

1 102 HRES HB 193, TESTIMONY, LETTERS, BACKUP INFORMATION 1102

KEN FANNING
TESTIMONY
3/6/79

past two years, the thirty-nine (39) member groups of the Real Alaska Coalition have thoroughly evaluated alternative systems, and the conclusions reached are contained in our testimony today.

---Rule making authority should be limited to the Master Boards of Fish and Game.

---Chairmen of local committees could and should meet with other chairmen within their regions to discuss mutual and individual areas of concern.

---Input from individuals and local committees should be directed to the Master Boards.

---Professional assistance in the form of regional advisory committee coordinators should be incorporated.

---Let's make any transition in a manner which is fiscally responsive and beneficial to the fish and wildlife resources.

In conclusion, we urge you to use HB 304 as a mark-up vehicle, and we urge you to pass out of committee as expeditiously as possible regional system legislation which meets the criteria we have suggested.

465 4108
A proposal for The
Southeast Alaska ^{Regional} Resources Council

March 7, 1974

Re Alaska House of Representatives
Resources Committee
Introduction.

by Eric Jordan
Sitka F & G
Advisory Committee

Having studied 4 proposals before you

1. Cowen Hammond's Bill HB #304
2. Terry Coakley's Bill HB #193
3. A proposal by the Joint Boards of Fish & Game
to be considered at their meeting March 24-28, 1974.
4. The Sitka Plan

I have concluded that you ~~of~~ will find as
I have found that no one ~~bill~~ ^{proposal} is satisfactory
by itself. So we cannot ~~one~~ ^{recommend one} unsatisfactory
proposal over another one when the possibility
of recommending an approach not presently
proposed exists would be a real waste of
your combined experience & knowledge.

I propose that the Southeast Regional Resources Council take a bold and meaningful step and propose a synthesis of the best parts of the various proposals offered.

Here is my recommended synthesis:
You might consider using it as a model.

1. Advisory Committees

The proposal by the Boards of Fish & Game retains community advisory committees which should be a cornerstone of the Alaska Fish & Game Regulatory Process.

I recommend the section on Advisory Committees as proposed by the Joint Boards of Fish & Game be written into the legislation.

II Regional Councils & Boards

Boundary - I believe Yabuta should decide whether to be in S.E. or South Central.

I hope they will choose to be in S.E.

I recommend Adoption of the Covenants proposal for the S.E. Boundaries.

Composition - 3 of the 4 proposals before you provide for the Regional Councils to be composed of the Chairman or his designee of all the Advisory Committees in the region.

I believe this approach will involve a great expense to bring the people together. The Covenants solution, creating subregions, is not acceptable to me for reasons of travel logistics and costs. I would hope that all communities in S.E. would have an active advisory committee. A quick look at the possibilities

Skagway
Heines-Quilwan
Juneau
Custer
Pelican
Hoonah
Tenakee
Sitka
Port Alexander
Yakutat
Angeon
Keke
Peterburg

Wrangell
P.T. Baker
Crescent
Hydaburg
Glenn
Thorne Bay
Mayer's Church
Ketchikan
Metlakatla
Hydes

shows over 20 communities in S.E. which might be eligible for an Advisory Committee. The logistics & costs of bringing all these people together twice a year would be too great to justify on the basis of coordination & recommendations.

Any Governor's proposal to have the Governor appoint 5 people to the Regional Board, leaves the advisory committees completely unrepresented on the Regional Board.

I recommend a compromise or synthesis. Each Regional Council (Board) consists of 5 (7) members appointed by the Governor, from a list of nominees submitted by the Fishery Advisory Committees in the region, (No advisory

committee may nominate more than two (2) candidates) and confirmed by a majority of the membership of the legislative meeting in joint session.

This proposal would give Advisory committees direct input in to who served on the Regional Councils, yet would retain the Governor and Legislature prerogative to make the appointments.

Powers of the Regional Council (Board) after a great deal of thought I have decided that the only way to justify the expense of conducting regional councils (boards) to say nothing of justifying the commitment of time by the regional council members is to grant them regulatory powers. I recommend adoption

of H B 143 version of the division of regulatory powers between the Master and Regional Boards.

I have concluded, based on some experience organizing and working with regional groups that without regulatory powers there will be problems getting the most qualified people to serve on regional councils and problems in achieving quorums.

Staff - I support the funding of Regional Coordinator positions for each region. These people would work directly for the Regional Board in their region or for the Executive Director to the Board of Fish & Game. They would work to coordinate the work of the regional advisory committees and organize meetings of the Regional Council.

IV Master Boards

I recommend retention of the present
Master Boards of Fish & Game.

Confirmation-

I would propose that the Governor fill
any vacancies in these Boards from a list
of nominees submitted by the Regional Boards,
subject to confirmation by the legislature.

Powers - I believe HB 193 provides
the best model for division of powers between
the Regional & Master Boards however some
additional language giving the Master Board
clear authority to amend or veto any regulation
might be added.

Thankyou. Good luck on your
efforts. I am truly sorry to am unable
to attend but recent injuries require me
to spend a great deal of time at home resting.



Alaska Conservation Society

Incorporated in 1960

P.O. Box 80192

College Branch, Fairbanks, Alaska 99708

8 March 1979

Hon. Alvin Osterback
Hon. Bill Miles
Cochairmen
House Resources Committee
Alaska State Legislature
Juneau 99801

Dear Reps. Osterback and Miles:

At least two bills (HR 193, HR 304) are being considered by your committee as proposals to establish regional fish and game boards. This is very important legislation. We'd like you to know the Alaska Conservation Society's approach to this issue.

We are guided by the thought that the much-needed improvement in local involvement in fish and game regulation must not be carried so far as to jeopardize sound conservation and allocation decisions reflecting the entire citizenry's interests.

