

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672  
6554 SENATE RESOURCES

958



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

## CRITERIA FOR PROJECT APPROVAL

### Introduction

These Criteria control the annual reimbursement from the Secretary of the Interior to the State of Alaska under subsection 805(e) of the Alaska National Interest Lands Conservation Act (ANILCA). 16 U.S.C. § 3115(e). In accordance with the requirements of title VIII of ANILCA, 16 U.S.C. §§ 3111-3126, reimbursement will cover reasonable costs relating to the establishment and operation of regional councils and the operation of fish and game advisory committees. Final determinations on reimbursable costs will be made by the Secretary of the Interior.

In the event the State subsistence management and use program approved by the Secretary on May 14, 1982, its underlying statute, or its implementing regulations are modified so as to require a finding of noncompliance with title VIII, these Criteria shall cease to be in effect, and the project agreement shall terminate. These Criteria may be amended by agreement of the State and the Department of the Interior.

Subject to the availability of appropriated funds, reimbursement shall not exceed 50 per centum of costs approved pursuant to these Criteria. 16 U.S.C. § 3115(e)(1). Total payments to the State shall not exceed \$5,000,000 in any fiscal year. 16 U.S.C. § 3115(e)(2).

Effective October 1, 1982, project agreements and reimbursement requests shall be submitted to the Regional Director, Fish and Wildlife Service, Alaska Region.

#### Criteria

##### 1. Maintenance And Logistical Support

Reimbursement shall apply to expenditures covered by title VIII for the fish and game advisory system and for logistical support to that system. The regional councils and local committees form a structure through which the authorized council and committee functions can be fulfilled in accordance with the requirements of title VIII. Expenditures that allow the structure to exist are reimbursable; including, but not limited to, maintenance of membership rolls, communications among system units, and regional staff assigned as liaison to the councils and committees. Also reimbursable are the costs of providing the tools that allow the structure to operate; including, but not limited to, supplying to councils and committees copies of technical and scientific reports and qualified persons to assist

in interpreting and applying the reported data. Expenses associated with council and committee meetings are reimbursable; including, but not limited to, costs of members' travel and per diem, meeting rooms, and other meeting support services.

## 2. Socioeconomic Research

Information on subsistence uses and socioeconomic systems is essential if regional councils and local committees are to carry out their functions meaningfully within the structure discussed in Criterion 1, and reimbursement properly includes expenditures for social science research that supplies these data.

Reimbursement costs include the socioeconomic research program of the Division of Subsistence, Alaska Department of Fish and Game, which gathers, analyzes, and provides to the fish and game advisory system data on subsistence uses. Reimbursable costs include administrative functions and support services within the Division of Subsistence that are associated with socioeconomic research. Also reimbursable are other costs incurred in satisfying the requirements of title VIII.

## 3. Resource Program Adjustments

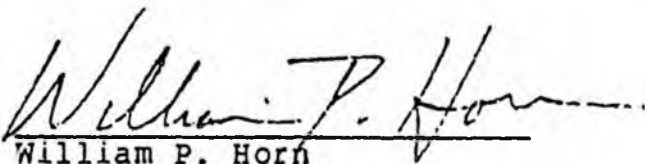
Other Divisions and Sections of the Alaska Department of Fish and Game make specific adjustments in their ongoing programs to

address subsistence management questions, to gather additional biological data on matters being addressed by the fish and game advisory system, and to provide services to the regional councils and local committees on subsistence resource issues. Reimbursement covers program adjustments made specifically to assist the regional councils and local committees in addressing subsistence management and resource questions. The connection between program adjustments and subsistence issues considered by regional councils and local committees will be documented in the reporting process.

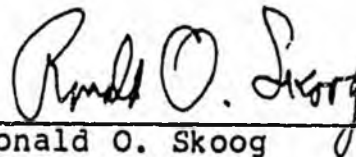
#### 4. Administrative Overhead

Reimbursement covers the indirect costs associated with the expenditures described in Criteria 1, 2, and 3. The indirect cost rate is established by the Indirect Cost Negotiation Agreement between the Alaska Department of Fish and Game and the U.S. Department of the Interior. The rate under these Criteria will conform to the rate set pursuant to that agreement.

The above Criteria and the statutory requirements upon which they are based will control the annual reimbursement process. Additionally, other costs will be allowed upon the State's showing that, although not included in the Criteria, the expenditures were reasonable costs relating to the establishment or operation of regional councils or the operation of local advisory committees.



William P. Horn  
Deputy Under Secretary  
Department of the Interior



Ronald O. Skoog  
Commissdiorer  
Alaska Department of  
Fish and Game

Date: \_\_\_\_\_

9/10/82

13 Sep 82

EVE COWPER  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

RECEIVED  
DEC 22 1989  
BOARDS

#4

December 21, 1989

Regional Fish and Game Councils  
Chairmen  
c/o Department of Fish and Game  
Division of Boards  
P.O. Box 3-2000  
Juneau, AK 99802-2000

Dear Regional Council Chairmen:

Thanks for your letter of October 25, which we received in late November, in which you express concerns regarding adequate funding for the Division of Boards within the Department of Fish and Game. The regulatory process for fish and wildlife management issues does involve an extraordinary level of public participation, involving input from the advisory committees, regional councils, and the general public. I am most supportive of this public process, and feel that the quality of the resulting regulations, as promulgated by the Boards of Fisheries and Game, are greatly enhanced.

The Division of Boards has recently undergone a reorganization in order to improve the functioning of the regional regulatory program assistants located throughout the state. This reorganization has resulted in the need for more funding in order for the Division of Boards to adequately do its job. I'm aware that the level of funding for travel and meetings for the advisory committees and the regional councils is of concern, and this will be closely reviewed. Ultimately, of course, it will be the responsibility of the Legislature to approve the funding level for the State.

As you know, ANILCA Title VIII specifies that the State and federal government will share the cost of the subsistence law. Although the federal government is supposed to reimburse the State for half our expenditures for this program, it has been increasingly difficult to get this money into the federal budget. My Washington, D.C., office has been working with the Appropriations Committee to make sure amounts for the reimbursement are included in the Department of Interior's appropriation. This year, that

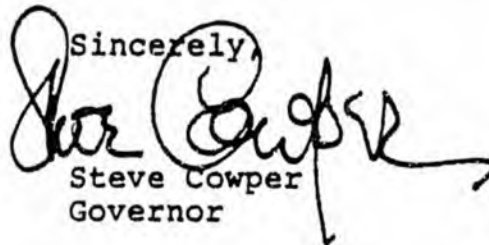
December 21, 1989

amount is for only \$750,000, despite the fact that our actual expenditure was more than \$3 million for the Division of Boards and Division of Subsistence. We will attempt next year to increase the support for this program, which is in fact a fulfillment of a federal mandate.

In this regard, I have just approved a Department request for full funding for the Division of Boards. An increment in the amount of \$350,000 will be presented to the Legislature for their consideration during the FY 91 budget deliberations. I have also approved an increment intended to make up the shortfall in federal funding. Together, we will be requesting \$475,000 in increased State funding for the division. What level of supplemental funding for FY 90, the current fiscal year, is still under consideration. Your interest in the support for the public regulatory and participation program will be of great interest to the Legislature as they consider these requests.

Again, thanks for bringing these concerns to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", with a long, sweeping flourish extending to the right.

Steve Cowper  
Governor



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

January 18, 1990

RECEIVED  
JAN 22 1990  
BOARDS

Chairmen  
Regional Fish and Game Councils  
Alaska Department of Fish and Game  
Division of Boards  
Post Office Box 3-2000  
Juneau, Alaska 99802

Gentlemen:

Secretary Lujan asked me to respond to your letter of October 27, 1989, cosigned by each of you, concerning funding problems facing the fish and game advisory system in Alaska. The Secretary and I are aware of these problems and have documented this fact in both the annual Section 806 Subsistence Monitoring Report, as required by the Alaska National Interest Lands Conservation Act (Lands Act), and the triennial Section 813 Subsistence Management and Use Report. Both reports are prepared here in the Department and submitted to the Congress for their consideration.

As you are aware, the Lands Act directs the Secretary to reimburse the State of Alaska, from funds appropriated for this purpose by Congress, up to 50 percent of the reasonable cost of operating the Regional fish and game advisory councils in meeting their subsistence responsibilities. Since the beginning of the grant program in 1982, the Department has reimbursed the State an average of about 30 percent or \$980,000 per year.

I am happy to report that \$750,000 was appropriated to the U.S. Fish and Wildlife Service in Fiscal Year 1990 for Alaska Subsistence Grants. However, pursuant to the Budget Reconciliation Act (P.L. 101-239), this funding is subject to sequestration and \$740,325 is available to the State of Alaska for subsistence grants. I recognize that the funding needs for this program may be greater than the amount currently available and I fully appreciate the importance of the regional councils and the role of the public advisory system in implementation of the subsistence law.

I am hopeful that the funding available in 1990 will go a long way toward implementation of subsistence resource management. If I can be of assistance in this matter, please let me know.

Sincerely,

Deputy Assistant Secretary for Fish  
and Wildlife and Parks

WALTER B. JONES, NORTH CAROLINA, CHAIRMAN

GERRY E. STUDDS, MASSACHUSETTS  
 CARROLL HUBBARD, JR., KENTUCKY  
 LIAM J. HUGHES, NEW JERSEY  
 HUTTO, FLORIDA  
 TAUZIN, LOUISIANA  
 MAS M. FOGLIETTA, PENNSYLVANIA  
 ERNIE M. HERTEL, MICHIGAN  
 ROY DYSON, MARYLAND  
 WILLIAM O. LIPINSKI, ILLINOIS  
 ROBERT A. BORSKI, PENNSYLVANIA  
 THOMAS R. CARPER, DELAWARE  
 DOUGLAS H. BOSCO, CALIFORNIA  
 ROBIN YALLOU, SOUTH CAROLINA  
 SOLOMON P. ORTIZ, TEXAS  
 CHARLES E. BENNETT, FLORIDA  
 THOMAS J. MANTON, NEW YORK  
 OWEN B. PICKETT, VIRGINIA  
 JOSEPH E. BRENNAN, MAINE  
 GEORGE J. HOCHBRUECKNER, NEW YORK  
 BOB CLEMENT, TENNESSEE  
 STEPHEN J. SOLARZ, NEW YORK  
 FRANK PALLONE, JR., NEW JERSEY  
 GREG LAUGHUN, TEXAS  
 NITA M. LOWEY, NEW YORK  
 JOLENE UNSOLD, WASHINGTON

ROBERT W. DAVIS, MICHIGAN  
 DON YOUNG, ALASKA  
 NORMAN F. LENT, NEW YORK  
 NORMAN D. SHUMWAY, CALIFORNIA  
 JACK PHILDS, TEXAS  
 CLAUDBRE SCHMIDER, RHODE ISLAND  
 HERBERT H. BATEMAN, VIRGINIA  
 JIM SAXTON, NEW JERSEY  
 JOHN R. MILLER, WASHINGTON  
 HELEN DELICH BENTLEY, MARYLAND  
 HOWARD COBLE, NORTH CAROLINA  
 CURT WELDON, PENNSYLVANIA  
 PATRICIA SAIKI, HAWAII  
 WALLY MERGER, CALIFORNIA  
 JIM BUNNING, KENTUCKY  
 JAMES M. INHOPE, OKLAHOMA  
 PORTER J. GOSS, FLORIDA

CHIEF COUNSEL  
EDMUND B. WELCHCHIEF CLERK  
BARBARA L. CAVASMINORITY STAFF DIRECTOR  
GEORGE D. PENCEMINORITY CHIEF COUNSEL  
DUNCAN C. SMITH III

**U.S. House of Representatives**  
**Committee on**  
**Merchant Marine and Fisheries**  
 Room 1334, Longworth House Office Building  
 Washington, DC 20515-6230

November 28, 1989

RECEIVED  
 DEC 07 1989  
 BOARDS

Regional Fish and Game Councils  
 c/o ADF&G  
 Division of Boards  
 P.O. Box 3-2000  
 Juneau, AK 99802

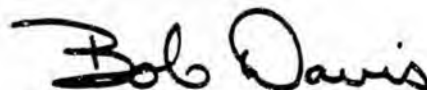
Gentlemen:

Thank you for your recent correspondence concerning the budgetary needs for the six Regional Fish and Game Councils as established in ANILCA for the State of Alaska.

Please be aware that the Merchant Marine and Fisheries Committee, on which I serve as Ranking Minority Member, has gone on record as supporting full funding for the six Regional Councils and has made recommendations to the Appropriations Committee on this position. I am aware that the FY '90 budget did not provide a full funding amount for the six Councils although I am hopeful that other monies may become available so that full funding needs for these Regional Councils can be met. Also, as we proceed into the Second Session of the 101st Congress, the FY '91 budget for the Department of the Interior, Fish and Wildlife Service, specifically the line item for funding ANILCA Regional Councils, will soon be before us. I am a strong supporter of full funding for these Regional Councils and would hope that with the upcoming budget submission by the Administration that full funding is obtained.

Again, thank you for your recent correspondence.

