreversible impacts of trail proliferation, ^{and trail} damage, as well as increased volume of traffic projecting into the future.

I oppose S.B. 85. Also I advocate that the Alaska public have current information on OHV impacts through the ~~step~~ pooling of information, aerial photos, ^{and} land sat photos for assessing current + recent trail conditions. This needs to be addressed for borough, state, federal

lands (NPS, BLM, + military lands)

Thus, I see 5885 as an example of a faulty political assessment of both the specific issue of OML expansion into the Dalton corridor, as well as the growing Alaska ~~public~~ public concern over the serious impacts of OML ~~on~~ damage in many parts of Alaska.

James Kari
1089 Burtin Ad.
Fairbanks AK 99709

10/11/05

FAIRBANKS

**Testimony of the Alaska Outdoor Council
To the Senate Resources Committee
on SB 170 and SB 85,**

Fairbanks, October 11, 2005
By Dick Bishop, Interior Vice President

Mr. Chairman: I am Dick Bishop, Interior Vice President of the Alaska Outdoor Council. Thank you for holding hearings on these important bills. The Council appreciates the efforts of Senator Seekins, his staff and advisors in developing these bills.

SB 170

The Council appreciates that SB 170 addresses the Division of Wildlife Conservation's need for additional funding. SB 170 contains considerable detail with regard to how the Division and Department function. Rather than attempt to comment on all these matters at this time, The Council offers the following comments on what it believes SB 170 should help accomplish:

1. Financial accountability and transparency – which encompasses the notion that not only do we want to see where the money is going, but we want it to be *easy to see* where the money is going.
2. Enforceability – This encompasses the notion that the current statute has allowed regulations and rules that are not enforceable, and could not possibly be enforced. This leads to inconsistency and confusion among hunters and people at fish and game. The new bill language should be clear in this regard.
3. Efficient organizational structure – which encompasses the notion that license fees pay for fish and game programs. As payers, we want an organization structure that gets us the most bang for the buck.
4. Increased hunter harvest – we want more game available to harvest; not simply more opportunity, we want more production.
5. Attract qualified management biologists – which encompasses the notion that a number of experienced biologists have left the department in recent years and another large group is nearing retirement. We would like to see a statutory framework that gives managers the tools to make a positive difference in the field, which we believe will make ADF&G a more attractive place to work.
6. Integrate and empower boards and advisory committees – which encompasses the notion that our system envisions a bottom-up approach in establishing management goals and objectives, which we may have gotten away from in recent years.

Alaskans have always held the conservation of their fish and wildlife in high regard, as reflected in Alaska's Constitution, which emphasizes management on the sustained yield principle and common use by all Alaskans. Early in Statehood the Legislature chose to establish a separate Department of Fish and Game. The Legislature also established an extensive public input system, the Board of Fisheries and Game and their Advisory Committees. These provisions are virtually unique in the United States.

It follows, then that adequate funding is essential to accomplish these important functions. The Council has over the past year or so, advocated increased funding, both from the General Fund and other sources, to improve research, management and enhancement of fisheries and wildlife. The Council has also advocated that dollars derived from fishers, hunters, and trappers be used to the best advantage to provide for fishing, hunting and trapping.

SB 85

The Alaska Outdoor Council has supported SB 85 since soon after its introduction. The Council agrees with the Legislative intent which cites Sections 1 through 3 of the Alaska State Constitution.

Lands and waters adjacent to the Dalton Highway provide greatly expanded opportunities for public uses of public resources. Early restrictions on access and activities in the Dalton Highway corridor to accommodate industrial development no longer seem necessary or appropriate.

The bill's provision for an extended planning period will ensure that appropriate regulations will apply to access and uses of the lands and waters adjacent to the Dalton Highway. The Council wishes to emphasize its interest and intent in participating in the planning process established under SB 85.

Thank you.

W. B. Bristow

P. LOVELY (?)

- **It will confound safety and security of the Trans Alaska Pipeline, and if a gas pipeline is approved, opening the corridor during construction and operation will create additional problems.**
- **Lifting the current restrictions will exacerbate law enforcement programs in the area. (Only 1 game enforcement official covers all of northern Alaska)**

Summary:

When you drive up the Dalton Highway it is evident how carefully the builders of the pipeline avoided undue damage to the surrounding tundra. It is an amazing example doing things right. Passage of SB 85 will change all of this by creating unsightly scars, displacing wildlife away from the road, impacting local subsistence activities, and bow hunting, and tourism. It will damage scientific sites. It will be a clear demonstration of how not to do things. I'm in favor of using this area, but that use should not ABUSE the land and its wildlife. Therefore, I urge you to not pass this legislation.

Thank you for the opportunity to comment.

Andy Keller

My name is Andy Keller and I reside at 1043 Musers Road, P.O. Box 84235, Fairbanks.

I speak today in opposition to S.B. 85, a bill introduced by my state senator Ralph Seekins. This bill would repeal the restrictions on ORV use within the Dalton Highway corridor.

Wilderness
guide in the
Arctic Refuge
+ former
Ranger in
Gates of the
Arctic N.P.

I oppose this bill for a number of reasons.

Twenty-five years ago I studied permafrost and tundra vegetation changes on seismic lines in the Arctic National Wildlife Refuge. Vegetation crushed by heavy equipment died and led to bare ground exposure to sunlight and thus permafrost melting. In some locations pond formation resulted from these permafrost changes and after three decades it is still possible to see many of these lines.

I served as an employee of the national park service in parks in all four of North America's deserts where ORV use was a chronic problem. Many soils in arid environments are stabilized and nourished with a thin crust produced over many decades through complex physical and chemical reactions. These highly important shields, referred to as cryptobiotic crusts, can be damaged by a single pass by a dirt bike or ATV.

After the crust is destroyed, it can take as long as 250 years for it to completely recover (Belnap and Gillette 1997).
Meanwhile soil erosion is accelerated. The arctic has similar soils.

As an employee at the Public Lands Information Center, in 2000, I lived and worked in Coldfoot and had interactions with thousands of Dalton Highway visitors. I was

impressed by the recreational value that people from all over the world placed on the area. People enjoyed the open tundra and the opportunity to observe wildlife and wild landscapes. Local residents shared these same values and also the high quality subsistence hunting available to them along the corridor. I am concerned that scars from ORV tracks would be visible along the corridor and significantly detract from the landscape and that public motorized access would increase pressure on the subsistence resources necessary for the small communities along the corridor.

On May 18, 2001 my wife and I hiked the entire Stiles/Colorado Creek route in the Chena River Recreation Area. We observed ruts over four feet deep created by ORV's and places where the trail was expanded by as many as eight lanes as riders simply impact new ground after continually creating areas that are too wet to drive on. Much of Alaska's land is simply unable to sustain this type of impact. Many times this summer while vacationing, my wife and I were unable to hike on designated state hiking trails because of the destruction caused by ORV use. We constantly observed this pattern of new tracks impacting a larger area with wet and unstable ground that it is not able to drive on and difficult or impossible to walk on. For these reasons I oppose S.B. 85. Thank you for the opportunity to express my views.

Rebecca Bailey P.O. Box 8432 FBIS, 99708

graduate student (MS. geology UAF) & Dalton Hwy tour guide
For the past 3 yrs between May & September I have spent several days
a week on the Dalton Highway and I would like to comment on my
~~BA Land Management Resource Development experience~~
I would like to talk about how I think passing oil fields

Currently, Dalton Highway, is an excellent example
of compatible and concurrent use for resource
development tourism, ~~and~~ subsistence activities
and recreation. This road, which was built to
support oil industry, our biggest industry in the state,
has become an asset for the second largest industry
in the state - tourism. I feel that it is proof
that responsible resource development and tourism
are compatible with each other and with wilderness.
I find that the presence of the pipeline does not
degrade the tour experience for my guests -
if anything it enhances it. Nearly all of my
guests come away from the Dalton Highway with
the idea that oil development has not adversely
affected the arctic wilderness, and more likely
to support future development in the arctic. They
feel this way because they see wilderness
within feet of the road - I can tell them
that there are no roads for hundreds of miles
in either direction. I feel that the presence of
tracks and trails ~~created~~ from OTHs would
change their experience, and make them less
likely to support future resource development
or road building in the arctic. Even though they
could understand that industry itself did ~~not~~ make those
tracks, they would see it as a result of development.

~~Whether or not there exists written proof of the agreement made~~

Also, I'd like to point out that whatever written proof may or may not exist of the "promise" that was made to keep the highway free of off road vehicles, it exists in public memory and in the minds of the people who live there. Breaking this promise whether it existed in legal terms or not, would cause people to be less likely to trust, ^{and support} development in the future.

I think it is important to continue to be far sighted with this issue and think about how it can affect more important access issues to resources. It is important to have access, but I agree with others' statements that ~~the~~ management of o.v. use in other areas of the state, including the Kenai Peninsula and the Denali Highway has not proven sustainable and effective, and see no reason why it would be different here. I am afraid that passing this bill will cause irreparable damage not only to the Dalton Highway ~~corridor~~ corridor itself, but to the ~~trust~~ ability of local residents and people from other areas of the ~~country~~ United States to trust the state of Alaska to responsibly develop our natural resources.

Janet Kidd

My name is Janet Kidd and I am here tonight to voice my opposition to SB85, which would repeal the ban on the use of certain off-road vehicles within five miles of the right-of-way of the James Dalton Highway. I have worked as an environmental consultant to the oil and mining industries in Alaska and Canada for the past 15 years and have been involved in a number of studies evaluating the effect of ORV use on ~~the~~ ^{ecosystems} tundra. Despite what I suspect are the best intentions of ~~rider~~ ^{ORV users} in terms of minimizing impacts, ORVs are not compatible with the soil and vegetation conditions you will find along the Dalton Highway. This includes both wetlands and uplands. For wetlands, the potential impacts are obvious: disruption of the organic mat and underlying permafrost, leading to thermokarst and the development of impoundments and other thaw settlement features. Typically a result of this disturbance is the spider effect, where trails begin to widen (or new trails are established to avoid the heavily degraded areas). For uplands, many of these areas have a thin veneer of organic soil that is easily stripped with ORV travel. The vegetation in these areas is commonly dominated by dwarf ericaceous (evergreen) species that have a slow growth rate and are not typically adapted to disturbance. Once the thin organic soil is stripped, these areas can remain barren for decades because species are not locally present adapted to colonize bare soils. In addition, these areas become more susceptible to wind erosion that can lead to further degradation. Resource agencies already are considering restricting ORV travel in other parts of the state (e.g., the White Mountains) because they recognize that impacts to soil, vegetation, and aquatic resources are significant in some areas.

As with others, I also am concerned with the increased hunting pressure that a bill like this would inevitably lead to. I do not see how improving access to areas that would otherwise be limited to non-motorized travel could not have an effect on game populations along the highway.

Access by 4-wheelers ^{also} will force people who would otherwise use non-motorized transportation to use ORVs because of the unequal access to game this bill would result in.

Resident Address: 1618 Emma Way, Fairbanks, AK
Mailing Address: P.O. Box 82398 Fbks., AK 99708 99709

WRITTEN

TO THE SENATE COMMITTEE

FROM SAN O'NEIL
2590 HOME RUN
FAIRBANKS, AK 99709
4792988

OCT 11, 2005

Dear Sir,

I am a 30-year resident and have hunted everyone of those 30 years. I have successfully hunted both moose and caribou in the Brooks Range. I hunt the old fashioned way by lining my canoe 8 or 10 miles up a river, then hunting on foot. I'm 55 years old, and I still do it. I object to the proposal before you for many reasons. But one I will mention now is this. We need to retain the old fashioned values of rewarding hard work in our hunting regs. Not rewarding those who expect an easy deal when all they are willing to do is sit on their rumps and make me to hunt. Most of these people hunt while motorizing. It is called "slot hunting" by traditional sportsmen. Please reject this ill advised proposal and strike a blow for the traditional values of hunting, where a hunter earns his way into the country by his effort.