We firmly believe that rural people historically have not been heard clearly enough nor paid their share of attention in fish and game regulation making. The increasing vigilance and activity of rural people, plus the State's very wise policy of placing subsistence as the top consumptive use of wildlife, will assure partial correction of that imbalance.

However, the Society feels more is needed. We support 1) the establishment of six or seven regional fish and game boards with coordinative and advisory powers; 2) the appropriation of funds to establish a full-time technical assistant to local advisory committees (one coordinator per region). These positions should not be administered by the Alaska Department of Fish and Game.

Our members feel that with effective operation of regional boards and vigorous support of local advisory committees, the remainder of the present regulatory system can be left intact and will operate satisfactorily.

We want actual regulation-making to remain with Statewide boards. Only in this way, we believe, can the inevitable conflicts among local and regional proposals be ironed out. Also, the expected high emphasis on wildlife use and allocation of harvest which will dominate local and regional concerns, can be put in proper balance with conservation needs by the statewide boards. These boards should incorporate all perspectives on fish and wildlife: subsistence use, recreational use, commercial uses, protection, wildlife watching, and scientific/educational.

March 1979
Osterback and Miles
Page Two

We hope your committee will consider these views as it works with the regional boards question this year. We do need a just and fair resolution soon.

Sincerely yours,

Robert B. Weeden

Robert B. Weeden
President

ALASKA CONSERVATION SOCIETY

TELEGRAM

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PMS HON REP ALVIN OSTERBACK

HOUSE OF REPS

JUNEAU

THE PENINSULA MARKETING ASSOCIATION WOULD LIKE TO EXPRESS
OPPOSITION TO HB193 IN ITS ENTIRETY AT PRESENT. WOULD LIKE
TO SEE HEARINGS TAKE PLACE THROUGHOUT THE STATE TO SET THIS
UP IN THE BEST INTEREST OF ALL PARTIES CONCERNED. IN FAVOR
OF DELAYING UNTIL NEXT YEAR.

DICK JACOBSEN PRESIDENT PENINSULA MARKETING ASSOC.

FINAL REPORT
ALASKA DEPARTMENT OF FISH AND GAME
OPTIONS FOR MODIFYING PRESENT REGULATORY SYSTEM
JUNE 20, 1978

During the final months of 1977 and the first part of 1978, the Alaska Department of Fish and Game held a series of public meetings in which the subsistence issue, the present fish and wildlife regulatory system, and various alternatives to the latter were examined by members of the general public, representatives of other agencies, private enterprise, local and regional Native organizations, concerned citizen groups, and others.

The meetings were prompted initially by a growing concern about the efficiency and fairness of the current regulatory system in allocating the State's fish and wildlife to the various user groups. In addition, proposed Federal law for the management of subsistence taking on Federal land, embodied in HR 39, was considered a cause for concern by State officials.

In summary, Alaska's size, its widely dispersed yet increasing population, changing land-use and ownership patterns, the increasing complexity of and competition among consumptive and nonconsumptive uses, and the finite nature of the fish and wildlife resource have made it essential that serious consideration be given to modifying the existing regulatory system and making it more effective in coping with the widespread changes taking place in the State.

PROCEDURES

Public meetings were held in seven Alaskan communities: Anchorage (Dec. 28-29, 1977), Fairbanks (Feb. 9-10, 1978), Petersburg (Feb. 16, 1978), Bethel (Feb. 27-March 2, 1978), Kodiak (March 9-10, 1978), Juneau (April 21-22, 1978), and Galena (April 24-26, 1978). During the first two sessions (Anchorage and Fairbanks) workshop groups were formed to discuss the various options and issues involved. In later meetings a general discussion format was adopted, with periods of time being devoted to the examination of each facet of the proposed options. In each meeting, participants were given a verbal overview of the issues and proposed changes before discussion began.

Proposed changes in the organization of the Department of Fish and Game were discussed first. It was stressed that these changes were separate from and in addition to the proposed changes in the regulatory system. A detailed discussion of the present regulatory system was followed then by a thorough review of three possible options for changes in the system. The options were chosen to present a broad and thought-provoking base from which to begin discussion.

The current regulatory system, briefly stated, consists of two seven-member Boards (Fisheries and Game). Members are appointed by the Governor and have

the authority to make regulations setting seasons, areas, quotas and bag limits, and to deal with other matters as provided by AS 16.05.

Regulations are made in accordance with the Administrative Procedures Act (AS 44.62). The Boards are aided by 55 Local Advisory Committees, which meet to discuss issues, present testimony, make recommendations and prepare regulatory proposals for submittal to the Boards. These Committees do not have regulatory authority, but are empowered to issue emergency closures of established seasons and must approve any antlerless moose season proposed for their area.

The first option presented was that of retaining the present two-Board system, but modifying it to place greater emphasis on local and regional concerns. Among the elements considered for inclusion in an improved system were the creation of additional advisory committees, payment of travel expenses incurred by members attending meetings of their committees, payment of travel and per diem expenses for a delegate from each local committee to State Board meetings, the provision of support staff located in the Department but working for the Boards, training for advisory committee members, and payment of duplicating, advertising and other clerical costs incurred by the committees.

A second option presented to participants was that of establishing a number of Regional Councils in addition to existing Local Advisory Committees and State Boards. Under this plan, Regional Councils would be required to consider all proposals relevant to their regions, and to submit them to the appropriate Board with specific recommendations for adoption, rejection or adoption with amendments. The Boards would retain regulatory authority, but would be constrained to follow the recommendations of Regional Councils unless there existed overriding reasons why they should not. Should the latter be the case, the Boards would so inform the appropriate Council in writing, including a statement of the rationale for rejecting the recommendation. An appeal process also would be provided, by which a majority of council chairmen could overturn a Board decision.

