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America's Illegal Wildlife Trade

# A SHAMEFUL HARVEST

By CONSTANCE J. POTEN Photographs by JOSÉ AZEL CONTACT PRESS IMAGES

*For a thrill, a trophy, or a big payoff, America's wildlife is under illegal attack. As greedy hunters, guides, and black marketeers do their business, two confiscated bighorns mark this gruesome, growing problem.*



*Trapped in Ohio and illegally trucked to South Carolina, these red foxes were purchased by a game farm for use as hunting quarry. Wildlife*

*agents picked up the trail and arrested the violators, who were fined. Rabies and tapeworm tests required that the foxes be destroyed.*

The story on the following pages is a grim one: that of massive and illegal slaughter of our country's wildlife for profit at home and abroad. Though the scale is enormous, the story is little known. We present it here on behalf of all threatened wildlife.

THE EDITOR

**S**OME DARK CLOUDS that over Montana's frozen eastern plains. On this Thanksgiving weekend, in the spare ranch town of Wibaux, the main industry for a number of people is illegal hunting, and they are waiting for their payoff. At dawn Montana's lone undercover-tax wildlife agent and I sit in his pickup, waiting too.

The agent, call him "Roy," is a big, patient man with a sly wit. His beat covers 147,000 square miles and often takes him out of state. Montana's wildlife has a fat hunting market.

"Montana," he says, "is one of the last states with astounding numbers of wildlife. It's made for poachers."

Two voices arise from the metal suitcase between us: wildlife agents on loan from another state, bodywired. We see them emerge from the worn, brick Palace Hotel a block away. Behind them is Neal Atkinson, an outfitter from Florida, who has allegedly taken 23 people on illegal hunts in Montana this fall alone. He thinks the agents are genuine clients.

Roy picks up his radio mike. "They're leaving. Let's take 'em down." Fourteen Montana game wardens hear this. The scene unfolds on empty Main Street. Atkinson is scraping ice off his windshield, Atkinson and deputy surrounded by a chow-hound and his partners, stunned men in dirty jeans and down vests, trucked and handcuffed, someone leaving to wipe up the justice of the peace.

This is not the first time Atkinson has been caught; he's already been convicted in Alaska. Two other states and two Canadian provinces have investigated him for illegal hunting. His meticulous records, seized by wardens in the shoddy hotel room, outline three years of only-censed hunting. Deer carcasses and photographs were found in the hotel and nearby in homes and an old prairie school.

On this brilliant, cold day, Atkinson—a lean 45-year-old—is led to jail. He will be facing 23 federal counts, but he knows from

experience that wildlife crime sentences tend to be lenient and probation requirements are difficult to enforce. Casually, he asks the warden about other good hunting areas.

Atkinson is a player in a lucrative American industry—poaching. Officials say the trade in illegal wildlife has become a booming tax-free business. No one really knows the bottom line; United States Fish and Wildlife Service (FWS) officials estimate that the illegal profits from U.S. animals are 200 million dollars a year and growing. The trade attracts organized crime, agents say, because the return is high, the risk of getting caught is low, and, until recently, the penalties have been minimal.

"There's big money out there," says Terry Grosz, the Rocky Mountain region FWS special agent in charge. "The people involved are everybody—rich, poor, outfitters, taxidermists."

Increasingly, wildlife officers rely on undercover operations like the one in Wibaux to penetrate networks of poachers and buyers. "As we get more sophisticated, so does the poacher," says Alaska senior FWS agent Al Crane. "There's more illegal activity than ever."

Despite a 91 percent conviction rate for those caught, poachers feed global demand for American wildlife. They deplete walrus for ivory tusks, net thousands of night-roosting robins for Cajun gumbo, and shoot anhingas nesting in the Everglades and raptors for their decorative feathers. In Alaska they track and shoot wolves from airplanes. They catch sturgeon and rare paddlefish and sell their eggs for caviar.

Unscrupulous outfitters purchase illegally trapped mountain lions and endangered jaguars for hunters willing to pay substantial trophies fees. Poachers shoot protected polar bears for collections, or to sell the skins, or for the \$3,000 a South Korean will pay for the gall bladder. The illegal trade supplies an Asian market with elk antlers and tails, bear parts, seal penises, even herring spawn attached to kelp, stealing the habitat too.

For the biggest trophies, collectors sometimes cross into national parks and shoot elk, deer, mountain goats, grizzlies, and bighorn sheep for the record book, wall mounts, pictures in albums, and quick profits.

Poaching has long been a tradition in the rural United States, spotlighting deer at night, a coffee can over the gun barrel to muffle the shot, using dead animals as bait for cougars

## A BIG-GAME VACATION GOES ALL WRONG



MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS

*Pursued by a posse of game wardens and undercover agents, outfitter Neal Atkinson, at right, brought client Bobby Bagley to Montana in 1989. "This was the first time I went hunting out West," says Bagley, "and I thought I was going to have the best time of my life. But it didn't turn out like that." Accused of killing two deer—one over his limit—and bringing them home to Florida, first-time offender Bagley pleaded guilty and was given three years' probation and a \$2,000 fine. "I didn't have the money to fight the federal courts, so I had to swallow it and go on with my life." For two weeks of illegal work, Atkinson was found guilty of 21 federal wildlife violations, but he remains free on appeal. "They railroad people," says Atkinson about wildlife officials. But in court, prosecutor Kris McLain argued that "Neal is a greedy, flagrant violator."*

and bears, shooting a duck or two in the farm pond for dinner. But over the past decade the stakes have soared. Word has passed among hunters that a black bear gallbladder is worth \$30 to \$100, a bobcat pelt \$200, or a bighorn sheep head \$3,000 (by the time these reach the consumer, the value will have increased substantially). Poaching has become big business.

"It's a terrible waste," says David Galloway, outdoor editor for the *Missoulian* in Montana. "As sportsmen, we hunters pay to support game management for herds to expand, not for poachers to exploit. Every year there are more hunters and fewer places to hunt. Poachers are stealing from me directly."

The demand is outstripping the supply. In less than ten years the average age of legally killed bears in southern Appalachia has

dropped by half. So few bighorn sheep are left in certain prime habitats that they must be transplanted to prevent inbreeding. The bobcat—one of the few spotted cats still legally sold—has been trapped off season and without permit for breeding purposes. The antleringly prized for coats, accounts for 60,000 animals killed in the United States each year. Nationwide, the illegal kill of animals equals or exceeds the legal kill, wildlife officials say. Only a fraction of the violators are caught.

Some hunters groups question the extent of illegal trade, charging that FWS undercover operations are public relations ploys. "Protecting wildlife no longer is enforcement's principal mission," says a Wildlife Legislative Fund of America report. "Making arrests is"



## POACHERS' WHO'S WHO

**Dead ducks:** 29 of them put Ronal Chaisson almost ten times over his limit in Louisiana. Pleading guilty, he was fined \$425 and sentenced to two years' probation and ten days of community service. Chaisson said he stopped shooting only because he ran out of shells.



DAVE BRILEY, U. S. FISH AND WILDLIFE SERVICE



**"William Heuer gets his trophy no matter what the cost,"** says Montana undercover agent "Roy." The cost for illegally taking this bull elk from a no-hunting area in Montana and attempting to transport it out of state: three years' probation, 200 hours of community service, and \$13,300 in fines.

**For two rare gyrfalcons** Lothar Ciesielski paid a government informant \$11,000 and allegedly smuggled the birds to West Germany; he remains at large. To maintain the illegal supply of falcons, Ciesielski offered the informant an 80-acre ranch and a six-figure salary.



poached in Washington State, game wardens are finding bears stuffed in Dumpsters, paw- and gall-gone. The impotation of 38 frozen black bears by South Korean businessmen made the *Korea Herald* because the galls were selling for as much as \$18,000 each. Working undercover, agents documented the loss of 360 bears from the Great Smoky Mountains region over a three-year period.

Since the sale of bear parts is legal in some states, merchandise from poached bears is very difficult to track. "Until we have standardized laws throughout the United States and Canada," says Washington State wildlife enforcement officer Ron Peregrin, "trade in illegal bear parts will flourish."

Bear-claw necklaces are de rigueur at mountain men rendezvous and, set in silver

and turquoise, are big ticket jewelry pieces. I try on a necklace with 20 claws at a fair on the Crow Indian Reservation in Montana. It is frighteningly beautiful. Legal? Who knows? In a shop next to Glacier National Park, a possibly illegal claw from a grizzly ton the FWS threatened lists is tucked away among the items.

In Alaska a wealthy hunter will pay \$10,000 to hunt an illegally guaranteed brown bear, often illegally baited with dead caribou. Until an undercover operation interrupted his business, legendary Alaska guide Ron Hayes used airplanes to herd trophy animals toward the gun barrels of hunters. In 1988 Hayes was arrested and pleaded guilty to federal charges. He served 13 months in prison, paid a \$400,000 fine, and forfeited three planes



ALASKA FISH AND WILDLIFE SERVICE

**Once the hunter, Australian Peter Stapley is now the hunted.** He allegedly shot this Alaskan brown bear in 1986, breaking three state wildlife regulations, and then disappeared. Today Stapley remains a wanted man. Apprehending poachers is one of many responsibilities shouldered by state and federal wildlife agencies that are strapped for money and manpower. According to a recent government report on the U. S. Fish and Wildlife Service, some 3,600 endangered or threatened species are receiving little or no federal protection.

**T**HE BLACK MARKET FLOOMS across the country like a seine, silently emptying rivers and seas of fish and shellfish by the millions. A Texas fish study showed that illegal netters are the largest harvesters of redfish, killing more than 40 percent of a species whose population has already collapsed from overfishing.

"If they weren't dealing in fish, it would be crack," says Bob Marshall, outdoor editor for the New Orleans *Times-Picayune*. "These are thieves, career criminals. The fish business is a haven because of lack of enforcement. The National Marine Fisheries Service guards federal waters from Puerto Rico to Brownsville, Texas, with only six resident agents."

New York City's Jamaica Bay, a three-by-seven-mile reach with countless marshy islets,

is so polluted that commercial shell fishing has been outlawed since 1911. When it rains, raw sewage may flush into the bay. The city's archaic system can't handle any overload. Shellfish here are covered with malodorous muck.

Two days before Christmas, shellfish prices are up, so New York conservation officer Dave Baker, two partners, and I take a boat to check out the bay. The sun is a yellow stain over Manhattan, the chill damp and deep. "A couple of nights ago we arrested two guys digging shellfish right off the dump," says Baker, pointing to a brown bulge of land. "They got a dismissal from the Brooklyn Criminal Court." Why? He shrugs, "Digging clams is nothing compared with rape. It's a misdemeanor. The diggers' defense was that everybody knows you shouldn't eat raw clams."