Shiryon,
San O'Neil

written

My name is Nicole Fliss. I am a physician board certified in Family Medicine. I have lived in Fairbanks since 1998. In my free time, I am a dog musher, skier and hunting partner. We frequently travel the Dalton Highway and recreate within the 5 mile corridor that Senator Seekins' bill, SB 85, will eliminate.

I stand opposed to repealing AS 19.40.210 for several reasons. First, no land use provision should go forward without extensive input and study by the involved state agencies. And COSTS must be considered. We are kidding ourselves not to think that SB 85 would be VERY expensive in the long run. Second, I fear that this bill will devastate my friends in Wiseman and Coldfoot in their ability to provide food for their families. Their subsistence lifestyle would likely lose out to intensified hunting pressures. And third, mining trails from decades ago are still visible as scars in the tundra even though they are no longer used. Do we really want to unleash off-road vehicles to wreak this kind of long-term damage?

This bill proposes to open this area to the "average Alaskan." With sky-rocketing rates of obesity, diabetes and heart disease, I would think policy-makers would be directing legislation at increasing healthy lifestyles (such as walking) instead of making it easier for us sit and ride.



Nicole Fliss
408 Nordale Rd N
Fairbanks AK 99712

Senate Resources Committee
Work Session
Fairbanks, October 11, 2005

Written Comments:
SB 170 – Fish & Game

SB 170 testimony LHG

My name is Wayne Heimer. I live at 1098 Chena Pump Road, and I'm speaking for myself.

For the last 7 years, I have been an active observer of the Department. During the preceding 25.4 years, I was a proud employee in the Department working in species research, species management, general management, and management problems occasioned by ANILCA.

I still identify with the Department, and its mission of managing, protecting, maintaining, improving, and extending the fish, game, and aquatic plant resources of Alaska. When I began to work with the Department in 1972, my mentor provided an orientation to the Department mission which began with "the resource," explained that wildlife is the common property of all Alaskans, showed me how our Constitution makes this clear, and went on to the Department's mission I just paraphrased from Title 16. I was expected to make my specific jobs relevant to that framework.

While I still love the Department, I can no longer take pride in what it has become. The reason for my change of attitude is that the Department has walked away from its mission of even "maintaining" (look at the declines in game across our state) let alone "improving" it. Similarly, if the Department were concerned with "maintaining" game it would actively "protect" populations from over-exploitation by human harvests (e.g. unregulated "cultural harvests") and predators, the two most manageable game mortality factors. If the Department had continued to embrace "enhancement," two things would have happened. There would never have been an intensive management law because it wouldn't have been needed, and the Department would not have opposed intensive management at every turn. It did.

Rather than embrace its clear Constitutional mission, the Wildlife Division wrote a modern mission statement in the mid-1990s. This watered down mission statement is attached to Article VIII and Title 16 as *attachment "A"* with my written testimony. Please compare the three statements. I suggest "mission drift" is clearly evident. If the Division wanted to "update" its mission, it would have been appropriate to propose changes in Title 16 and the Constitution rather than having the enlightened elite in the Department simply change the mission statement...and then follow it instead of the original Constitutional intent.

Most basically, if the Department were presently inclined toward Constitutional and statutory wildlife management, it would look to the intent of the Alaska Constitution and actively manage to produce sustained yield of specific wildlife species for human food. My conclusion here is based on the official State of Alaska Publication, *SUSTAINED YIELD Alaska's Constitutional Mandate for Action*, (Coghill and Campbell 1994). This well-researched and well-documented publication shows the intent of the Natural Resource Committee which drafted Article VIII of our Constitution clearly intended that

the "sustained yield" be maximized production of game as food for humans, not the sustainable yield of "hunting opportunity" or sustainable yield of "the opportunity to view and photograph wildlife." Campbell and Coghill also show that parasites and predators which might cause game to decline were specifically excluded from management for maximum sustained yield.

These days, enlightened ADF&G employees, often called "conservation biologists" rather than "wildlife managers," consider the Constitution's original intent to be archaic, unsophisticated, fairly "icky," and out of touch with modern "ecosystem management" in Alaska. However, the Constitution was clear when written, and because it has not been amended to the contrary, I reason it still means what it says.

Several years ago, I volunteered to serve as the Commissioner of Fish and Game. My goal was to re-invigorate the Constitutional imperative in the Department. In the course of this considered decision, I researched the duties of the Commissioner as well as the history and evolution of the Department's organizational culture. I have provided a white paper detailing my findings as part of my written testimony (*attachment "B"*). Those studies revealed that the Department's Divisions (other than the Division of Subsistence established by the legislature for the specific purposes of its day) exist primarily as extensions of the Commissioner's authority. I have already listed the Commissioner's duties as described in Alaska Statute 16, and suggested reasons to believe that modern Commissioners have stepped away from the intent of the Constitution-implementing legislation.

Hence, it is my conclusion that the Department is "broken," and needs to be fixed.

The most basic fix, which I encourage you implement in SB 170, would be define the duties of the Commissioner tightly in the terms established by the existing Constitution and Alaska state law. The job of being the fish, game, and aquatic plant manager for the state, as it has evolved and expanded, is simply too big for even the most capable person. As a result, authority has been delegated to politically driven administrators and biologists who, too frequently, let their personal opinions or overriding special interest concerns trump Alaska's Constitution and its laws.

In further testimony, you will most certainly hear details of specific areas where the Department needs the constitutionally-mandated legislative guidance placed in the legislature as trustee for the people. Such guidance is not meddling, in spite of what you may have read in Alaska Magazine, but the legislature's Constitutional duty. Had the Department not strayed from its task, this would not be necessary. Sadly, it is.

You will also hear from folks who are very happy with the direction the Department has taken in the last three decades. I have attached some "talking points" circulated by the Fairbanks Environmental Center with my written testimony (*attachment "C"*). Please examine them carefully. Here's how we got to this point:

Departure from Constitutional mission began in the mid 1970s with Rep. Sally Smith's (Mr. Smith was acting director of the Fairbanks Environmental Center till May) initial special appropriation of general-fund money for a "non-game" program. I consider the original "non-game" program significant because, starting there, the Department began to pursue money more than mission. This pursuit of money continues to distract the Department as manifested through ever-more ancillary programs and activities which assume high Departmental priorities (the State Wildlife Grant money is the ultimate example). These departures, while well-intentioned and worthwhile in themselves, have become compelling distractions from the original intent of the Constitution. Plainly put, these additional appropriated functions and programs show every sign of becoming the "tail" that "wags the Departmental dog."

I have made serious charges here, and I urge your critical analysis of my conclusion and its background justification. Similarly, I urge you to apply the same level of scrutiny to the opinions of those Alaskans who feel good about where the Department is headed and where the Department has clearly stated it intends to continue going.

In conclusion, I think the most basic approach to fixing what I consider a "broken" Department of Fish and Game would be to narrowly define the duties of the Commissioner (or perhaps separate Commissioners for fish and for game) in terms of the existing Constitutional mandate. Alternately you could define and prioritize the terms "manage, protect, maintain, improve, and extend" currently found in Title 16. I have attached proposed definitions with my written testimony as *attachment "D."*

I think ancillary programs such as "watchable wildlife," hunter safety, recruitment of outdoorswomen, management of bear and walrus viewing, and other marine mammal programs as well as the many State Wildlife Grant programs presumably justified by industry's need to keep critters and habitats off the endangered species list are worthy.

Nevertheless, I think it incumbent on the legislature to *either place those programs in the appropriate Departments* such as Environmental Conservation, DNR's Division of Parks, or the Department of Education and fund them from general fund dollars *OR pursue broadening the scope of the Departmental mission* to include them, legitimately, in the Department's mission and funding structure. It is unseemly and counterproductive to leave the existing, vagrant situation uncorrected.

Thank you.

ATTACHMENT "A"

The Constitution of the State of Alaska

Article VIII Natural Resources

SECTION 1. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

SECTION 2. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

SECTION 3. Wherever occurring in the natural state fish, wildlife and waters are reserved to the people for common use.

SECTION 4. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

SECTION 5. The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

Alaska Statute Title 16

Article 1. The Department of Fish and Game

Sec. 16.05.020. Functions of the commissioner. The commissioner shall

(1) supervise and control the department, and may appoint and employ division heads, enforcement agents (amended out), and the technical, clerical and other assistants necessary for general administration of the department;

(2) manage, protect, maintain, improve, and extend the fish, game, and aquatic plant resources of the state in the interest of the economy and general well-being of the state. [emphasis added WEH]

Division of Wildlife Conservation Mission Statement

The role of the Division of Wildlife Conservation is to conserve and enhance Alaska's wildlife and to provide for a wide range of uses for the greatest benefit of current and future generations of the people.

ATTACHMENT "B"

(Lengthy and appended see overleaf)

ATTACHMENT "C"

Excerpted from the Fairbanks Environmental Center's e-alert, urging their members to come out and testify in opposition to SB 170.

IN ADDITION -- Senate Bill 170:

At the same set of meetings, the Senate Resources Committee will address a second piece of legislation, Senate Bill 170. This bill would change state law such that revenue from the sale of hunting, trapping, and sport fishing licenses, tags, stamps, and permits would not only have to benefit sport hunting and fishing resources (as is already the case) but would have to be separately tracked at every stage, and never mixed with other revenues. This is also a problematic bill, for the following reasons:

- Many scientifically based management actions by Fish and Game might benefit all users, or whole ecosystems; it is impossible and unreasonable to expect the benefits to be separated in the manner suggested by SB170
- The extra financial tracking and accounting would waste time and create more paperwork rather than increase efficiency
- The bill redefines "fish" and "game" as only including species "for which the Board of Game has adopted regulations authorizing consumptive use or that the Board of Game has authorized the department to manage," thus leaving a potential gap in protections for species that don't meet these criteria
- The bill also transfers the power to define a species as endangered from the Commissioner of Fish and Game to the Boards of Fish and Game. It is unclear why this would be a useful change, or why it is being Made.

ATTACHMENT "D"

Proposed definitions of duties of the Commissioner (Note: I suggest amending "functions" to read "duties" because "duty" is more directive.)

*Under *Sec. 10.AS 16.05.940 I suggest the following definitions:*

"manage" means to intervene in natural processes such as plant succession, natural predation, and human harvests to produce and maintain fish, ungulate game, and furbearer populations near their biological carrying capacity, consistent with the sustained yield mandate of the Alaska Constitution as defined in AS 16.05.020 (B).

"protect" means to prevent irreversible declines in populations of all Alaskan wildlife and fish populations, through maintaining habitats which favor production of game, fur, and fish populations for human food, yet remain suitable for diverse non-game species, and specific management of predation to produce sustained yield as defined in AS 16.05.020 (B), and prevention of non-endemic diseases and parasites.

"improve" means to re-establish the ranges and abundance of fish, game, and fur resources which have declined to the point where they do not provide maximum sustainable yields for human uses limited only by their biological carrying capacities consistent with the sustained yield mandate of the Alaska Constitution and which is consistent with the protection of fish and wildlife defined in this title.

"extend" means to culture the establishment of fish and game populations in biologically suitable habitats subject to the definitions of "protection" and "improvement" as defined in this act.