Sincerely,



ROBERT W. DAVIS  
 Republican Vice Chairman  
 Committee on Merchant Marine  
 and Fisheries

RWD:tmm

DON YOUNG  
CONGRESSMAN FOR ALL ALASKA

WASHINGTON OFFICE  
2331 RAYBURN BUILDING  
TELEPHONE 202/225-5765

COMMITTEES:  
INTERIOR AND INSULAR  
AFFAIRS  
MERCHANT MARINE AND  
FISHERIES  
POST OFFICE AND  
CIVIL SERVICE



**Congress of the United States**  
**House of Representatives**

Washington, D.C. 20515

January 10, 1990

DISTRICT OFFICES

701 C STREET BOX 3  
ANCHORAGE ALASKA 99513  
TELEPHONE 907 271-5978

BOX 10, 101 12TH AVENUE  
FAIRBANKS ALASKA 99701  
TELEPHONE 907 456-0210

401 FEDERAL BUILDING  
P O BOX 1247  
JUNEAU ALASKA 99802  
TELEPHONE 907 586-7400

501 FEDERAL BUILDING  
KETCHIKAN ALASKA 99902  
TELEPHONE 907 225-6880

RT 1, BOX 1605  
KENAI ALASKA 99611

BOX 177  
KODIAK ALASKA 99615

PO BOX 1860  
SITKA ALASKA 99762

**RECEIVED**  
JAN 19 1990  
**BOARDS**

Chairmen  
Regional Fish and Game Councils  
c/o Alaska Department of Fish and Game  
Division of Boards  
P.O. Box 3-2000  
Juneau, AK 99802

Dear Fellow Alaskans:

Thank you for your letter regarding additional funding for Regional Fish and Game Councils. I appreciated hearing from you.

In its final version, the Fiscal Year 1990 appropriations bill for the Department of the Interior contains funding for the Regional Councils. Although the amount appropriated was not as much as you requested, I believe it will help offset the costs that you face in conducting your operations.

If I can provide any additional assistance, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink that reads "Don Young".

DON YOUNG  
Congressman for all Alaska

DY:rmm

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### DIVISION OF BOARDS

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4110

November 7, 1989

TO WHOM IT MAY CONCERN:

The Joint Board of Fisheries and Game has serious concerns about the level of funding available to the Department of Fish and Game, Division of Boards. This concern is based on our State and Federal ANILCA mandate, as well as the practical aspects of doing board business. We list below the specific violations we see with the spirit and intent of ANILCA Sec. 805(D):

ANILCA Sec. 801(5) "rural residences...to have a meaningful role in the management of fish and wildlife and of subsistence uses..."

ANILCA Sec. 805(a)(C) "the encouragement of local and regional participation...in the decision making process..."

ANILCA Sec. (d) "...establishing a system of local advisory committees and regional advisory councils...shall provide that the State rule making authority...the advice and recommendations..."

In addition to those legal mandates, the practical aspect of advisory committee and regional council participation in the board process is apparent. We cannot and should not engage in the allocation process without informed and widespread public comment from affected resource users. The funding of this activity is an important public policy decision.

Please read the attached letter carefully. The Joint Board of Fisheries and Game is in full support with the spirit and detail of the Regional Councils' letter.

Thank you for your attention to this concern.

Sincerely,

*for Gary Slaven*  
Gary Slaven  
Chair  
Board of Fisheries

*Henry Springer*  
Henry Springer  
Chair  
Board of Game



## REGIONAL FISH & GAME COUNCILS

c/o ADF&G, DIVISION OF BOARDS, P.O. BOX 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

October 27, 1989

The Honorable Morris K. Udall  
Chairman  
Committee on Interior and Insular Affairs  
United States Congress  
1324 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Udall:

The Regional Council representatives met in Anchorage at the Joint Board of Fisheries and Game meeting October 22-26, 1989. The six Regional Fish and Game Councils (see appendix I) are made up of 79 local Fish and Game Advisory Committees throughout the state. The Division of Boards which provides administrative support to the Boards of Fisheries and Game and to the regional councils/advisory committees, presented a disturbing budget which would make the public advisory system completely ineffectual. The proposed budget would allow for only one regional council meeting per region this year and the attendance of the one regional council member to represent their region at upcoming board meetings (see appendix II).

The key to our ability to function properly is funding! At this meeting, the six Regional Councils recommended an acceptable minimum standard for meetings and funding of the public advisory system established by the State statutes and ANILCA. The six regional council representatives agreed that the minimum we should meet for conducting business and still have some degree of efficiency would be twice a year for each regional council. We agreed that each local fish and game advisory committee must meet at least 3 times a year. One representative from each fish and game advisory committee should attend the Board meetings for at least five days.

3 advisory committee meetings/year	Minimum
2 regional council meetings/year	Standards
1 advisory committee representative to	(Cost:
attend 5-days at Board meetings	\$1.2 mil)

Without this minimum amount of participation, the regional council/advisory committee structure will not be able to function. Furthermore, without adequate funding it will violate ANILCA Sec. 805 (d).

The Honorable Morris K. Udall

The State of Alaska has been charged with implementing the subsistence resources management as mandated by ANILCA. The public advisory system has the responsibility to protect subsistence uses in Alaska through recommendations to the regulatory body of the Boards of Fisheries and Game. This cannot be done without appropriating full funding needed for travel and per diem for the members of the public advisory system to attend the Board meetings, attend advisory committee meetings, and regional council meetings.

If this regulatory process is improperly funded or does not receive sufficient funds, it delays the implementation of the subsistence law, and reduces the public advisory system to the Board's deliberations. The domino effect will be the Board's decisions would be made without proper public information propelling the state into the courts repeatedly. Thus, it causes the whole process to be taken out of the public domain and into the courts where there is no public input or public control. These court cases will be and are becoming more and more costly to the State of Alaska and eventually to the federal government. If the State of Alaska and the federal government give full funding now, it will allow the public advisory system to work effectively in a shorter span of time which will save a lot of money over the long term for both bureaucracies.

The advisory committee/regional council system needs a supplement of \$1.2 million now to meet our responsibilities for this year which includes the present supplemental request from the Division of Boards. When you meet this fiscal responsibility, you should also plan to appropriate full funding until the subsistence regulatory process has been established. Give us (the regional councils, advisory committees, the Board of Fisheries and Game, and the Alaska Department's Subsistence Division) the full funding now to do at least an adequate job.

The advisory committee/regional council participation has not been given the priority status it needs for funding by the State of Alaska, or by the federal government in the budgetary process. All agencies involved in appropriating fiscal notes need to re-evaluate their priorities and decide if this is a valuable process or not. If it is, fund it.

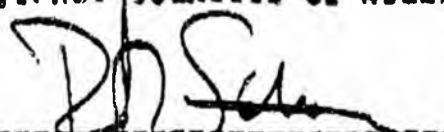
We appreciate the support that has been given to our request for full staffing to provide administrative support to the public advisory process. This, however, is only half of the solution to our problem. The other is the ability to come together for the common purpose of helping implement subsistence uses and priorities.

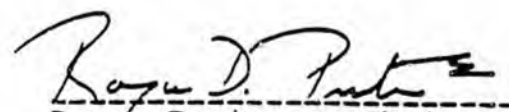
The Honorable Morris K. Udall


We thank you in advance for your assistance as we are sure you will understand the priority needs of this process.


Sincerely,


Regional Councils of Alaska

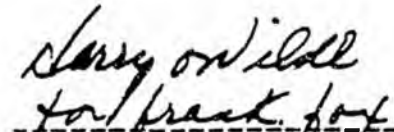
  
-----  
Pete Schaeffer, Chairman  
Arctic Regional Council

  
-----  
Royce Purinton, Chairman  
Interior Regional Council

  
-----  
Bill Ellis, Chairman  
Southcentral Regional Council

  
-----  
Donald See, Chairman  
Southeast Regional Council

  
-----  
Robert Heyano, Chairman  
Southwest Regional Council

  
-----  
Frank Fox, Chairman  
Western Regional Council

APPENDIX I

FISH AND GAME REGIONAL COUNCILS



Appendix II

FY 90 BUDGET PROJECTIONS  
LINE 71000 - 74000

Description	Personal 71000	Travel 72000	Services 73000	Supplies 74000	Total
Personal Services	732.8				
SUB TOTAL					732.8
Board/Subcommittee/Hearing		380.0			
AC and RC		185.7			
Administrative		93.1			
SUB TOTAL					658.8
Board Meeting Contractual			81.0		
Other Meeting Costs			36.7		
Other Contractual Costs			194.3		
SUB TOTAL					312.0
Headquarters				6.5	
F    ions				4.5	
SUB TOTAL					<u>11.0</u>
TOTAL					<u>1714.6</u>
Minimum Budget Requirements	1714.6				
Authorized FY90 Budget	-1330.6				
Deficit	384.0				
Deficit	384.0				
Requested Supplemental	-320.0				
Difference	64.0				

Appendix II  
cont

FY90 BUDGET PROJECTIONS  
LINE 71000-74000

Description	Personnel 71000	Travel 72000	Services 73000	Supplies 74000	Total
Additional supplemental (5-day attendance of AC members from each AC)		706.7			
Additional supplemental (10-day attendance of AC members from each AC)		962.9			
Additional supplemental (3 AC meetings per year)		48.0	2.8		
Additional supplemental (2 RC meetings per year)		54.0			
SUB TOTAL (5-day attendance, 3 AC, 2 RC)		808.7	2.8		811.5
3 TOTAL (10-day attendance, 3 AC, 2 RC)		1064.9	2.8		1067.7

**FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL**

Travel and per diem for 1 advisory committee member to attend all scheduled board meetings (not including joint board meetings). Column figures are travel only, travel and 5-day attendance (with 2 travel days) per diem, and travel and 10-day attendance (with 2 travel days) per diem.

**Southeast Region**

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Angoon	4.4	9.1	12.3
Craig	6.1	10.7	13.9
Edna Bay	6.3	10.3	14.2
Elfin Cove	4.6	9.2	12.5
Gastineau Channel	3.4	8.0	11.2
Hydaburg	5.9	10.4	13.7
Hyder	6.5	11.1	14.4
Icy Straits	3.9	8.5	11.8
Keke	5.7	10.3	13.6
Ketchikan	4.9	9.5	12.8
Klawock	6.0	10.6	13.8
Klukwan	4.6	9.2	12.4
Pelican	4.3	8.9	12.2
Petersburg	4.6	9.2	12.5
Port Alexander	3.4	8.0	11.2
Sitka	4.4	9.0	12.3
Turner Straits	6.7	11.3	14.5
Unalaska	3.9	8.5	11.8
Upper Lynn Canal	4.6	9.2	12.4
Wrangell	4.8	9.4	12.7
Yakutat	<u>4.7</u>	<u>9.3</u>	<u>12.6</u>
<b>SUB TOTAL</b>	<b>103.7</b>	<b>199.7</b>	<b>268.8</b>

**Southcentral Region**

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Anchorage	.5	1.7	2.6
Central Peninsula	1.3	5.9	9.2
Copper Basin	1.4	6.0	9.3
Copper River/PWS	1.7	6.3	9.5
Cooper Landing	1.0	5.5	8.8
Denali	1.6	6.2	9.5
English Bay/Port Graham	1.9	6.5	9.8
Homer	1.4	6.0	9.3
Kenai/Soldotna	1.2	5.8	9.1
Matanuska	.7	5.2	8.5
Mt. Yenlo	.7	5.3	8.6
Paxson	1.4	6.0	9.3
Seldovia	1.8	6.4	9.7
Sevard	1.1	5.7	9.0
Tok Cutoff/Nabesna Road	2.1	6.7	9.9
Tyonek	.9	5.5	8.7
Valdez	1.9	6.4	9.7
Whittier	<u>1.0</u>	<u>5.6</u>	<u>8.9</u>
<b>SUBTOTAL</b>	<b>23.6</b>	<b>102.7</b>	<b>159.4</b>

FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL

travel and per diem for 1 advisory committee member to attend all scheduled board meetings (not including joint board meetings). Column figures are travel only, travel and 5-day attendance (with 2 travel days) per diem, and travel and 10-day attendance (with 2 travel days) per diem.

Southwest Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Chignik	13.3	17.8	21.1
False Pass	12.5	17.0	20.3
Iliamna	9.7	14.2	17.5
King Cove	12.5	17.0	20.3
Kodiak	2.0	5.9	8.8
Lower Bristol Bay	5.4	10.0	13.3
Neknek/Kvichak	3.9	8.3	11.8
Nelson Lagoon	14.1	18.6	21.9
Nushagak	2.9	7.4	10.7
Sand Point	5.8	10.4	13.7
Togiak	5.7	10.3	13.6
Unalaska/Dutch Harbor	<u>10.9</u>	<u>15.4</u>	<u>18.7</u>
<b>SUB TOTAL</b>	<b>98.7</b>	<b>152.5</b>	<b>191.7</b>

Western Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Central Bering Sea	6.6	11.2	14.5
Central Kuskokwim	5.6	10.2	13.5
Lower Kuskokwim	3.1	7.7	11.0
Lower Yukon	<u>8.0</u>	<u>12.6</u>	<u>15.8</u>
<b>SUB TOTAL</b>	<b>23.3</b>	<b>41.7</b>	<b>54.8</b>

Arctic Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Eastern Arctic	11.5	16.1	19.4
Kotzebue Sound	3.8	8.4	11.7
Lower Kobuk	4.5	9.1	12.4
Noatak/Kiveline	4.6	9.2	12.5
Northern Norton Sound	8.5	13.1	16.3
Northern Seward Peninsula	4.6	9.2	12.5
Southern Norton Sound	7.2	11.8	15.1
St. Lawrence Island	8.5	13.1	16.3
Upper Kobuk	5.2	9.7	13.1
Western Arctic	<u>7.4</u>	<u>12.0</u>	<u>15.2</u>
<b>SUB TOTAL</b>	<b>65.8</b>	<b>111.7</b>	<b>144.5</b>

FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL

Travel and per diem for 1 advisory committee member to attend all scheduled board meetings (not including joint board meetings). Column figures are travel only, travel and 5-day attendance (with 2 travel days) per diem, and travel and 10-day attendance (with 2 travel days) per diem.