*In his grab-and-go business a reptile poacher makes fast cash for a few hours' work. He squirts gasoline into the branches of a Florida banyan tree and lets the fumes flush out his prey—threatened eastern indigo snakes, prized as pets. This indigo sold for \$120, including the black market bonanza in a wide variety of reptiles. "If poachers can't sell it," says photographer Jose Velez, "they'll poach it."*



Baker orders them to dump all the crabs, worth \$50 a bushel, and fines the men \$500. In the Midwest one Great Lakes investigation exposed dealers in four states selling tons of illegal trout and salmon marked as whitefish—some contaminated with PCBs—depleting those populations and spreading toxin-to-consumers. The volume of illicit fish was so great it amounted to \$150,000 in 1986. So, in 1987, the illegal fishing trade took a major hit. Fish and Game Division agents raided five dealers, being charged with conspiracy and illegal penitentiary network, selling illegal sport and game fish in Illinois.

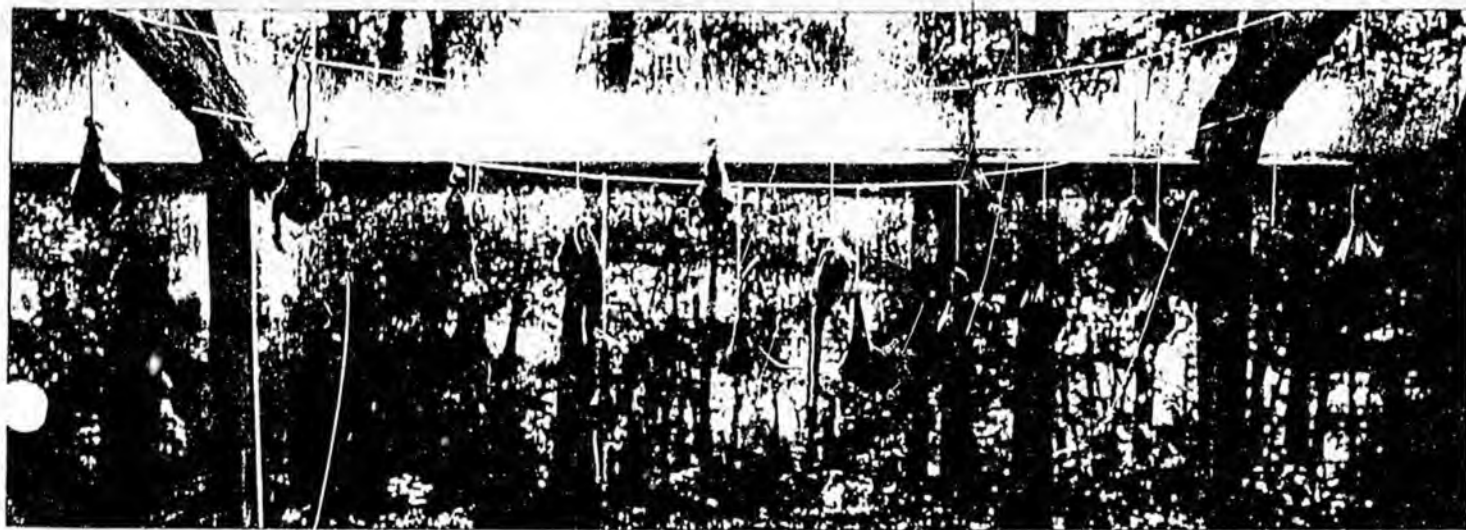
For the spoon-billed paddlefish, swimming America's rivers for 65 million years, depletion of the species became a concern in the

1980s. When Iranian students took U.S. hostages in 1979, the beluga sturgeon caviar source was abruptly cut off. U.S. commercial caviar producers taught Iranian fishermen how to prepare caviar from paddlefish eggs. Suddenly, the poacher "black gold" went to the market. For the rare poacher on fish that can produce ten pounds of caviar, worth as much as \$100 a pound on the retail market, it amounted to a death sentence.

In 1985 low water in Missouri's Table Rock Lake exposed 15 dead paddlefish, their stomachs split open, their heads and tails tied together, and the carcasses weighted down with rocks. So many similar instances occurred that in 1987, at the Turn It Loose Bar near Missouri's Harry S. Truman Reservoir, two undercover agents joined paddlefish poachers in

the shadowy business of control and caviar. They found that at least 4,000 paddlefish were killed that year. One poacher boasted of clearing \$860,000 in five nights. When the agents caught him, 155,000 people, state and federal, protested. At the top of the list was a prominent politician. But the market for paddlefish caviar continues to rise.

**I**n the 1900s, many of the great fisheries of the Pacific Northwest where fishing rights issued since 1850, including the roe and meat of salmon, sturgeon, and steelhead trout are worth enough money to fuel large-scale poaching. Native Americans claim treaties protect their freedom to fish in their original territory. Court decisions over the decades have reaffirmed the treaties, and



BILL COOK, NATIONAL PARK SERVICE TRAPLINE AND BROWN



DAVE HILL



Spoils from the slaughter, animal parts are prescribed by doctors practicing traditional Asian medicine. To treat indigestion, fever, hemorrhoids, and a litany of other ailments, doctors recommend gallbladder from a bear. After the fist-size galls are hung out to dry (left), they are diced, mixed with wine or liquor, and ingested. For sustenance and strength, doctors suggest tea steeped with sliced elk antlers, available at Asian medicine shops in the U. S., on the streets of Seoul, South Korea (below), and elsewhere in Asia.

In a less therapeutic vein, bear paws (below, middle) are boiled to make bear-paw soup, another Oriental specialty. In Alaska, where native peoples may legally kill walrus and sell handicrafts fashioned from the animals' tusks, raw ivory (far left) can still be obtained by nonnatives—illegally and for a price. Valued at 200 million dollars, the annual U. S. illegal wildlife trade represents a hefty slice of the 1.5-billion-dollar worldwide market.



ALAN BARRETT

to a Indian impact on fisheries—commercial take, dams, and pollution has further reduced the catch.

"Ten years ago I worked for the biggest mover of sterlhead from the Northwest to New York City's Fulton Fish Market," boasts a Seattle-area veteran illegal fish broker. Apprehended and convicted, he now acts as an informant. "I shipped 50,000 pounds a day. Had 11 aliases going at once. You don't need an ID to get a license. I had the Indians protecting me, erasing and reusing fish tickets to hide the real numbers of fish I was buying.

"In the past ten years Washington's natural spawning runs are down 75 percent," he says, pointing to a chart. "I'd say the illegal take is responsible for a third to a half of that."

"The spawning of sturgeon has been so drastically reduced in the Columbia River's Bonneville Pool that biologists are gravely concerned about the future of the fish. Washington wildlife officer Ron Peregrin agrees. "It is illegal to catch fish longer than six feet there, because that's the size when they begin to spawn. Now the spawners are disappearing. The direct implication is the illegal bar vest, particularly of the roe."

Tonight a full-spring moon, bright as a stadium light, shines down the broad Columbia. With the informant as their front man, agents posing as fish buyers drive to the river to buy into the illegal trade. Each night Indians bring in boatloads of illicit sturgeon—outside or shorter than four feet. They throw back only those too small to have a commercial value.

In the beam of a flashlight the agents measure their truckload of purchased fish. Two out of 18 are legal size. Still alive—sturgeon can take four days to die—one stands out. She is eight feet long (two feet over the legal limit), 390 pounds, and more than 60 years old. She will be sold to an illegal fish broker in Tacoma, a sacrifice agents must make for a solid case. Seattle FWS agent Dick Lichtenberg studies the fish sadly.

"That fish was here before the Grand Coulee Dam," he tells me. "She survived the hooks and nets, didn't succumb to the logging, the industrial waste—and then some dirtbag nets her and throws her out of the water illegally."

The meat will be taken by airfreight to the East Coast, the roe to Europe. The market is

substantial. Washington State wildlife agents continue to broker hundreds of pounds of illegal fish, building a case that promises to tighten fishing regulations and strengthen fish populations in the Northwest.

**P**ROFIT IS ONLY ONE of the motives behind the illegal traffic in big game animals in the United States. Another is the obsession by some to possess, at any cost, these symbols of power and freedom. Bill Day, a Texas banker, wanted a trophy so badly he paid \$20,000 for record-book white-tailed deer antlers, which he then proceeded to have mounted on the skull of a Mexican deer.

"Day had his picture in *Outdoor Life* for getting the biggest Mexican nontypical



whitetail ever," says Joel Scatford, a senior FWS agent for Montana and Wyoming. "He got to portray himself as the big gun to whitetail hunters." The real story came out when Canadian officials recognized the antlers. They had been stolen from a Canadian taxidermy shop. Day was sentenced to five years' probation and a \$20,000 fine.

During the fall hunt Pennsylvania's William Hener's elk and deer don't make the record books. He pressures his Montana guide for an under-the-table hunt. He illegally buys a resident's license but doesn't know the salesman is Montana's undercover agent, "Roy."

"I consider myself a sportsman, whether anyone else does or not," Hener tells Roy, who is taping it all with a hidden recorder. At dark, in a no-hunting area on the edge of Yellowstone, Hener sets his gun on the hood of Roy's truck and aims at a huge bull elk. He has instructed the guide to fill a plastic bag with blood and let it drip from the legal area to the illegal kill. The shot rings out.

Months later, Roy's tape blast—the sound of the shot through the quiet of a federal courtroom. Members of the jury flinch. They look at Hener. The tan, trim, steel-haired man in a pin-striped suit sits impassively. The recorder is switched off.

The jury doesn't know that Hener has prior convictions in two other states. But their decision is quick: guilty of one Lacey Act violation. His federal sentence is three years' probation, \$13,500 in fines, and 200 hours of community service.

Founded by Theodore Roosevelt to recognize exceptional hunting skills with fair-chase criteria, the prestigious Boone and Crockett Club publishes a record book of trophy animals. "Trophy hunting does not appreciably affect wildlife populations," executive director Lawrence Means says. "Nearly 1,900 record-book trophies were entered in the past two and a half years alone, which suggests big game populations are doing well."

But so are hunters, getting into places

*In the hands of serologist Wayne Ferguson, a frozen bobcat is still a valuable one. At the new National Fish and Wildlife Forensics Laboratory in Oregon, its blood and tissue samples will augment a comprehensive data base designed to help investigators answer such questions as: Does the blood on a poacher's pants come from a bear—or a protected bobcat?*



*Set for the night shift, Buckshot—a decoy for Delaware's Fish and Wildlife Division—will stand rigid in a poacher's spotlight, just like a real*

*deer. When poachers shoot, they get arrested. Says Capt. Rick Burritt, "Buckshot never complains about the pay or the working conditions."*

nobody could reach before. "Teddy Roosevelt and the Boone and Crockett Club," Roy says, "would not condone the illegal use of aircraft, laser night scopes, one million candlepower spotlights, to tranquilize deer, two-way radios, silencers, poison, or all-terrain vehicles. We're losing a lot of quality wildlife."

"Seventy percent of my caseload involves trophy poaching," FWS agent Scraftford says. "They're killing off the biggest, the best of the gene pool for future generations."

Not so, declares Warren Parker, former president of the Safari Club International, the largest hunting organization in the world. "Trophy hunting doesn't affect animal populations. It actually works for the good. It takes the old animals out of a herd."