"near their biological carrying capacity" means the maximum number of wildlife and fish which will not permanently degrade their habitats sufficiently to preclude "protection" as defined in this act and to comply with the sustained yield intent of the Alaska Constitution.

ATTACHMENT "B"

ADF&G Renaissance

November 13, 2002 (with an addendum in early spring 2005)

To: Murkowski Transition Team

From: Wayne E. Heimer
Fairbanks, Alaska 99709

Re: The Alaska Department of Fish and Game

INTRODUCTION: Why should you care what I think?

With the impending change of administration, many Alaskans are asking what the future may hold for the Alaska Department of Fish and Game. It may be reasonable to consider me a credible commentator because, during my 25-year ADF&G career, I have worked as a game/wildlife biologist under every Governor Alaska has ever had. This experience included species-specific wildlife research and management (15 years on Dall sheep), general wildlife management (five years on interior game and furbearer species), and a statewide five-year immersion in ANILCA history and implementation of both state and federal subsistence preferences. As a result of this diverse experience, I've had unusual opportunities to observe the history, structure, and function of the Department from within for more than a quarter of a century, yet with some "distance" from the mainstream of ADF&G because I had an atypical background and perspective. Throughout the five years since my retirement, I have continued this study of the Department from the outside. When I sum the years of careful study of the Department, I can honestly say I've spent more than 15 years as a careful observer and analyst of Departmental structure and function. I've summarized my experience here both to "credential" myself for those who may not know me, and as a means of declaring that I did not think this stuff up "overnight." Here, I'll do my best to summarize my position. I'll follow with more details.

SUMMARY OF MY CONCLUSIONS AND SUGGESTIONS:

*Because of increasing politicization by "progressive" administrations over time, Alaska's intended Constitutional and Legislative management formula has eroded to the point that I consider ADF&G and the Alaska fish and game management system "broken."

*To fix this broken system, we must de-politicize it. On the state/federal level, this begins with reestablishment of state authority for fish and game management. There is no legal underpinning for Federal fish and game management in Alaska. Neither the Alaska Statehood Compact or Statehood Act nor ANILCA gives the Feds the right/mandate to take over management of fish and game. The Feds must go. This should greatly de-politicize the Department with respect to federally related special interests, and reinvigorate the Department.

*De-politicizing the Department on the state level requires re-establishing the management responsibility/authority for Alaska's fish and game in the Office of a Commissioner whose duties are tightly defined in terms of Constitutional intent and Alaska law. This will require legislative action, most basically getting the Boards of Fish

and Game out of the management policy arena. Once this is done, and the Department is seen as an extension of a Commissioner's office with definite legislative guidelines, the Department should be reorganized with adherence to biologically based practical management with Alaska law as its guideline. The present structure of the Department works against this goal.

Several legislative actions will be required to make this work. In order, they are:

- a. Define the highest priority use of Alaska's fish and game as "human food" (which Alaskans can understand as a common value, not "subsistence" which is, sadly, in the eye of the beholder).
- b. Restore management authority to the Commissioner's Office by getting the Boards out of management policymaking by (among other things) repealing the state's Intensive Wildlife Management Law and narrowly defining the duties of the Commissioner in the intended Constitutional terms.
- c. Repeal the state's Subsistence Law (and the Division of Subsistence's enabling legislation). If we have defined "use as human food" as the highest priority use of Alaska's fish and Game, the biologically impossible and divisive subsistence law is redundant.
- d. Approach the "subsistence problem" by considering a new approach that recognizes Alaska Native special-ness by establishing a Canadian style co-management program. This would require a long-sought constitutional amendment (although not one to allow Federal management under state rules), and would establish co-management on Native lands in exchange for deleting "subsistence management" on public lands. This would recognize the validity of both cultures by separating them geographically.

Additionally, we must take legislative action to protect our fish and wildlife, to the extent we can, from infection by diseases. Allowing infection of Dall sheep by domestic sheep pneumonia or infection of any wildlife by chronic wasting disease is a definite threat. We can recover from any management mistake we may make... except this one.

Chronic Wasting Disease can be most effectively prevented by prohibiting the use of "recycled animal proteins" as livestock feed in Alaska, and tightly regulating game farming practices with respect to location, security, and use of exotic feeds. This change can be most rapidly accelerated by putting the State Veterinarian's office under the Commissioner of Fish and Game. Likewise, regulation of game farming should also fall under the Commissioner of Fish and Game... not under Agriculture.

Infection of Dall sheep with domestic sheep pneumonia could be easily preventable by legislating against domestic presence near Dall sheep habitats.

BACKGROUND, RATIONALE, AND ARGUMENTS FOR THE SUMMARY ITEMS

THE PROBLEM:

Over the last eight years, the outgoing administration has engaged in unprecedented manipulation of the Department and the management process for what appear to be political and ideological purposes. Consequently, many very concerned Alaskans are wondering what course Governor Murkowski will choose. Clearly, our new Governor will not continue in the operational mode of the outgoing administration.

The course Governor Murkowski chooses will be determined by whether he embraces the traditional "hands-off" gubernatorial position by simply appointing more highly qualified people and letting them and the system "work," or whether he perceives the Department and management system are sufficiently dysfunctional after eight years of abuse and domination that more extensive corrective actions are necessary.

It is my opinion that the latter course should be carefully considered. With the possible exception of the four years of the Hickel administration (which was eight years ago), the Department has been under "progressive" remaking for most of the last 25 years. The cumulative effects of these "progressive" administrations have been a marked shift *toward politicization* of the Department and the management process and *away from the Constitutional intent* for management of Alaska's fish and game. **POLITICIZING THE DEPARTMENT OVER THE LAST 25 YEARS HAS COMPROMISED ITS CONSTITUTIONALLY DEFINED FUNCTION.**

EXAMINING THE CONSTITUTIONAL MANDATE:

As I have consistently read Article VIII of the Alaska Constitution and the laws required to implement it (Alaska Statutes Title 16 Natural Resources), I've concluded that the Department is not a "state entity" for which a Commissioner is responsible. Rather, it is an extension of the Commissioner's Office. Viewing the Department in this light will effect a radical functional change.

As I understand it from early versions of AS Sec. 16.05.020 (circa 1960), the Commissioner basically has one huge job. It is to "*manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well-being of the state.*" This, of course, is too big a job for one person, so the Commissioner has been given the specific ability to hire helpers and do other things required to get the job of "managing" done. Hence, I infer that the Department (the Commissioner's legally designated helpers) exists functionally, not as

an agency of state government, but as a way to allow the Commissioner to manage Alaska's fish and game.

This is important because re-establishing the credibility and Constitutional/Legislative function of the Department will require a change in the way both the Commissioner and those he/she hires see themselves and their mission. I suggest this change in understanding fits well with the Governor's positive approach to fixing what's broken in Alaska. If Alaskans, (starting with the Governor, through his Commissioner, and to all Alaskans) begin to perceive the Department of Fish and Game as a functional entity in fish and wildlife management for the production of human benefits as prescribed in the Constitution, rather than a "state agency" to be manipulated to their specific ends, all Alaskans will benefit. These benefits will result from following the explicit scientific approach to management prescribed in the Constitution.

THE CONSTITUTIONAL PRESCRIPTION:

The Constitution prescribes management for maximum sustained yield to produce Legislatively defined human benefits (economic benefit and general well-being of the state, i.e. Alaskans). In the Constitution's context, this means science-based management. This notion, that the best management possible is based on the best knowledge (i.e. science) available, dates from the origins of natural resource conservation, and is known as the "Roosevelt (that would be Teddy, *not* Franklin) Doctrine." This implies the chief officer responsible for management of Alaska's fish and game, the Commissioner, should know the Alaska management system intimately, know difference between science and public opinion, and be willing to take the heat for managing within the constraints of Alaska Law, which basically codifies the Roosevelt Doctrine as the way to produce human benefits on a maximum sustained yield basis.

Consequently, if the Governor decides to return to Constitutional mandates for management, it will be necessary for him to select a Constitutionally responsible Commissioner. Such a Commissioner must understand that the Department is responsible to him/her rather than he/she being responsible for maintaining or protecting "it." That is, restoration of the Department of Fish and Game to proper Constitutional function would begin with Governor Murkowski's selection of a Commissioner unlike past Commissioners. In my opinion, following the best of the established, non-invasive traditions (appointing "good people" and staying out of the way) will be unlikely to effect the changes required to re-Constitutionalize the Department because the "now-progressive traditions" of the Department and management system have drifted so far from what was envisioned when the Constitution was written.

APPLICATION:

If the Governor should agree this is the case, I suggest his search for a Commissioner should focus on meeting five basic criteria. The ideal Commissioner should have the following qualifications:

1. The Commissioner should be fiercely loyal to the Constitution (which would include reassertion of the State's sovereign right to manage its common property resources, e.g. fish and game).
2. The Commissioner should clearly view the Department as an extension of the Commissioner's Office, and not a state government agency, and he/she should be willing to manage it as such. Here, I would add that the task of modern management has become so complex that the only practical way to succeed is, paradoxically, to simplify. A return to the Constitution and its enabling laws should achieve this depoliticizing simplification.
3. The Commissioner should be familiar with the Department, its history, its successes its failures, the reasons for them, and be willing to make the necessary corrections..
4. The Commissioner should be sufficiently well-versed in subsistence history, dual management, and ANILCA implementation issues to advise the Governor on innovative solutions to the problem. The well-worn, approaches simply haven't worked. They are unlikely to in the future.
5. The Governor and his Commissioner should realize that we have a "golden moment" where much of the public, the Governor, and the Legislature are looking for positive change and clear, open leadership. Hence, there should no timidity in asking the Legislature for changes required to fix what is mutually understood as "broken." Movement of the State Veterinarian's office from DEC (where it ended up after being taken from the Div. of Agriculture) to Fish and Game is but one example.

WHAT A COMMISSIONER WOULD HAVE TO DO TO DEPOLITICIZE THE DEPARTMENT:

I suggest a Constitutionally-driven, modern Commissioner should seriously consider updating Departmental structure because the existing, inherited structure of the Department predisposes it to failure in the modern management environment. The present structure functioned well when management was less complex. However, in the present environment, the Department's structure works against its intended function. Three examples demonstrate the inherent conflicts between structure and function:

1. Having a Division of Commercial Fisheries (a numerically small but economically important special interest group with a traditional-but-not-legislatively-codified priority), a Division of Sport Fisheries (another huge special interest group with a traditional low priority), and a Division of Subsistence (yet another special interest group, but one with a legislated priority) all "fighting over the same salmon" is a recipe for failure. Similarly,

the traditional "Commercial Fish Commissioner" model, while relevant when commercial fishing was the *de facto* priority may be outmoded now that Alaska Law makes subsistence the highest priority use. I suggest a differing organizational model built around king, chum, silver, red, etc. salmon teams where all special interests work together, without regional or Divisional boundaries, to provide the human benefits all Alaskans rightfully expect from their salmon resource would be more relevant to the modern situation.

2. The Regional/Area structure of the Wildlife Conservation (formerly Game) Division is inconsistent with the common ownership/use provision of the Constitution. Formerly (until about 1969) the Game Division was organized differently. Prior to the existing Regional/Area organization, management was carried out by statewide species programs. The present regional organization (which eventually produced administratively duplicative, essentially autonomous regions and nearly autonomous "area managers" (who are susceptible to local pressure) was created to allow more local (i.e. political) influence on management decisions, thus compromising scientific management.

Until things got so complex with "subsistence" the Division/Region/Area organizational model was workable. Today it isn't. It results in excessive Departmental susceptibility to local pressure (outside of and in addition to the established Advisory Committee System input), and causes more problems than I can discuss here. Duplications of administrative structure and Divisional/Regional infighting are wasteful as well.

