

4/10/09

CONFIRMA-

TION:

KARL

JOHNSTONE

BOARD OF

FISHERIES

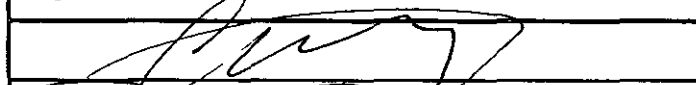

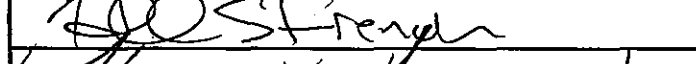
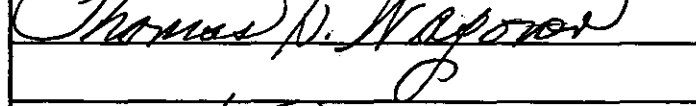


**SENATE  
CONFIRMATION COMMITTEE REPORT**

Date: 04/10/09

In accordance with AS 39.05.080, the Senate Resources Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

**Board of Fisheries**  
Karl S. Johnston - Anchorage

This does not reflect an intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

Signature:	Printed Last Name
	Huggins
	Seber
	French
	WAGONER
Co-Chair: 	Wielechowski
Co-Chair: 	McQuire

Please return to the Senate Secretary's Office (Room 213).

## Resume

Name: Karl S. Johnstone

Address: 18618 Snowy Plover Cir  
Anchorage, Alaska 99516

Time in Alaska: 1967 to present

Date of Birth: 07/25/1941

Health: Perfect

Education: Bachelor's degree in Business, 1964 U. of Arizona  
Juris Doctor in Law, 1967 U. of Arizona

Work Experience: Private Practice of Law 1968 through 1978  
Superior Court Judge 1979 through July 1996  
Part time mediator/arbitrator and limited practice  
1997 through present

Position applying for: Member of North Pacific Fishery Management  
Council or Alaska Fish Board

Related Experience: Owned and fished Limited entry permits for set net  
and drift net salmon fishing in Bristol Bay from  
1984 through 1988. Owned and fished Limited  
entry permits for gillnet herring in S.E. Alaska  
and Prince William Sound from 1984 through  
1988.  
Have been an active sport fisherman through out  
Alaska since 1967 to present.

Other activities: Golf, flying, building aircraft, fishing, reading.

Contact information: email: [Johnstone@alaska.net](mailto:Johnstone@alaska.net) Phone 928-  
541-1378

# Employment Applicant Profile

## Personal Information

First Name: karl Middle Initial: (Optional) Last Name: johnstone

Mailing Address: 18618 snowy plover cir

City: anch State: ak Zip Code: 99516 Country: U.S.

Email: (Optional) johnstone@alaska.net

Are you currently an Alaska Resident? yes Yes No

Since 03/67 (mm/yy)

Do you have a legal right to accept employment in the United States? yes Yes No

Are you related to any person currently working for the State of Alaska? Yes no No

If Yes, please list their name(s), their Departments(s), and your relationship(s):

Have you ever been convicted of a felony? Yes no No

Have you been convicted of a misdemeanor within the past five years? Yes no No

If you answered Yes to either of the above questions, please explain below:

Note: If you have been convicted of a felony, you will be required to provide a copy of your judgment if chosen for an interview.

**Education & Training**

Education: Check highest level attained

High School

Some High School  
HS Graduate or GED

Post Secondary

Some College  
Associate's Degree  
Bachelor's Degree  
Master's Degree

J.D. Doctorate

School Name U. of Arizona  
School Location Tucson, Ariz.  
Areas of Study Law  
Degrees obtained J.D.

School Name  
School Location  
Areas of Study  
Degrees obtained

School Name  
School Location  
Areas of Study  
Degrees obtained

School Name  
School Location  
Areas of Study  
Degrees obtained

Certifications, licenses and date obtained.  
Inactive member of Ariz. and Ak. Bar Associations

Career-specific, job-related training and skills.  
Legal

**Experience:**

Work History: List up to four employers.

Name of employer and location: Self employed as a lawyer

Start Date:

(Month/Day/Year) march, 1968

Ending Date:

(Month/Day/Year) Nov, 1979

Job Title:

Supervisor's Name:

Supervisor's Phone

Number:

Employment Type:        Full-Time        Part-Time

Hours/Week worked:

Salary: (Monthly)

Description. Please describe your duties.

practice of law in business and labor fields

Name of employer and location: Stat of Alaska

Start Date:

(Month/Day/Year) Nov 1978

Ending Date:

(Month/Day/Year) July 25, 1996

Job Title: superior court judge

Supervisor's Name:

Supervisor's Phone

Number:

Employment Type:        Full-Time        Part-Time  
Hours/Week worked:  
Salary: (Monthly)  
Description. Please describe your duties.