The third option presented was a proposal to place regulation-making authority in the hands of Regional Boards, thereby eliminating the existing State Boards. In this system, local committees would work directly with Regional Boards. As this option was discussed, it became clear that some oversight power would be needed to arbitrate conflicting regional proposals, and this concept was included as part of the presentation. The influence of proposed State legislation dealing with this option led to the proposal of 12 regions, with boundaries coinciding with those of the 12 in-State regional Native Corporations created under ANCSA (Alaska Native Claims Settlement Act).

In all meetings, the issue of subsistence use also was discussed. Current Federal and State legislation on subsistence was reviewed thoroughly. Discussion centered on the definition of the concept of subsistence use and on proposed criteria for

establishing an individual's eligibility for subsistence hunting and fishing privileges. The issue was particularly complicated by the active status of legislation dealing with it. As legislative concepts were refined, the nature of the presentation changed with them.

RESULTS

To a large extent, participants in this series of meetings were polarized between support for the existing system of regulation with some modifications, and support for the establishment of Regional Boards with regulatory authority. The middle path, that of adding Regional Councils to the current system, drew little support. It was generally perceived as a possible compromise, but as less desirable than whichever extreme was supported by the individual participant. However, despite the effect of polarization, it was evident that a number of generalities could be drawn using information gained during the meetings. Specific summaries on these meetings are attached as Appendices I, II, III, and IV.

Subsistence

A majority of those participating were strongly in favor of establishing a system which would be more responsive to subsistence needs. Subsistence was seen as a high-priority use by most of those involved. However, the definition of subsistence use remained largely a matter of individual preference. A large number of persons indicated that efforts toward defining the term must be made before meaningful regulations could be established. Most concerns were expressed for the future. Few problems were identified for most species at the present time.

Few people could agree on the income ranges suggested for subsistence-use eligibility criteria, and many disagreed entirely with that concept. There was, on the other hand, general agreement that such criteria should take into account the concept of subsistence harvesting for personal use. In addition to use for human consumption, use for trade and barter but not necessarily for cash sales drew substantial support.

It should be noted that the Alaska Growth Policy Council (AGPC) also held public involvement sessions regarding the subsistence issue at various locations around the State. Results of the AGPC program differed in a number of aspects from those obtained by the Department. This disparity may be attributable to the effect of substantially different presentations. (See Appendices V(A) and V(B).)

Improvement in Local Advisory Committees

Many persons felt that the key to improving the system lies in the local committees, regardless of the three main options. Participants repeatedly stressed a need for

additional support, in the form of staff positions and funding. It was felt that local committees could not work at peak efficiency without better coordination between committees and improved communication with the Boards. For the same reason, there was heavy support for funding which would allow travel to Board sessions by a representative of each local committee.

Costs

The cost of either improving the present system or establishing a new one was a primary concern at all meetings. However, there was general agreement with an observation made at several meetings which indicated that a real commitment to adequate funding must be made in order for any system to function properly. Repeatedly, inadequate funding was identified as a prime cause of the present system's failings.

The FY (fiscal year) 1975 budget request for the existing system was \$320,000. The projected total cost of establishing Regional Councils in addition to the existing system is over \$683,000, or more than \$363,000 over the cost of the present system. Costs for less extensive modifications to the existing system would vary, depending on the extent of the program. A proposal to form 12 Regional Boards (HB 725) was introduced in the second session of the Tenth Alaska Legislature, with a fiscal note identifying the cost of that program as \$512,200 for the first year, and approximately \$500,000 per annum in succeeding years.

"Red Tape"

Participants generally showed strong resistance to unnecessary increases in "red-tape bureaucracy." The complexity of the present system, and the inconvenience experienced by individuals wishing to submit comments on regulatory proposals, were cited as problems.

Timing

Time delays were linked to bureaucratic complexity. Given the nature of the resources involved, regulations should in many cases be established by a certain time of year. This is a difficult task even under the existing system, requiring several months to complete the regulatory cycle. Changes in the regulatory system are likely to extend the time required for making regulations. Such changes could cause two or more of the three main processes (regulation-making for game, finfish and shellfish) to occur concurrently, increasing the need for the additional staff time necessary to complete the processes in a timely manner.

Conflicting Regulations

It was apparent from the beginning of the public meeting program that participants were cognizant of the inherent dangers of conflicting regulations—particularly for

migratory species. Conflicts were seen as the probable result of establishing different systems on Federal and State land or of giving Regional Boards regulatory authority under the Administrative Procedures Act. Almost all participants agreed that some type of oversight body necessarily would have to be included in the proposal for Regional Boards. Such a body could act as either mediator or arbitrator in the event of conflicts.

Information, NPFMC and Other Problems

A need for an expanded information program within the Department of Fish and Game was identified by individuals at several meetings. It was felt that information being provided to the public was inadequate and, although individuals recognized that a sophisticated information and education program is costly, they supported additional efforts in this area.

Some concern was voiced over the possibility of changes in the State's relationship with the North Pacific Fisheries Management Council (NPFMC) and other such entities. It was the feeling of a number of persons that the State's role in these areas could suffer if the Regional Board approach was pursued.

Finally, the proposed regional boundaries presented for the Regional Council proposal and the Regional Board concept drew some criticism. The proposed Region IV (encompassing the Yukon/Kuskokwim drainages) was felt by a few individuals to be too large. On the other hand, the Regional Board proposal called for 12 regions, and was felt by many to have the potential for increasing regional factionalism.

CONCLUSION

The effect of Congressional (d)(2) legislation on fish and wildlife management in Alaska cannot be discounted. To a very real degree, Congressional action relating to subsistence management on Federal land could determine the nature of the State's management system as well. Congressional concern must be alleviated by any system used on Federal lands, and it is apparent that efficiency in dealing with the needs of the resource requires a single system for all lands in Alaska.