Not the least of the present wildlife and fish Division models' problems is that they tend to separate "local" from "non-local" and "commercial" from "non-commercial" users at a time when unity is more necessary than ever. Additionally, these organizational models compromise biologically-driven management decisions. In short, the existing Division/Regional/Area structure inherently politicizes the system (both within and outside of the Department).

3. The existing Draft Strategic Management Plan for Wildlife Conservation is an example of bureaucratic growth/inefficiency. This plan actually has more to do with justifying use of CARA funding than meeting the Constitutional and Legislative mandates for fish and game management. Certainly, the opportunity to see and enjoy wildlife is important to Alaska's economy, but good Constitutional management should logically provide for these opportunities without the expense of duplicative administrative programs or compromises in traditional management programs.

A PLAN FOR RECOVERY OF THE DEPARTMENT OF FISH AND GAME AND ASSURANCE OF A CONSTITUTIONALLY DRIVEN FUTURE:

If we would de-politicize the system and return to the "Roosevelt Doctrine" as envisioned by the framers of the Alaska Constitution (see below), several steps must be taken.

First: Alaskans must elect a Governor committed to this process. Alternately, Alaskans must elect a legislature committed to this process.

Second: For longer-term beneficial changes to occur, Alaska's new Governor or the legislature will have to recognize the system has been corrupted by "progressives" over many years to the point of needing overhaul. Failing this recognition by the Governor, the legislature will have to act to redirect the Department of Fish and Game toward Constitutional management.

Third: The end result of either approach should be a Commissioner's Office with the vision and fortitude to fix a badly broken management system. This would require a Commissioner who understands the job and that he/she is responsible *for*, not *to*, the Department. A "custodial Commissioner" will be unable to "right the Department" in these trying times. [Author's note: 10/11/2005: I do not see the present Commissioner rising beyond the custodial role.]

Fourth: The Legislature will have to support the Governor or lead the Governor to several requisite Legislative changes. I suggest the most basic of these Legislative efforts will center on revitalizing the Constitutional and legal office of the Commissioner.

This process begins with redefining the duties of the Commissioner by tying them more tightly to the Constitution. These changes were first suggested as modifications to HB 178 in spring of 2002.

The most basic of these changes would define the highest priority use of Alaska's fish and game as human food (thus paving the way for getting out of the subsistence morass as well).

The second-most basic would have put the Commissioner back in control of management policy *under strict Constitutionally founded and Legislatively codified duties*.

Over time, the policy-making function of the Commissioner's office has been gradually shifted to, and been assumed by, the Boards of Fish and Game, resulting in notable failures too numerous to mention here. This needs to be fixed to de-politicize the system (as the previous administration so graphically demonstrated).

The "Board/Commissioner-policy" fix will require searching out the Constitutional and legislative intent for, and responsibilities of, the Boards of Fish and Game. Once this is understood, Legislative action will be

required to strip these Boards of any now-codified assumptions of the Commissioner's management responsibility and the authority required to do the job of management.

The Intensive Wildlife Management Act serves as an example here. Well-meaning Alaskans tried to drive wildlife management back to its Constitutional roots through this law. This failed because the Department and its "progressive" allies were more effective in protecting Departmental "flexibility" in legislative committees than the outside-the-system proponents of Constitutional management were in securing meaningful change. The resulting law increased the Board of Game's role in management, thus politicizing the process further. For this reason, *the Intensive Wildlife Management Act should be repealed, and any legislatively codified empowerment of the Board of Fisheries to manage must be similarly researched and eliminated.*

Fifth, the subsistence issue: Revitalizing the Department of Fish and Game will require addressing the subsistence issue. Here I suggest the Governor/Legislature/Commissioner take a fresh look at the problem, which also has its roots in federal politicization of Alaska's fish and game management. I suggest the following, perhaps "outside the box" steps:

First: The feds have to go. Acting in concert, the Governor, the Legislature, and the state's Commissioner should act to terminate federal involvement in management of Alaska's fish and game resources. If the legislature acts as trustee of the common property assets of Alaskans for the people of Alaska, and if the Governor resists federal usurpation of his responsibilities to Alaskans by involving the Departments of Fish and Game and Public Safety in simply refusing to recognize administratively-constructed (through the Federal Subsistence Board) federal subsistence regulations the feds could be "out" in a short time... unless they want to sue the state where they would most probably lose. If this series of actions were taken in concert with the Department of Interior, where Alaska presumably has a friend on the issue of Federal oversight, I would have to be positive about the outcome.

Second: The state's subsistence law should be repealed because it will be redundant if the Legislature has established the highest priority use of fish and wildlife as "human food" (as recommended under the fourth item above). If this were to be the case, Alaska would have met the original intent of the morass of subsistence laws and regulations (both state and federal).

Additionally, both state and federal subsistence laws are mechanically and practically impossible to comply with as a management formula. It's

impossible to know all the things required to make the priority allocations called for in the existing law. Furthermore, the state's subsistence law is administratively cumbersome and inimical to success in scientific management because it politicizes the process.

Going along with this repeal would be *repeal of the Division of Subsistence's legislative existence as a "state agency."* This will be necessary if the Commissioner is to reorganize the Department on a "species management program/team" concept more likely to result in management success (because it would allow placing valuable subsistence specialists on each management team without the redundant and excessive administrative costs of carrying these people as a separate "division").

Third: Once we have achieved the first and second steps, we can approach solution of the subsistence problem. I see this problem as having two components.

The first is assuring opportunities to obtain fish and wildlife for food in rural Alaska. If we make the highest priority use of Alaska's wildlife and fish "human food," it then becomes a matter of managing for abundance rather than some vaguely perceived "natural ecosystem" where we "take what Mother Nature gives" and prioritize use of any remaining scarce resource. There are many who think the subsistence problem will "go away" if we supply an abundance of resources for food (and associated cultural uses). I don't agree. Hence, my perception of the second part of this problem.

The second has to do with a yearning on the part of Alaska Natives for some sort of codified recognition of their specialness as a unique group of human beings. I see this as the most legitimate driver of the subsistence movement. I suggest, most simply (and perhaps naively), that if we manage to create resource abundance as stated above, this second need can be met through a real (as opposed to what we have seen the Department offer so far) co-management program.

This would involve a Constitutional amendment allowing any private landowner with acreage of sufficient ecological significance (enough land) the option of negotiating a co-management agreement on allocation with the state. Since there are no other private landowners with such holdings, this would produce a *de facto* recognition of Native specialness. Through this means, we could allow Natives equal allocation and management

authority with the state on their land holdings of significant "ecological size." This would be, of course, a major concession for those of us tied to the "common use" ethic, and would have to be conditional upon Native willingness to "swap" this increased recognition of cultural autonomy in exchange for "ANILCA subsistence management" on federal public lands.

SB 170

My name is Pete Buist, Box 71561, Fairbanks. I am a Master Guide and retired State employee. I wish to speak in favor of SB 170.

I am not unfamiliar with ADFG's budget process. I served for nearly 20 years on the Fairbanks Advisory Committee and more recently on the Alaska Board of Game. I was not appointed to the Board after twice refusing to knuckle under to demands from the Governor's Office to change my vote. I guess I am now branded "not a Team player," But while on the Board, as now, I tried to do what was best for the resource, not what was politically expedient. Even though it apparently cost me my seat on the Board.

We still have a lot of terrific wildlife biologists at the working levels of the Department. But at the top of the Fish and Game food chain, there are political appointees who apparently have set a very different goals and objectives and a penchant for spending other people's money on their pet projects.

The Fairbanks office is a good example of no competence such

Diversion of funds to these pet projects has become the norm in the past few years. To those of us more concerned with

abundant and healthy wildlife populations for human use and consumption, this has been very disconcerting.

As a member of the Board of Game, I heard over and over from Area Biologists that their budgets, controlled of course by the political appointees in the Department, were being cut.

“We don’t have the people to do the work” they told us.

“We don’t have money for surveys” they said. “Much less any money to manage wildlife stocks.”

We would ask them for data to help us make tough Board decisions and they would tell us that they did not have the data because their budgets had been cut.

Yet, amazingly, at the same time, the Department was expanding programs for non-consumptive use and had plenty of money to throw at “non-game species,” non-consumptive uses and expensive “planning” efforts.

We cannot afford to do moose and sheep surveys, but we are inventorying “frogs and owls?” Obviously there has been

significant diversion of funds and our trust in our public officials at the Dept has been misplaced.

Let me briefly address how this has affected the ability of the public to give input to the Boards of Fisheries and Game.

The same political appointees who are launching and promoting expensive "planning" projects seem to pursue a common theme. They seem to want to make it easier to include more ANTI-consumptive use and animal rights groups in the public input process.

Have these political appointees just been blinded by offers of grants and entitlements from federal programs for "non-game?" They often refer to a plethora of federal programs and matching funds as the reason they have diverted funds that should have ^{been} used to benefit consumptive users.

Something is drastically wrong here and leads me to believe that we simply can no longer trust the political appointees within the Dept with our license dollars and matching funds.

It seems a bit odd to me that we can fly representatives of animal rights groups to “planning meetings” in the Bush at state expense, but we cannot “find” adequate travel money for duly-elected Advisory Committee members to attend Board meetings.

Some of the rural Advisory Committees have been told that, because of budget restrictions, they can only meet ONCE A YEAR. And they are charged with advising the Boards on hundreds of regulation change proposals.

The Advisory Committee representatives are sent to Board meetings, but are told that, because of the budget restrictions, they can stay only for the day they give their 15 minutes of testimony. They are generally not authorized to stay to participate in committee work or deliberations where their experience and expertise is so desperately needed by the Boards.

The Board of Game ^{was} ~~has been~~ told that “because of budget restrictions” we were to keep our meetings as short as possible. Last March, my last meeting as a member, we routinely spent

12 to 14 hours per day, trying to keep the total number of days low and thus reduce the cost.

We were told we could only meet in urban settings. Allegedly this was because meeting in rural areas was expensive, but obviously those who hold the purse strings must know that by holding meetings in urban centers, we make it far easier to marginalize local usersⁱⁿ rural areas. ~~But~~^{And}, it makes it a slam dunk for the urban non-consumptive users to pack the meetings to pressure the Board members.

I worked as a state bureaucrat for almost 30 years. I understand very well that having the Legislature insist on "firm adult supervision" of one's budget is frustrating.

But the arrogance of the upper echelon at Fish and Game has brought us to this point and requires the actions described in SB 170.



These people have twisted and manipulated the mission of the department.

They have diverted and mismanaged the funds collected from legitimate license holders.

And they have continued to defy you, the Legislature, in order to keep funding their pet projects instead of what the money was allocated to accomplish.

I think that the changes outlined in SB 170 to require more accountability are, unfortunately, long overdue. Alaskans and other license purchasers who harvest our wildlife resources deserve better. After all it is THEIR money.

Let's more closely and more specifically define the duties and powers of the Commissioner of Fish and Game.

And let's put in place a system of oversight for the Fish and Game budget that benefits Alaskans and Alaskan wildlife resources, instead of just furthering the pet projects of a handful of political appointees.

The Dept of Fish and Game wants fee increases? I say "Fine."

**But they should agree to ensuring that it is spent responsibly
and with oversight by the Legislature. SB 170 ensures that
responsibility and necessary oversight.**

Thank you.

11 October 2005

FAIRBANKS
SB 170

813 Lancaster Dr.

Fairbanks, AK 99712

Dear Senators Seckin & Wagoner:

Through my work at the Alaska Bird Observatory, I have met tens of thousands of people who value Alaska's non-game wildlife and game resources. I have yet to meet a hunter that doesn't care about Alaska's environment, and I know a lot of birdwatchers and ornithologists that are hunters. Non-consumptive use of wildlife and hunting are not mutually exclusive, nor does everyone fall into only one of these user groups.