Interior Region

	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
Delta	2.3	6.9	10.1
Eagle	2.6	7.2	10.5
Fairbanks	1.9	5.8	8.7
Gash	3.2	7.7	11.1
Koyukuk River	3.3	7.9	11.1
Lake Minchumina	3.1	7.7	11.0
McGrath	1.6	6.1	9.4
Middle Nenana River	1.1	5.7	9.0
Middle Yukon	3.0	7.6	10.9
Minto/Nenana	2.6	7.2	10.4
Ruby	3.3	7.9	11.1
T-R-M	2.6	7.2	10.4
Upper Tanana/Fortymile	1.8	6.3	9.6
Yukon Flats	<u>2.6</u>	<u>7.2</u>	<u>10.4</u>
 SUB TOTAL	 35.0	 98.4	 143.7
	<u>Travel</u>	<u>5 days</u>	<u>10 days</u>
<u>TOTALS</u>	<u>350.1</u>	<u>706.7</u>	<u>962.9</u>

Additional needed request (5 days per diem) 706.7  
 Additional needed request (10 days per diem) 962.9

FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL

Travel and per diem for advisory committee members to attend three advisory committee meetings per year. No staff costs included.

Southeast Region

Angoon	0.0
Craig	0.0
Edna Bay	0.0
Elfin Cove	0.0
Gastineau Channel	0.0
Hydaburg	0.0
Hyder	0.0
Icy Straits	1.5
Kake	0.0
Ketchikan	0.0
Klavock	0.0
Klukvan	0.0
Pelican	0.0
Petersburg	0.0
Port Alexander	0.0
Sitka	0.0
Sumner Straits	0.0
Tanakee	0.0
Upper Lynn Canal	1.7
Wangall	0.0
Wenikuk	0.0

SUB TOTAL

3.2

Southcentral Region

Anchorage	0.0
Central Peninsula	0.0
Copper Basin	0.0
Copper River/PWS	0.0
Cooper Landing	0.0
Denali	0.5
English Bay/Port Graham	0.3
Homer	0.0
Kenai/Soldotna	0.0
Matanuska	0.0
Mt. Yanai	2.4
Paxson	0.0
Seldovia	0.0
Seward	0.3
Tok Cutoff/Nabesna Road	0.0
Tyonek	0.0
Valdez	0.0
Whittier	0.0

JBTOTAL

3.5

**FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL**

Travel and per diem for advisory committee members to attend three advisory committee meetings per year. No staff costs included.

**Southwest Region**

Chignik	6.0
False Pass	0.0
Iliamna	2.7
King Cove	0.0
Kodiak	2.2
Naknek/Kvichak	0.6
Nelson Lagoon	2.1
Lower Bristol Bay	3.3
Nushagak	3.2
Sand Point	0.0
Togiak	0.7
Unalaska/Dutch Harbor	<u>0.0</u>

SUB TOTAL 20.8

**Western Region**

Central Bering Sea	14.4
Central Kuskokwim	12.0
Lower Kuskokwim	8.6
Lower Yukon	<u>16.5</u>

SUB TOTAL 51.5

**Arctic Region**

Eastern Arctic	14.2
Kotzebue Sound	0.0
Lower Kobuk	2.2
Noatak/Kivalina	1.5
Northern Norton Sound	6.8
Northern Seward Peninsula	2.7
Southern Norton Sound	5.7
St. Lawrence Island	0.0
Upper Kobuk	2.2
Western Arctic	3.8
Regulatory Review	<u>2.5</u>

SUB TOTAL 41.6

**FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL**

Travel and per diem for advisory committee members to attend three advisory committee meetings per year. No staff costs included.

**Interior Region**

Delta	0.0	
Eagle	0.0	
Fairbanks	0.0	
Gash	2.9	
Koyukuk River	5.3	
Lake Minchumina	0.0	
McGrath	3.0	
Middle Nenana River	1.2	
Middle Yukon	1.6	
Minto/Nenana	2.7	
Ruby	0.0	
T-R-M	4.6	
Upper Tanana/Fortymile	0.8	
Yukon Flats	<u>8.5</u>	
 SUB TOTAL		 30.6

TOTAL ALL REGIONS 151.2

3 AC meetings per year	151.2
2 AC meetings per year	<u>-103.2</u>
Additional needed request	48.0

FY90 BUDGET PROJECTIONS  
LINE 72000-TRAVEL

Travel and per diem for regional council members to attend two regional council meetings per year.

Southeast Region	23.3
Southcentral Region	17.4
Southwest Region	27.7
Western Region	4.7
Arctic Region	15.5
Interior Region	<u>16.8</u>
TOTAL	<u>105.4</u>

2 RC meetings per year	105.4
1 RC meeting per year	<u>- 51.4</u>
Additional needed request	54.0



## SOUTHEAST REGIONAL FISH & GAME COUNCIL

c/o ADF&G, DIVISION OF BOARDS, P.O. Box 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

TO: The File

DATE: November 8, 1989

ADVISORY COMMITTEES

Angoon  
Craig  
Edna Bay  
Elfin Cove  
Gastineau Channel  
Hydaburg  
Hyder  
Icy Straits  
Kake  
Ketchikan  
Klawock  
Klukwan  
Pelican  
Petersburg  
Port Alexander  
Sitka  
Sumner Straits  
Tenakee  
Upper Lynn Canal  
Wrangell  
Yakutat

FROM: *Janice L. Hotch*  
Janice L. Hotch,  
Southeast RRPAs

RE: Distribution List

The Regional Councils' letter along with the Joint Board letter was mailed to the following distribution list:

1. The Secretary of Interior, Manual Lujan
2. Ron Thuma, Sub Spec, USF&WS
3. The Honorable Steve Cowper, Governor
4. Alaska Congressional Delegation
5. Southeast Alaska State Legislators  
Cheri Davis  
Jim Duncan  
Richard Eliason  
Peter Goll  
Ben Grussendorf  
Bill Hudson  
Lloyd Jones  
Robin Taylor  
Fran Ulmer
6. Honorable J. Bennett Johnston, La.  
Chairman  
Committee on Energy and Natural Resources  
United States Senate  
SD-364 Dirksen Senate Office Building  
Washington, D.C. 20510
7. James A. McClure, Id.  
Ranking Minority Member  
Committee on Energy and Natural Resources
8. Honorable Quentin N. Burdick, N.D.  
Chairman  
Committee on Environment and Public Works  
United States Senate  
SD-458 Dirksen Senate Office Building  
Washington, D.C. 20510
9. Honorable John H. Chafee, R.I.  
Ranking Minority Member  
Committee on Environment and Public Works

10. Honorable Daniel K. Inouye, Hawaii  
Chairman  
Select Committee on Indian Affairs  
United States Senate  
SH-838 Hart Senate Office Building  
Washington, D.C. 20510
11. Honorable Dennis DeConcini, Ariz  
Majority Member  
Select Committee on Indian Affairs
12. Honorable Thomas A. Daschle, S.D.  
Majority Member  
Select Committee on Indian Affairs
13. Honorable Kent Conrad, N.D.  
Majority Member  
Select Committee on Indian Affairs
14. Honorable John McCain, Arizona  
Vice Chairman  
Minority Member  
Select Committee on Indian Affairs  
SH-838 Hart Senate Office Building  
Washington, D.C. 20510
15. Honorable Thad Cochran, Miss.  
Minority Member  
Select Committee on Indian Affairs
16. Honorable Morris K. Udall, Arizona  
Chairman  
Committee on Interior and Insular Affairs  
United States Congress  
1324 Longworth House Office Building  
Washington, D.C. 20515
17. Honorable George Miller  
Majority Member  
Committee on Interior and Insular Affairs  
United States Congress
18. Honorable Walter B. Jones, N.C.,  
Chairman  
Committee on Merchant Marine and Fisheries  
United States Congress  
1334 Longworth House Office Building  
Washington, D.C. 20515
19. Honorable Robert W. Davis, Michigan  
Ranking Minority Member  
Committee on Merchant Marine and Fisheries

(1/90)

**SEALASKA CORPORATION POSITION PAPER**  
on the  
**STATE LOCAL ADVISORY/REGIONAL COUNCIL SYSTEM AND ANILCA**

Sealaska Corporation has a strong commitment to the well-being of its shareholders - a majority of who reside in rural Alaska. The subsistence lifestyle is vital to that well-being. Because there are questions about the effectiveness of state's implementation of ANILCA and the regional council system, Sealaska authorized research on the regional council system in Southeast Alaska. The key conclusions and results of that research are summarized here and represent Sealaska's position:

- o ANILCA requires that subsistence must be given the priority over all other consumptive uses of the forest. This would result in the "least adverse impact possible on rural residents who depend upon subsistence uses. Sealaska believes that this is not occurring either in the state's management of the fish and wildlife resources or the federal government's management of the land and resources.
- o ANILCA requires that the local advisory committees and regional councils provide subsistence recommendations to the state rulemaking authority and requires that they be permitted to participate in the decisions of all federal agencies having authority over public lands when agency decisions could significantly affect subsistence. This has not occurred. Presently the USFS is preparing to make major decisions regarding subsistence in the Tongass without the participation of the regional councils.
- o While the councils have not been effective, with proper guidance and budgetary support, Sealaska believes that they have the potential to ensure that the resources are properly managed in accordance with the priority subsistence provisions and consistent with their important mandate under ANILCA.
- o Section 805(d) requires the Board to adopt the advice and recommendations of the Regional Council unless Council recommendations are not supported by substantial evidence, violate recognized principles of fish and wildlife conservation or would be detrimental to the satisfaction of rural subsistence needs. At the Board's Juneau hearing in February 1989, the Board of Fisheries refused to accept SERC recommendations because they were not transmitted to the Board ten (10) days prior to the Board's meeting. In cases where the Council has met the 10 day rule the Board, with few exceptions, has ruled contrary to the advice of the Council without setting out the factual basis and reasons for its decision.
- o ANILCA establishes an extremely specific and discreet area of concern and responsibility for the local advisory committees/regional councils. The State has defined the area of concern in much broader terms which creates conflicts within the system because of confusing mandates and membership representation. Subsistence competes with other interests and uses on the same agenda *and as a result is compromised.*

Boards, additional staff has been hired. It is ADF&G's hope that they will improve council effectiveness.

- o As a result of the improved process proposed in their FY 1990 Application for Federal Assistance, ADF&G contends that the "public, through the committees, will be intimately involved". Sealaska feels that two advisory committee meetings and two regional council meetings a year is hardly conducive to intimate public involvement, nor is it adequate to carry out the responsibilities and authorities listed in ANILCA.

As a matter of information, the Alaska Department of Law Alaska Native Law Section 1989 Subsistence Update, gives an interpretation of Title VIII which is supportive of Sealaska's official position. In that document they state:

"Title VIII is important for four major reasons. First is that it establishes an absolute priority for subsistence users over all other competing consumptive purposes. Second is that it guarantees subsistence users access to fish and game on federal land which would otherwise be closed to hunting and fishing. Third is that it requires federal land managers to incorporate subsistence uses in their land use decision process. Fourth is that it establishes an administrative structure which would potentially serve to increase the representation of Alaska Native interests in fish and game management."

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

(1/90)

**SEALASKA CORPORATION POSITION PAPER**  
on the  
**STATE LOCAL ADVISORY/REGIONAL COUNCIL SYSTEM AND ANILCA**

Sealaska Corporation has a strong commitment to the well-being of its shareholders - a majority of who reside in rural Alaska. The subsistence lifestyle is vital to that well-being. Because there are questions about the effectiveness of state's implementation of ANILCA and the regional council system, Sealaska authorized research on the regional council system in Southeast Alaska. The key conclusions and results of that research are summarized here and represent Sealaska's position:

- o ANILCA requires that subsistence must be given the priority over all other consumptive uses of the forest. This would result in the "least adverse impact possible on rural residents who depend upon subsistence uses. Sealaska believes that this is not occurring either in the state's management of the fish and wildlife resources or the federal government's management of the land and resources.
- o ANILCA requires that the local advisory committees and regional councils provide subsistence recommendations to the state rulemaking authority and requires that they be permitted to participate in the decisions of all federal agencies having authority over public lands when agency decisions could significantly affect subsistence. This has not occurred. Presently the USFS is preparing to make major decisions regarding subsistence in the Tongass without the participation of the regional councils.
- o While the councils have not been effective, with proper guidance and budgetary support, Sealaska believes that they have the potential to ensure that the resources are properly managed in accordance with the priority subsistence provisions and consistent with their important mandate under ANILCA.
- o Section 805(d) requires the Board to adopt the advice and recommendations of the Regional Council unless Council recommendations are not supported by substantial evidence, violate recognized principles of fish and wildlife conservation or would be detrimental to the satisfaction of rural subsistence needs. At the Board's Juneau hearing in February 1989, the Board of Fisheries refused to accept SERC recommendations because they were not transmitted to the Board ten (10) days prior to the Board's meeting. In cases where the Council has met the 10 day rule the Board, with few exceptions, has ruled contrary to the advice of the Council without setting out the factual basis and reasons for its decision.
- o ANILCA establishes an extremely specific and discreet area of concern and responsibility for the local advisory committees/regional councils. The State has defined the area of concern in much broader terms which creates conflicts within the system because of confusing mandates and membership representation. Subsistence competes with other interests and uses on the same agenda *and as a result is compromised.*

- o Sealaska's analysis indicates that many of the active members of the regional council understand the importance of subsistence in the Native community, however, they continue to be stymied by lack of guidance and support from the administrative agency, both from a policy and budget perspective.
- o Section 810 of ANILCA requires federal agencies to give notice to local committees and regional councils, and to hold hearings in the affected area, prior to such decision making. This has not occurred.