Name of employer and location:

Start Date:

(Month/Day/Year)

Ending Date:

(Month/Day/Year)

Job Title:

Supervisor's Name:

Supervisor's Phone

Number:

Employment Type:        Full-Time        Part-Time

Hours/Week worked:

Salary: (Monthly)

Description. Please describe your duties.

Name of employer and location:

Start Date:

(Month/Day/Year)

Ending Date:

(Month/Day/Year)

Job Title:  
Supervisor's Name:  
Supervisor's Phone  
Number:  
Employment Type:        Full-Time        Part-Time  
Hours/Week worked:  
Salary: (Monthly)  
Description. Please describe your duties.

**Veterans'/National Guard Preference**

Are you a veteran or a member of the Alaska National Guard? If no, you may proceed to the Optional State of Alaska Equal Employment Opportunity Questionnaire below.

**Are you a veteran who served on active duty (not active duty for training) in the United States Armed Forces and did you receive an honorable or general discharge?        Yes        No**

**If Yes:**

Did you serve during a war\* **OR** during the period beginning April 28, 1952, and ending July 1, 1955?  
**OR**

Did you serve for more than 180 consecutive days, any part of which occurred during the following periods:

- After November 11, 1918, and before December 2, 1919;
- After September 15, 1940, and before December 7, 1941;
- After December 31, 1946, and before January 1, 1948;
- After June 26, 1950, and before April 18, 1952;
- After January 31, 1955, and before October 15, 1976; or
- In the Alaska Territorial Guard?

Did you serve during the Gulf War period beginning August 2, 1990, and ending January 2, 1992? AND If you originally enlisted after September 7, 1980, or entered on active duty on or after October 14, 1982, without having previously completed 24 months of continuous active duty, did you serve continuously for 24 months or the full period called or ordered to active duty? **OR**

Were you awarded a campaign or expedition medal or an award or decoration for heroism or gallantry in action? AND if you originally enlisted after September 7, 1980, or entered on active duty on or after October 14, 1982, without having previously completed 24 months of continuous active duty, did you serve continuously for more than 180 days or the full period called or ordered to active duty?

Yes      No

**OR**

**Are you currently a member of the Alaska National Guard and have you served for eight (8) years or longer?      Yes      No**

\*Under Title 5 Section 2108 of the United States Code the following time periods are considered periods of war.

- World War I Between April 6, 1917, and November 11, 1918, inclusive Unless service was with the United States military forces in Russia, then the ending date is April 1, 1920. Service after November 11, 1918, and before July 2, 1921, is considered World War I service if time was served in the active military, naval, or air service after April 5, 1917, and before November 12, 1918.
- World War II: Between December 7, 1941, and December 31, 1946. If in service on December 31, 1946, continuous service before July 26, 1947, is also considered World War II service.

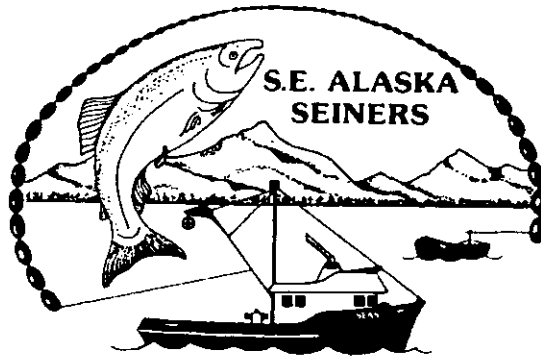
Are you entitled to disability compensation, disability retirement benefits, or disability pension under laws administered by the United States Department of Veterans Affairs or a military department? **OR**

Were you honorably discharged and awarded the Purple Heart?      Yes      No

The State of Alaska complies with Title I of the Americans with Disabilities Act (ADA). Individuals with disabilities who require special accommodation, auxiliary aides or services, or alternative communication formats call 465-3897 in Juneau or (907) 465-3514 TTY.

We are an equal opportunity employer and support workplace diversity.





Senator Lesil McGuire  
Alaska State Legislature  
Juneau, AK 99801

April 8, 2009

Dear Senator McGuire

Southeast Alaska Seiners Association (SEAS) is a non-profit fishing association representing well over 1000 direct and several thousand indirect jobs in the Southeast Alaska region. **We support both the confirmations of Karl Johnstone as well as Brent Johnson.**

While we have conducted our business in Southeast since 1968, we are very concerned about the regional and geographic balance on regulatory bodies that we deal with, such as the Alaska State Board of Fisheries. We understand that the Governor's appointments would now leave us with 3 seats in the Cook Inlet basin out of a total of 7 seats, these being Big Lake, Anchorage and Clam Gulch. With the remaining seats from Juneau, Petersburg, Kodiak and Naknek, there is quite a bit of diversity and geographic representation on the Board of Fisheries.

There will be statements and concerns coming from several quarters as to the geographic representation as well as the "balance" of this board. We are convinced that the Governors appointees are the right people for the job and will enhance and provide this balance. While most of our members are avid sportsmen as well as personal, subsistence and recreational users of the resource, our organization, SEAS, represents the commercial side of the Board of Fish arena.