Through my work I am also acutely aware of the huge economic value of Alaska's non-game wildlife. Rather than quote statistics & dollar figures, I instead want to focus on what I believe is a primary concern driving SB 170: Sportsmen shouldn't bear the cost of protecting our non-game wildlife.

I don't think many people disagree with this (although one could argue that there are non-game programs that also benefit fish & game, and hence sportsmen). Non-consumptive wildlife users want to "pay their own way" and tried for years to implement an excise tax on outdoor gear to do so. The "Teaming with Wildlife" Act proposed such a tax and generated incredibly broad support from user groups, small businesses and corporations across America. Unfortunately, anti-tax groups defeated the bill. My understanding is that sportsmen's groups in Alaska fought this Act out of fear

(2)

that it would give non-hunters "a voice at the table." If this is true, it is unbelievably short sighted and arrogant.

Maintaining healthy wildlife systems means more than just managing for maximum moose harvests. We need healthy ecosystems for such things as trapping, maintaining our fisheries, and sustaining upland game birds and furbearers. Fortunately, Rep. Don Young saw the value of America's non-game resources and showed the leadership to obtain a source of funds through the Conservation and Reinvestment Act. This Act was rejected by the Bush Administration, and the compromise to the states was the State Wildlife Grant program (which requires matching dollars from States).

This is a great program-- the Feds give us three dollars for every one of ours, but we need to raise the matching funds. If you don't want it to come from license fees, then I ask you to "do like Don Young" and help non-consumptive users secure alternate funding. For two years the Alaska legislature has offered up a bill that would implement a user fee for viewing wildlife. Please work out the kinks in that bill and get it passed! Sell it as a conservation stamp, and people will buy them just for the sake of collecting them. Some states allow purchasers of hunting and fishing licenses to add on a donation to support nongame programs.

I would be happy to tack on a donation to the fishing/hunt license I buy each year. Many states sell special license plates and/or allow people to add a dollar to their vehicle registration fee to support nongame programs. We should consider doing the same.

We are shooting ourselves in our collective feet by not leveraging state fees to grab all the Federal dollars we can to maintain Alaska's incredible wildlife. Our non-game resources generate an extraordinary amount of revenue in Alaska and shouldn't be ignored. Please take the lead in being proactive to help non-consumptive users pay their own way, so ADF+G can adequately manage our non-game resources too. Thank you.

Sincerely,
Nancy Bennett

P.S. Is it constitutional to dedicate proceeds from a state license to these specific purposes outlined in SB 170?
(see Article IX, Section 7)

**Testimony of the Alaska Outdoor Council
To the Senate Resources Committee
on SB 170 and SB 85,**

*also
verbal*

Fairbanks, October 11, 2005
By Dick Bishop, Interior Vice President

Mr. Chairman: I am Dick Bishop, Interior Vice President of the Alaska Outdoor Council. Thank you for holding hearings on these important bills. The Council appreciates the efforts of Senator Seekins, his staff and advisors in developing these bills.

SB 170

The Council appreciates that SB 170 addresses the Division of Wildlife Conservation's need for additional funding. SB 170 contains considerable detail with regard to how the Division and Department function. Rather than attempt to comment on all these matters at this time, The Council offers the following comments on what it believes SB 170 should help accomplish:

1. Financial accountability and transparency – which encompasses the notion that not only do we want to see where the money is going, but we want it to be *easy to see* where the money is going.
2. Enforceability – This encompasses the notion that the current statute has allowed regulations and rules that are not enforceable, and could not possibly be enforced. This leads to inconsistency and confusion among hunters and people at fish and game. The new bill language should be clear in this regard.
3. Efficient organizational structure – which encompasses the notion that license fees pay for fish and game programs. As payers, we want an organization structure that gets us the most bang for the buck.
4. Increased hunter harvest – we want more game available to harvest; not simply more opportunity, we want more production.
5. Attract qualified management biologists – which encompasses the notion that a number of experienced biologists have left the department in recent years and another large group is nearing retirement. We would like to see a statutory framework that gives managers the tools to make a positive difference in the field, which we believe will make ADF&G a more attractive place to work.
6. Integrate and empower boards and advisory committees – which encompasses the notion that our system envisions a bottom-up approach in establishing management goals and objectives, which we may have gotten away from in recent years.

Alaskans have always held the conservation of their fish and wildlife in high regard, as reflected in Alaska's Constitution, which emphasizes management on the sustained yield principle and common use by all Alaskans. Early in Statehood the Legislature chose to establish a separate Department of Fish and Game. The Legislature also established an extensive public input system, the Board of Fisheries and Game and their Advisory Committees. These provisions are virtually unique in the United States.

It follows, then that adequate funding is essential to accomplish these important functions. The Council has over the past year or so, advocated increased funding, both from the General Fund and other sources, to improve research, management and enhancement of fisheries and wildlife. The Council has also advocated that dollars derived from fishers, hunters, and trappers be used to the best advantage to provide for fishing, hunting and trapping.

SB 85

The Alaska Outdoor Council has supported SB 85 since soon after its introduction. The Council agrees with the Legislative intent which cites Sections 1 through 3 of the Alaska State Constitution.

Lands and waters adjacent to the Dalton Highway provide greatly expanded opportunities for public uses of public resources. Early restrictions on access and activities in the Dalton Highway corridor to accommodate industrial development no longer seem necessary or appropriate.

The bill's provision for an extended planning period will ensure that appropriate regulations will apply to access and uses of the lands and waters adjacent to the Dalton Highway. The Council wishes to emphasize its interest and intent in participating in the planning process established under SB 85.

Thank you.

Wick Bristow

MT Testimony for Senate Resources on SB 170

Chairman Wagoner and members of the Senate Resources Committee welcome to Fairbanks. My name is Mike Tinker and my address is 478 Alpha Way, Ester.

I am representing myself and my family. My Alaskan background in Fish and Game issues comes from over 40 years of hunting and fishing for food. I hold Registered Guide license #480 and operated a hunting business for 20 years. I am a member of the Fairbanks F&G Advisory Committee and served ten years as chairman. I have been in a million meetings, had two million phone calls, received 500,000 emails but I never exaggerated except, like the Department, when I was counting moose. I networked with dozens of other AC chairman and participated in a dozen "special planning teams" all with the goal of trying to bring logic and common sense to fish and game resource decisions.

My topic for your hearing tonight is how the Alaskan Public is involved in fish and game issues, especially regulatory decisions by the Boards, and how you can make it work better.

Before I talk about Public involvement, I'd like to re-state my support for opening lands along the haul road to normal recreational use. I continue to support DNR's environmental conditions for use, such as snow depth prior to snowmachine use. There is no reason to differentiate between land use south of the Yukon River and north of the Yukon River.

Just before I became an Alaskan, the framers of our state constitution and our first lawmakers in the legislature realized how important fish and game resources are to Alaska and especially to those Alaskans who hunt and fish for food. They crafted Title 16, and required three basic sets of responsibilities for fish and game management and regulations. Our Governor, thus the

Administration, is charged with appointing a Commissioner who runs the Department of Fish and Game and members for the Boards of Fish and Game. The Legislature, as trustee for all of our resources, confirms those appointments, sets the statutory sideboards for management and allocation and authorizes the funding for the Department and the Boards. The Department is charged with protecting and managing those resources. The Boards make the allocative decisions.

Where then does the public come into the process?

In Sec. 16.05.260, our early lawmakers recognized the importance of public participation in fish and game resource management. This section is the one that authorizes and sets the criteria and regulations for our community based Advisory Committee system. Nearly 80 AC's with over five hundred Alaskans participating. At one time regional councils made up of AC representatives provided a more in-depth review for the Boards.

Unlike some fevered, single issue, special interest groups, our AC's have a statutory responsibility to all of the issues. They don't represent the Department and they don't represent the Boards. These 100% volunteer participants spend thousands of hours each year going over hundreds of proposed changes to various management and allocation issues. Most AC's take their responsibilities very seriously.

Early on, the AC system was administered and funded through the Boards. When Sec. 16.05.261 was repealed, for cost savings, the AC's were made wards of the Commissioner's office.

When times were good and resources plentiful and game populations were still benefiting from pre-statehood Federal and state sponsored predator control, the relationship between the ACs and the Department was good. As the resources diminished, and

because Department leadership was terrified of controversy, the AC's became a problem. They often did not agree with the Department's party line. Special interests from animal rights activists, anti-hunter organizations, and eco terrorists were schmoozing the Department's leadership and the Governor's office. The differences of opinion on "how to manage" caused significant controversy. Rather than learn to manage controversy, the Department turned its back on its long term public review and subscribed to a new form of public involvement. This touchy-feely era of special planning teams and large stakeholder groups was a forum for the special interests and eco terrorist groups to derail the whole management process.

I'm thankful that in the Legislature you have the responsibility to vote for decisions rather than attempt "consensus" decision making. These special "planning efforts" were and are tremendously expensive and time consuming. I'm talking about hundreds of thousands of dollars per effort.

The "new" public involvement process ground management to a standstill. A result desired by some of the activists. There was further deterioration of the big game populations and no improvement to solving the controversy. The new process had the effect of pouring sand into the gears. Many of the special interests led the initiative efforts to further restrict management options for the Department.

The result, especially in the last fifteen years, has been a complete disenfranchising of the AC's by the Department evidenced by cut after cut to the AC's budget by the Commissioner's office. Those of us who worked with you in the Legislature to get additional money for the AC's saw any funds re-routed, that is diverted to other priorities, by the Commissioner.

Many of our rural AC's are now funded for one meeting a year. At that meeting they are responsible to review and advise on hundreds of fishery proposals AND hundreds of game proposals. They saw the special interests monopolizing Board members and time and able to stay as long as it takes to get what they want. It's not a surprise to me that many of the most experienced AC representatives, threw up their hands and resigned.

Alaska has been applauded worldwide for the AC's system of public involvement. Most states get very little community review for fish and game resource decisions. Ours was a terrific model and at one time, worked very well. Alaska's AC system represented thinking "outside the box" for it's innovation and it was relatively low cost.

Now, that system, like other processes used by the Department, is broken. AC's are expected to provide input and discussion with the Boards, yet are lucky to be funded (by the Department) to do any more than provide public comments in the first hours of a two week long meeting. Like your own review processes, fish and game proposals change during the course of a Board meeting and AC's are conspicuously absent when there are changes or compromises. They have been told, "Sorry, we can't afford for your representative to stay for deliberations or questions."

How do we fix it? I recommend you consider adding to SB 170 the original concept of the Boards being responsible for their own administration and budgets. Get them and the AC's out of the stranglehold of the Department. Perhaps put the budget for the special planning teams into the AC budget. I recommend you consider further empowering the AC's in some regional or local decisions. They now have statutory authority for some seasonal closures.

FAIRBANKS
SB 170

THOMAS N. SCARBOROUGH
1676 TAROKA DRIVE
FAIRBANKS, ALASKA 99709
(907)479-3412
FAX(907) 479-6602
October 10, 2005

Subject: Testimony for Senate Judiciary Committee, Senate Bill 170

From: Thomas N. Scarborough

I will not attempt to critique SB 170 in depth as it is only in draft stage and is evolving and will likely be rewritten after these hearings are completed. I will deal in concepts only and attempt to point out where I see the Department of Fish and Game and more particularly the Division of Wildlife has evolved to.