- ANILCA states that federal agencies "shall evaluate" the effect a land management or disposal decision may have upon subsistence uses and needs. This language is mandatory. When the potential effect on subsistence is significant, ANILCA requires the agency to provide a forum for the regional council, the local advisory committees, and local citizens to provide information and to air their views. The agency must listen to and consider the information provided and its findings must be supported by the facts before it. The agency must weigh alternatives and sound management principles. The amount of the affected lands must be the minimal amount necessary to meet the purposes of the disposition. Finally, the agency must find that "reasonable" steps will be taken to limit any potential adverse impacts upon subsistence uses and resources.

- o Where a federal agency finds that proposed land use action poses no significant possibility of a significant restriction upon subsistence uses and as a consequence does not give notice or hold local hearings under section 810, affected parties may challenge the finding in federal court. *It is possible that the regional councils and the advisory committees would have standing to sue in such a case;* however, we are not aware of any case where a regional council has challenged an agency action in court.
- o Section 805 authorizes each regional council to prepare and submit to the Secretary an annual report identifying subsistence needs and making recommendations for subsistence management on federal lands. Regional council involvement is superficial and sporadic. The 806 report doesn't examine why this situation exists.
- o The 806 reports directly references the lack of coordination between state and federal land/resource agencies and functions, but makes no reference to the role that the regional councils should play in facilitating and channeling information to federal agencies.
- o From the time the State began requesting payment from the U.S. Department of the Interior, it has received less than 20 percent and considerably less than the \$5,000,000 upper limit established under ANILCA. USFWS attributes this to tight federal budgets and the relative importance of the subsistence grant in relation to other high priorities in the Interior.
- o All of the regional councils have expressed concern that the Federal grant program which helps finance the state subsistence program is inadequately funded and should be significantly increased. Sealaska agrees.
- o The councils historically have not had enough time, nor the resources nor the necessary understanding of what its mission and responsibilities are to effectively carry out its subsistence responsibilities. Administrative support for the regional council system is limited. However, since the reorganization of the Division of

Boards, additional staff has been hired. It is ADF&G's hope that they will improve council effectiveness.

- o As a result of the improved process proposed in their FY 1990 Application for Federal Assistance, ADF&G contends that the "public, through the committees, will be intimately involved". Sealaska feels that two advisory committee meetings and two regional council meetings a year is hardly conducive to intimate public involvement, nor is it adequate to carry out the responsibilities and authorities listed in ANILCA.

As a matter of information, the Alaska Department of Law Alaska Native Law Section 1989 Subsistence Update, gives an interpretation of Title VIII which is supportive of Sealaska's official position. In that document they state:

"Title VIII is important for four major reasons. First is that it establishes an absolute priority for subsistence users over all other competing consumptive purposes. Second is that it guarantees subsistence users access to fish and game on federal land which would otherwise be closed to hunting and fishing. Third is that it requires federal land managers to incorporate subsistence uses in their land use decision process. Fourth is that it establishes an administrative structure which would potentially serve to increase the representation of Alaska Native interests in fish and game management."

**S J R**

**65**



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
ALASKA STATE OFFICE  
222 W. 7th Avenue, #13  
ANCHORAGE, ALASKA 99513-7599

1120(912)

Feb. 20, 1990

Honorable Arliss Sturgulewski  
Alaska State Senate  
Rm. 427, Capitol  
P.O. Box V  
Juneau, AK 99811

Dear Sen. Sturgulewski

We have reviewed the resolution in support of additional funding for the Bureau of Land Management which you introduced on January 31, 1990.

Our most serious budget shortfall is in the land conveyance area. We are seeing a steady decline in output of state and Native patents as well as Native Allotment certificates. This program has been in place for 30 years and will continue for at least another 30 if we don't get more money for conveyance and survey to offset the effects of inflation. This delays the final conveyance of entitlement and continues the unsettled ownership pattern which results in a lot of missed opportunities for all parties.

We are at serious risk of additional litigation if we are unable to meet our responsibilities in the minerals area. Miners on Federal claims in 4 areas experienced a yearlong shutdown while we prepared court ordered Environmental Impact Statements. We are still under close scrutiny. No one wants to go through that again.

Many of our Wildlife and Fisheries goals complement state initiatives and we are missing many opportunities for cost share programs. The Norton Sound Fisheries Enhancement Plan is an excellent example of a joint state-BLM plan to benefit subsistence and commercial fisheries. Unfortunately, it is underfunded on both the state and Federal side.

Sen. Arliss Sturgulewski  
Feb. 20, 1990, p.2

There are many opportunities for state-BLM cooperation in Alaska's recreation and tourism initiative. Every BLM dollar spent in the development of recreation facilities; interpretation and preservation of the history, geology, development and culture of Alaska; and the support of the commercial recreation industry is a state dollar that is not needed. We cannot afford to be competitive with each other. Many of the resources on BLM land should have national attention and receive national funding.

The President's budget for Fiscal Year 1991 contains some exciting new concepts for BLM which should benefit Alaska in the future. We are optimistic about this administration and Cy Jamison, the new Director. We see some positive changes ahead for our programs.

Thanks for the opportunity to comment.

Sincerely,



Les Rosenkrance  
State Director



**BLM** Who we are,  
What we do.

---

Bureau of Land Management  
Alaska State Office  
Public Affairs

## **The Public Lands**

---

The public lands are lands obtained by the U.S. government through treaty or purchase. As our nation developed, more than one billion acres were transferred to private ownership. Other federal lands were designated as parks, wildlife refuges, forests or military reservations. The remaining areas, once described as "the lands nobody wanted," are now recognized as a valuable national asset known as the Public Lands. These lands offer a wealth of minerals, fossil fuels, wildlife habitat, wilderness, timber and forage. They also offer opportunities for recreation and watershed protection. All Americans share in the benefits of the wise management of the Public Lands.

# The Bureau of Land Management

---

The Bureau of Land Management, or BLM, is an agency in the U.S. Department of the Interior, was created in 1946 when the U.S. Grazing Service was merged with the General Land Office. In Alaska, BLM now has responsibilities once undertaken by the Reindeer Service and Alaska Fire Control Service. Today, the BLM provides multiple-use management for more than 270 million acres of Public Lands, most of which are in 11 western states. Approximately 80 million of these acres are in Alaska.

The Bureau of Land Management is a multiple-use agency. District managers and their teams of resource specialists and support personnel play a key role in determining what activities occur on the Public Lands. In Alaska, there are five district offices located in Fairbanks, Anchorage and Glennallen. Three field stations serve as public contact points in Tok, Kotzebue and Nome. The BLM state office in Anchorage serves as a contact point for the BLM Washington Office and other government agencies. Support centers in Fairbanks and Anchorage assist the five districts.

The Arctic District administers about 34 million acres of Public Lands on Alaska's North Slope, including the 23-million-acre National Petroleum Reserve-Alaska and a segment of the transportation corridor that contains the Trans-Alaska oil pipeline. Major resources in this district include oil and gas, internationally important wildlife nesting habitat and various archeological and cultural sites.

The 17-million-acre Kobuk District includes most of the Public Lands in west-central Alaska. These lands provide numerous opportunities for wilderness backpacking, trapping, fishing, camping and river floating. A substantial portion of the district is the winter range for the western arctic caribou herd. The Seward Peninsula provides forage for a growing reindeer industry for Alaska Natives.

The Steese/White Mountains District is responsible for 7.5 million acres of Public Lands, including the Steese National Conservation Area, the White Mountains National Recreation Area, Ft. Egbert National Historic Site at Eagle and three components of the National Wild and Scenic Rivers System. Major resource use includes recreation, mining, hunting, fishing, and subsistence activities.

The Glennallen District manages approximately 5.5 million acres of Public Lands in east-central Alaska, the majority of which are along the scenic Denali Highway. Major resource programs include timber sales, recreation, fish habitat studies, mining and rights-of-way management.

The Anchorage District manages 16 million acres in southwest, southcentral and southeast Alaska. Large concentrations of Public Lands are found along the Yukon and Kuskokwim rivers. Portions of the Iditarod National Historic Trail pass through the district. Major resource programs include mining, Native allotment surveys and management of subsurface rights. The Campbell Tract in Anchorage serves as a valuable outdoor education laboratory for thousands of school children.

## It's all about land

---

Alaska's 378 million acres were purchased by the federal government from Russia in 1867 for about two cents an acre. Most of this land was at one time administered by the BLM or predecessor agencies. Land — who owns it, who gets it and who can use it. These are the issues that the BLM must deal with every day.

Legislation such as the Alaska Statehood Act (1958), the Alaska Native Claims Settlement Act (1971), and the Alaska National Interest Lands Conservation Act (1981), radically changed the land ownership pattern of Alaska by allocating more than 104 million acres of BLM-administered Public Lands to the state of Alaska and 44 million acres to Native corporations, and by establishing more than 100 million acres of national parks, monuments, preserves and wildlife refuges. After all conveyances are completed, the remaining Public Lands will still be administered by BLM under the principles of multiple use management.

BLM survey crews carefully locate and establish survey monuments, often called "brass caps," to physically mark the points on the earth's surface and tie the land to its legal description.

Boundary lines of all lands to be transferred, plus those of any inholdings, must be surveyed by the BLM before the new owners can receive patent. Each summer BLM survey crews are sent to remote base camps in all parts of the state to get the job done. A large survey camp of 14 to 16 people will typically need more than 200 items weighing up to 65,000 lbs. and will use more than 60,000 gallons of fuel during the summer. BLM's warehouse crews and air logistics operations keep these camps operating. Almost one million pounds of equipment and supplies are transported annually.

In general, Congress has directed that most Public Lands be retained in federal ownership. However, Public Lands can be transferred to private ownership in a variety of ways.

Individual Native allotments up to 160 acres in size are being surveyed by BLM as part of the federal government's responsibilities under the 1906 Native Allotment Act. Miners receive patent to lands with mineral deposits after performing assessment work on valid claims and meeting other requirements. If the BLM's land use planning process determines that disposal of a given parcel of land is in the public interest, the parcel can be sold for a fair market value or exchanged for another parcel of equal value.

The BLM is the custodian of the nation's real estate records. Master Title Plats not only show land ownership but also any leases, rights-of-way acts, withdrawals and public land actions in effect.

Any citizen can determine the legal history of a parcel of land while it was under federal ownership by visiting a public land record information center at a BLM office.

Public lands are frequently used by others even though ownership is retained by the federal government. The BLM administers rights-of-way for hundreds of miles of roads, electrical transmission lines, pipelines and other uses. BLM also grants temporary use permits for landfills, parks, airstrips, temporary storage facilities and other uses.

All laws relating to homesteading on Public Lands in Alaska expired in 1986. The Public Lands are no longer available for cabins, trade and manufacturing sites, recreation sites or homes.

## It's all about resources

---

Alaska's Public Lands possess natural resources of enormous value. Traditional resources such as coal, timber and fish are traded worldwide to make life more comfortable for people everywhere. Today, new opportunities in the realm of historic, cultural, scientific and recreational resources are emerging to assume new importance in the development of the Alaska of the future.

BLM manages the habitat for the plants and animals that live on our public lands. Special emphasis is placed on threatened or endangered species such as the arctic peregrine falcon. BLM cooperates with other agencies to monitor population levels so that scientists can predict how environmental changes will affect the species. Current research projects in Alaska are aimed at understanding the needs of caribou, marten, moose, and peregrine falcons.

Alaska's mineral wealth has been recognized for more than a hundred years. Millions of ounces of gold have been removed from such places as Nome, the Fortymile country and Fairbanks.

BLM surface protection specialists and geologists work with miners who have claims located on public lands to help them meet legal requirements necessary to receive patent and to advise them in techniques that will avoid unnecessary surface disturbances.

BLM has surface management responsibilities for on-shore oil and gas production in producing fields such as those on the Kenai Peninsula and has oversight responsibilities for the Trans-Alaska Pipeline System. BLM also administers the 23-million-acre National Petroleum Reserve-Alaska on the North Slope.

People come to Alaska from all over the world for the adventure of a lifetime or a week of solitude amid scenic grandeur. The Public Lands in Alaska offer

outstanding opportunities for sightseeing, hiking, photography, wildlife observation, fishing, hunting and other recreational pursuits.

The BLM administers six Alaska components of the National Wild and Scenic Rivers System. These include portions of the Delta, Fortymile, Unalakleet and Gulkana rivers and Beaver and Birch creeks where recreationists can experience anything from a quiet float trip to whitewater rapids.

Portions of the Iditarod National Historic Trail from Seward to Nome cross BLM-administered Public Lands. Today, the world famous Iditarod sled dog race is run along portions of this route each March.

Fort Egbert, on the banks of the Yukon River, dates back to 1899. Its long and colorful history has not been forgotten as it has been partially restored. Guided tours conducted by the BLM and the local historical society are available in the summer.

Recent studies indicate that some forest fires can benefit other resources. For example, the rapid increase of lush vegetation following a clean burn provides new wildlife habitat for a variety of birds and mammals. Public Lands are valuable outdoor laboratories for research studies about our natural world.

Under predetermined and carefully monitored circumstances, some natural wildfires are allowed to burn, saving money and manpower to protect more critical areas.

## It's all about technology

---

Units of Public Land in Alaska vary in size from parcels of only a few acres to blocks the size of states. Gathering information about these lands and their resources can be expensive and time consuming if done by traditional methods. Today BLM-Alaska makes use of state-of-the-art equipment and space-age technology to get the job done quickly and efficiently.