The problems which have prompted the introduction of legislation in the State Legislature also must be recognized and dealt with. The public also, in meeting with the Department to discuss fish and wildlife management in Alaska, has reiterated the same needs and concerns. The fish and wildlife regulatory system must become more responsive to local needs, especially as related to the continuation of subsistence hunting and fishing.

In addition, the problem of ensuring the timely and efficient promulgation of regulations must be addressed by whatever system is chosen for implementation.

Increases in costs and staffing must be kept to a minimum, but must provide the increased efficiency and responsiveness required. Finally, adverse impacts on the State's role in inter-agency and inter-governmental activities must be minimized.

RECOMMENDATIONS

The Department of Fish and Game, in an effort to deal with the above concerns in the most effective manner, has proposed an improved system for the adoption of regulations by the existing State Boards (Fisheries and Game) and for the development of subsistence and management plans, utilizing increased public participation on local and regional levels.

After review by the Governor's Office, the proposal will be presented to the Boards of Fisheries and Game for their consideration and action in accordance with the provisions of the Administrative Procedures Act. If the Boards concur, the plan could be operational by late 1978.

The proposal calls for the retention of the existing Local Advisory Committees, which would act at the "grassroots" level to apprise local residents of various activities, regulatory changes or proposals and other issues, and would serve as the primary forum for individuals wishing to respond to proposals or issues.

In addition to the local committees, the proposal calls for the creation of five Regional Resource Councils, each representing a specific geographic area. Each Regional Resource Council would be composed of the chairmen of all Local Advisory Committees within the respective region. Regional Resource Councils would function to:

1. Develop proposed subsistence-use plans and subsistence-related regulatory proposals for their areas;
2. Develop proposed criteria for determining eligibility for participation in subsistence use harvests;
3. Identify broad area concerns dealing with subjects such as allocation, access, habitat improvement and protection, wildlife management plans, and harvest strategies;
4. Mediate resolutions to conflicting regulatory proposals submitted by Local Advisory Committees in their areas, and
5. Make recommendations to the Boards of regulatory proposals.

The existing State Boards would be retained as the primary regulatory bodies, empowered to adopt regulations under the provisions of the Administrative Proce

dures Act.

To support and improve attendance at local, regional, and statewide meetings, the Department proposes that the State reimburse travel expenses incurred as a result of the following:

1. Local Advisory Committee members attendance at local committee meetings;
2. Attendance of local committee chairmen (or designees) at Regional Resource Council meetings;
3. Participation of Regional Resource Council delegates in meetings of the Boards of Fisheries and Game.

The Department proposal also recommends the establishment of up to five regional staff coordinator positions in the Department, and the appropriation of the requisite funding for those positions. The coordinators would work closely with Local Advisory Committees and Regional Resource Councils on the following:

1. The preparation and review of regulatory proposals and the transmittal of recommendations to the Boards;
2. The preparation of subsistence management plan proposals; and
3. The review of management plans in conjunction with appropriate Department biologists.

The proposal further provides that the Departments of Fish and Game and Public Safety are to make available technical and scientific data and expertise as requested, that the Department of Law is to provide legal assistance regarding the regulatory process to Regional Resource Councils to the maximum extent permitted by available funds, and that the staff of the Boards of Fisheries and Game is to work closely with regional staff coordinators, Local Advisory Committees, and Regional Resource Councils.

Finally, the proposal specifies that Local Advisory Committees and Regional Resource Councils cooperate in the preparation of Subsistence Resource Management Plans to be presented to the Boards for action. Subsistence use will continue to be the highest priority use of the fish and wildlife resource. The plans will contain the following elements:

1. An identification of current and anticipated subsistence uses of the region;
2. An evaluation and definition of subsistence needs.

3. The identification of users, zones and other elements and concepts which must be recognized in such a plan;
4. Proposed subsistence management strategies for the region; and
5. Proposals for policies, standards, guidelines and regulations necessary to implement the subsistence management strategies identified by the plan.

APPENDIX I:

SUMMARIZATION OF COMMENTS RECEIVED FROM PUBLIC MEETINGS
ANCHORAGE, FAIRBANKS, BETHEL, PETERSBURG, KODIAK, JUNEAU, GALENA

Subject: Advisory Committees, Regional Councils and Master Boards

The working groups discussed the proposed revision of the system for the adoption of Fish and Game regulations by the Alaska Board of Fisheries and Game and the development of subsistence and fish and wildlife management plans. This would be accomplished by formalized means of local and regional public participation. Should a new system be instituted as proposed, the following suggestions were made:

1. The membership of Local Advisory Committees should be held to 5-11 persons for greater efficiency and flexibility.
2. The provisions for removal of committee or council members should be improved.
3. The lottery process proposed for selection of Regional Council members is too indiscriminating. Popular election was proposed as an alternative.
4. Appointments to Advisory Committees should be made by the Joint Boards to avoid "cronyism."
5. Nonconsumptive user-groups should receive a greater degree of recognition and attention.
6. Although there are obvious problems with the "one man-one vote" concept, population concentrations must be recognized and dealt with as well as geographical areas.
7. There is a ten year residency requirement for Council members, but the proposal calls for only five violation-free years. These requirements should be the same. The view that ten years is too long for a residency requirement was also expressed.
8. The level of importance of the violation (see above) should be considered. Perhaps "conviction" could be substituted for "violation."
9. Rather than having three non-voting members from resource agencies, Councils should have the option of being able to draw on a technical advisory team with as large a membership as necessary.
10. Special provisions should be made for joint meeting of Regional Councils, when necessary.