I have over 30 years of observing the actions of the Division of Game (now called Wildlife). From my perspective the Div. of Wildlife has evolved into a nonfunctional entity that no longer understands its mission as prescribed by the Alaska Constitution and State Statutes. The public trust responsibilities for managing our wildlife resources on a sustained yield bases have been and are currently being grossly mishandled.

It appears to me that the Division leadership believes they are free to take any action they see fit, move monies around irregardless of restriction imposed by State and Federal Law and undertake or ignore management actions requested by Legislature, all with no repercussions from the Legislature or anyone else. This Leadership appears to consider any input, suggestions, etc. by general public or Legislature as meddling. The Division knows best. All the while we have seen state wide moose populations decline more than 50% and in some areas close to 100%. Sheep harvest is now one half of that of 10 years ago. The Divisions response is to request higher fees for resident and non-resident hunters while offering them less to harvest. Active management (predator control) has been opposed and only taken place when forced by Legislature.

The Division Leadership complains it has no funds to perform basic wildlife counts, yet in fiscal 2005 they transferred \$500,000 of funds generated by hunter license fees to match Federal funds to prepare documents for non-game studies. This appears to be a direct violation of State Statutes.

I will suggest that the time has come for the Legislature to exert their authority and take an active roll as the State of Alaska Trustees to bring the Department of Fish and Game, namely the Division of Wildlife, back to its proper mission as specified by Title 8 of Constitution.

The Board of Game (BOG) must be separated from the Department by separate funding. The Board must be allowed to select its own staff and legal council.

I believe it should be clearly understood by the Legislature that the Board is an arm of the Legislature and not part of the Executive Branch. The Department of Fish and Game now considers the BOG as an entity of the Executive Branch to be used to further their addenda of non-management. In addition they attempt to have Executive Branch Council represent both Dept. and Board. The BOG and the Dept. do not have the same legal responsibilities. This puts Council in the position of either attempting to present both sides of an issue or selecting one side and neglecting the other side. I believe the Alaska Bar has some very strict prohibitions on Council attempting to perform this balancing act. This situation must be corrected.

The responsibilities of the BOG must be clarified to clearly show they are not there to manage, but direct the managers. This clarification must include the Advisory Committee system to show it is a function of the BOG. It appears the Dept. now considers the Advisory Committee's of little more than a group to be ignored if possible when they do not like their advice, and circumvented when they get in the way. Thus we see separate working groups such as the Forty Mile Caribou and Koyukuk Moose Committees which it appears to me have no basis in law.

I will assist where I can to see that the above suggested changes are made. Hundreds of millions of dollars of renewable wildlife and associated recreation resources are at stake. Corrective actions must be taken, and the sooner the better.

Thank you,

A handwritten signature in cursive script, appearing to read "Don A. Seaberg". The signature is written in dark ink and is positioned below the typed text "Thank you,".

ALASKA WILDLIFE CONSERVATION ASSN.
1625 Old Steese Hwy. - Fairbanks, AK 99701 - (907) 456-1992

October 10, 2005

Dear Senate Resource Committee Members:

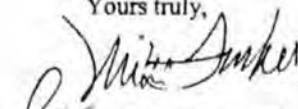
A death in my family has prevented me from attending this meeting personally, so I will provide an outline of some serious issues facing fish and wildlife resource management by the Department of Fish & Game.

Federal and Alaska Law (AS 16.05.130) prohibits Alaska's Fish & Game fund license revenues from being spent on anything other than programs that directly benefit license holders. This Statute also requires ADF&G to annually report to the legislature, by project, all expenditures from the Fish & Game fund.

Unfortunately, the Department of Fish & Game classifies all Fish & Game fund monies as unrestricted and does not report to the legislature on Fish & Game fund expenditures on a project basis. The Department of Fish & Game has, and does, use Fish & Game fund license monies for purposes not related to consumptive use species management. Nearly \$1 Million per year is being diverted to seek Federal monies for non-game species. The Department of Fish & Game has, over the last decade, expanded their scope to include, and even the definition of the word "game" to include all species of wildlife including insects, aquatic invertebrates, all bird life, salamanders, toads and frogs, to name but a few.

ADF&G's budget reveals that for the past two years over half of ADF&G research is being done on non-game species. The Department has expanded their activities to secure funding from nearly 20 different Federal projects in return for tens of millions of dollars. (See attached). At the same time, the Department has been restricting consumptive use game management expenditures and has been consistently reducing its active management of Alaska's consumptive use species. The Department's monitoring of the rapid decline of Alaska's consumptive use species is unprecedented and should be of serious concern to all of us. I shall forward additional material to you.

Yours truly,


for Lynn E. Levengood
E Board Member

USDOC 11.0024-DC 2001-18
USDOJ 16 202
USDOJ 16 523
USDOJ 16 540

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USDOJ 16 549

Phase II
Code Blue (Improve Rural Emergency Health Care) 71,233
Offender Reentry Program 31,042
Juvenile Accountability Incentive Block Grants 1,607,589
Juvenile Justice and Delinquency Prevention: Allocation to States 475,067
Juvenile Justice and Delinquency Prevention: Special Emphases 294,749
Title V: Delinquency Prevention Program 37,633
Part E: State Challenge Activities 98,491

ALASKA DEPARTMENT OF FISH AND GAME



Department Summary

Commercial Fisheries

Sport Fish

Wildlife Conservation

Administration and Support

ALASKA CONSTITUTION: Article VIII, Section 4. Sustained Yield. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

MISSION: To protect, maintain, and improve the fish, game, and aquatic plant resources of the state, and manage their use and development for the maximum benefit of the people of the state, consistent with the sustained yield principle.

FY06 Funding Sources

Federal Receipts	61,116,600
General Funds	33,800,800
Interagency Receipts	11,553,800
EVOS	4,237,700
Fish & Game Fund	26,948,600
Commercial Fisheries Loan Fund	1,976,300
CIP Receipts	5,213,300
Statutory Designated Program Receipts	5,222,600
Test Fish Receipts	2,475,900
Receipt Supported Services (CFEC Receipts)	3,400,900
Other	64,300
Total	156,010,800

FY06 Budget

Commercial Fisheries: Manage subsistence, commercial, and personal use fisheries in the interest of the economy and general well being of the citizens of the state, consistent with the sustained yield principle, and subject to allocations through public regulatory processes.	54,752,900
Sport Fish: Protect and improve the state's recreational fisheries resources.	43,444,100
Wildlife Conservation: Conserve and enhance Alaska's wildlife and habitats and provide for a wide range of public uses and benefits.	31,502,400
Administration and Support: Provide support and management direction to departmental programs.	26,311,400
Total	156,010,800

Core Services

- Provide opportunities to utilize fish and wildlife resources
- Ensure sustainability and harvestable surplus of fish and wildlife resources
- Provide information on Alaska fish and wildlife resources to all customers
- Involve the public in management of fish and wildlife resources
- Protect the state's sovereignty to manage fish and wildlife resources



Tagging salmon. ©ADF&G.

ALASKA DEPARTMENT OF FISH AND GAME



Division of Commercial Fisheries

MISSION: To manage subsistence, commercial, and personal use fisheries in the interest of the economy and general well being of the citizens of the state, consistent with the sustained yield principle, and subject to allocations through public regulatory processes.

FY06 Funding Sources

Federal Receipts	16,014,900
US Dept of the Interior	1,546,900
US Dept of Commerce	14,075,700
US Dept of Agriculture	392,300
General Funds	24,873,400
Interagency Receipts	1,669,300
Fish & Game Fund	1,551,800
Commercial Fisheries Loan Fund	1,865,900
CIP Receipts	3,080,700
Statutory Designated Program Receipts	2,246,600
Test Fish Receipts	2,475,900
Other	974,400
Total	54,752,900

FY06 Budget

Stock Assessment and Applied Research	31,283,700
Harvest Management	20,642,600
Aquaculture Permitting	1,257,300
Information Services and Public Participation	1,569,300
Total	54,752,900

Core Services

- **Stock Assessment & Applied Research:** Maintain ongoing programs for the enumeration, assessment, and understanding of salmon, herring, groundfish, and shellfish stocks.
- **Harvest Management:** Control the harvest of fishery resources for subsistence, commercial, and personal uses according to plans and regulations.
- **Aquaculture Permitting:** Permit and provide regulatory, technical, and planning services to aquatic farmers and private nonprofit hatchery operators.
- **Information Services and Public Participation:** Develop, maintain and disseminate data, analyses, and published reports.



Trawler. ©ADF&G.



Measuring halibut. ©ADF&G.

ALASKA DEPARTMENT OF FISH AND GAME



Division of Sport Fish

MISSION: To protect and improve the state's recreational fisheries resources.

FY06 Funding Sources

Division of Sport Fish	
Federal Receipts	21,555,000
US Dept of the Interior	19,269,100
US Dept of Commerce	1,874,200
US Dept of Agriculture	329,300
Other Federal Receipts	82,400
General Funds	383,600
Interagency Receipts	2,455,600
Fish & Game Fund	14,904,600
CIP Receipts	1,774,400
Statutory Designated Prog. Rcpts.	1,965,800
Other	405,100
Total	43,444,100

FY06 Budget

Research/Stock Assessment	16,608,277
Management	7,748,014
Hatchery Production	6,380,718
Access Development & Maintenance	5,064,062
Habitat Assessment & Restoration	4,452,671
Information & Education	2,633,312
Enforcement	202,562
Planning & Survey	354,484
Total	43,444,100

Core Services

- **Research/Stock Assessment:** Assess fish populations that are the basis of our state's recreational and personal use fisheries to assure sustained yield from these fishery resources.
- **Management:** Develop fishery regulations and management plans in coordination with the Alaska Board of Fisheries and other regulatory boards to manage recreational and personal use fisheries consistent with the sustained yield principle.
- **Hatchery Production:** Maintain 3 hatcheries producing chinook/coho salmon, rainbow trout, char and grayling to provide added/more diverse recreational fishing opportunities that do not affect wild stocks or their fisheries.
- **Access Development & Maintenance:** Build, buy, lease, and maintain physical access to fisheries for the benefit of Alaska's recreational and personal use fishers.
- **Habitat Assessment & Restoration:** Provide habitat restoration expertise, permitting and management of legislatively designated Special Areas, review of resource development projects, and identification of legal access to public resources.
- **Information & Education Services:** Support an outreach program to inform and educate the public regarding sport fishing opportunities, regulations, and the life histories of fishes and their habitat needs.
- **Enforcement:** Assist in enforcement of state laws and regulations to assure orderly and legal recreational and personal use fisheries.
- **Planning & Survey:** Monitor the preferences of Alaska's public regarding the management of Alaska's recreational and personal use fisheries through strategic planning and surveys of public opinion.



Rainbow trout. ©ADF&G.

ALASKA DEPARTMENT OF FISH AND GAME



Division of Wildlife Conservation

(including Hunter Education Public Shooting Ranges)

MISSION: To conserve and enhance Alaska's wildlife and habitats and provide for a wide range of public uses and benefits.