The technology of the 21st century has arrived early to help manage your Public Lands in Alaska.

Air photos are invaluable yet inexpensive tools for many BLM resource specialists to observe and manage the Public Lands. Environmental changes in remote areas can be easily monitored. For example, wildlife biologists use photos to evaluate wildlife habitat conditions. Surface protection specialists monitor rehabilitation success in areas where mining has occurred. Lakes and shorelines can be easily mapped. This information is used to determine how much federal land has yet to be transferred to the state of Alaska and Native corporations.

A Landsat satellite, orbiting 575 miles above the earth, scanned the vegetation of a six-million-acre area in southwest Alaska. BLM resource specialists then combined this information with computerized elevation data derived from topographic maps to produce this composite image.

Skilled resource professionals can obtain an amazing amount of information from this image. For example, if a new road is needed to move equipment to a drilling site, potential gravel deposits needed for construction can be identified. Then, travel routes that avoid steep or wet, boggy terrain can be planned, lowering construction costs. Wildlife habitat can be identified and avoided during road construction.

Survey field work has tripled in volume with the help of modern technology. The multi-million dollar Auto-Surveyor system is the key element in

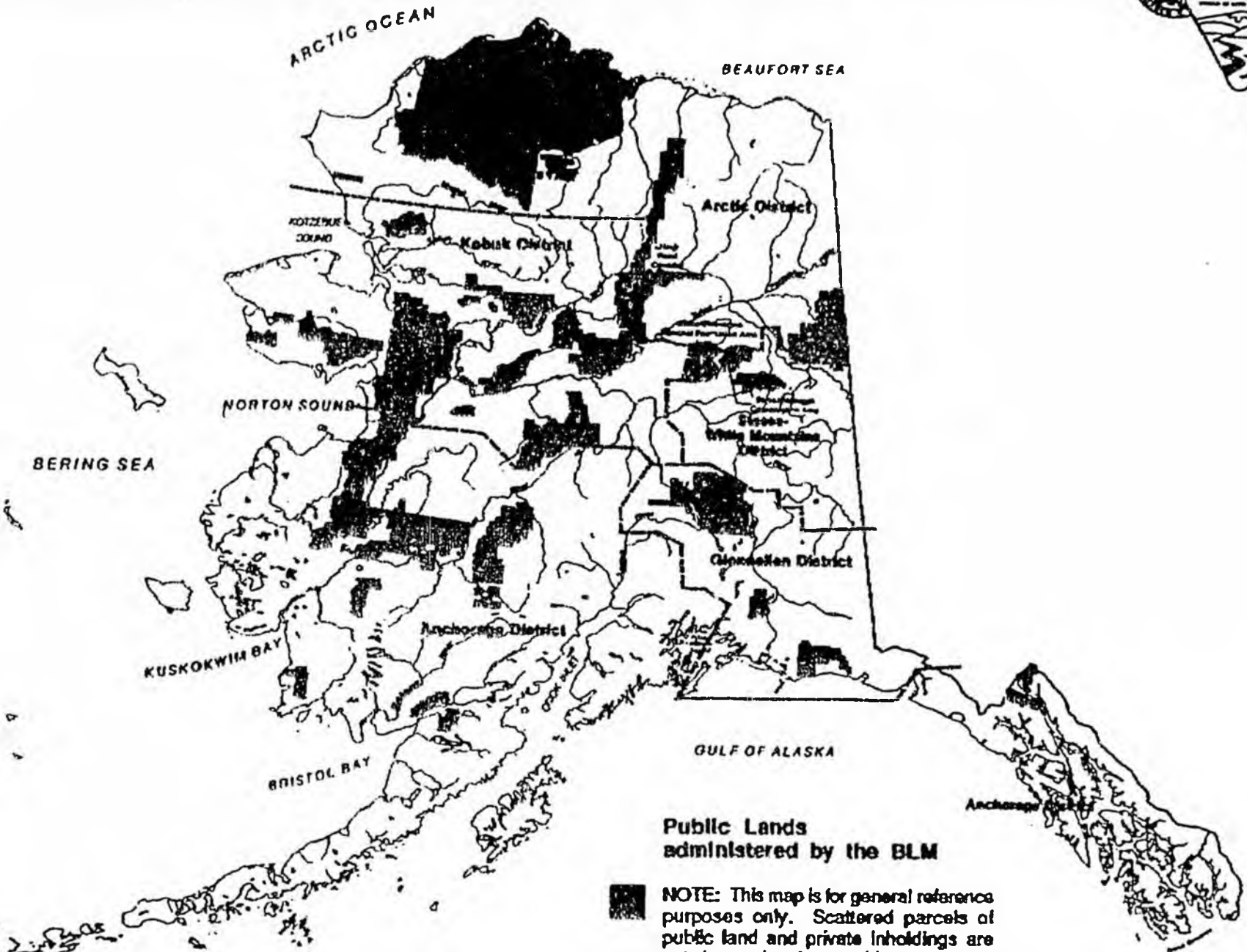
the BLM tool kit. The Auto-Surveyor is mounted in a helicopter and uses satellite orientation procedures to determine its starting position. The exact location of rivers and shorelines can be recorded in seconds as the pilot flies over them. It would take months of work to obtain the same data by using traditional survey methods.

There are more than 200,000 land record casefiles maintained by the BLM in Alaska. Tracking the location of each file is now easily accomplished by the use of magnetic bar codes, portable optical scanner pens and computers. The system is similar to those used on products at grocery stores. BLM-Alaska led in the development of this system, which is now being adopted by many other BLM offices nationwide.

Biologists have been tracking large game animals for years by using radio collars and airplanes. New developments in electronics allow the same techniques to be applied to fish. Tiny transmitters were surgically implanted in steelhead trout allow radio monitoring to identify critical fish habitat in portions of the Copper River basin. Another type of monitoring system helps BLM keep track of aircraft flying anywhere in the state.

Remote sensors around the state instantly record lightning strikes and relay the information to a central computer. Resource specialists' predictions of where wildfires are most likely to occur allow fire fighting crews to be stationed in high-risk areas, cutting response time and saving thousands of dollars annually in fire suppression costs. The lightning detectors were modified to help the U. S. Geological Survey monitor volcanic eruptions on Mt. Redoubt.

# BLM Lands In Alaska



## Public Lands administered by the BLM

**NOTE:** This map is for general reference purposes only. Scattered parcels of public land and private inholdings are not shown. Land ownership patterns are subject to change pending resolution of State of Alaska and Native land claims. Contact the nearest BLM office for detailed land ownership information.



# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1798  
PHONE: (907) 465-2400

February 20, 1990

The Honorable Bettye Fahrenkamp  
Alaska State Senator  
P.O. Box V  
Juneau, AK 99811

Re: SJR 65

Dear Senator Fahrenkamp:

Many of the programs of the Bureau of Land Management (BLM) that benefit the state are being seriously underfunded. Two of these programs, the lands conveyance and cadastral survey programs, are very important to us. If properly funded, BLM would be able to expedite land transfers to us that were mandated by Congress over 30 years ago.

As the attached charts show, we have seen a decline in the quantity and quality of land conveyances to the state over the last decade. The state still has 20 million acres of land to be conveyed to us under the Alaska Statehood Act, and an additional 70 million acres remain to be surveyed before we can receive patent.

Currently the lands conveyance program is funded at \$13.66 million and in 1991 is expected to go down to \$13.18 million. An optimum budget of \$16.65 million would allow BLM to keep up with inflation, streamline the adjudicative process through use of automation, fund to their authorized staff level, and fund an unauthorized use program and an easement management program.

The cadastral survey budget is currently funded at \$15.2 million. In 1991 this level is expected to be at \$13.3 million. An optimum level of \$18.1 would allow BLM to get the Patent Plan Process back on track by bringing staff back up to its authorized level, fund full contracting capability which is important to the private sector in Alaska, and fund new equipment which would make their production much more efficient and cost effective.

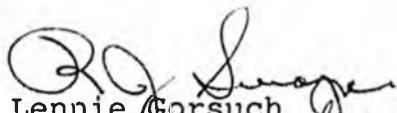
Senator Fahrenkamp

- 2 -

February 20, 1990

Therefore, I support SJR 65. Please feel free to contact my office if you have additional questions.

Sincerely,

  
Lennie Gorsuch  
Commissioner

Attachments

cc: Bill Sponsors  
Committee Members  
Bob Evans, Legislative Liaison  
Office of the Governor  
Denby Lloyd, Special Staff Assistant  
Office of the Governor  
Gary Gustafson, Director  
Division of Land and Water  
Department of Natural Resources

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title : SJR 65 urging appropriate funding  
           of BLM  
 Sponsor : Sen. Sturqulewski  
 Requestor : Senate Resources

Agency Affected : Dept. Natural Resources  
 BRU : Land Management  
 Components : \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

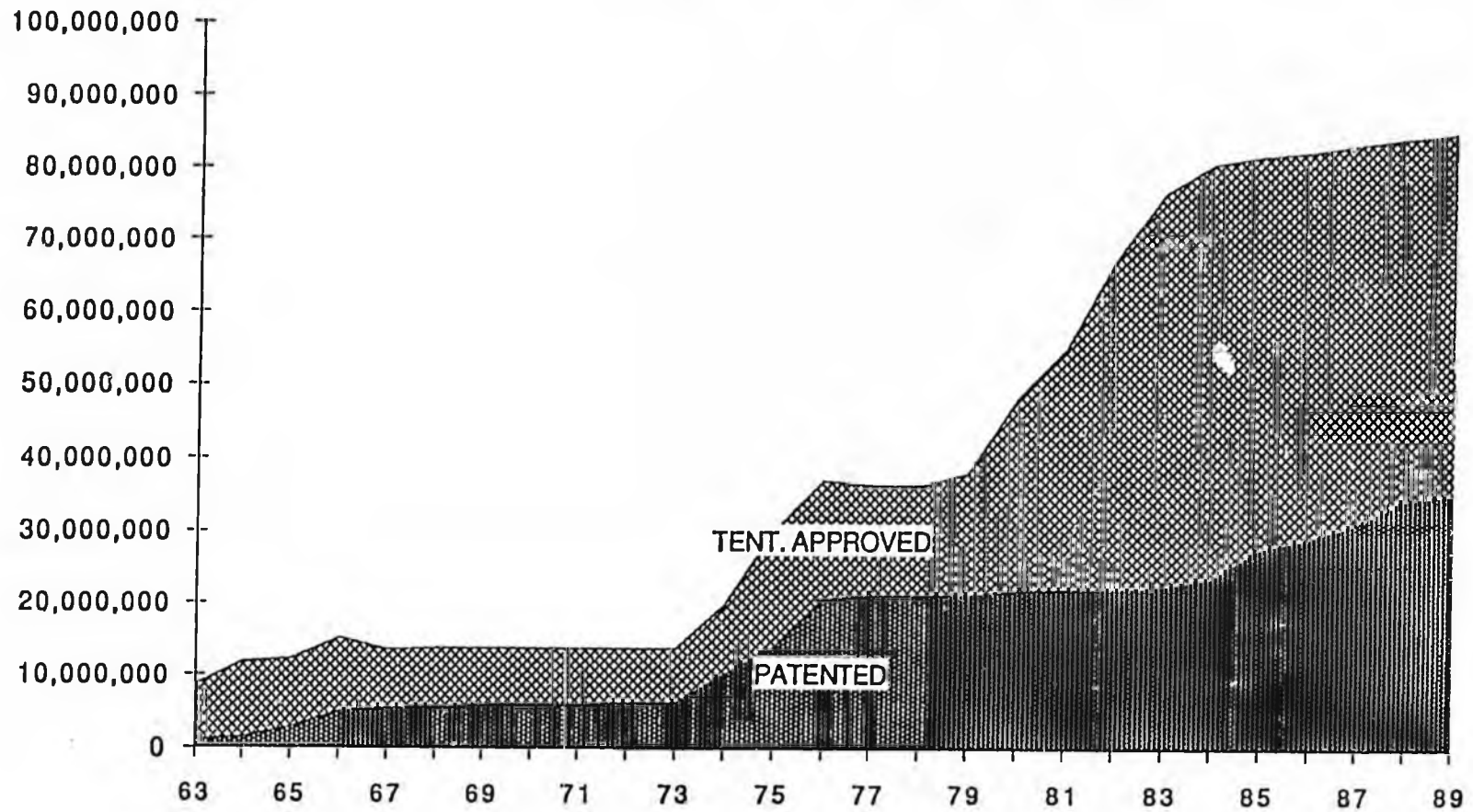
**ANALYSIS :** (Attach a separate page if necessary)

Prepared by : Larry Ostrovsky Phone : 465-2400  
 Division : Commissioner's Office Date : \_\_\_\_\_