Until 1990 the Safari Club's most coveted award was presented for taking the top 27 game animals of North America. Public criticism persuaded the board to drop the award because the list included three protected species—the walrus, polar bear, and jaguar. It is illegal to import or hunt them in the United States. Parker, a top 27 winner, was convicted of a misdemeanor in 1985 for illegally transporting the skin of an endangered Mexican jaguar.

**T**ROPHY SIZE ANIMALS have become so rare in the wild that "people are hitting the parks hard now," says agent Scraftford. In his zeal to acquire a Roosevelt elk trophy, a former Safari Club chapter president contacted an outfitter about hunts in Washington's Olympic National Park. "He wanted to skip the hunt," the outfitter, an FWS undercover agent, tells me, "and just have the elk delivered to the Seattle airport."

In competition for record book animals, hunters will pay guides huge prices for trophies. "That creates unethical business relationships between the guides and those hunters whose skills and this are not developed," says FWS agent John Cooper. "It puts tremendous pressure on guides to produce."

Alaska state trooper Sgt. Joe D. Amico says, "Last year we cited 6,000 hunting and fishing violations, and we have only 60 field officers in all Alaska. That indicates the magnitude of the poaching problem."

For one of the most prized trophy targets, North America's wild sheep, hunters are willing to pay more than \$100,000 at auction for

the year's last legal Montana permit. "You don't see bighorn sheep over eight years old any more," says agent Scraftford. "For 30 minutes of work, I can get at least \$5,000 for a bighorn trophy. People invest in record book trophies like art collectors collecting Remington bronzes. Hold one for five years, and it can be worth \$50,000. People poach on speculation now."

One of the most valuable live animals today is the elk, for the antlers alone. American elk antlers (especially illegal ones taken from national parks where the forage has no chemicals) are number one with South Koreans. "Apothecaries sell them in Seoul," says Montana antler dealer Don Schaudler. "They slice them raper thin, boil ginseng and herbs with them, then squeeze the blood out of the horn. It's like a tonic—they believe it wards off flu and colds."

Elk produce new antlers each year, worth \$100 a pound in the blood-filled velvet stage. The resulting boom in elk ranching has encouraged illegal trapping of wild elk to stock the ranches. At up to \$16,000 a head for a legally purchased animal, high prices make the temptation to trap wild elk palpable.

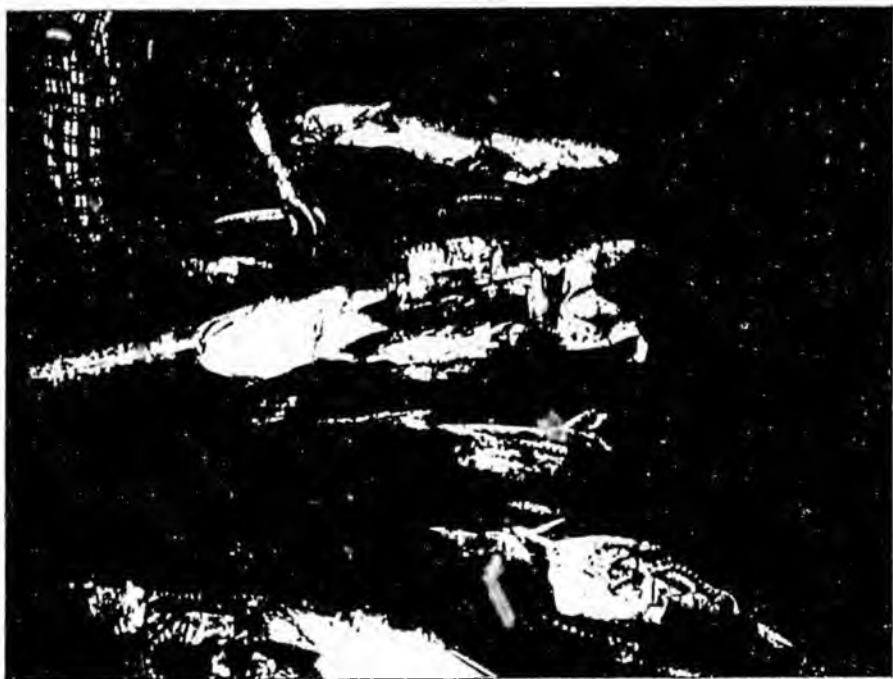
In a landmark case Leo Smith, the manager of the Chama Land and Cattle Company, faces a lawsuit from New Mexico for stealing state property. Smith, a small volcano of a man, a cigar perpetually clamped between his teeth, is charged with 99 felonies, including larceny, racketeering, and embezzlement. The company is accused of stealing and transporting out of state 250,000 dollars' worth of migratory wild elk.

States are rethinking the wisdom of game ranching. (Washington has already outlawed it.) In the West dozens of game ranches have sprung up in the past decade. Wyoming law bans private ownership of game animals and can prohibit importation of exotic species. The state is being challenged by one heir of the Campbell Soup fortune, who has been denied permits for a large game ranch. But as the debate continues in other states, the market for game ranches grows.

Meanwhile, Valerius Geist, professor of environmental science and biology at the University of Calgary in Alberta, predicts that game ranching will have lethal results. By November 1990 a major outbreak of bovine tuberculosis had spread through Canadian game farms, traced, says Geist, to elk brought



American-style caviar—eggs from the rare freshwater paddlefish—was seized in 1989 in Missouri, where commercial taking of paddlefish is illegal but seductively lucrative: The roe from a large female may retail for as much as \$5,000. Sentencing three defendants in this case, a federal judge said, "We can no longer tolerate the destruction of our nation's natural resources for the short-term profit of a few."



ROE BY LARRY BECK, U. S. FISH AND WILDLIFE SERVICE

in from Montana. The highly contagious disease is fatal to animals and is debilitating and difficult to treat in humans.

The disease spread faster than anyone anticipated. By February 1991 nearly a hundred Montana and Canadian game farms were placed under quarantine, and several herds were destroyed. By April, 11 people tested positive, and the disease had spread to cattle and pigs. "The tragedy," says Geist, "is that Canadians have lost the advantage of TB-free status for their cattle, meaning the loss of potential markets. The cost is estimated to go into the hundreds of millions of dollars."

**F**OUR MAJOR FLYWAYS funnel migratory waterfowl from Arctic regions to Mexico and South America, and from beginning to end illegal killings are withering populations. In a Corpus Christi, Texas, shopping center, surrounded by duck decoys, packed boxes, and framed artwork, a federal agent and I sift through stacks of court records. The papers document a three-year undercover investigation on the Gulf Coast of Texas that brought charges against 210 people for 1,300 violations. The store we are in sold wildlife art but was really the front for the Texas Takedown, the biggest waterfowl



The end of the game for outfitter-turned-outlaw Robby Coombs came in 1989 when he was arrested and handcuffed in Raton, New Mexico (bottom). To gather evidence on Coombs's interstate hunting scam, undercover agent "Hank" signed up for a bear hunt. Coombs led Hank to Colorado and, without a valid license, used garbage to attract a bear, which dogs freed and Hank shot (above). Then Coombs trucked the carcass across the state line to New Mexico—a federal offense. For this crime and two others, Coombs pleaded guilty, served eight months in prison, and is now out on parole. "Bobby's not really a troublemaker," says case agent Tim Barraclough. "He just took the lazy way out."

So do other hunters, from thrill-seeking weekend poachers to professionals who shoot animals from aircraft while monitoring police radars to stay a step ahead of the law. Says federal agent and hunter John Cooper, "The American public won't settle for having its wildlife only in zoos."



undercover operation in history. On December 13, 1988, a hundred FWS agents—half the entire force—served papers on the violators.

"The hunters and their guides did everything illegally," says the agent, who asks to remain anonymous. "Shot too early and too late in the day, used lead shot and electronic callers, shot over bait, left crippled birds to die, and herded birds with airboats. It's been going on like this for years."

Bored with waterfowl, the hunters blasted kingfishers, killdeer, ibis, and red-tailed hawks, illegally killing 2,800 birds. When 88 geese fell in one volley, one of the guides complained, "It could have been better." He happened to be one of the justices of the peace who handle wildlife cases.

Operations do not end for wildlife agents until they've been through court, and in this case the worst was still to come. So many charges stacked up against the LaBove Shooting Resort and its owner that she entered a plea bargain, offering to pay fines of \$275,000, serve five years' probation, and forfeit two trucks and an airboat. The U.S. district judge's sentence: \$1,975 in fines, three years' probation, and forfeit of the vehicles.

"There was laughing in the court," recalls the agent. "These people were indicted on felonies, pleaded to misdemeanors, and still got lighter sentences. The message is that it's OK to defy the law."

The extinction of the Labrador duck in the 1880s and the near extinction of a dozen other species of waterfowl compelled the United States and Canada to sign the Migratory Bird Treaty Act of 1918. The enactment of kill limits and the ban on commercial market hunting helped remnant populations of birds begin a slow recovery. Today waterfowl populations have collapsed again, down 60 percent from the 1910s, and continued loss of habitat and chemical poisons have drastically reduced the chances for revival.

But tradition lingers. For generations many in the small community of Tangier Island in the Chesapeake Bay have supplemented their income with duck hunting. Tangier native Donald Thorne's grandfather was a market hunter, and until he was jailed for poaching, Thorne was a guide for wealthy hunters who ignored the limits. He also sold birds illegally.

"I've been doing these things since I was 14," says Thorne, 36. "I've sold to every man around here. When that gets in your blood,

it's just like an alcoholic. You can't get it out."

Federal wildlife agent Dave Hall is videotaping Thorne as he says this, to show to schools and hunting groups. When Hall realized that poaching was a social problem, he launched a crusade he calls Poachers to Preachers. "The poacher is a folk hero in his community," says Hall. "The answer is to get the violators to help change the attitudes of their neighbors."

Royley Folse, one of Hall's converts, served six months in a Louisiana federal prison for a one-day killing spree that netted over 600 protected yellow-crowned night herons, locally called *gray herons*, a prized food. A charismatic, compact man in his early 40s, Folse and his wife, Theresa, sit with Hall and me in the prison lobby before his release.

"Where I live, you were very important if you came out with a bunch of ducks or grosbeaks," Folse says. "How many ducks did we kill? Until we got tired or ran out of shells."

**B**ESIDES MIGRATORY WATERFOWL, nearly all birds except starlings, house sparrows, upland game birds, and feral pigeons are protected by U.S. law. An international fascination with Native American artifacts lionized from feathers has focused a demand on eagles, hawks, owls, scissor-tailed flycatchers, anhingas, flickers, even bluebirds and magpies. A golden eagle tail may go for \$260, kestrel and flicker batpins, \$10; a scissor tail fan, \$700.

"We have an annual million-dollar black market in eagle feathers in the West right now," says FWS agent Scraftford. "Most of them go to Japan, Germany, Britain, and Eastern Europe, to history buffs and cowboy and Indian clubs."