11. Funding for Advisory Committees and Regional Councils should cover travel and per diem for members and should provide for staff positions and clerical costs. Funding should also be sufficient to cover unscheduled but necessary joint meetings of Councils or Committees.
12. Travel of Advisory Committee chairmen, or their alternates, to Board meetings should be encouraged as well as funded.
13. Separate Game Boards should be formed for the northern and southern parts of the State.
14. A separate region should be created for the Yukon-Kuskokwim-Delta area.
15. The Region IV Council should deal exclusively with fisheries. Other provisions should be made for game.
16. Regional Councils should prepare comprehensive management plans for all regional fish and wildlife.
17. Information and Education efforts should be made a priority.
18. Time requirements of system are prohibitive.
19. Advisory Committee members should be used more as unpaid staff - not just to make recommendations.
20. As opposed to full Regional Council proposal, Advisory Committee chairmen could meet at least once a year on a regional basis to discuss problems. If any area poses real difficulties, both sides could send representatives to Board meetings.
21. There is a need to ensure that each local area of each region is represented.
22. Meetings should be held in each village to explain new regulations when they appear.
23. Greater representation should be given to Interior Alaskan villages on Boards.
24. Four of seven Board members should be from rural areas.
25. Advisory Committees should establish set meeting times and locations to aid participation by non-members.
26. Advisory Committees should be trained so they can assume stronger role.

APPENDIX II:

SUMMARIZATION OF COMMENTS RECEIVED FROM PUBLIC MEETINGS ANCHORAGE, FAIRBANKS, BETHEL, PETERSBURG, KODIAK, JUNEAU, GALENA

Subject: Retention of the Present Board System

The working groups examined the question of retaining the present regulatory system of Advisory Committees and two Boards - Fisheries and Game, who have the final authority to promulgate regulatory proposals. Should the present system be retained, the following modifications were suggested:

1. Travel and per diem should be paid to Local Advisory Committee chairmen (or their alternates) to attend Board meetings.
2. The Boards of Fisheries and Game should hold meetings in various areas on issues pertaining exclusively to those areas.
3. Advisory Committees should, where applicable, be increased to 15 members to ensure full representation of geographical areas and user groups.

NOTE: The opposite view was also expressed, i.e., Advisory Committees should be reduced to 5-11 members for greater efficiency.

4. Subsistence should be more fully provided for.
5. Local Advisory Committees should be paid travel and per diem when meeting locally.
6. Staff support and necessary funding should be provided to Local Advisory Committees.
7. ADF&G staff and/or Fish and Wildlife Protection Officers should provide Local Advisory Committees, on request, with status reports on locally significant stocks or species or any other requested information on local issues.
8. ADF&G staff support should include Regional Advisory Committee Coordinators to work with Advisory Committees in each region.
9. Board members should be more carefully selected to ensure full representation of geographical areas and user groups.
10. Advisory Committee proposals should receive a level of consideration commensurate with that of staff proposals before the Boards.
11. The Commissioner of the Department of Fish and Game should be appointed by and serve at the pleasure of the Boards of Fisheries and Game.

12. The Board of Game should hold (5) public meetings and (2) regulatory meetings similar to the Board of Fisheries.
13. Advisory Committees should have the power to request reconsideration of Board decisions.
14. Advisory Committee training is necessary for them to assume a stronger role in system.
15. Information and Education efforts should be given a great deal more emphasis.
16. Advisory Committee chairmen should get together in regional groups at least once per year to discuss problems. If problems cannot be resolved, representatives should be sent to Board meetings.
17. Establishing a firm schedule for input/output could improve Advisory Committees' responses.
18. A Division of Subsistence should be added to the present system.

APPENDIX III:

SUMMARIZATION OF COMMENTS RECEIVED FROM PUBLIC MEETINGS
ANCHORAGE, FAIRBANKS, BETHEL, PETERSBURG, KODIAK, JUNEAU, GALENA

Subject: Regional Councils with A.P.A. Authority

The working groups were primarily concerned with local use of the resources although realizing the potential problems in completely delegating responsibility to the region. Individuals advocating the proposal for Regional Councils with A.P.A. (Administrative Procedure Act) authority offered the following suggestions and comments:

1. At least 12 regions are needed.
2. Regional boundaries should not be set before the completion of an in-depth study.
3. A statewide review panel, consisting of one member for each Regional Council, should be established to review regulations for uniformity.
4. Statutory establishment of a two-tier system of authority is preferable.
5. Regional wildlife management plans and subsistence management plans would have to be developed.
6. Regional Councils should be elected rather than appointed by the Governor.
7. A system would have to be devised for adjudicating problems arising from boundary and/or resource allocation disputes among regions.
8. Adequate funding to administer this program is needed.
9. There is a need for regional staffs separate from Central State staff.
10. Information and Education should be made a priority.
11. Advisory Committee members should be used more as unpaid Alaska Department of Fish and Game staff.
12. The State's role in N.P.F.M.C. could be seriously threatened by regional control.
13. HB 915 could create a situation where enforcement of Fish and Game regulations is endangered. (i.e., subsistence as a basis for defense.)

14. It would be necessary to ensure that all local areas and all user groups are represented on Regional Boards .
15. Meetings to explain new regulations should be held in each village .
16. Advisory Committees should be trained so they can assume stronger role .
17. Four of seven Regional Board members should be from rural areas .
18. Definite standard times and locations should be established for Advisory Committee meetings .

APPENDIX IV:

SUMMARIZATION OF COMMENTS RECEIVED FROM PUBLIC MEETINGS
ANCHORAGE, FAIRBANKS, BETHEL, PETERSBURG, KODIAK, JUNEAU, GALENA

Subject: Subsistence

The working groups discussed the issue of subsistence hunting and fishing in general. Participants registered the following comments:

1. The public strongly supported subsistence as a cultural lifestyle that has been in existence since "time immemorial." Pride in tradition and need for the types of food obtained from subsistence hunting and fishing were repeatedly stressed.
2. There is too much emphasis on commercial use of the resources.
3. Subsistence regulations should be established only on an area-by-area basis.
4. Several witnesses took exception to the proposed \$5,000 income limit being proposed as one of the criteria which would qualify a person to subsistence hunt and fish. Preferred figures ranged from \$10,000 to \$35,000.
5. Lenient criteria could lead to an influx of low-income subsistence seekers from "Lower 48" states. This should be avoided.
6. Subsistence should be defined on basis of personal use only.
7. Barter and trade, but not necessarily sale, of subsistence-caught resources were supported as necessary to obtain food that may not be available in the immediate area. Several persons testified that rules and regulations would not prevent them from taking what they felt was necessary.