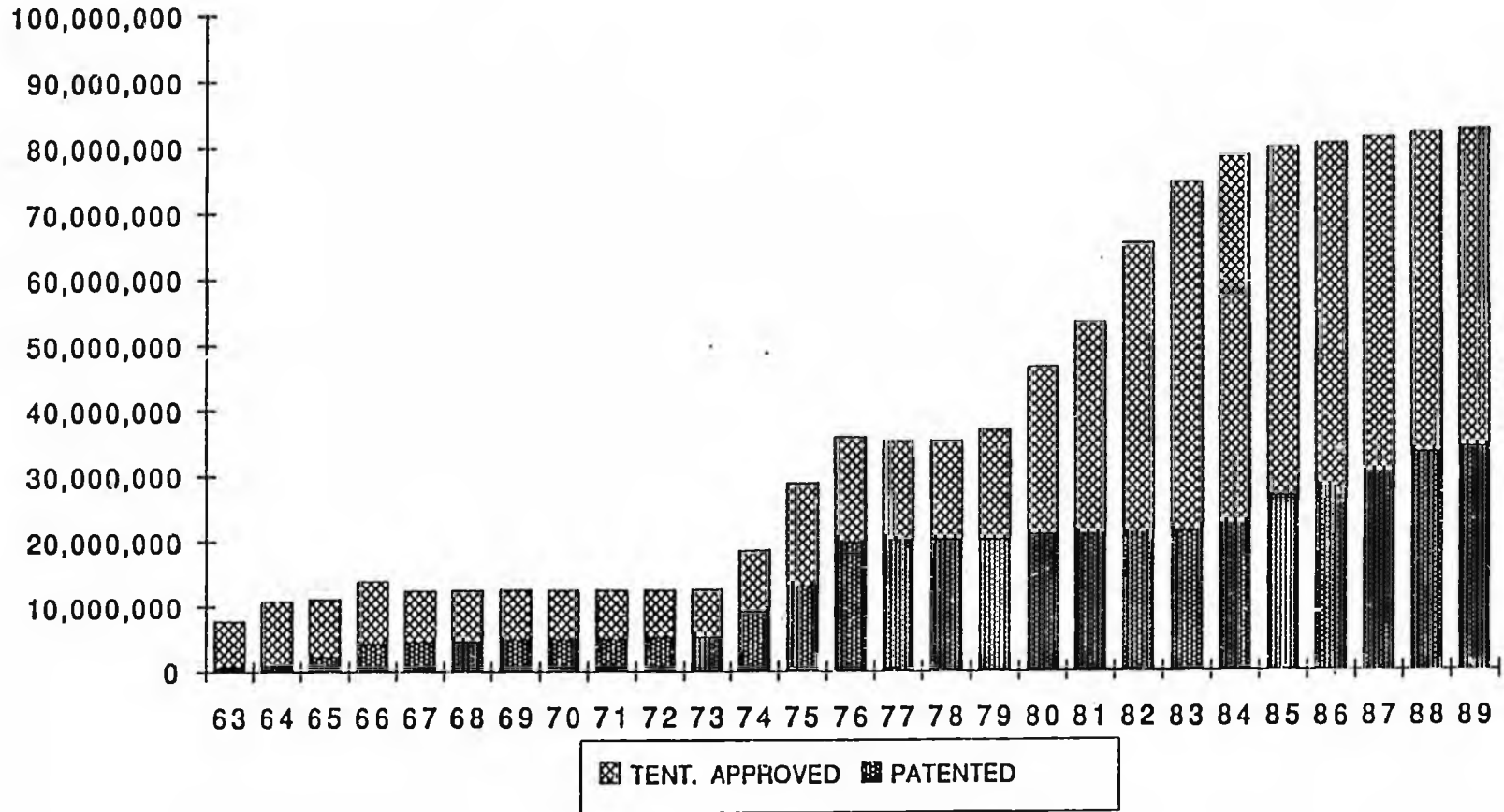
Approved by Commissioner :  Date : \_\_\_\_\_  
 Agency : \_\_\_\_\_

Distribution (by preparer) :  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

# LANDS CONVEYED TO THE STATE



# CONVEYANCE HISTORY - GENERAL GRANT





**S J R**

**69**

Supporting the appropriation of federal funding for implementation of the development proposals for the Wrangell-St. Elias National Park and Preserve.

and recommended:

- replace with \_\_\_\_\_ CS \_\_\_\_\_  same title
- attached amendment(s)  new title
- \_\_\_\_\_ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

zero fiscal note(s) DNR  
 \_\_\_\_\_  
 \_\_\_\_\_

- appropriation-no fiscal note
- Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Chair: Signature and Recommendation  
 \_\_\_\_\_  
 Chair: Signature and Recommendation

BE IT RESOLVED that the Alaska State Legislature supports the appropriation of federal funds for implementation of the development proposals

THE FOLLOWING DOCUMENT HAS  
NOT BEEN FILMED BUT IS  
AVAILABLE IN THE ORIGINAL  
FILE

# Wangell-St. Elias National Park and Preserve



Blueprint for a Developing Park  
Building Recreational Opportunities in the Copper Valley

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Commerce & Economic Dev.  
 Title: Supporting the appropriation BRU: Tourism  
of federal funding/Wrangell-St. Elias National Park  
 Sponsor: Senator Sturgulewski Components: \_\_\_\_\_  
 Requestor: Senate Resources

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>	0	0	0	0	0	0

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary) No fiscal impact for FY 90.

Prepared by: Dana Brockway, Director  
 Division: Tourism

Phone: 465-2012  
 Date: 2/16/90

Approved by Commissioner: Larry Mercuri  
 Agency: Department of Commerce & Economic Development

Date: 20 Feb 90

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

# STATE OF ALASKA

STEVE COWPER, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1798  
PHONE: (907) 485-2400

February 27, 1990

The Honorable Bettye Fahrenkamp  
Alaska State Senator  
P.O. Box V  
Juneau, AK 99811

Re: SJR 69

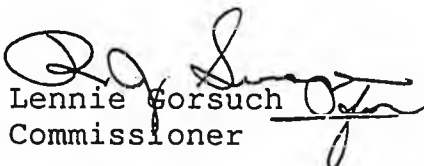
Dear Senator Fahrenkamp:

The Department of Natural Resources supports SJR 69.

Glennallen is an important crossroads for highway travelers and as such is an excellent location for the visitor center. The center would also be able to provide information to the public on state park highway campgrounds in the area and other information. The National Park Service has included this project in its management plan for the Wrangell St. Elias National Park.

Please feel free to contact my office if you need additional information or if I or my staff can be of further assistance.

Sincerely,

  
Lennie Gorsuch  
Commissioner

cc: Bill Sponsors  
Committee Members  
Bob Evans, Legislative Liaison  
Office of the Governor  
Denby Lloyd, Special Staff Assistant  
Office of the Governor  
Neil Johannsen, Director  
Division of Parks and Outdoor Recreation  
Department of Natural Resources

JUR 67



United States Department of the Interior  
NATIONAL PARK SERVICE



IN REPLY REFER TO:

A3815 (ARO-PA)

ALASKA REGIONAL OFFICE  
2525 Gambell Street, Room 107  
Anchorage, Alaska 99503-2892

23 JAN 1990

Arliss Sturgulewski  
Alaska State Senate  
P.O. Box V  
Juneau, AK 99811

Dear Senator Sturgulewski,

Identifying and developing the recreational potential of national parks in Alaska is a high priority for the National Park Service. In a pilot project, the Alaska Region has produced the enclosed brochure. In Blueprint for a Developing Park, the region expands upon development projects previously identified in the general management plan for Wrangell-St. Elias National Park and Preserve.

The brochure will serve as an efficient tool for explaining the development potential in Wrangell-St. Elias to community and state leaders with whom we will have many cooperative efforts, as well as interested visitors.

If this brochure proves to be as useful as we hope, we would consider similar products to describe other park and regionwide development opportunities in Alaska.

In reading the brochure, please note that while it highlights projects of great benefit to the park and neighboring communities, it carries no commitment of federal funding. Our intent was to continue discussion among the parties interested in developing facilities near the park.

I welcome your comments. Additional copies of the brochure are available from Wrangell-St. Elias National Park, Box 29, Glennallen, Alaska 99588 [(907)-822-5234] or the National Park Service, Planning Division, 2525 Gambell Street, Anchorage, Alaska 99503 [(907) 257-2654].

Sincerely,

Boyd Evison  
Regional Director

Enclosure

**S J R**

**75**

FIRST COMMITTEE OF REFERRAL

DATE: 2/12/90

FURTHER: Finance

Date of 5-Day Notice: 2-22-90  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-28-90

Resources Committee considered SJR 75

Relating to reauthoziation of the Magnuson Fishery Conservation and Management Act.

and recommended:

- replace with \_\_\_\_\_ CS SJR 75 (Res)  same title
- attached amendment(s)  new title
- \_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

zero fiscal note(s) F2.G  
\_\_\_\_\_  
\_\_\_\_\_

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO/PASS:

Richard Holford  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chair: Signature and Recommendation



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION	BILL NUMBER SJR 75	SPONSOR Szymanski
SHORT TITLE OF BILL Relating to reauthorization of Magnuson Act			
DEPARTMENT POSITION Support			
PREPARED BY Molly McCammon	DATE 2/27/90	COMMISSIONER'S SIGNATURE <i>Andrew W. Diley</i>	DATE 2 27 90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL None	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial fishermen Seafood processors
ORGANIZATIONAL SUPPORT FOR BILL Commercial fishing organizations Coastal communities	ORGANIZATIONAL OPPOSITION TO BILL Factory trawlers

FISCAL IMPACT.  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The United States House of Representatives has passed legislation calling for reauthorization of the Magnuson Fishery Conservation and Management Act. The intent of this resolution is to indicate a legislative position on proposals included in that legislation.

ANALYSIS OF BILL/PROGRAM EFFECTS

This resolution indicates legislative support for the proposal to give authority to fishery management councils to allocate fishery resources between land based and offshore fishing fleets and in doing so, protect the economies of coastal fishing communities. In addition, the resolution calls for strong opposition to the addition of two non-Alaskan members to the North Pacific Fisheries Management Council and directs the Alaska congressional delegation to oppose it also.

AMENDMENTS PROPOSED

See enclosed sheet

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: Relating to reauthorization  
of Magnuson Act  
 Sponsor: Senator Szvanski  
 Requestor: Senator Szvanski

Agency Affected: Fish and Game  
 BRU: \_\_\_\_\_  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

No FY 90 impact.

Prepared by: Molly McCammon *Molly McCammon* Phone: 465-4100  
 Division: Commissioner's Office Date: 2/27/90  
 Approved by Commissioner: *Warren H. Kelly* Date: 2/27/90  
 Agency: \_\_\_\_\_

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

Original sponsor(s): SEN. SZYMANSKI

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE JOINT RESOLUTION NO. 75 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Relating to reauthorization and amend-  
6 ment of the Magnuson Fishery Conserva-  
7 tion and Management Act.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS the reauthorization process for the Magnuson Fishery Conserva-  
10 tion and Management Act provides an excellent opportunity to review, as-  
11 sess, and amend the Act in light of recent developments in the fisheries of  
12 the United States; and

13 WHEREAS an important issue to be addressed by the Congress during the  
14 reauthorization process is the allocation of fishery resources between  
15 offshore and land based fishing fleets and processing facilities; and

16 WHEREAS, although the intent of the Act to "Americanize" the fisheries  
17 within the United States exclusive economic zone has been achieved, this  
18 has occurred so rapidly that most small coastal communities in Alaska have  
19 been unable either to enter these fisheries or to maximize their participa-  
20 tion in them; and

21 WHEREAS many persons who reside in the coastal villages on the Bering  
22 Sea would like to participate in the multi-billion dollar groundfish  
23 fishery that lies at their doorstep, but the high capital investment needed  
24 to enter the fishery has prevented most village fishermen from doing so;  
25 and

26 WHEREAS a key component of the ability of village fishermen to obtain  
27 the necessary capital to become participants in this fishery is guaranteed  
28 year-round access to the resource that could be provided for through the  
29 addition of a community development quota provision to the Act; and

1           WHEREAS Senator Ted Stevens has incorporated this concept into S. 1900  
2 that amends and reauthorizes the Act and proposes a five percent set-aside  
3 for communities that satisfy established criteria as "economically disad-  
4 vantaged communities"; and

5           WHEREAS the recent dramatic expansion of the offshore catcher-proces-  
6 sor fleet poses a significant risk of overcapitalization in the domestic  
7 fisheries of the North Pacific Ocean; and

8           WHEREAS overcapitalization of a fishery carries a risk of over utili-  
9 zation of the fishery; and

10          WHEREAS land based fishing fleets and processing facilities are less  
11 able to exploit new and distant fisheries than are mobile offshore catch-  
12 er-processor fleets after local fishery resources are overexploited; and

13          WHEREAS the long-term dependence of land based fishing fleets and  
14 processing facilities on local fishery resources promotes conservation and  
15 sustained yield of those resources by those fishing fleets and processing  
16 facilities; and

17          WHEREAS the regional fishery management councils should be given  
18 authority to allocate fishery resources between land based and offshore  
19 fishing fleets and to protect the fishery-dependent economies of coastal  
20 communities; and

21          WHEREAS the United States House of Representatives has approved a  
22 proposal by participants in the offshore catcher-processor fleet to add two  
23 members who reside in Washington or Oregon to the North Pacific Fishery  
24 Management Council; and

25          WHEREAS the addition of two non-Alaskan members to the North Pacific  
26 Fishery Management Council is not justified by the actions of the council  
27 or the status of the fishery resources off Alaska and is an inappropriate  
28 attempt to divert the focus of the council from conservative management of  
29 the developing offshore fisheries off Alaska and to promote the interests

1 of the burgeoning offshore catcher-processor fleet; and

2 WHEREAS Alaska's member of the United States House of Representatives,  
3 Congressman Don Young, supported the legislation containing the proposal to  
4 increase the membership of the North Pacific Fishery Management Council;  
5 and

*deleted*

6 WHEREAS the Legislature of the State of Alaska opposes the increase in  
7 the membership of the North Pacific Fishery Management Council and is  
8 disappointed in the actions of Congressman Don Young;

*deleted*

9 BE IT RESOLVED that the Alaska State Legislature supports the proposal  
10 to give authority to fishery management councils to allocate fishery re-  
11 sources between land based and offshore fishing fleets and to protect the  
12 fishery based economies of coastal communities; and be it

13 FURTHER RESOLVED that the Alaska State Legislature respectfully re-  
14 quests the United States Congress to adopt the amendment to the Magnuson  
15 Fishery Conservation and Management Act proposed in S. 1900 to provide  
16 assistance to economically disadvantaged fishing communities; and be it

17 FURTHER RESOLVED that it is the legislature's highest priority that  
18 the current geographic composition of the North Pacific Fishery Management  
19 Council be retained and that Senator Ted Stevens and Senator Frank  
20 Murkowski are respectfully requested to oppose the proposal to add new  
21 members to the council; and be it

22 FURTHER RESOLVED that Congressman Don Young is respectfully requested  
23 to oppose the proposal to add members to the North Pacific Fishery Manage-  
24 ment Council and to support the Alaska fishing industry when he serves as a  
25 member of the conference committee on the Magnuson Fishery Conservation and  
26 Management Act reauthorization bill.