It is illegal for anyone to buy or sell eagles or their parts in the U.S., and only Native Americans are allowed to possess the feathers. The National Eagle Repository in Ashland, Oregon, stores frozen carcasses sent in from wildlife agencies around the country. The repository supplies about 800 requests a year from tribes for eagle carcasses and feathers. Yet a large underground trade moves on and off reservations throughout the country. A Montana trading post owner tells me, "Indians offer me eagle feathers at least three times a week, five dollars each. They are desperately poor people."

Seattle agents attached radio transmitters to

Getting to the bottom of the illegal bald eagle trade, federal agent Larry Keeney worked undercover in Washington State as a taxidermist. He hid radio transmitters inside mounted eagles and sold them to a suspected smuggler, who stashed the birds inside a legally mounted black bear. Before it could be shipped to collectors in Japan, Keeney swooped in for the seizure, here reenacted.



PHOTO BY ERIC LADD BRAY

two illegal stuffed eagles in a taxidermist's shop. One transmitter surfaced later, inside a mounted elk being shipped to Japan. "We opened the elk up, and there were five eagles inside," says West Coast FWS special agent Dave McMullen.

Alive, raptors are worth thousands of dollars. During a four-year undercover operation federal agents and an informant, Jeff McPartlin, penetrated a black market of endangered peregrine falcons, gyrfalcons, goshawks, and Harris' hawks that stretched from the Alaskan Arctic to Saudi Arabia.

"In 16 months two Canadian smugglers netted \$750,000 on North American birds," says McPartlin. "They stole a hundred birds in one season alone. They also smuggled eggs by taping them to their bodies, outfitted briefcases with incubators, and recycled ID bands to get birds through customs. The treatment of the birds was atrocious." The bands are used to identify captive-raised birds, which are legal to export.

Although more than 50 people have been convicted in Operation Falcon, the key figures of a worldwide smuggling network are still at large: members of the Ciesielski family of Cologne, Germany, who supply raptors to wealthy Japanese, European, and Arabian falconers. "Lothar Ciesielski paid me \$7,000 cash for one white gyrfalcon," says McPartlin. "He resold it immediately for \$135,000. They call these birds feathered cocaine."

COLLECTORS OF REPTILES are a specialized lot, like falconers, and competition for rare specimens provides a keen market for contraband. Ten years ago FWS agents set up a storefront operation in Atlanta, Georgia. They discovered hundreds of thousands of U.S. reptiles were being stolen from the wild every year. It's illegal to ship snakes through the mail, but 100,000 are mailed each year. About 60 percent of them die. Destinations include Japan, Belgium, Czechoslovakia, and Britain.

"Human commercial activity," says Dez Crawford, founder of the Reptile Defense Fund, "has put the populations of at least four dozen indigenous American snakes and amphibians on the threatened list. The pet trade is no longer the primary culprit in species decline," she adds. "Fashion fads are now number one." The U.S. demand for Indian python boots like John Travolta's in *Urban*

*Cowboy* and reticulated python jacket-like Paul Hogan's in *"Crocodile" Dundee II* have endangered both species.

It's against the law to pour gasoline down holes to flush denning snakes, but that's the most popular way to collect them for Texas rattlesnake roundups. The method has side effects: Gas poisons water and kills den-sharing turtles, tortoises, and burrowing owls. Purgng the land of these necessary predators upsets the balance of nature. Crawford says the depletion of western diamondback rattlers by rattlesnake roundups costs farmers 25 million dollars a year in crop loss to rats, mice, and rabbits, not counting the price of pesticides to replace the snakes.

WORLD'S AWAY, in Alaska's Beering Sea, walrus and their tusks have become the focus of a frantic, escalating trade. "What poachers did to the elephant is a blueprint for what could happen to the walrus," says Dave Cline of the National Audubon Society.

The Marine Mammal Protection Act of 1972 makes it illegal for non-Native Americans to hunt or sell walrus, seals, sea otters, sea lions, or polar bears. So many white dealers use Alaska native people to disguise unlawful ivory trade. Other outlaws claim skins and ivory were taken before 1972. Alaska FWS agent Wally Soroka says that the tonnage of old inventory never seems to diminish, but it's hard to prove when ivory was obtained.

In remote outposts like Nome, Alaska, the illegal ivory trade is blatantly casual. "I buy raw ivory," a Nome merchant tells me. "Sell it back to native carvers. Been doing that for years, and they haven't caught me yet." By law native carvings must be traditional, but he shows me a carved ivory nut and hollowed out bolt. "It's for a cocaine stash," he laughs.

To kill walrus for their ivory, some natives drive motorboats out to ice floes, shoot the animals with semi-automatic weapons, and cut off the heads of those they can retrieve, although "wanton waste" is illegal in Alaska, as in most states. Half the animals sink, washing to shore in the spring. In 1988 approximately a thousand walrus bodies washed up on St. Lawrence Island, nearly all were found headless.

"It wasn't until you guys came up here with a monetary system that this started happening," Darryl Frigg, vice president of the Nome Eskimo Community, tells me.



On a hunting holiday four men from Florida and Alabama arrived in Montana in 1989 and left carnage behind. They allegedly shot 27 antelope and 4 deer, far more than their legal limit, and removed only the choice animal parts—the hindquarters and backstraps—leaving the rest to rot (left).

Although these species are not endangered, such wanton waste infuriates Montana undercover agent "Roy," who denounces "the total lack of concern for wildlife."

Roy, who collected the evidence (above) and posed as an outfitter (below), is a former vice squad officer. "When I worked prostitution, gambling, or narcotics, the crime got committed and I made the arrest. But when investigating wildlife violations, I get more involved, because it's not immediately obvious who is a legal hunter and who isn't." In this case, he got a close look. "They were fairly well-to-do businessmen," he says. Their airport departure, though, wasn't business as usual (next page).



ROYALTY'S SECRETIVE INTERVIEWER (THIS PAGE)

People can't get by without their fur. Few of the walrus-killed men need for meat or waterproof clothing anymore. A large head with tusk brings \$1,000, the lion's nose, now, more. "Young men jump on a plane to Anchorage to get \$200 worth of drug for \$5,000 worth of ivory," says Torg. Though raw ivory is illegal to sell, it changes hands like currency, buying gas, groceries, drugs, liquor, even airline. "Some people have turned subsistence into an unrestricted slaughter," says FWS special agent Gary Mowand.

You can find ivory in practically every store in Alaska, and often called in, hiberna, and walrus penis bones, called *osols*. In a gift shop of the Hotel Captain Cook in Anchorage, next to a \$2,000 walrus trophy head in an oval, for sale for \$135, in a locked case. What are they used for? "Conversation pieces," says the salesman. "That's it."

The unlawful killing of marine mammals is difficult to track, but agents say the take is widespread. Valuable skins of sea otters are surfacing around the world through a quiet, lucrative black market. Some buyers pay huge amounts for live sea otters for their aquariums. Agent Soroka recently seized 15 polar bear skins from one individual in Anchorage who was selling them for as much as \$1,000 a lot.

To protect it, wildlife, the nation has less than 200 federal agents and about 7,000 state officers—about half the Chicago police force. "Knock one bad guy down and ten step forward," says FWS agent Terry Cooze. "I think Custer had better hold."

**T**HEIR VILLAGES (THIS PAGE) HAVE SURVIVED illegal pillage and made strong comebacks when enough human resources were directed at a single species. Poaching threatened the survival of the American alligator two decades ago, but continuous law enforcement operations and closely monitored harvest and trade control brought it back. Hunters—who almost poached themselves out of a market—were making only \$2.50 a linear foot in an illicit skin trade controlled by buyers. Now, legally, they make more than \$60 a foot for the skin, and one skin averages seven to eight feet.

The black market hasn't stopped completely, but, says FWS agent Dave Hall, "alligators are plentiful again. People can look back and see how harmful and unproductive poaching really was."



Agents say people are responding; poaching hot lines in every state have become major sources of information. If the drain on wildlife is to be reversed, it is this kind of grass-roots intervention that will be the most effective.

States are working to strengthen penalties and standardize laws to prevent the smuggling of animal products. Artists like Bill Pease of Montana's Crow Indian Reservation are making bear claws, teeth, elk antlers, and skulls from plastic resin. A Japanese pharmaceutical firm is working on a synthetic substitute for bear galls.

A hope for the future: the National Fish and Wildlife Forensics Laboratory, which is dedicated to suppressing world wildlife crime. In its storeroom-like seizure rooms in every fish and game office throughout the country—the shelves are piled high with thousands of seized animal products, many from endangered species. In Ashland, Oregon, top scientists in many fields, including chemical analysis, serology, and morphological studies like feather

*Arrested at a Montana airport in 1989, this poacher and three partners pleaded guilty last June to shooting more than the legal limit of antelope. As wildlife agents and prosecutors scramble to bring violators to justice, most poachers go undetected, leaving America's wildlife on the run and under the gun.*

identification, have come together to work for what they call "a new lab in a new frontier."

By this autumn, evidence analysis will be able to trace a tanned, dyed, and glued leather purse back to the animal, identify cut and frozen meat, trace a bloodstain to a specific deer. The lab's mission is to strengthen legal cases, in the past the difficulty of proving the origins of animal products has stymied cases against poachers.

"We have a time limit. It makes us anxious," says Miami FWS agent Dean Freeman. "When we're talking about wildlife, we're talking about something our children might not see." Poachers take away more than the animals; they take away a freedom for lawful hunters and undermine an already precarious natural balance. They take beauty and leave only waste. □

National Geographic EXPLORER will rebroadcast its four-part series "Wildlife Wars U.S.A." during November, on Sunday nights at 9 p.m. E.T. on TBS SuperStation.



Every year another one-third of the world's forests disappear. The World Wildlife Fund has helped 80 other WWF

World Wildlife Fund



has been helping to protect

Handwritten cursive letter 'B' with a double hump.

Handwritten cursive letter 'H' with a vertical stem and horizontal bars.

Handwritten cursive letter 'L' with a curved top.

Handwritten cursive letter 'O' as a simple oval.

Handwritten cursive letter 'S' with a curved top.