FY06 Funding Sources

Federal Receipts	18,311,500
US Dept of the Interior, USFWS, Wildlife Restoration	9,574,400
US Dept of the Interior, USFWS, State Wildlife Grants	3,172,100
US Dept of Commerce, National Marine Fisheries Service	3,095,700
Other Federal Receipts	2,469,300
General Funds	1,271,400
Interagency Receipts	939,400
Fish & Game Fund	10,368,200
Statutory Designated Program Receipts	561,900
EVOS	50,000
Total	31,502,400

FY06 Budget

Management/Coordination	10,840,400
Species Survey & Inventory	6,399,500
Public & Hunter Information	1,826,600
Wildlife Research	10,273,300
Refuges and Sanctuaries	804,900
Hunter Education	570,600
Shooting Facilities	787,100
Total	31,502,400

Core Services

- **Management/Coordination:** Biological, technician, and management staff housed in 24 area/regional offices. Interagency coordination with federal land partners, Board of Game.
- **Species Survey & Inventory:** Field work within Game Management Units to monitor species populations and prepare study data for yearly Board of Game meetings.
- **Public & Hunter Information Services:** Public interaction by biologists and information center staff regarding hunting opportunities and other uses of wildlife.
- **Wildlife Research:** Multi-year field studies including data collection and analysis.
- **Refuges and Sanctuaries:** Management of McNeil River, Pack Creek, Creamers Field, Potter Marsh, Palmer Hay Flats, Round Island, Mendenhall Wetlands, Minto Flats, and Wolverine Creek.
Hunter Education: Coordinate volunteer instructors and administer hunter education classes.
- **Shooting Facilities:** Operate shooting range facilities in Anchorage, Fairbanks and Juneau.



Moose. ©ADF&G.

ALASKA DEPARTMENT OF FISH AND GAME



Administration and Support

MISSION: To protect, maintain, and improve the fish, game, and aquatic plant resources of the state, and manage their use and development for the maximum benefit of the people of the state, consistent with the sustained yield principle.



Recording data. Photo by Jim Craig. ©ADF&G.

FY06 Funding Sources


Federal Receipts	5,235,200
General Funds	7,272,400
Interagency Receipts	6,489,500
EVOS	3,470,500
Fish & Game Fund	124,000
Commercial Fisheries Loan Fund	104,500
CIP Receipts	358,200
Statutory Designated Prog. Rcpts.	448,300
Receipt Supported Services (CFEC fees)	2,808,800
Total	26,311,400

FY06 Budget

Commissioner's Office	1,300,200
Administrative Services	8,058,300
Boards & Advisory Committees	1,742,700
Subsistence Division	4,313,800
EVOS	4,277,800
Facilities Maintenance & Rent	3,366,500
Commercial Fisheries Entry Commission	3,252,100
Total	26,311,400

Core Services

- **Commissioner's Office:** Provide support and management direction to departmental programs.
- **Administrative Services:** Provide professional support services to the programs of the department.
- **Boards and Advisory Committees:** Administer the public process for the state's regulatory system relating to fish and wildlife resources; administer the advisory committee system and ensure the general public is provided an opportunity to participate in the state's regulatory process relating to fish and wildlife resources. Ensure that the state's regulatory system relating to fish and wildlife resources operates efficiently and effectively. Ensure that the advisory committees and the general public are given an opportunity to participate in the state's regulatory process.
- **Subsistence Division:** Gather, quantify, evaluate, and report data about uses, users, and methods of subsistence hunting and fishing, and make recommendations on the impacts of federal and state laws and regulations on subsistence uses and users.
- **Exxon Valdez Oil Spill Council:** Sustain a healthy and biologically diverse marine ecosystem in the northern Gulf of Alaska and the human use of the marine resources in that ecosystem through greater understanding of how its productivity is influenced by natural changes and human activities.
- **Facilities Maintenance & Rent:** Account for expenditures for annual facility operations, annual maintenance and repair, and periodic renewal and replacement for Fish and Game facilities; manage state-owned and leased facility rental costs.
- **Commercial Fisheries Entry Commission:** Limit entry into commercial fisheries for purposes of resource conservation and to prevent economic distress among fishermen and those dependent on them for a livelihood.



DALTON HEARING—John Lyle, middle, holds a map showing the Dalton Highway corridor as he voices his opposition to Senate Bill 85 during public testimony Tuesday in the Fairbanks City Council Chambers. A standing-room-only crowd turned out to testify before senators, seated with backs to camera from left, Ralph Seekins, R-Fairbanks, the bill's sponsor; Danny Olson, D-Nome; Tom Wagoner, R-Kenai; and Kim Elton, D-Juneau. The bill would repeal the state's long-standing motorized vehicle ban along the Haul Road and the pipeline corridor.

Speakers criticize Dalton ORV plan

By R.A. DILLON
Staff Writer

Members of the Senate Resource Committee took public comment Tuesday night on a proposal to lift restrictions on off-road vehicle use along the Dalton Highway.

More than 100 people filled the second-floor Fairbanks City Council chambers to comment on the controversial measure, which would likely increase traffic on the Prudhoe Bay Haul Road.

While outdoor enthusiasts have supported the use of snowmachines and four-wheelers in the area for the increased public access it would allow, nearly all of those who testified Tuesday were critical of the proposal.

Conservationists and hunters alike argued, sometimes angrily and once even in verse, that lifting the long-standing ban would damage the area's landscape, increase hunting pressure on caribou and moose populations, disrupt sensitive scientific data collection at the Toolik Field Station research facility and increase safety and security concerns along the 414-mile road.

Testimony in favor of opening the area Tuesday night was scarce and centered on the access it would provide for the disabled. Fairbanks Republican Sen. Ralph Seekins, the bill's sponsor, said concerns about the environmental impact of allowing off-road vehicles along the road would be limited by state and federal management.

"Every issue that was raised here has

“
Show me a place where there's ATVs that there's not
people pointing out problems. We don't have ATVs there
presently and that's a good thing.”

—David van den Berg, executive director
Northern Alaska Environmental Center

already been addressed in the bill," he said.

The purpose of removing the restriction is to provide greater public access to a large part of the state for recreational and hunting opportunities, Seekins said.

Many of those who testified, though, argued that access to the area is more than sufficient. Under the current law, the public can stop their vehicles anywhere along the highway and walk, ski or dog team into surrounding countryside.

"There already is access to the area," said Nancy Fresco of the Northern Alaska Environmental Center. "This is more about a certain kind of access."

Off-road vehicles are currently prohibited from driving within five miles of either side of the Dalton Highway between the Yukon River and the Arctic Coast. The proposal would remove the restriction north of the Yukon River crossing. The road serves as the main supply route for Prudhoe Bay and the prohibition on off-road vehicle use along was put in place when the trans-Alaska oil pipeline, which runs par-

allel to the highway, was built in the 1970s.

Seekins maintains that since the highway was opened to the public in 1994, it should be managed like other public land along state highways.

It's also unfair that residents in the regions' few communities, such as Wiseman and Coldfoot, can access the area with off-road vehicles and other users cannot, Seekins said.

The majority of the criticism centered on the use of four-wheelers and the ruts the vehicles can inflict on the spongy tundra during the summer.

Kotzebue Democrat Rep. Reggie Joule, an Inupiaq Eskimo, said there was concern among Native and non-Native residents who live in the area about the impact the proposal would have on subsistence and tourism activities.

Scientists from the Toolik Field Station, 284 miles up the highway, testified on the potential effect of four-wheelers. The station attracts \$36 million in research funding and about 350 scientists annually who

conduct climate research on the tundra.

"We have real concerns that the use of wheeled vehicles in the area would jeopardize the research that's done at the station," said Brian Barnes, director of the Toolik Field Station. Barnes said he would not object to granting greater access to snowmachines during the winter.

David van den Berg, executive director of the Northern Alaska Environmental Center, said efforts to open the land along the highway to off-road vehicles has been a perennial fight.

"This is a bill that keeps coming up," he said. "It's originated by the same author and it's unpopular."

Seekins first introduced legislation to lift the ban in 2004 and again in 2005. If it doesn't pass this session, the bill will die. Conservationists said Tuesday that's exactly what they hope will happen.

"Show me a place where there's ATVs that there's not people pointing out problems," van den Berg said. "We don't have ATVs there presently and that's a good thing."

The bill, if passed, would not take effect for a year to give state and federal land managers adequate time to develop management plans. All of the concerns raised by user groups could be addressed in those plans and that the use of wheeled vehicles would likely be restricted in many areas, Seekins said.

"You have to trust the public process," he said. "They're not just going to allow

See DALTON, Page B2

Fairbanks Daily News-Miner, Wednesday, October 12, 2005

Any other inquiries can be made to 323-4192 or 323-3031.

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EVENTS

Today

7 a.m.—Chana Kwanis breakfast meeting, Zach's at Sophie Station.

9 a.m.—Senior Aqua Fitness, Mary Siah Recreation Center.

10-11:30 a.m.—Fairbanks Women's Connection, continental breakfast (\$7.75), Friends Church, 1485 30th Ave. Special speaker: Dala Connor. Todd from GVEA will give a presentation on conserving energy. Information and reservations: 488-9201.

10 a.m.-2 p.m.—American Red Cross blood drive, Bassett Army Community Hospital, 1060 Gaffney Road. Walk-ins welcome. Information: Sgt. Havins, 353-9452.

11 a.m.—TOPS (Take Off Pounds Sensibly) meeting at Rebekah Lodge, 825 First Ave. Information: 451-7491.

11:15 a.m.—Preschool Storytime. Stories, fingerplays and songs for 3-5 years of age. No registration required. North Pole Library.

11:30 a.m.—Fairbanks Retired

Teachers Association meeting. Arctic Winter be featured. Members, retired teachers welcome. Hotel. Information: 479-
Noon—Greater Fairbank of Commerce Education meeting, Denali School.

Noon—Alaska Outd lunch meeting. Public Big Daddy's Barbecue Avenue and Wickerst Information: 465-6151.

Noon—North Pole Ring, Pagoda Restaurant, Guest speaker from MAL Noon—Fairbanks Ki meeting, Last Roundup, man Street.

Noon-1 p.m.—Fairbu Star Borough Toastma

DALTON: Public hearings

Continued from Page B1

unfettered access."

Land along the first 180 miles of the Dalton Highway is under federal management. The Bureau of Land Management, which oversees 2 million acres along the Dalton Highway, has had a land-use plan prepared since 1991, Seekins said.

While the state would have to develop its own plan, both management directives would be subject to a public review process,

Seekins said.

The committee has public meetings to gather additional public comment on Senate Bill 85 this week in Coldfoot, Barrow and Peters Creek.

The proposal, which stalled in committee at the end of the last legislative session, is expected to go to the Senate floor for a vote when the Legislature returns to Juneau in January.

Staff writer R.A. Dillon can be reached at 459-7503 or rdillon@newsminer.com.

The Fairbanks Figure Skating Club proudly presents

2006 NORTHWEST PACIFIC REGIONALS

COMPETITORS



October 17-22, 2005
Snow King Center Ice Arena
Jackson Hole, Wyoming

Skaters pictured from left to right: Bianca Rose Burbank, 9th grade West Valley High School; Baxter Burbank, 12th grade West Valley High School; Jocelyn Ribar, 9th grade Monroe High School; Michael Skulstad, 9th grade Raven School YKSD; Ariel Ellison, 10th grade Lathrop High School; Jordan Lizotte, 7th grade Tanana Middle School; Cordero Zuckerman, 8th grade Tanana Middle School. Not pictured: Laura Woodman, 8th grade Reno, NV; Valeria Green, 12th grade Eagle River, AK; Kimmi Jeffers, 11th grade Salt Lake City, UT.

GOOD LUCK SKATERS!!

From FFSC, your families and J3L Skate Wear!