27 COPIES of this resolution shall be sent to the Honorable Dan Quayle,  
28 Vice-President of the United States and President of the U.S. Senate; the  
29 Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives;

1 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.  
2 Senators, and the Honorable Don Young, U.S. Representative, members of the  
3 Alaska delegation in Congress.  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

## House OKs 'walls of death' ban

By Steven J. Gorman  
United Press International

WASHINGTON — The House overwhelmingly approved legislation yesterday to impose a U.S. ban on large-scale driftnet fishing.

The bill, approved 396-21, also extends the federal government's fisheries management authority to include tuna, a highly migratory species that has been regulated only by international conventions.

The driftnet and tuna provisions, both opposed by the Bush administration, were adopted as part of a four-year reauthorization of the 1976 Magnuson Fishery Conservation and Management Act, which expired Sept. 30, 1989.

The legislation now goes to the Senate.

The Magnuson Act is a landmark law that established exclusive U.S. authority over fishery resources within 200 miles of the U.S. coast and

created regional management councils to oversee American and foreign fishing within that zone.

The reauthorization bill provides one additional seat each for Washington and Oregon on the North Pacific Fisheries Management Council, which is now dominated by Alaska fishing interests. The council would be expanded from 11 to 13 seats.

The law, named for its chief sponsor, the late Sen. Warren Magnuson, D-Wash., was enacted in response to concerns that foreign fishing was depleting fishing stocks off U.S. shores.

The reauthorization bill sets a spending ceiling of \$75 million for programs under the act during the current fiscal year, rising by \$1 million a year through fiscal 1993.

One chief provision of the bill prohibits U.S. fishermen from using driftnets more than 1½ miles long and directs the State Department to seek a worldwide ban on the practice.

The U.S. driftnet ban applies to the 200-mile U.S.

Exclusive Economic Zone and international waters, with states allowed to continue regulating such fishing in their own waters.

Rep. Gerry Studds, D-Mass., the primary sponsor of the bill, called driftnets "plastic walls of death" responsible for indiscriminately killing fish, whales, mammals, birds, sea turtles and other marine life.

Japanese, South Korean and Taiwanese fishing fleets rely heavily on the monofilament driftnets, which can extend for dozens of miles.

The Bush administration opposes the tuna provision on grounds that it would hurt U.S. fishing interests.

It objects to prohibiting large-scale driftnets in U.S. waters because it would conflict with a treaty with Japan and Canada regarding salmon fishing in the North Pacific.

The administration also asserts that adequate scientific documentation does not exist to justify an international driftnet ban.

WHEREAS although the intent of the Magnuson Fishery Conservation and Management Act to Americanize the fishery within the 200-mile limit has taken place, this has occurred so rapidly that most small coastal communities Alaska have been unable either to enter these fisheries or to maximize their participation in them; and

WHEREAS many Bering Sea fishermen who reside in the coastal villages would like to participate in the multi-billion dollar groundfish fishery that lies at their doorstep, but the high capital investment needed to enter the fishery has prevented most village fishermen from doing so; and

WHEREAS a key component to their ability to leverage the necessary capital to become players in this fishery is guaranteed, year-round access to the resource which could be provided for through the adoption of a community development quota provision; and

WHEREAS Senator Ted Stevens has incorporated this concept into S. 1900 which amends and reauthorizes the Magnuson Act, calling for a 5% set-aside for communities which meet established criteria as "economically disadvantaged;" and

FURTHER RESOLVED that the Alaska State Legislature requests the United States Congress to adopt the proposed amendment to the Magnuson Fishery Conservation and Management Act included in S. 1900 to provide assistance to economically disadvantaged fishing communities; and



# UNITED FISHERMEN OF ALASKA

---

211 4th Street, Suite 106  
Juneau, AK 99801  
907-586-2820

September 5, 1989

The Honorable Ted Stevens  
United States Senate  
522 Hart Building  
Washington, D.C. 20510

Dear Senator Stevens:

As you are aware, United Fishermen of Alaska is very interested in the issues surrounding reauthorization of the Magnuson Act. At its meeting this past spring, UFA's Board developed a list of topics of interest in relation to the Act. The first item on that list is one that we didn't believe would be an issue, but it was important enough to us to include it anyway: maintain the current geographic make-up of the North Pacific Fishery Management Council.

What we are learning now from your staff and from many others is that the Washington Congressional delegation is making it their top priority to add another seat for their state to the Council. Even more disturbing, we are hearing that you believe you may have to agree to this change in order to achieve other amendments to the Act that you think are important.

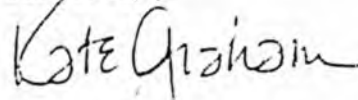
I am writing to let you know the position of Alaska's fishing industry, so there is no misunderstanding between you and us. We believe that there is no other amendment, no other issue, no other need as important as this one regarding the Magnuson Act. We do not want you to compromise on this to achieve anything else. In fact, we hope that you will do everything in your power to halt this attempt to shift the delicate balance on the Council.

It's ironic that one of the strongest proponents from Washington of adding another seat for his state is the current chair of the Council. Not only do we not understand why the chair thinks the interests of his state are being overwhelmed by those of Alaska, but also we question the propriety of his actions under the circumstances.

This is being portrayed to the Washington delegation as a Washington versus Alaska issue. You and we know better, and soon so will they. Many Alaskan fishermen who live in Washington understand that this is really an allocation issue, a conservation issue - and they are saying so to their representatives in Congress.

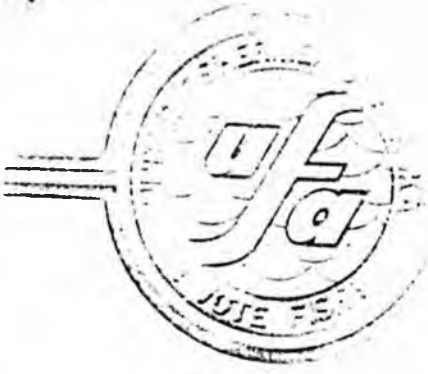
We are doing everything we can to be sure the delegation from Washington knows how their constituents really feel. We expect you to be supporting our efforts at your end of the process. If you have any questions about this, please don't hesitate to let me know.

Sincerely,

A handwritten signature in cursive script that reads "Kate Graham".

Kate Graham  
Executive Director

# UNITED FISHERMEN OF ALASKA



211 4th Street, Suite 106  
Juneau, AK 99801  
907-586-2820

February 5, 1990

## MEMBER ASSOCIATIONS

Alaska Crab Council  
Alaska Independent Fishermen's  
Marketing Association  
Alaska Longline Fishermen's  
Association  
Alaska Trollers Association  
Bering Sea Fishermen's Association  
Ector Bay Drifters Association  
Concerned Area 111 Fishermen  
Coastal Aquaculture Association  
Cooperatives Association  
Copper River Fishermen Union  
East Peninsula Fishermen's Association  
Kodiak Peninsula Fishermen's Association  
Northern Southeast Fishermen's  
Aquaculture Association  
Peninsula Marketing Association  
Petersburg Vessel Owners Association  
Prince William Sound  
Aquaculture Association  
Prince William Sound Seiners Association  
Salmon Producers Cooperative  
Southeast Alaska Seiners  
Southern Southeast Fisheries  
Aquaculture Association  
Unadun Cook Inlet Dredge Association  
United Southeast Alaska Gillnetters  
Western Alaska Cooperative  
Marketing Association

The Honorable Don Young  
U.S. House of Representatives  
2331 Rayburn Building  
Washington, DC 20515

Dear Congressman Young:

We noticed that the House version of amendments to the Magnuson Act is on the consent calendar for a floor vote tomorrow. As you are aware, United Fishermen of Alaska is opposed to this bill because it includes additional seats for the North Pacific Fishery Management Council.

We urge you not to allow this bill to go to the Senate without registering the serious objections your constituents feel. Despite the fact that there are some provisions in the bill for Alaska we are still adamantly opposed to its passage.

As we told you in a letter last September, "We believe that there is no other amendment, no other issue, no other need as important as this one regarding the Magnuson Act." In a letter to you last October signed by representatives of thirteen fishing organizations we said, "Let the position of the Alaskan delegate be steadfast and heated opposition to any changes in the number or regional composition on the North Pacific Fishery Management Council."

We have not changed our position on this and we ask that you be certain the entire House of Representatives is aware of that.

Sincerely,

Kate Graham  
Executive Director

# House OKs bill adding seats to fish council; Alaskans upset

By DAVID WHITNEY  
Daily News reporter

WASHINGTON — The House approved legislation Tuesday that would neutralize Alaska's dominance over the federal council that manages commercial fishing in federal waters off the coast of Alaska.

The legislation, approved 395-21, would add seats for Oregon and Washington to the North Pacific Fisheries Management Council. Much to the consternation of Alaska fishermen and Gov. Steve Cowper, the legislation was supported by state's lone congressman, Republican Rep. Don Young.

Young led Republican support for the bill.

"We are real disappointed," said Kate Graham, executive director of United Fishermen of Alaska. "This is totally unacceptable. We are real sorry to see that Rep. Young spoke and voted in favor of this bill."

Cowper issued a statement late Tuesday calling the fight over the council seats "a blatant attempt by Washington factory trawlers

to seize control of the council."

"If the factory trawlers can unduly influence the process, we'll see fisheries conservation take a back seat to special economic interests," the governor said.

The House action would expand the council's membership from 11 to 13. Alaska would continue to have six seats. The two North-west states would each pick up one seat, giving Washington a total of four and Oregon two.

The tie-breaker seat would be held by the National Marine Fisheries Service.

The House action came on legislation reauthorizing the Fisheries Conservation and Management Act. Another key provision of the bill calls for U.S. negotiations to ban the use of environmentally destructive driftnets by fishing nations.

While Alaska fishermen uniformly support banning driftnet use in international waters, the key issue for them was the expansion of the council seats. The pres-

sure to give Oregon and Washington more say on the council was widely attributed to the Seattle-based factory trawler fleet that is fast expanding its operations in the North Pacific Ocean.

The bill was supported by Washington's congressional delegation, who saw the council's expansion as a fairness issue.

"Industry members based in Washington and Oregon comprise approximately 75 percent of the harvesting and processing capacity in the North Pacific," said Rep. Jolene Unsoeld, D-Wash. "The present composition of the managing council precludes adequate representation on the council for significant segments of the Northwest fishing industry."

United Fishermen of Alaska had urged Young not to allow the bill to leave the House without "registering the serious objections you feel."

Young acknowledged that he had received "correspondence" from Alaska fishermen but said it would be

inappropriate to press for withholding House action because of their concerns.

"I understand the frustrations of United Fishermen of Alaska," Young said. But he said their concerns would

hopefully be worked out when the bill reaches the Senate.

Young's vigorous defense of the bill is in stark contrast to that of Alaska Sen. Ted Stevens, who late last

year threw down his marker by introducing a legislation that not only would ban factory trawlers from the Gulf of Alaska but would create a preference for state shore-side processors.

# NEWS RELEASE

STATE OF ALASKA

OFFICE OF THE GOVERNOR  
P.O. BOX A  
JUNEAU, ALASKA 99811

STEVE COWPER,  
GOVERNOR



FOR INFORMATION CONTACT:

DAVID RAMSEUR  
PRESS SECRETARY

TERENCE O'MALLEY  
DEPUTY PRESS SECRETARY

(907) 465-3500

---

FOR IMMEDIATE RELEASE

Feb. 6, 1990

No 90-23

## COWPER PROTESTS ACTION TO EXPAND NORTH PACIFIC COUNCIL

JUNEAU--Gov. Steve Cowper today expressed strong opposition to the U.S. House of Representatives passing a bill that adds non-Alaskan seats to the North Pacific Fishery Management Council (NPFMC).

"As I've said before, this is nothing more than a blatant attempt by Washington factory trawlers to seize control of the council," Cowper said. "If the factory trawlers can unduly influence the process, we'll see fisheries conservation take a back seat to special economic interests."

At issue is an amendment to the Magnuson Act that would add at least one more voting member from the Pacific Northwest to the NPFMC. The Council is one of eight regional councils around the country that set management measures for fisheries out to 200 miles in the U.S. exclusive economic zone. The NPFMC, with representatives from Alaska, Washington and Oregon, manages waters off Alaska and it is expected that any new seats to the Council would represent the interest of factory trawlers, who have lobbied heavily in favor of the measure.

Gov. Cowper has consistently opposed adding new seats to the council, especially in light of the poor fisheries conservation track record of factory trawlers. Last Spring, factory trawlers stripped the roe out of up to 40,000 metric tons of pollock in the Gulf of Alaska so that the entire quota was used up by March 23, leaving shore plants in Kodiak with no pollock for the rest of the year.