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. HB 505

Revision Date: 2/18/92

Department Affected: Fish and Game

Title: Fishery allocation: guided sport fishery

BRU: Sport Fish

Component: Sport Fisheries

Sponsor: Representative Mackie

Requestor: House Resources  
Expenditures/Revenues: (Thousands of Dollars)

COMPONENT SERIAL NO. 

|   |   |   |
|---|---|---|
| 4 | 6 | 4 |
|---|---|---|

| OPERATING         | FY 93 | FY 94 | FY 95 | FY 96 | FY 97 | FY 98 |
|-------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | 63.0  | 63.0  | 63.0  | 63.0  | 63.0  | 63.0  |
| TRAVEL            | 3.0   | 3.0   | 3.0   | 3.0   | 3.0   | 3.0   |
| CONTRACTUAL       | 30.0  | 30.0  | 30.0  | 30.0  | 30.0  | 30.0  |
| SUPPLIES          | 4.0   | 4.0   | 4.0   | 4.0   | 4.0   | 4.0   |
| EQUIPMENT         | 0     | 0     | 0     | 0     | 0     | 0     |
| LAND & STRUCTURES | 0     | 0     | 0     | 0     | 0     | 0     |
| GRANTS, CLAIMS    | 0     | 0     | 0     | 0     | 0     | 0     |
| MISCELLANEOUS     | 0     | 0     | 0     | 0     | 0     | 0     |
| TOTAL OPERATING   | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

|         |   |   |   |   |   |   |
|---------|---|---|---|---|---|---|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|---------|---|---|---|---|---|---|

|                      |   |   |   |   |   |   |
|----------------------|---|---|---|---|---|---|
| REVENUE FUND SOURCE: | 0 | 0 | 0 | 0 | 0 | 0 |
|----------------------|---|---|---|---|---|---|

FUNDING: (Thousands of Dollars)

| GENERAL FUND            |       |       |       |       |       |       |
|-------------------------|-------|-------|-------|-------|-------|-------|
| FEDERAL FUNDS           | 75.0  | 75.0  | 75.0  | 75.0  | 75.0  | 75.0  |
| OTHER FUND SOURCE: 1024 | 25.0  | 25.0  | 25.0  | 25.0  | 25.0  | 25.0  |
| TOTAL                   | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

POSITIONS:

|           |   |   |   |   |   |   |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | 1 | 1 | 1 | 1 | 1 | 1 |
| TEMPORARY |   |   |   |   |   |   |

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)  
1024 is Fish and Game Fund. See attached sheet for analysis.

Prepared By: Rocky Holmes Phone: 465-4180  
 Division: Division of Sport Fish Date: 3/9/92  
 Approved by Commissioner: [Signature]  
 Agency: Department of Fish and Game Date: 2/18/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DAR, Gov. Legis. OBC., & Impacted Agency(ies).

## ANALYSIS OF FISCAL NOTE FOR HB 505

This bill provides the mechanism for specific fishery allocations to the guided sport industry. This bill would not, in and of itself, result in any increased costs to the Division of Sport Fish. However, this bill does define another gear group, and it lists specific criteria that the Board of Fisheries is to follow when making allocation decisions among all gear groups. The Alaska Department of Fish and Game has the responsibility of providing information on these allocation criteria to the Board. Without additional monitoring, information about the newly defined gear group (guided sport fishermen) would not be available to the Board. Via this fiscal note the Division of Sport Fish proposes statewide guide registration and fish ticket monitoring program of the guided sport fishery. If the Board of Fisheries chooses to institute specific guided sport fishery allocations and regulations, there would be associated costs for monitoring the affected fisheries. This fiscal note does not make the assumption that the Board will automatically adopt fiscally significant regulations. It does, however, make the assumption, that the Board requires information on the new gear group upon which to base their allocative decisions.

Presently, the Division of Sport Fish monitors allocations/guideline harvest levels to the sport fishery as a whole (guided and unguided anglers combined). The two primary methods used to monitor sport fisheries are: on-site creel surveys, and the statewide sport fish harvest survey. If specific allocations are made to guided sport fisheries, additional methods could be required to segregate this portion of the harvest. The programs that we could implement are: annual registration of all sport fishing guides/charter operators in the state; a fish ticket/log book program to monitor the harvest by sport fishing clients of all guides; modifications of the statewide sport fishing harvest survey to estimate catch by guided sport anglers as well as unguided sport anglers; and additional creel surveys to monitor specific fisheries to assure that the allocations to guided anglers are not exceeded. Guided sport fishery allocations could also increase costs associated with preparation and printing the annual regulations summary and added staff time to attend advisory committees, prepare for Board of Fishery meetings, and attend Board meetings to deal with guided sport fishing allocation issues.

As a first step in monitoring guided sport fisheries, the Division of Sport Fish recommends that a statewide registration and fish ticket program be initiated. This would allow for an accurate reckoning of the number of sport fishing guides in the state, and it would provide annual estimates of harvest by sport fishermen who use guide services.

Our best estimate is that there are about 2,100 guides operating in the state at this time. To register these guides each year, obtain monthly fish ticket harvest data, and analyze the catch data will require the services of a permanent seasonal Fishery Biologist II.

The summary of costs are as follows:

Personal Services

| FY93 | FY94 | FY95 | FY96 | FY97 | FY98 |
|------|------|------|------|------|------|
| 63.0 | 63.0 | 63.0 | 63.0 | 63.0 | 63.0 |

Fishery Biologist II (11 months): \$63.0

Travel

| FY93 | FY94 | FY95 | FY96 | FY97 | FY98 |
|------|------|------|------|------|------|
| 3.0  | 3.0  | 3.0  | 3.0  | 3.0  | 3.0  |

Travel and per diem to visit regional offices to provide instructions for completing forms and attend Board of Fisheries meeting to provide data.

Contractual

| FY93 | FY94 | FY95 | FY96 | FY97 | FY98 |
|------|------|------|------|------|------|
| 30.0 | 30.0 | 30.0 | 30.0 | 30.0 | 30.0 |

Printing costs for registration forms and fish tickets, and communications expenses.

Supplies

| FY93 | FY94 | FY95 | FY96 | FY97 | FY98 |
|------|------|------|------|------|------|
| 4.0  | 4.0  | 4.0  | 4.0  | 4.0  | 4.0  |

Office and other operating supplies.

Equipment

| FY93 | FY94 | FY95 | FY96 | FY97 | FY98 |
|------|------|------|------|------|------|
| 0.0  | 0    | 0    | 0    | 0    | 0    |

Total

| FY93  | FY94  | FY95  | FY96  | FY97  | FY98  |
|-------|-------|-------|-------|-------|-------|
| 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

A second method for estimating harvest from guided sport fisheries would be desirable, because it would allow for an independent estimate that could be used to verify the accuracy of estimates obtained from the fish ticket program. Without a second method of estimating harvest, the accuracy of the fish ticket estimates would be suspect. On-site creel surveys, or the statewide harvest survey (modified to obtain estimates from guided sport fisheries) could be used as a check on the accuracy of the fish ticket estimates. The costs for these programs could be as much as \$200.0. These potential costs are not included in the attached fiscal note.

If the Board of Fisheries makes individual allocations to guided sport fisheries, and requires in-season management of those fisheries, on-site creel surveys will be needed. Depending on the number and magnitude of the fisheries involved, the total cost of this program could easily be \$400.0. Costs for creel surveys are high because they are labor intensive. The potential costs of in-season management are not included in the attached fiscal note.



# Alaska State Legislature

Please enter into the record my testimony to the House Resources Committee  
committee name

committee on HB 505, dated 3/10/92  
bill/subject

House Bill 505 is premature. There has not been enough facts and information gathered to determine if a problem exists; and, if so, how to solve it. If passed, this Bill will create problems of: regulation - enforcement - cost to State - individual hardships - legality - constitutionality; and the possibility of law suits.

What it WILL NOT DO is solve the Commercial Trollers' problems, which is supposedly what the Bill is all about. What needs to be done is drop the Bill, gather all available information and facts, determine if there is a problem; and, if so, then take a calm, reasonable and intelligent approach to come up with a fair and just solution.

3 / 11 / 92

MALCOLM DOIRON  
P.O. BOX 725  
WARD COVE, AK 99928  
247 - 2265

#

TO THE ALASKA STATE REPRESENTATIVES;

AS A WASHINGTON STATE RESIDENT I'VE ENJOYED THE LAST TWO SUMMERS SPORT FISHING IN ALASKA. TO READ HOUSE BILL 505 I'M THINKING TWICE ABOUT COMING SPORT FISHING TO ALASKA. IN MY OPINION I FEEL I'M BEING DISCRIMINATED AGAINST. WHY SHOULD I COME TO ALASKA AND FISH FOR THE SAME BAG LIMIT AS WASHINGTON STATE. NOW I'M LOOKING TOWARD CANADA AS A MEANS OF FISHING FOR KING SALMON. MY DAD HAS BEEN TOLD OF MY FISHING TRIPS TO ALASKA AND WANTS TO COME TO ALASKA AS A NON-RESIDENT AND FISH AND EXPERIENCE THE SAME FISHING THAT I HAVE HAD OVER THE LAST TWO SUMMERS. NOW WITH H.B. 505 WHY SHOULD MY DAD COME TO ALASKA AND FISH? I'M ONE VOICE IN MANY NON-RESIDENT SPORT THAT COME TO ALASKA AND FISH BUT I FEEL I CAN TALK FOR ALL WHO COME TO ALASKA AND FISH, FOR KING SALMON, AND SAY WHY SHOULD I GO SPORT FISHING IN ALASKA ANYMORE IF H.B. 505 IS ENACTED? IN AN ARTICLE I READ THEY RELEASED RESULTS OF A 1990 STATE WIDE SPORT FISHING SURVEY SHOWING THAT NON-RESIDENT SPORT FISHERMEN BOUGHT MORE FISHING LICENSES THAN RESIDENT SPORT FISHERMEN. THAT WAS A FIRST FOR ANY STATE IN THE UNION. I SEE WITH ENACTING H.B. 505 YOU WILL CUT DOWN ON THE NUMBER OF NON-RESIDENT FISHERMEN(LIKE ME) WHO ARE BUYING LICENSES AND PUTTING MONEY INTO THE SYSTEM. YOU, I WOULD THINK, SHOULD ASK YOUR SELF DO WE WANT MORE OR LESS MONEY COMING IN FROM NON-RESIDENT FISHING LICENSES? THE STATE OF ALASKA PROMOTES TOURISM TO A GREAT EXPENSE, NOT ALL COME HERE TO SPORT FISH BUT TO CUT OFF THE NON-RESIDENT FISHERMAN IS LIKE CUTTING OFF YOUR OWN FOOT. I CAN STILL LIVE WITHOUT A FOOT BUT IT'S A LOT EASIER WITH TWO FEET. I HOPE TO SE THE STATE REPS. WEIGH ALL THE FACTS AND SEE THAT H.B. 505 NOT BE ENACTED. ONE DAY I HOPE TO BRING MY CHILDREN TO ALASKA AND FISH FOR THAT GREAT KING SALMON.

THANK YOU FOR YOUR TIME.

*Mark W. Tuschhoff*

MARK W. TUSCHHOFF  
BELLEVUE, WA.

REPRESENTATIVE  
JERRY MACKIE

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TRANSPORTATION COMMITTEE

# Alaska State Legislature



WHILE IN JUNEAU  
P. O. BOX V  
JUNEAU, ALASKA 99811

(907) 465-4925

## House of Representatives

March 11, 1992

### MEMORANDUM

To: Rep. Davidson, Chair  
House Resources Committee

From: Rep. Mackie 

Re: HB 505 committee substitute.

Attached is a proposed committee substitute for HB 505 (Utermohle, 3/10/92) and an accompanying summary for your review and consideration.

The new section 1 adds "guided sport fish" as a specific mention in the board's regulatory powers section of law, AS 16.05.251(a). This is the statute that relates to setting seasons, areas, bag limits, methods and means, etc. Also added on page 3, line 2 is the ability to distinguish between resident and non-resident sport fishermen.

Section 2 of the CS is identical to the provisions of the original bill, relating to allocations.