The following motions were considered by the Southeast Interim Regional Advisory Committee at their March 9, 1979, meeting in Juneau, concerning HB 304. The motions were made to strengthen the bill and the power of the existing local Advisory Committees.

MOTION: To amend Sec. 16.05.223. LOCAL FISH AND GAME COMMITTEES. (d) to read:

Each committee shall hold public meetings on fish and wildlife matters, review regulatory proposals, (MAY) shall make recommendations to its regional fish and game council, the Board of Fisheries, and the Board of Game, and (MAY) shall participate in the review and development of management plans for the conservation and use of fish and wildlife resources within its region. If a regional council, the Board of Fisheries, or the Board of Game chooses not to follow a committee recommendation, that council or board shall inform the committee which made the recommendation of its reasons for not following the recommendation.

MOTION: To amend Sec. 16.05.224. REGIONAL FISH AND GAME COUNCILS. (a) to read:

The Board of Fisheries and the Board of Game, acting jointly, shall establish a regional fish and game council within each fish and game resource region, composed of the chairpersons or designee of the local fish and game committees within its region.

MOTION: To delete the present wording of Sec. 16.05.224. REGIONAL FISH AND GAME COUNCILS. (e) and replace with alternate wording reading:

Each region shall set forth regulations for subsistence use to conserve and manage their own resources in cooperation with the Department of Fish and Game.

MOTION: To add new wording reading Sec. 16.04.224. REGIONAL FISH AND GAME COUNCILS. (f):

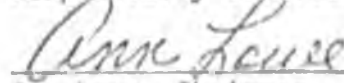
Any Advisory Committee shall have the power of emergency closure of a set area within the boundaries if there is no objection from any other Advisory Committee within the region. In the case of any objection, the majority of participating Advisory Committees will decide.

MOTION: To amend Sec. 4. IMPLEMENTATION. (a) to read:

(IN VIEW OF PRESENT STATE FISCAL CONSTRAINTS,) the Board of Fisheries, Board of Game, and the Department shall implement AS 16.05.223 and 16.05.224, enacted in sec. 2 of this Act, within the fish and game resource regions established by AS 16.05.222, also enacted in sec. 2 of this Act, in accordance with the following schedule, measured from the effective date of this Act:

- AND)
- (1) (NO LESS THAN ONE REGION) all regions within one year;
 - (2) (NO LESS THAN THREE ADDITIONAL REGIONS WITHIN TWO YEARS:
 - (3) (ALL REGIONS WITHIN THREE YEARS.)

Respectfully submitted by:



Ann Lowe, Chairman
Southeast Interim Regional Advisory Council

March 9, 1977

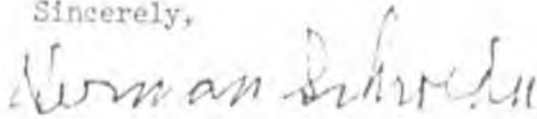
The Honorable Alvin Osterback
Chairman, House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Osterback:

This is to advise you that I support HB 304 and the development of regional councils without regulatory authority over HB 193 establishing regional boards. The strengthening of the Advisory Committee system through the regional councils and through funding of travel and per diem for Advisory Committee Chairmen will be highly beneficial to the management of Alaska fish and wildlife.

Thank you for the opportunity to comment.

Sincerely,



Herman Schroeder
Dillingham, Alaska

Teleconference
Info

(held statewide
on Tues. March 6)

Anchorage:	at least 50 persons*	
Barrow:	Lloyd Jones Charles Edwardson, Sr. Arnold Brower, Sr. Kenneth Toobak Edward Hopson David Brower	Fish & Game Advisory Board "" "" "" Game Management (North Slope Boro) ""
Fairbanks:	Ken Fanning Tom Scarborough Charles Vogel Pete Buist	Real Alaska Coalition Alaska Wildlife Federation self Interior Trappers Association
Ketchikan:	Joe Demmert, Jr.	Southeast Seine Boat Owners
Kotzebue:	Willie Goodwin	
Sitka:	moderator will obtain names of witnesses just prior to conference	
Soldotna:	Lottie Edelman Doug Blossom Marilyn Gimmick Richard McGahn Dick Bogart Floyd Heimbuch	Cook Inlet Fisherman's Fund self Kenai Fish & Game Advisory Board "" Executive Director, Cook Inlet Aquaculture
Nome:	Don Roberts	Chairman, Economic Development Committee of Northwest Alaska Chamber of Commerce
Fairbanks: (additional)	Charles Gray	Interior Wildlife Assn.
Anchorage:*	David Stancliff Larry Varnes Brent Jones Sam McDowell Dale Bondurant John Williams Clark Engle Ralph Cody	Pres., Anchorage Chapter, Isaac Walton League Pres., Sportsmen's Game Assn.

Anchorage advises that their large number of witnesses were generated by a paid newspaper ad - Alaska Sport Hunters, contact David Stancliff.