Conservation measures that would correct problems posed by roe-stripping and the bycatch of fish species have been resisted consistently by factory trawlers.

MORE

"This tremendous waste of Alaska's fisheries is an abuse of our natural resources," Cowper said. "We've consistently told Congress that we would rather not see reauthorization of the Magnuson Act than add seats to the Council that will undermine fisheries conservation.

"The Council's got a tough enough job finding the middle ground among everyone who wants to fish off Alaska and they've been doing very well. But if this bill becomes law, we'll have some real problems assuring there are enough fish to go around."

The Cowper Administration will continue to work to defeat this legislation in the Senate where there have already been several hearings on the reauthorization of the Magnuson Act. However, the committee with jurisdiction over the bill has taken no action to amend the Senate version, and no action is expected in the near future.

# NEWS RELEASE

STATE OF ALASKA

OFFICE OF THE GOVERNOR  
P.O. BOX A  
JUNEAU, ALASKA 99811

STEVE COWPER,  
GOVERNOR



FOR INFORMATION CONTACT:

DAVID RAMSEUR  
PRESS SECRETARY

TERENCE O'MALLEY  
DEPUTY PRESS SECRETARY

(907) 465-3500

---

FOR IMMEDIATE RELEASE  
Oct. 5, 1989  
No. 89-164

## COWPER BLASTS ADDITION OF OUTSIDE SEATS TO FISHERIES COUNCIL

ANCHORAGE--Gov. Steve Cowper issued the following statement in response to today's U.S. House committee vote to add two seats to the North Pacific Fishery Management Council, which manages fishing in the North Pacific.

"Unfortunately, it appears as though the committee got snookered by procedural arguments when the real issue is what's best for the resource," Cowper said. "This is nothing more than a blatant attempt by factory trawlers to overrun the existing process. The worst part is the factory trawlers have a long history of wasting fish, and that abuse comes directly out of the wallets of Alaska fishermen."

"We fought hard against this vote and we're going to fight this all the way to the president. We're not going to let a well-financed special interest roll Alaskans."

The House Merchant Marine and Fisheries Committee, by a voice vote today, approved an additional seat each for Washington and Oregon on the Council, which manages fisheries out to 200 miles in the U.S. exclusive economic zone off Alaska. Cowper had lobbied against the addition of the seats, which was promoted by Washington state members of Congress.

The Governor noted that this spring the Washington- and Oregon-based factory trawlers stripped row out of up to 40,000 metric tons of pollock in the Gulf and tossed the meat overboard. As a result, the entire quota was used up by March 23, leaving shore plants in Kodiak with no pollock for the rest of the year.

The issue next moves to the House floor. The U.S. Senate is considering its own reauthorization of the so-called Magnuson Fishery Conservation and Management Act, which contains the amendments for the additional seats.

**S J R**

**78**

DATE: 3/2/90

FURTHER: Judiciary

*24 hour notice*

Date of 5-Day Notice: 5-3-90  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 5-4-90

Resources Committee considered

*SJR*  
~~SR~~ 78

Proposing an amendment to the Constitution of the State of Alaska relating to subsistence uses of fish and wildlife by rural residents.

and recommended:

- replace with \_\_\_\_\_ CS SJR 78 (Res)  same title
- attached amendment(s)  new title
- \_\_\_\_\_ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

*[Signature]*  
*Collis Sturgulew*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER RECOMMENDATIONS:

*DO NOT PASS*  
*Tom D. Hest* No Rec  
\_\_\_\_\_  
\_\_\_\_\_

*[Signature]*  
Chair: Signature and Recommendation

①

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE JOINT RESOLUTION NO. 78

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

Proposing an amendment to the Consti-

6

tution of the State of Alaska relating

7

to subsistence uses of fish and wildlife

8

by rural residents.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. Article VIII, Constitution of the State of Alaska, is  
11 amended by adding a new section to read:

12 SECTION 19. SUBSISTENCE USES OF FISH AND WILDLIFE. Nothing in  
13 this constitution prohibits the legislature from limiting the taking  
14 of fish and wildlife for subsistence uses to rural residents, and from  
15 providing for the allocation of that taking among rural residents on  
16 the basis of local or community residence, availability of alternative  
17 resources, and customary and direct dependence on a fish or wildlife  
18 population as the mainstay of livelihood.

19 \* Sec. 2. The intent of the amendment proposed by this resolution is to  
20 validate, ratify, and reinstate any provisions of the new statutes and  
21 amendments enacted by ch. 52, SLA 1986, and of any regulations adopted  
22 under those statutes and amendments, which otherwise might have to be  
23 declared invalid under the Alaska Supreme Court's decision in McDowell v.  
24 State, 785 P.2d 1 (Alaska 1989), and to explicitly reverse the effect of  
25 the McDowell decision as to those provisions and regulations.

26 \* Sec. 3. The amendment proposed by this resolution, and the intent of  
27 the amendment as set out in this resolution, shall be placed before the  
28 voters of the state as one ballot proposition at the next general election  
29 in conformity with art. XIII, sec. 1, Constitution of the State of Alaska,

1 and the election laws of the state.

(2)

BY SEN. COGHILL

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 305  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to personal use of fish and game,  
7 utilization of fish caught by personal use fishermen,  
8 waste of fish, and management of and planning for  
9 certain salmon stocks; repealing subsistence; and  
10 providing for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. FINDINGS. The legislature finds that it is in the best  
13 interest of the state to

14 (1) maximize the utilization of fishery resources on a sustained  
15 yield basis;

16 (2) make the fishery resources of the state available to resi-  
17 dents to the maximum extent possible;

18 (3) allow the commercial utilization of certain fish parts from  
19 fish caught for personal use in order to avoid the waste of fish parts that  
20 have an economic value; and

21 (4) eliminate the waste of less valuable fish parts or carcasses  
22 that would otherwise be discarded by fishermen.

23 \* Sec. 2. AS 16.05.090(c) is amended to read:

24 (c) There is established in the department a section of personal  
25 use [SUBSISTENCE] hunting and fishing.

26 \* Sec. 3. AS 16.05.092 is amended by adding a new subsection to read:

27 (b) The division shall develop plans and programs for reha-  
28 bilitation and enhancement of salmon stocks that spawn in terminal  
29 areas, identified by the Board of Fisheries under AS 16.05.251(g), to

1 meet the needs of personal use, sport, and commercial fishermen who  
2 utilize those salmon stocks.

3 \* Sec. 4. AS 16.05.094 is amended to read:

4 Sec. 16.05.094. DUTIES OF SECTION OF PERSONAL USE [SUBSISTENCE]  
5 HUNTING AND FISHING. The section of personal use [SUBSISTENCE] hunt-  
6 ing and fishing shall

7 (1) compile existing data and conduct studies to gather  
8 information, including data from personal use fishers and hunters  
9 [SUBSISTENCE USERS], on all aspects of the role of personal use [SUB-  
10 SISTENCE] hunting and fishing in the lives of the residents of the  
11 state;

12 (2) quantify the amount, nutritional value, and extent of  
13 dependence on food acquired through personal use [SUBSISTENCE] hunting  
14 and fishing;

15 (3) make information gathered available to the public,  
16 appropriate agencies, and other organized bodies;

17 (4) assist the department, the Board of Fisheries, and the  
18 Board of Game in determining what uses of fish and game, as well as  
19 which users and what methods, should be termed personal use [SUBSIS-  
20 TENCE] uses, users, and methods;

21 (5) evaluate the impact of state and federal laws and  
22 regulations on personal use [SUBSISTENCE] hunting and fishing and,  
23 when corrective action is indicated, make recommendations to the  
24 department;

25 (6) make recommendations to the Board of Game and the Board  
26 of Fisheries regarding adoption, amendment, and repeal of regulations  
27 affecting personal use [SUBSISTENCE] hunting and fishing;

28 (7) participate with other divisions in the preparation of  
29 statewide and regional management plans so that those plans recognize

1 and incorporate the needs for personal use [OF SUBSISTENCE USERS] of  
2 fish and game.

3 \* Sec. 5. AS 16.05.251(a) is amended to read:

4 Sec. 16.05.251. REGULATIONS OF THE BOARD OF FISHERIES. (a) The  
5 Board of Fisheries may adopt regulations it considers advisable in  
6 accordance with the Administrative Procedure Act (AS 44.62) for

7 (1) setting apart fish reserve areas, refuges, and sanctu-  
8 aries in the waters of the state over which it has jurisdiction,  
9 subject to the approval of the legislature;

10 (2) establishing open and closed seasons and areas for the  
11 taking of fish; if consistent with resource conservation and develop-  
12 ment goals, the board may adopt regulations establishing restricted  
13 seasons and areas necessary for persons 60 years of age and older to  
14 participate in sport or [,] personal use [, OR SUBSISTENCE] fishing;

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

17 (4) establishing the means and methods employed in the  
18 pursuit, capture, and transport of fish;

19 (5) establishing marking and identification requirements  
20 for means used in pursuit, capture, and transport of fish;

21 (6) classifying as commercial fish, sport fish, personal  
22 use fish, [SUBSISTENCE FISH,] or predators or other categories essen-  
23 tial for regulatory purposes;

24 (7) watershed and habitat improvement, and management,  
25 conservation, protection, use, disposal, propagation, and stocking of  
26 fish;

27 (8) investigating and determining the extent and effect of  
28 disease, predation, and competition among fish in the state, exercis-  
29 ing control measures considered necessary to the resources of the

1 state;

2 (9) prohibiting and regulating the live capture, posses-  
3 sion, transport, or release of native or exotic fish or their eggs;

4 (10) establishing seasons, areas, quotas, and methods of  
5 harvest for aquatic plants;

6 (11) establishing the times and dates during which the  
7 issuance of fishing licenses, permits, and registrations and the  
8 transfer of permits and registrations between registration areas is  
9 allowed; however, this paragraph does not apply to permits issued or  
10 transferred under AS 16.43;

11 (12) regulating commercial, sport, [SUBSISTENCE,] and per-  
12 sonal use fishing as needed for the conservation, development, and  
13 utilization of fisheries;

14 (13) requiring, in a fishery, observers on board fishing  
15 vessels, as defined in AS 16.05.475(d), that are registered under the  
16 laws of the state, as defined in AS 16.05.475(c), after making a  
17 written determination that an on-board observer program

18 (A) is the only practical data-gathering or enforce-  
19 ment mechanism for that fishery;

20 (B) will not unduly disrupt the fishery;

21 (C) can be conducted at a reasonable cost; and

22 (D) can be coordinated with observer programs of other  
23 agencies, including the National Marine Fisheries Service, North  
24 Pacific Fishery Management Council, and the International Pacific  
25 Halibut Commission;

26 (14) establishing nonexclusive, exclusive, and superexclu-  
27 sive registration and use areas for regulating commercial fishing.

28 \* Sec. 6. AS 16.05.251(d) is amended to read:

29 (d) Regulations adopted under (a) of this section must,

1 consistent with sustained yield and the provisions of AS 16.05.263  
2 [AS 16.05.258], provide a fair and reasonable opportunity for the  
3 taking of fishery resources by [PERSONAL USE,] sport [,] and commer-  
4 cial fishermen.

5 \* Sec. 7. AS 16.05.251(e) is amended to read:

6 (e) The Board of Fisheries shall establish criteria for the  
7 allocation of fishery resources among [PERSONAL USE,] sport [,] and  
8 commercial fishing. The criteria may, as appropriate to particular  
9 allocation decisions, include factors such as

10 (1) the history of each [PERSONAL USE,] sport [,] and  
11 commercial fishery;

12 (2) the number of residents and nonresidents who have  
13 participated in each fishery in the past and the number of residents  
14 and nonresidents who can reasonably be expected to participate in the  
15 future;

16 (3) the importance of each fishery for providing residents  
17 the opportunity to obtain fish for personal and family consumption;

18 (4) the availability of alternative fisheries resources;

19 (5) the importance of each fishery to the economy of the  
20 state;

21 (6) the importance of each fishery to the economy of the  
22 region and local area in which the fishery is located;

23 (7) the importance of each fishery in providing recrea-  
24 tional opportunities for residents and nonresidents.

25 \* Sec. 8. AS 16.05.251 is amended by adding a new subsection to read:

26 (g) The Board of Fisheries shall identify terminal areas encom-  
27 passing those rivers and streams that terminate within the state and  
28 that are important to the spawning of salmon stocks traditionally and  
29 customarily utilized by residents of the area. The board shall adopt

1 regulations for the management of salmon stocks that spawn in a termi-  
2 nal area to ensure the continued use of the salmon stocks by those  
3 residents of the area who have traditionally and customarily utilized  
4 the salmon stocks.

5 \* Sec. 9. AS 16.05.255(a) is amended to read:

6 (a) The Board of Game may adopt regulations it considers advis-  
7 able in accordance with the Administrative Procedure Act (AS 44.62)  
8 for

9 (1) setting apart game reserve areas, refuges, and sanctu-  
10 aries in the water or on the land of the state over which it has  
11 jurisdiction, subject to the approval of the legislature;

12 (2) establishing open and closed seasons and areas for the  
13 taking of game;

14 (3) establishing the means and methods employed in the  
15 pursuit, capture, and transport of game, including regulations, con-  
16 sistent with resource conservation and development goals, establishing  
17 means and methods that may be employed by persons with physical dis-  
18 abilities;

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

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

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

25 (7) watershed and habitat improvement, and management,  
26 conservation, protection, use, disposal, propagation, and stocking of  
27 game;

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