Section 3 is a result of a Department of Law request that the definition section in statute, AS 16.05.940 (12), be revised to more suitably complement the changes in sections 1 and 2.

# DIVISION OF LEGAL SERVICES

## LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

240 Main Street, Suite 500  
Juneau, Alaska 99801-2101

### MEMORANDUM

March 11, 1992

**SUBJECT:** CSHB 505 ( ); Summary

**TO:** Representative Jerry Mackie  
ATTN: Dave Gray

**FROM:** George Utermohle *GU*  
Legislative Counsel

This memorandum summarizes CSHB 505 ( ), an Act relating to the guided sport fishery, regulation of sport fishermen, and the definition of "fishery".

CSHB 505 ( ) clarifies the authority of the Board of Fisheries to regulate the guided sport fishery as a distinct fishery. The board has ample authority under the provisions of AS 16.05.221 and 16.05.251(a) to regulate the guided sport fishery and that authority should be construed liberally to promote the conservation and development of the fishery. See, Kenai Peninsula Fisherman's Co-operative Association v. State, 628 P.2d 897, 903 (Alaska 1981). The board's authority to distinguish between user groups and between subgroups of users has been recognized by the Alaska courts in numerous decisions that occurred before the legislature eventually recognized those groups or subgroups in statute. Kenai, at 901 - 02; State v. Hebert, 743 P.2d 392 (Alaska App. 1987), aff'd, 803 P.2d 863, 865 (Alaska 1990); Meier v. State. Board of Fisheries, 739 P.2d 172 (Alaska App. 1987). The board has the authority to distinguish between guided and unguided sport fishermen as necessary for the conservation and development of fisheries in the state. The board may also make such distinctions under its authority to regulate the manner and means of taking fish. However, by specifically mentioning the guided sport fishery as a fishery subject to regulation by the board, the legislature may be able to avoid a lawsuit testing the board's authority.

Section 1 of the bill amends

(1) AS 16.05.251(a)(6) by adding "guided sport fish" to the classes of fish that the Board of Fisheries may adopt for regulatory purposes;

Representative Jerry Mackie

March 11, 1992

Page 2

(2) AS 16.05.251(a)(12) by adding the guided sport fishery to the list of fisheries which the Board of Fisheries is specifically authorized to regulate.

The bill also adds a new paragraph to AS 16.05.251(a) authorizing the Board of Fisheries to regulate resident or nonresident sport fishermen as needed for conservation, development, and utilization of fishery resources.

Section 2 of the bill amends AS 16.05.251(e) by adding the guided sport fishery to the list of fisheries for which the Board of Fisheries must develop fishery resource allocation criteria.

By inserting a reference to the guided sport fishery into AS 16.05.251(e), the legislature is acknowledging the existence of a guided sport fishery and is requiring the board to adopt criteria for making allocations of fishery resources to the fishery. The bill does not require that allocations be made to the guided sport fishery, but if the board does decide to make such an allocation the board must do so in accordance with the criteria adopted under AS 16.05.251(e).

Section 3 of the bill amends AS 16.05.940 by repealing and reenacting the definition of "fishery". Previously "fishery" was defined only in terms of commercial fisheries, even though AS 16.05 used the term in the context of noncommercial fisheries such as sport, personal use, and subsistence fisheries. See, AS 16.05.251(e). The new definition of "fishery" defines the term in a manner that is generally applicable to sport, personal use, and subsistence fishing as well as commercial fishing. The terms "gear" and "type of gear" are also defined for purposes defining "fishery".

The term "guided sport" is not defined. The Board of Fisheries will have the discretion to define the term.

If I may be of further assistance, please advise.

GU:gc:lmb

92-056.lmb

REPRESENTATIVE  
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# Alaska State Legislature



WHILE IN JUNEAU  
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## House of Representatives

### SPONSOR STATEMENT

on

HB 505, relating to guided sport fishing.

I introduced HB 505 to allow the Board of Fisheries to establish criteria for the allocation of fishery resources to the charter fishing industry. It recognizes charter fishing operations as a distinct commercial activity separate from sports fishing.

The charter fishing industry is an important and rapidly growing commercial activity in Alaska which I support. It has stimulated many local economies with its infusion of outside money. But its continued growth will most certainly impact other commercial, sport, and personal use harvests.

This is currently the case in Southeast where strict catch quotas for King salmon have been set by international convention. This pits the charter industry against traditional sports and commercial allocations. The continued viability of the power and hand troll fishery is seriously threatened. I believe that other such conflicts will inevitably develop with the continued growth of this new industry.

This bill is not intended to restrict the charter industry but rather to provide a level playing field for all competing users of the state's fish resources. It gives the Board of Fisheries a tool to fairly allocate resources between sport, personal use, charter, and other commercial gear types.

# MEMORANDUM

State of Alaska  
Department of Law

TO Hon. Carl L. Rosier  
Commissioner  
Alaska Department of  
Fish and Game

DATE March 7, 1993  
FILE NO 663-92-0077  
TEL NO 465-3600  
SUBJECT Allocation of SE Chinook  
Salmon

*Stephen M. White*

FROM Stephen M. White  
Assistant Attorney General  
Natural Resources -- Juneau

You informed us that the Alaska Trollers Association petitioned the Alaska Board of Fisheries ("Board") to allocate a portion of the available chinook salmon quota to the commercial troll fleet. In essence, this allocation would create an allocation to southeast Alaska chinook anglers (sport fishers).

You have asked the following questions concerning this proposal. We have given our answer and discussion after each question.

Question 1. Can the Board adopt regulations for anglers who use commercial services and facilities, like charter boats and lodges, and that are different from regulations for anglers who do not use them?

Answer: Uncertain. Under existing statutes, it is not clear whether the legislature has given the Board statutory authority to allocate fishery resources between anglers who use commercial services and those who do not.

#### Discussion:

##### A. General Principles Governing Board Regulations.

For all of these questions, we believe it would be helpful to review legal principles that govern Board regulations.

The Alaska Supreme Court has held that the Board of Fisheries, when it adopts regulations, must comply with two general principles. Under the first principle, the Board must stay within its statutory authority. That is, the Board must pursue permissible purposes, and it must use means that are within its powers. Meier v. State, 739 P.2d 172, 173 (Alaska 1987). This is because "administrative agencies are creatures of statute, deriving from the legislature the authority for the exercise of any power they claim." Rutter v. State, 688 P.2d 1343, 1349 (Alaska 1983).

The Board was created "[f]or the purposes of the conservation and development of the fishery resources of the state

...." AS 16.05.221. For sport fishing, the legislature has given the Board authority to adopt regulations needed for conservation, development, and utilization of fisheries. AS 16.05.251(a)(12). The Alaska Supreme Court has held that words "conserving" and "developing" involve the utilization of resources, and these purposes permit the board to establish priorities for use between fishing groups due to sharp competition between them for a limited fishery resource. Meier, 739 P.2d at 174.

Under the second general principle, Board regulations must be reasonable and not arbitrary. That is, the regulations must be consistent with and reasonably necessary to the purposes for which the Board was created, i.e., conservation and development. Meier, 739 P.2d at 173.1/

B. Board's Statutory Authority to Adopt Different Sport Fishing Regulations for Users of Commercial Support Services.

The permissible ways that the Board can regulate sport fisheries are set out in AS 16.05.251(a). The Board can regulate, among other ways, by (1) establishing open and closed seasons and areas for taking fish, (2) setting quotas, bag limits, harvest levels, and sex and size limitations, and (3) establishing methods and means employed in the pursuit, capture and transport of fish. AS 16.05.251(2), (3), and (4).

It is not clear from your request what type of different regulations are envisioned for sport anglers who use commercial services. The most restrictive regulations would cause an outright ban on the use of these services.

If an absolute ban is intended, we have previously advised that, under the Board's power to establish "methods and means", it has statutory authority to absolutely prohibit support services. Such a prohibition, however, cannot be arbitrary or unreasonable, and, in this context, it must be consistent with and reasonably necessary to the conservation and development of southeast Alaska chinook stocks. Gilbert v. State Dept. of Fish and Game, 803 P.2d 391 (Alaska 1990). Also, it must satisfy constitutional requirements such as equal protection. (See discussion in Question 3.)

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1/ This principle is reiterated in AS 16.05.251(d) which says that Board regulations must, consistent with sustained yield and the subsistence law, provide a fair and reasonable opportunity for the taking of fishery resources by personal use, sport, and commercial fishers.

On the other hand, the Board may allow anglers to use support services, but adopt more restrictive area, season, period, bag, possession, or equipment regulations for them. As we understand it, the intended purpose for this type of regulation would not be for conservation. The fish that would be spared by these regulations would not contribute to escapement, but instead, would be available for harvest by anglers who do not use these services. The purpose, then, would be for allocation.

Concerning allocations, the Alaska Supreme Court held that the Board's duty under AS 16.05.221(a) to conserve and develop fishery resources implies a concomitant power to allocate fishery resources among competing users. Kenai Peninsula Fisherman's Co-op Ass'n v. State, 628 P.2d 897, 903 (Alaska 1981). In that case, the court held that the Board's allocation power permitted it to establish priorities for use between commercial and recreational fishermen as a response to sharp competition between the two groups for a limited fishery resource. *Id.* In a later case, where there was keen competition between two subgroups of commercial fishermen, i.e., between commercial setnet and driftnet fishermen in Bristol Bay, the court said that the Board's power allows it to allocate salmon between these two subgroups. Meier, 739 P.2d at 174.

Here, the Board would be allocating fishery resources between two "subgroups" of another overall user group, sport fishers. The two subgroups are (1) anglers who use commercial services and (2) those who do not. This raises the question of what authority the Board has to identify subgroups for allocation purposes.

Alaska Statute 16.05.251(e) directs the Board to establish criteria for making allocation decisions.<sup>2/</sup> Among the criteria that the Board may use are seven criteria that are listed in this statute. The Board has said that it will consider factors such as the seven statutory criteria if they are appropriate to allocation decisions. 5 AAC 39.205.

Six of the seven allocation criteria deal with the characteristics of "fisheries". AS 16.05.251(e)(1)-(3), (5)-(7). Thus, the legislature intended that allocations could be made between subgroups that are "fisheries".

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<sup>2/</sup> This statute has been interpreted to apply to allocations between commercial "subgroups" as well as to allocations among overall user groups, i.e., among personal use, sport, and commercial fishers. Peninsula Marketing Ass'n v. State, \_\_\_ P.2d \_\_\_, Op. No. 3754 (Alaska, Sept. 20, 1991).

The statutes define a "fishery" as "a specific administrative area in which a specific fishery resource is commercially taken with a specific type of gear", with the Board having authority to designate that a fishery has more than one area, gear type, or resource. AS 16.05.940(12), emphasis added. The terms "type of gear" and "gear" are defined in a statute that pertains to the Alaska Commercial Fisheries Entry Commission, and thus are also defined in the context of commercial fishing. See AS 16.43.990(4) and (8).