Approximately 75% of all Board of Fish proposals are regulation changes, improvements, and management implementations that concern only commercial fishing. Thus, while you will hear that 4 of the 7 seats will now be considered "commercial", this is the way things should be. And the definition of "commercial" varies from region to region. Not one of these 7 Board of Fish members fish on a vessel large enough to qualify as a Southeast seiner. One of the "commercial" seats is a former processor who hasn't fished commercially for 40 years and the other 3 "commercial" seats have small enough vessels to fit on the deck of one of our boats.

✧ PO Box 23081, Juneau, AK 99802 ✧ 907-463-5030 ✧ Fax: 907-463-5083 ✧

Furthermore, one of the "sport" seats has fished commercially, in the past, for about ten years. Another "sport" seat used to be a fisheries biologist, Mr. Howard Delo, and he is one of our favorite board members. We never thought that we would be so inclined to be supportive of a fellow from Big Lake, but we are. (And please keep that in mind next year when this time of year rolls around again). We want Howard back on that board regardless of the fact that his home is not in Fairbanks. Some of the best folks may not come from the best geographic locations (not that Big Lake isn't a great place, it just isn't Fairbanks), but we want to see the best seven members on the board, regardless of affiliation or region.

Often we find more common interests with the so called "sport" representation than we do "commercial". And it helps that the "sport" seat can actually deliberate and vote on everything. **Interestingly enough, Brent Johnson will be not only conflicted out of voting on any Cook Inlet sport vs. commercial allocation issue but he will not be allowed to even deliberate. He must join the audience and is not allowed to speak on any conflicting issues.** We are bringing this to your attention so that you will know that some of the forces amassing against Mr. Johnson, while their points and concerns may be valid to their constituents, need to be reminded of this fact.


**Brent Johnson will be unable to vote or deliberate on any contentious Cook Inlet issue because he is a Kenai setnetter.**

I trust you will agree that these labels that are often used for the Board of Fisheries members often do not work out to paint an accurate picture. What is most important is that potential board members have an open mind, a commitment to the fish resource, and an unbiased determination to do what is right to enable the state of Alaska to continue to have a sustainable resource so that all users may benefit. And when the member must choose in an allocation disagreement, that they use the highest ethical and moral means to guide them in these decisions.

**Again, SEAS requests your 'yes' vote for the confirmation of both of Governor Palin's Board of Fisheries appointees, Brent Johnson and Karl Johnstone.**

Sincerely

Robert M. Thorstenson, Jr.  
Executive Director, SEAS  
410 Calhoun Ave  
Juneau, AK 99801  
(907) 463-5030



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**From:** Linda Branham [branham@royalwolf.com]  
**Sent:** Tuesday, March 31, 2009 10:30 AM  
**To:** Sen. Lesil McGuire  
**Subject:** Karl Johnstone  
**Follow Up Flag:** Follow up  
**Flag Status:** Yellow

Dear Sen. Lesil McGuire:

In my opinion we very definitely need Karl Johnstone on the Board of Fisheries. He is familiar, both with commercial fishing and sport fishing. He would be an excellent choice to represent those of us that need a stronger voice. Please support his choice.

Thank you.

Linda and Chris Branham  
Royal Wolf Lodge  
[Branham@royalwolf.com](mailto:Branham@royalwolf.com)  
[www.royalwolf.com](http://www.royalwolf.com)

~~XXXXXXXXXX~~

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**From:** Phil Cutler [pcutler@institutenorth.org]  
**Sent:** Thursday, April 09, 2009 1:43 PM  
**To:** Sen. Lesil McGuire  
**Subject:** Board of Fisheries Confirmations  
**Follow Up Flag:** Follow up  
**Flag Status:** Yellow

Dear Senator McGuire,

Please vote NO on Mr. Johnson and YES on Judge Johnstone.

We sport anglers cannot afford to have Johnson on the Board. I have debated Cook Inlet fishing issues with him for many years. He has been so focused on improving commercial fishing to the detriment of the 200,000 or so sport fishermen and 10,000 or so dipnetters that his membership on the Board of Fisheries would be a giant step backwards for all of our work over the past 12-15 years towards equilibrium of interests on the Board. He is bright, well versed, and biased. Another issue with the appointment is that with him on the Board, there would be no one on the Board who lives north of Palmer. There would be no one who is familiar with issues particular to the interior. That's a gross injustice to our neighbors up north.

Last month, I testified before the Board of Fisheries and was impressed by the knowledge of Judge Johnstone. His ability to ascertain the intent of statutes and regulations was refreshing. His questions to me and others were salient to the topic, well expressed, and helped other Board members in the subsequent deliberations. He rose up and beyond the other members and is an asset to the Board.

Regards,

Phil Cutler  
President, Alaska Sportfishing Association  
6622 Lakeway Dr.