LEGISLATIVE TELECONFERENCE NETWORK LOCATIONS

Site	Moderator	Mail Address	Primary Conference Center	Video/Secondary Conference Center
Anchorage	Judy Hopkins Charity Kadow 278-3668	Anchorage Info. Office 1024 West 6th Anchorage 99501	Anchorage Information Office	Media Services University of Alaska Anchorage Campus
Barrow	Emily Nusunginya 852-2611	North Slope Borough Box 69 Barrow 99723	North Slope Borough Bldg. Assembly Room	Arctic Slope Regional Corp. Building
Bethel	Dan Boyette 543-3131	KYUK Radio/TV Bethel 99559	KYUK-TV	KYUK-TV
Fairbanks	Trudy Cain Aileen Welton 452-4449	Fairbanks Info. Office Rm. 250/Bldg. F 101 College Rd.	Fairbanks Information Office	KUAC University of Alaska
Juneau	Dave Hamrock <i>Claudia Cozner</i> 465-4980	Legislative Affairs Agency Teleconference Network/Pouch Y Juneau 99811	State Capitol	State Capitol Governor's Conference Room Third Floor
Ketchikan	Sandi Wendte Peggy Thompson 225-9675	Ketchikan Info. Office 415 Main St. Room 301 Ketchikan 99901	Ketchikan Information Office Room 301	**Ketchikan Elks Lodge 335 Main Street
Kodiak	Mary Jo Simmons 486-4881	Kodiak Island Borough P.O. Box 1246 Kodiak 99615	Kodiak Island Borough Assembly Chamber	Kodiak Community College Room 1
Kotzebue	Janice White 442-3611	Office of the Governor P.O. Box 158 Kotzebue 99752	Kotzebue City Hall Conference Chamber	KOTZ-TV
Nome	Rob Scott 447-5287	Nome Info. Office P.O. Box 25 Nome 99762	Nome Info. Office, Room E-1 Nome Regional Office Bldg.	*No secondary center
Sitka	Cathy Hanson 747-6263	c/o Centennial Building P.O. Box 1226 Sitka 99805	Centennial Building Rousseau Room	**No secondary center
Soldotna	Rhoda Eady 262-4441 ext. 280	Kenai Peninsula Borough Box 850 Soldotna 99669	Kenai Peninsula Borough/Civil Defense Conf. Room Basement	*Kenai Peninsula Borough Clerks Conference Room
WASHINGTON, D.C.	Senator Gravel Senator Stevens			

Setting up Teleconference House Resources #B193
→ Claudia Cozner
Tues March 6 3pm

*No video capability
 **Video receive only

March 5, 1979

Re: HB 193
HB 304

Alaska State House
Juneau, Alaska

Rep. Esterback

Dear Rep. Branson,

I haven't written to you yet and with the session slipping by I realize I better get to it.

I am on the Board of Directors of the Prince William Sound Aquaculture Corporation, and my husband is a Commercial Fisherman in the Prince William Sound-Copper River Delta area. This puts salmon on the top of my list and that is the concern that I am writing to you about today.

I'm sure you are very familiar with the Cook Inlet Salmon War. This is a conflict that grows more heated every year, with the Anchorage sports fishermen pitting themselves against the Cook Inlet commercial fishermen. During the Board of Fisheries meetings on proposed regulations this winter, the sports fishermen gained an impressive victory with the right to the King salmon run that spawns in the lower Susitna River. 1978 was a good year for the commercial fishermen in Cook Inlet, the first they've had in many years. Over the length of these lean years, their fishing time has been continually eroded, to the point that many commercial fishermen cannot make salmon fishing their sole occupation.

I was talking to a Fish and Game Advisory Boardmember yesterday, and we got to talking about subsistence. He told me he had just finished reading all the proposed regulations (about 2" worth) on subsistence, and that the gist of them seemed to be that the fish are going to be divided up on the following basis: First and best use of the fishery resource goes to subsistence fishermen; Second priority goes to the sports fishermen; Third to the commercial fishermen.

It is my firm opinion that we cannot afford to divide Alaskans on this issue. If the dwindling resource has gotten to the point that one user group is cut back so that a second user group can harvest what they need, it is high time to put on the big push for a renewed capacity. I think all Alaskans should have as many salmon as they want or need, be it for their own larder, their dog team, for their weekend fishing trips, for the tourists, or for sale to the highest bidder. Salmon are one of our bigger renewable resources. Let's renew them! Let's have more involvement in stream and lake enhancement for the wild stocks; let's have increased hatchery capacity for the domestic stocks.

This brings me to the Susitna power project. I have written Senator Gravel twice on this issue, and I would also like to stress to you, Margaret, the prime importance of a peaceful co-existence between dams and salmon. Given the intensity of feelings on both sides of the salmon issue, let's unite and have dams and fish together!

As you know, hatcheries need a continuous supply of water throughout the winter. What better source than a dam? Of course the water must be suitable in terms of temperature and bacteria. Let's find out how the upper Susitna measures up. The best scientists stress the need to maintain a separation of wild and domestic stocks in terms of maintaining a wild gene pool that is not interfered in by the mingling and interbreeding with hatchery bred stocks. Let's find out if the upper Susitna is suitable for a hatchery, in light of this. Senator Gravel tells me there is no wild run on the upper Susitna River.

On the Columbia River, once a major salmon producer, there is a continuous barrage of obstacles to the immigrating and outmigrating salmon. On the way up, most of the dams have no fish ladders. On the way down, the fry are swept through giant turbines, and only the small and lucky survive. In addition to these problems there is also the lack of a continuous supply of water throughout the winter when the dams withhold water from the river to meet other priorities. Believe it or not, these intrepid salmon actually make it into the lower reaches of this maze of opposition in small numbers, and the Columbia River still has a wild run. Imagine how many salmon there could be if they were actually encouraged, or at least accommodated. If you know anything about this region's salmon problems, you know the dwindling resource has pitted Indian against White in an all out battle for the right to fish.

This situation was further aggravated or worsened in our area (Prince William Sound-Copper River Delta) it contributed markedly to the local support for Limited Entry. Everyone was so convinced that Judge Cole's decision would send thousands of fishermen to Alaska in droves, thus impacting our already well utilized salmon runs. We never got the chance to find out what would have happened because Limited Entry was implemented.