Accordingly, for allocations within the overall user group of commercial fishing, we believe that the statutes identify permissible subgroups according to (1) the geographic fishing area(s), (2) the fishery resource(s) harvested, and (3) the type(s) of apparatus used to harvest the resource, such as purse seine, drift gillnet, set gillnet, power troll, or hand troll. For a permissible allocation between two groups of commercial fishermen, the groups should differ by at least one of these characteristics.

For subgroups within the overall user group of sport fishing, however, the allocation statute - AS 16.05.251(e) - is not helpful. As mentioned above, this statute refers to competing "fisheries" which, in AS 16.05.940(12) and AS 16.05.990(4) and (8), are defined according to commercial fishing. Even if the allocation statute "fit" a sport fishery allocation, it would not help the present one. Since anglers who use commercial services share the same waters, fish with the same "gear", (i.e., rod and reel), and fish for the same resource (i.e., chinook salmon) as anglers who do not use these services, they cannot be considered separate "subgroups" under this statute.

On the other hand, it may be argued that the Board is not limited in its discretion to define subgroups for allocation purposes. That is, it could be argued that the Board is authorized to define sport fishing subgroups according to their "methods and means" - such as whether or not they use charter boats and lodges - and then allocate different fishing opportunities among them.

This argument would be aided by the fact that fish and game laws are to be "liberally construed." Kenai Peninsula, 628 P.2d at 897. Other case law holds that when a statute delegating authority to an administrative agency does not expressly provide a standard, the standard may be implied from the general policy and purposes underlying the statute. Kenai Peninsula, 628 P.2d at 907.

Under these precedents, one can argue that the clear purpose of AS 16.05.251(e) is to allow the board to allocate "among . . . sport . . . fishing" and that the "methods and means"

authority of AS 16.05.251(a)(4) is a permissible way to identify allocation groups. Although we believe that the contrary argument is stronger, it is not conclusively so.

Question 2. Can the Board adopt regulations that set bag, possession, and size limit regulations for resident anglers that are different from such regulations for nonresident anglers?

Answer: Uncertain. Again, it is not clear whether the legislature has given the Board statutory authority to discriminate against nonresident anglers.

Discussion: As noted above, the Board must stay within its statutory authority. That is, the Board must pursue permissible purposes, and it must use means that are within its powers. Meier v. State, 739 P.2d 172, 173 (Alaska 1987). The question, therefore, is whether the Board has statutory authority to set bag, possession, and size limits that discriminate against nonresident anglers.

As we understand it, the reason that the Board would be adopting more restrictive regulations for nonresidents is not to allow the spared fish to escape to spawning streams, but instead, to enable resident anglers to catch them. Thus, the regulations would have to be justified on allocation, not conservation grounds.

There is statutory authority that would allow the Board to consider resident and nonresident use of fish when making allocations among fisheries. Alaska Statute 16.05.251(e) directs the Board to adopt allocation criteria, and it says that these may include (1) the participation of residents and nonresidents in each fishery, (2) the importance of each fishery in providing for residents' consumption, and (3) the importance of each fishery in providing recreational opportunities for residents and nonresidents. AS 16.05.251(e)(2), (3), (7).

The authority to account for resident and nonresident participation and recreational opportunities, and the authority to account for residents' consumption, is not clear legislative authority to establish different fishing opportunities for these two groups. However, it is not logical that the legislature, having authorized the Board to account for resident and nonresident use when deciding allocations, intended that these accountings would not be reflected in the decisions themselves. We believe that the authority to account for resident and nonresident use is a strong implication that the Board is authorized to treat residents and nonresidents as separate subgroups for allocation purposes.

Hon. Carl L. Rosier  
Commissioner  
Alaska Dept. of Fish & Game

March 7, 1992

Page 6

On the other hand, we note that the legislature has clearly authorized the Board of Game to limit nonresidents' taking of big game in a particular situation. AS 16.05.256.3/

A rule of statutory interpretation says that when a specific activity is designated by statute, it must be inferred that all omitted activities are intentionally excluded. 2A N. Singer Sutherland Statutory Construction, § 47.23 (5th Edit. 1992). Here, the rule means that if the legislature has granted a certain kind of authority in one area, its failure to grant the same type of authority in another area means that it withheld the authority in that second area.

Thus, it could be argued that the legislature's clear grant of authority to the Board of Game to discriminate against nonresidents, and its failure to give the Board of Fisheries the same clear authority, supports a conclusion that it did not intend for the latter to have this power. This is buttressed by the fact that the definition in AS 16.05.940(12) does not identify resident and nonresident anglers as separate "fisheries" when they fish in the same area for the same species with the same tackle.

Accordingly, we caution the Board against adopting different regulations for resident and nonresident anglers unless the legislature gives it clear authority to do so. If the Board does discriminate against nonresidents under its present authority, the Board should exercise restraint. Depending upon the method, degree, and purpose, such a discrimination may raise state and federal constitutional problems.

We have previously advised the Board about constitutional concerns that arise if state residency is used as an allocation criteria in commercial fisheries. 1988 Inf. Op. Att'y Gen. (Nov. 15; 663-89-0200). Except for violation of the Privileges and Immunities Clause of the federal constitution (U.S. Const. art. IV, § 2), these same concerns, as well as equal protection, would be raised by regulations that discriminate against nonresident sport fishers.

At this time, we do not know the manner in which the Board would discriminate against nonresidents. Once there is a specific proposal that identifies the method, degree, and purpose

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3/ The legislature has enacted other laws that distinguish nonresidents. For example, it has set higher license and tag fees for nonresidents who take fish and game (AS 16.05.340(a), 16.05.480), and it has required nonresidents to be accompanied by guides when hunting certain big game species. (AS 16.05.407).

for treating nonresident anglers differently, we will be able to advise the Board on these constitutional issues.

Question 3. Can the Board limit the catch in a sport fishery in order to allocate to a limited entry commercial fishery the fish that the sport anglers might have caught if no catch limit were imposed? Would this be consistent with the common use and equal protection provisions of the Alaska Constitution?

Answer: Yes to both questions.

Discussion:

A. Statutory Authority.

As discussed in our answer to Question 1., the Board's allocation power allows it to establish priorities for use between commercial and recreational fishers. Kenai Peninsula, 628 P.2d at 903. In the Kenai Peninsula case, the Board adopted a policy that closed commercial fishing on late-run cohos so that sports fishers could catch them.

Here, the Board would be doing the opposite of its actions in Kenai Peninsula - it would be allocating in favor of commercial fishers to the detriment of sport fishers. Nevertheless, we believe that the holding of that case applies regardless of which user group benefits.

Like any other allocation, this one must be consistent with and reasonably necessary to the conservation and development of Alaska fishery resources. Meier 739 P.2d at 174. Also, in making the allocation, the Board must consider the appropriate allocation criteria set out in AS 16.05.251(e). 5 AAC 39.205.

B. Constitutional Issues.

The "common use" clause (Alaska Const. art. VIII, § 3) and two other clauses in the Alaska Constitution - the "no exclusive right" clause (Alaska Const. art VIII, § 15) and the "uniform application" clause (Alaska Const. art. VIII, § 17) - are often referred to as the "equal access" clauses. See McDowell v. State, 785 P.2d 1, f. 14 at 8 (Alaska 1989). The Alaska Supreme Court has consistently held that these clauses are implicated only when the state places limits on the admission of persons to resource user groups. Id. Also, the court has consistently distinguished the state's power to limit admission to user groups



# UNITED FISHERMEN OF ALASKA

211 4th Street, Suit 112  
Juneau, AK 99801  
907-586-2820  
Fax# 907-463-2545

## MEMBER ASSOCIATIONS

Alaska Crab Coalition  
Alaska Independent Fishermen's  
Marketing Association  
Alaska Longline Fisherman's  
Association  
Alaska Trollers Association  
Bering Sea Fishermen's Association  
Bristol Bay Driftnetters Association  
Concerned Area 'M' Fishermen  
Cook Inlet Aquaculture Association  
Copper River Fishermen's Cooperative  
Cordova District Fishermen United  
Kenai Peninsula Fishermen's Association  
North Pacific Fisheries Association  
Northern Southeast Regional  
Aquaculture Association  
Peninsula Marketing Association  
Petersburg Vessel Owners Association  
Prince William Sound  
Aquaculture Association  
Prince William Sound Seiners Association  
Seafood Producers Cooperative  
Southeast Alaska Seiners  
Southern Southeast Regional  
Aquaculture Association  
United Cook Inlet Drift Association  
United Southeast Alaska Gillnetters  
Western Alaska Cooperative  
Marketing Association

February 27, 1992

## MEMORANDUM

TO: Representative Cliff Davidson, Chairman  
and Members of the House Resources Committee

FROM: Greg Seider, Executive Director *Greg Seider*

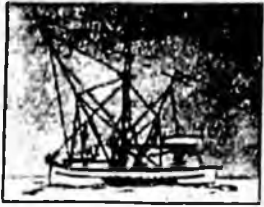
SUBJECT: HB 505

The United Fishermen of Alaska supports legislation identifying charter-guided fishing operators as a distinct user group.

UFA urges the House Resources Committee to adopt HB505. We support all efforts to enable definitive management of this rapidly growing user group.

GS:RD:phl

RECEIVED MAR 3 1992



Alaska  
Trollers  
Association

130 Seward Sr., No. 213  
Juneau, Alaska 99801  
(907) 586-9400

February 29, 1992

House Resources Committee  
Pouch V  
Juneau, AK 99811

Dear Committee Members:

The Alaska Trollers Association (ATA) would like to issue their strong support for HB 505, which seeks to identify guided sport as a separate user group for allocative purposes under AS 16.05.251(e).

ATA recognizes the importance of sportfishing to Alaska's tourism industry. However, we are concerned about the recent, accelerated expansion of the unregulated guided sportfishing industry, and its potential to adversely impact commercial trollers and resident sportfishermen. At its present rate of growth, it is not unlikely that guided sport operations will soon be capable of harvesting a significant portion of each years U.S./Canada Treaty chinook quota. Without clearly defined management tools in place, commercial fishermen and traditional sport anglers are at risk of being displaced by an up and coming industry.

Our understanding is that HB 505 does nothing more than provide the Board of Fisheries some added flexibility when selecting allocative prescriptions for Alaska's fisheries. Simply enacting this piece of legislation does not mandate the Board of Fisheries to take any particular action. Any change in allocation strategies around the state will still occur only at the Board's discretion, through the full public process. ATA could not support such a bill if we believed otherwise.

We urge you to support HB 505 and move it through the system posthaste. The Board of Fisheries should be granted every means available to allocate in a fair and equitable manner between the diverse users of our fisheries resource.

Sincerely,

*Dale A. Kelley*  
Dale A. Kelley  
Executive Director

February 27, 1992

Representative Cliff Davidson  
 1000  
 Juneau, AK 99811

28 HR 525

Dear Representative Davidson:

I am a resident of Alaska since 1974, a lifelong sport fisherman supporting myself as a fishing guide and I would respectfully make comment to you about this bill. I realize that the growth of the sportfishing industry is perceived as a threat by the cronies. I would hope that after some thought this perception would be altered to one of opportunity for economic growth in the state.