Fairbanks Daily News-Miner, Wednesday, October 12, 2005

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 - Catch a Rising Star New Jersey
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Department of Public Safety Commissioner's Office



SR 85

P. O. Box 111200
Juneau, Alaska 99811-1200
Telephone: (907) 465-4322
Fax: (907) 465-4362

Date: 10/6/05 Time: 16:20

To: MARY JACKSON Fax # 283-8177

From: P. Cliff

Number of pages including cover sheet: (2) SR 85

Message: Original in mail

*As promised - please ensure Mary x
Senator Wagoner sees this before
hearing with B for public hearings*

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State of Alaska
Department of
Public Safety

Frank H. Murkowski, Governor
William Tandeske, Commissioner

October 6, 2005

The Honorable Tom Wagoner
Chairman, Senate Resources Committee
145 Main Street Loop, Suite 226
Kenai, AK 99611

Re: Senate Bill 85 – Off-road use on the Dalton Highway

Dear Senator Wagoner:

This letter is written in response to your correspondence dated September 15, 2005 regarding the same subject.

In your letter, you inquire about the Department of Public Safety's fiscal note regarding this legislation. Part of the rationale behind our zero fiscal note and analysis is the fact that the Bureau of Land Management (BLM) and the Alaska Department of Natural Resources have done a good job when it comes to managing our land in Alaska. As it has been noted in public testimony, the first 180 miles of this road is federal property and BLM has had a draft land use plan for this area since 1991. Another consideration is that the repeal on the ban would not take effect for one year from the date when the bill is signed into law.

If this bill passes, the Alaska State Troopers do expect to see an increase in off-road traffic due to the unrestricted access for hunting, fishing and other uses. Eventually, this will lead us to supplement staffing at the Coldfoot Post with additional troopers on a seasonal basis. From our management standpoint, this can be done by assigning AST personnel from Fairbanks on temporary duty (TDY) to this area. I feel this is a prudent and responsible approach to administer the increased demands that we will face on the Dalton corridor.

Since a land use plan will be in effect, I feel that the impact on the department along the Dalton corridor will be moderate for the foreseeable future.

If you should have any further questions about our fiscal note or need additional information, please don't hesitate to call my office.

Sincerely,

A handwritten signature in black ink, appearing to read "William Tandeske".

William Tandeske
Commissioner

cc: Tom Irwin, Commissioner
Department of Natural Resources

Office of the Commissioner
450 Whittier Street - Juneau, AK 99811 - Voice (907) 465-4322 - Fax (907) 465-4362

MARY JACKSON

SENATE RESOURCES COMMITTEE

Hello Mary,

This is a belated followup from the SB 85 hearings you recently held. The Fairbanks Daily News Miner article highlights an issue which I think is relevant to the potential costs associated with increased usage of the Dalton Highway - search & rescue. The terrain along the Kaul Road is often challenged, be it tundra or mountains, & the weather can get nasty, real fast, & ~~come~~ earlier in the year than people are accustomed to. Mistakes & mishaps will happen, & given the remoteness of the region, search & rescue costs will be high.

Thank you,

Jenny Lindsey

2240 RAILROAD DR.

FAIRBANKS, AK 99709

9/05

...sexual assault. was already in custody on her case at the time of his tment and is being held on 100 bail.

...Fairbanks Police riment Detective Chris 1, the 28-year-old alleged vic- eported the incident on Nov. 1. Nolan said the woman was at in's Dunkel Street house a group of other people for a party the night before. The was drinking, Nolan said.

...the woman went to sleep e of the rooms at the house, id. She told police she awoke lden having sex with her, d him off and went back to She was unsure what hap- l after that, Nolan said.

...officers took her to the hospi- here a sexual assault exam onistent with her report.

...Nolan said Bolden denied the tions.

...he denied any sexual contact he victim," he said.

John Hagen/News-Miner

ON THE HUNT—A boater backs a truck and trailer to the side of the Tanana River at the Chena Pump Wayside on Friday. With moose hunting season in full swing, the recreation area is packed with vehicles hauling boat trailers belonging to hunters out on the Tanana River searching for moose.

Hunter injured

Rifle explodes on first day of season

By **AMANDA BOHMAN**
Staff Writer

On Thursday, opening day of moose hunting season in the Interior, a .300 Winchester Magnum rifle exploded instead of firing, critically injuring a North Carolina hunter, and three Fairbanks hunters called for help after encountering rougher-than-expected weather.

It's one of the busiest times of year for backcountry rescuers.

Brian C. Ward, 24, of Morrisville, N.C., remains in stable condition at Fairbanks

Memorial Hospital, said the hospital's nursing supervisor.

A military helicopter airlifted him from near the confluence of the Goodpaster River and Slate Creek, northeast of Delta Junction, on Thursday.

"He was trying to shoot at a moose," said Sgt. Brian Wassmann of Alaska State Troopers. "When he fired the gun, the gun exploded and the stock, the wooden part of the gun, exploded and came back and hit him in the

See HUNTER, Page B2

Recreation several mana the meeting, the Fairbank Assembly Cha

While the several comm torized crowd ly little from outdoor recre: Goodwin with

"Most of th have come fro viewpoint," sa ing to get a b. ments.

"If it's one ment looks at what everybod draft somethin all of a sudder say, "That's no

Some of the weight restric vehicles and s lishing a des that will reduc el; and develop

Air Force security group aims to help injured

THE MEND: An airman Eielson, serving at Camp in Iraq, suffered serious as in August when the vehi- was riding in rolled over. man Michael Fletcher, who een assigned to the 354th ity Forces Squadron at Eiel- r a year, was working as a gunner when the accident ed, according to the Eagle er of the Air Force Security Association in the Wash- , D.C., area.

...wife, who is also in the Air and stationed at Eielson, is months pregnant, accord- a report on the association to early this week.

...Fletcher was treated at the and transported to Kuwait nergency surgery before frown back to the United Fletcher, who lost an arm offered numerous other s, remains hospitalized at Reed Army Medical Cen- Washington, D.C.

...Villarreal, a member of Vietnam Security Police tion, contacted me to "get rd out to the community so

Dermot Cole



...that financial assistance can be provided to our local hero."

He said a local fund may be established, but in the meantime, he suggested making donations to the Air Force Security Police Association. Check out www.afs-paeagle.com for details. There are 30 chapters of the Air Force Security Police Association and the Eagle chapter has started a "Proud Warrior" program to provide support for injured airmen.

HOST FAMILIES: Two Fairbanks women are trying to find host families for hurricane refugees in Fairbanks.

Melodie Byrd of the Northstar Weekly and Karen Garrity of Fairbanks Title Agency happened to be talking about the disaster and both were thinking of ways

in which local people might provide temporary help.

Garrity, the community relations director at Fairbanks Title, said the first step is to assess whether there are others in the community who might want to host families for two months. It would be similar to what the Alaska Goldpanners do every summer for visiting baseball players.

Garrity said the two-month time period is based on comments she heard from the president on the TV news about how the Federal Emergency Management Agency will have emergency shelter ready in a matter of weeks.

Garrity said that one question is what people in Louisiana will think about the prospect of going to Alaska for a couple of months, but she said that it's likely to sound better to many people than an extended stay in the Astrodome.

Byrd is setting up a link on the Northstar Weekly Web page where people can list whether they can host an individual or a

family or if they are able to donate air miles to help with transportation.

"Once we have an idea of how many refugees we can help, we can research local and national resources for transportation and aid," said Byrd.

Garrity said donating air miles may allow people to get to Fairbanks or to some other U.S. community for temporary shelter. Byrd, the editor of the Northstar Weekly, said the paper's Web site should have a link on it today with a form that people that can fill out.

For information, go to www.northstarweekly.com and click on the "I can help" button.

PUZZLING: A recent Sunday puzzle by Will Shortz on National Public Radio dealt with an aspect of Alaska.

His challenge: "Take a two-word phrase meaning 'a difficult puzzle.' Drop the first letter, read the remaining letters backward and you'll get a word for part of Alaska. What is it?"

More with th not one

The puzzle the "h" nut" is ward.

RAD Railroad ate Mor near Pa Day fes house 1 engine i by Dece

TELE annual Telethor on Chan Sunday. twist: P. devoted the victi

SCOU Hackney Boy Scou as the I

10 special session to get the governor created a address the issue in the legislators have continue wrangle with ways to up the deficit without further cuts to benefits. June public hearing on in Anchorage, the com- gathered information on oblems other states are covering the escalating expenses.

ing longer. While the problem is wide- spread, Weyhrauch said it needs to be addressed in Alaska before it becomes a drain on state resources. "We need to find out if that unfunded liability puts the state's other essential programs at risk," he said. "Are we at risk or not; I'm not sure we know the answer." Ron Woolf, chief financial officer for the city of Fairbanks,

to make it up," he said. "We probably can't now." The Fairbanks City Council will hear a resolution at its Sept. 12 meeting that would establish a maximum employer contribution rate to the retirement system for the city and require the state to pay anything over that amount, said Pat Cole, chief of staff for Fairbanks Mayor Steve Thompson. Mike Fisher, chief financial

Public testimony will be taken Thursday from 1 p.m. to 4 p.m. at the Legislative Information Office at 119 N. Cushman, Suite 101. The conference will be teleconferenced with Legislative Information Offices across the state. The committee has plans to hold additional meetings in Juneau and Kenai. Staff writer R.A. Dillon can be reached at 459-7503 or rdillon@newsminer.com.

your air route from Fairbanks to Galena when you became aware this Dean NV Westli Louden Adminis

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HUNTER: Another group lost tents

Continued from Page B1

face." Ward's eye was injured and he suffered blunt trauma and abrasions to his face and head, Wassmann said.

"We don't know why the gun exploded," Wassmann said.

Chris Buckley, 26, of Anchorage, Ward's hunting companion, called for help from a satellite telephone.

"He was airlifted within two hours," Wassmann said.

Wassmann did not know if Ward was conscious when res-

cuers reached him. Also on Thursday, troopers sent a search party to Augustana Creek near Summit after three hunters called a friend to say they were having problems before their cell phone went dead.

The hunters, Jerry Freel, 53, Britt W. Freel, 45, and Evan Freel, 16, all of Fairbanks, encountered 30-degree temperatures with snow and rain, Wassmann said.

"Rain blew our tent apart and got our sleeping bags all soaked," Jerry Freel said on Friday. "Of course, in the middle of the night, it started snowing. We basically had to leave our camp and do a forced march out of there."

Searchers swept the area once, regrouped and prepared to resume searching when the hunt-

ing party reached their vehicle near 221 Mile Richardson Highway, Wassmann said. The hunters appeared in good condition, although they were cold and wet.

The two incidents came on the heels of a fatal backcountry episode last week.

Steven Lynch, 54, of Cody, Wyo., died of exposure after he reportedly spent the night Sunday outside in the Alaska Range in chilly, damp conditions. He wore a cotton sweatshirt cut off at the sleeves, jeans and a light rain jacket, troopers said.

Lynch got lost after he separated from a friend, according to troopers, who recovered his body on Tuesday.

Reporter Amanda Bohman can be reached at abohman@newsminer.com or 459-7544.

Pets for people

Mamma (6/27#1) is a young adult lynx point. She spent her first month in foster care taking care of her kittens. She is now available for adoption. She gets along great with other cats and loves attention.



She is a very mellow cat that love to have a home and could get lots of love.



Billy Bob (8/2) had it easy. When he was found running he was very scared and that he is at the shelter doing well. He is an adorable chubby talker! Love who likes to

We have a small selection of pocket pets at the shelter right now. Hamsters, rats, mice and even a Guinea pig. They're all very friendly, and ready to be adopted.



This week's pets are available at the Fairbanks North Star Borough Animal Shelter, 2408 Davis Road, 11 a.m. to 6:00 p.m. Monday through Friday, and noon on Saturday. 459-1451. Visit www.fnsb.petfinder.com

If you are unable to adopt one of these wonderful pets, you can help support the animal shelter and the animals by sending your tax-deductible contribution to the nonprofit Fairbanks Animal Shelter Fund, P.O. Box 71267, Fairbanks, Alaska 99771.

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