I dread the thought of salmon wars spreading any further than they already have. At the present time there are subsistence fish wheel permits being used to take fish for resale in Anchorage. There are also accusations floating around that there are more Limited Entry permits being fished than allowable by law.

We've got to clear up the law breaking. This would be a conservation effort, much the same as turning down the thermostat saves fuel. Then we've got to unite on the issue of enough salmon for everyone. Alaska can certainly produce unlimited numbers of salmon, but now that man is here it is our duty to see that we preserve and enhance Alaska's salmon producing capacity.

As a further note on the definition of subsistence, it is my opinion that subsistence is the quantity of wildlife it takes to live on. By this I mean the amount one puts on the table to eat is one's subsistence harvest. In these days of snow machines, one can hardly call caribou and salmon for dog teams subsistence. Nor do I call selling fish to obtain money for utilities a subsistence use. I would like to reiterate my earlier statement here though that I think all Alaskan's should have a right to as many salmon as they need for whatever purpose, be it commercial, sport, or subsistence. We are definitely going to have to come to some conclusions as to the differences between these user groups, and which uses of the resource qualify as which group. I hope that when the definition of subsistence is decided, that it does not become tied up in restrictions as to who has the right to a subsistence harvest and who does not. Every Alaskan has the right to nut wild meat on his table regardless of Race or Income. I feel pretty strongly about that.

To get back to the Susitna power project, in the hearings and debates coming up on this issue, let's give equal consideration to another idea. Let's look into the feasibility of building a tide water electric project that would span Turnigan Arm and harness those tremendous tides there. In addition, we could kill two birds with one stone and get ourselves a Kenai highway built on top of the dam. What do you think of that idea?

In closing I might say that with the limited session we cannot really afford to spend so much time organizing the House and Senate. In view of the time wasted, it will take a concerted effort to address all the crucial issues facing our State at this time and not be tempted to put them off until next year.

Good luck.

Sincerely,

Christine Honkola

Christine Honkola

P.O. Box 174

Cordova, Alaska 99574

Ray Brittain
Kenny Lake

SEC. 16.05.256

(A) #5 - This part should be worded
SO IT DOES NOT RESTRICT THE USE OF FRESH
OR FROZEN SALMON EGG IN LIMIT.

SEC. 16.05.256

(E) #1 This should apply only to Commercial
Fishermen (AS A PRIMARY SUBSISTENCE LIFESTYLE
NO LONGER EXISTS, AND THE ONLY PEOPLE WHO RELY
SOLELY ON FISH AS A DIRECT DEPENDENCE ARE THOSE
WHO FISH COMMERCIALY -

Tribes and other Federal hands to be removed
These historically dependent people from this lifestyle)
MUST NOT be dominated by Commercial Fishermen
Regional boards should reflect a balanced membership
of native people & white people that cannot directly
associated (connected to native) Locally we find that
our advisory board reflects mainly the Native
view. AS was started out approximately one
year ago.

Also AS IS THE CASE NOW - NO ONE SERVES ON
The advisory board for any length of time if
he or she agrees with the Tribes & Fisheries
whether they be right or wrong (as I found out)
Members of these boards should not be dominated
by having to be YES MEN.

March 7, 1979

The Honorable Margaret Branson
State House Representative
Juneau, AK 99801

Dear Margaret:

I am very concerned over the bills concerning subsistence hunting and the formation of regional game boards. I think my position is shared by most sportsmen not living in the bush.

I do feel that bush people need an advantage over city people in being able to collect their yearly meat supplies, but this can be done by means other than excluding city hunters.

I have lived in a bush village (Yakutat) where we had a lot of pressure from out of town hunters. They could not compete with the local people because, by living there, we were able to take full advantage of local conditions, (i.e. weather and migration patterns).

As an example, last fall I planned a trip to Kodiak to do some deer hunting over the Thanksgiving holidays. My friends in Kodiak reported plenty of deer and good hunting success. I spent my three days sitting in a Kodiak hotel room, weathered in, plus an additional day because I could not even get back home. Shortly after I returned home, the weather cleared and the local people had a couple of nice days for some highly successful hunting.

This sort of thing gives the local hunters a tremendous and well deserved advantage. My trip wasn't an isolated case, as it has happened to me more than not, and from listening to other hunters, we all share the same fate.

If local seasons are set to give local residents the advantage in weather and local migratory patterns, I don't see why, with their intimate familiarity of the area, they should need to totally exclude urban hunters.

I see the local game boards creating very tense racial and territorial disputes such as already exist to some degree in some areas. The local advisory board system, of which I am Seward's secretary, can be made to work, but I would expand the state boards so that each area has adequate representation on those boards.

In conclusion, I must say that I am opposed to a regional board system and that subsistence hunting should not exclude state residents.

Respectfully yours,

Bob Estes
Robert Estes

LA21 2548 13.55 JAQI 0040 13.55 04/11/79

TO: MEMBERS - HOUSE OF REPRESENTATIVES

FROM: MR. & MRS. CERENCE J. PAUL, SR BOX 71197, FBKS, AK 99701
488-6402

RE: HB 193

PLEASE BE INFORMED THAT WE ARE IN FAVOR OF THE HOUSE RESOURCES
SUBSTITUTE BILL, BY REP. HALFORD, (HB 193). WE ARE IN UTTER
OPPOSITION TO THE GARDNER BILL, WHICH PROVIDES FOR REGIONAL
BOARDS WITH GOVERNING POWER, INCLUDING SEASONS, BAG LIMITS, ETC.
REP. GARDNER'S BILL WILL ONLY ADD TO THE TAX PAYERS BURDEN, AND
CAUSE COMPLETE CHAOS IN THE MANAGEMENT OF GAME & FISH.

FBX/LIO/DP EOM