Alaska Department of Fish and Game (ADF&G) data shows since 1988 the price per pound of a troll caught chinook has dropped from \$1.49 to \$1.13 in 1991. The average weight of these chinooks was about 15#, resulting in an exvessel value of \$23 per fish in 1988 down to \$18 per fish in 1991. A recently released Southeast Alaska Sport Fishing Economic Study established the value of a 1988 sport caught chinook for all anglers at \$923. Even with adjusting the exvessel value for retail market by doubling it, a comparison of value (2 x \$18 = \$36 vs \$923) would place in suspect the wisdom of those who would restrict the opportunity to harvest these chinooks for the greater economic value.

The 1988 Southeast Alaska Sport Fishing Economic Study determined that the economic value of the chinook sport fishery to southeast Alaska was \$22.9 million for 9% of the chinook harvest. By comparison the exvessel value of the commercial troll caught chinooks in 1988 was \$13.5 million (doubled for processing = \$27 million) for 83% of the chinook harvest. The exvessel value of the troll caught chinooks dropped to \$9.6 million (added value of processing = \$19.2 million) for 72% of the catch. During this time ADF&G data indicates a 260% increase in Southeast Alaska sport chinook harvest. Using the sport fishing economic survey numbers to estimate the economic growth from 1988 to 1991, it is arguable that 2.6 times \$22.9 or \$59.5 million was the 1991 economic contribution to southeast Alaska by sport fishers taking 19% of the chinook harvest. That's a 10% shift in harvest from commercial to sport resulting in a net economic gain of \$28.8 million (commercial down \$7.8 million, sport up \$36.6 million).

Consider also A.D.F.&G. data showing the mortality rates on those chinooks released by the commercial trollers while harvesting legal fish (23%) exceeds by more than twice the total number of chinooks harvested by the sport fleet (9%). Think about it: The southeast Alaska sport fleet's mortality rate on those caught and released chinooks exceeds by more than twice the number of chinooks harvested by sport anglers in southeast Alaska. How realistic can we afford to continue to treat our resources in this manner?

The Board of Fisheries has already acted on separate allocations within four groups as defined in AS 16 05 251. The Board did not need legislative action to separate gill nets from seine nets from trollers and I do not see why they need help from the legislature to separate guided from non-guided sports anglers. The Board did not need it for the Kenai River where having defined the use of a guide as a method, they had sufficient authority to enact separate regulations affecting guiding activities and guided angler access to the resource.

Finally, would you have you look at the rest of AS 16 05 251 (e)(1) through (7), (the seven allocative criteria). Can the demands made by the trollers association be considered reasonable under these criteria which the Fisheries Board must apply to allocations?

Representative the sport fishing industry growth, which has so alarmed the trollers by urging them to take actions from which I predict we will see little gains and even all losses for all fisheries in Alaska, is a source of opportunity for southeast Alaska. Sure it requires some changes but look at the gain for just for the fishermen but for the local economy not to mention the health of the resource.

HB 505 will accomplish nothing except to divide and confuse sportfishing interests! The course the goal is to eliminate this opportunity of economic growth.

Respectfully,  


Dennis H. Randa  
Box 3055  
Soldotna, AK 99669

cc House Resources Committee  
Senate Resources Committee

10/1/88

RECEIVED FEB 25 1992

February 25, 1992

Carl Rosier, Commissioner  
Alaska Department of Fish and Game  
Box 3-2000  
Juneau, Alaska 99802-0200

Dear Commissioner Rosier,

After talking with several sport fishermen about the increasing numbers of hatchery fish now being caught by sports in Alaska, most agree that somehow sports should be contributing to the enhancement of salmon. I will address specifically chinook in this proposal although I believe that all enhanced fish could be considered.

The five year average of hatchery chinook caught by sport fishermen from 1985-1990 has been 5,077 salmon. In 1991 this figure increased to 26,700, an increase of over 500 % in just 2 years. I believe the majority of the money used to produce these hatchery fish came from two sources. The 3% enhancement that commercial fishermen voluntarily assess themselves and mitigation money from the Pacific Salmon Treaty (PSC) marked to compensate trollers for the loss of chinook. There may be other sources that have contributed and they could be figured in accordingly.

If trollers are not able to access these fish because of the current management system and the harvest restrictions imposed upon them by the PSC, somebody should. But in all fairness, those who harvest these enhanced fish should compensate the gear group that did produce them. Not only did sports catch 26,700 of what I would say is fish reared for commercial harvest, but those fish, if they made it back to the hatcheries, would have been used for cost recovery.

What I would visualize is not money paid in advance to the eventual return of hatchery fish by the sports but a pay back system. they would only pay for fish caught. The hatchery operators in southeast know how much money it takes to produce one king salmon and I am sure that they have a figure of what they receive for each chinook for cost recovery. If the average price paid to the hatcheries for each chinook for cost recovery was only \$20, this still adds up to a loss of revenue to the hatcheries of \$534,000.

I make my living commercial fishing and as most commercial fishermen I also hold a sport fishing license. I think it would be fair to me that the license fee be increased and this increase be used to pay back hatcheries for the loss in cost recovery. Possibly a chinook card could be introduced. If a person wants to catch a chinook they would be required to purchase this card and money from this card would then be then used to pay back hatcheries. There may be other plans more acceptable. I don't know.

I would like to hear from you if you have any other ideas on this enhancement pay back plan.

Sincerely,

George Eliason

cc: Governor Walter Hickel  
Senator Lloyd Jones, Chairman-Senate Resources  
Representative Cliff Davidson, Chairman-House Resources  
Southeast Legislators  
Alaska Trollers Association  
Southeast Seiners Association

# Ketchikan Marine Charters, Inc.

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representing Alaska's largest sportfishing charter boat fleet

February 24, 1992

Representative Jerry Mackie  
Alaska State Legislature  
P.O. Box V(MS 3100)  
Juneau, Alaska 99811

Dear Representative Mackie,

I am writing this letter at the request of the membership of Ketchikan Marine Charters Association. House Bill No. 505 entitled "An Act authorizing the Board of Fisheries to allocate fishery resources to the guided sport fishery." certainly raises the same interesting questions as Senate Bill No. 397 in as much as the wording of HB 505 is exactly the same as SB 397.

Is the "guided sport fishery" a "fishery"? AS 16.05.940(12) defines "fishery" as the commercial harvest of a specific fishery resource by a specific gear type with intent to sell. The intent to sell is implied in the term commercial which is indirectly defined in 16.05.940(4) "commercial fisherman" and 16.05.940(5) "commercial fishing". It can be argued that the "guided sport fishery" is not a "fishery" as currently defined by Alaska Statute in as much as "sport fishing" as defined by AS16.05.940(28) is specifically limited to "not for sale" use.

Is "guided sport" a separate and distinct user group? The concept of "use" is fundamental to the definition of "user group" and to the differentiation of separate and distinct resource "user groups". "Use" is indirectly defined by statute as either "for sale" or "not for sale". "For sale" use is commercial fishing and "not for sale" use is either subsistence, personal use, or sport fishing use. Commercial fishing is a "user group" that for regulatory purposes is differentiated by gear type. On the other hand, "gear type" is the basic statutory differentiation between two user groups; namely "personal use fishing" and "sport fishing" as defined in AS16.05.940(23 & 24). "Hook and line" is the "gear type" that defines "sport fishing" as a resource "user group". It can be argued that "guided sport" is a statistical category and not a separate and distinct "user group" unless clearly defined by a separate and distinct "gear type" other than "hook and line" or on the basis of some other use than "not for sale".

page 2

In our opinion, "guided sport" is a redundant and expensive management "tool" in as much as "sport fishing" is already a carefully defined and tightly regulated user group that is presently managed to be consistent with the principles of conservation of the resource and sustained yield; and in as much as "guided sport" will necessitate "in season" management techniques in order to maximize the economic contribution of "guided sport fishing" which will force the Department to either increase their budget or to reduce present management.

In our opinion, "guided sport" is a politically expedient resolution of a Southeast "problem" at the expense of the rest of the State and the State as a whole.

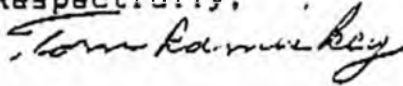
In our opinion, misunderstanding is the basis of the Southeast "problem". Possibly, the term "sport fishing" is partly to blame in as much as it is not indicative of "use". Sportanglers fish for fun and enjoyment; but they also fish for something to eat. Possibly, the "guided sport" industry is partly to blame because of it's inability to define what it does. The "guided sport" industry is a service industry that sells the "opportunity to fish and the reasonable expectation of a catch" to sportanglers. (Sport Fishing Institute of B.C. Jan. 1992).

page 3

Ketchikan Marine Charters has explored several reasonable opportunities to negotiate resolution of this "problem" over the past several years and is firmly convinced that House Bill No. 505 is simply a "quick-fix" that will only aggravate the "problem" and that HB 505 is inconsistent with the Constitutional principle of common property resource management.

Thank you for your time and consideration.

Respectfully,



Tom Ramiskey, vice-president

cc: Governor Walter J. Hickel  
Representative Ben Grussendorf  
Representative Cheri Davis  
Representative Robin Taylor  
Representative Eileen Panigee MacLean  
Representative Dave Donley  
Representative Cliff Davidson  
Representative Johnny Ellis  
Senator Richard Eliason  
Senator Pat Pourchot  
Senator Rick Halford  
Senator Lloyd Jones  
Senator Fred Zharoff  
Commissioner Carl Rosier

enclosures: Joe "six-pack"---spends Dollars  
DATELINE WEST article "Sport caught salmon---"  
Southeast Opinion

# JOE "SIX-PACK" SPORT ANGLER SPENDS DOLLARS

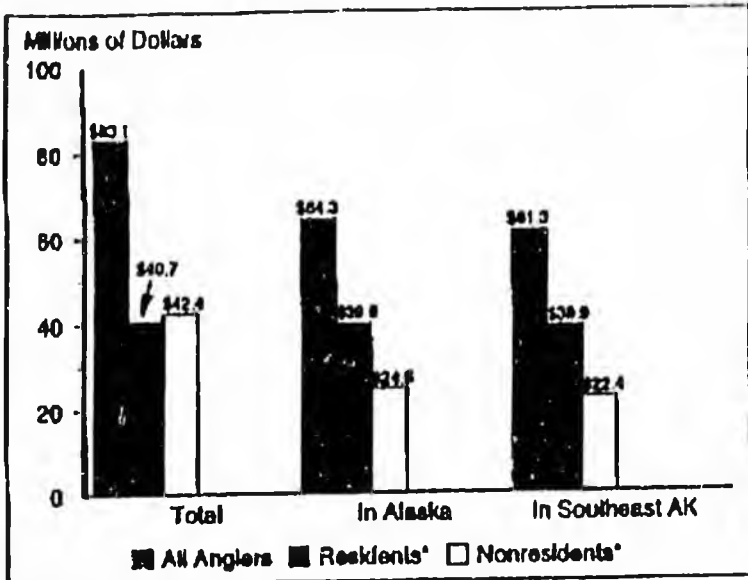
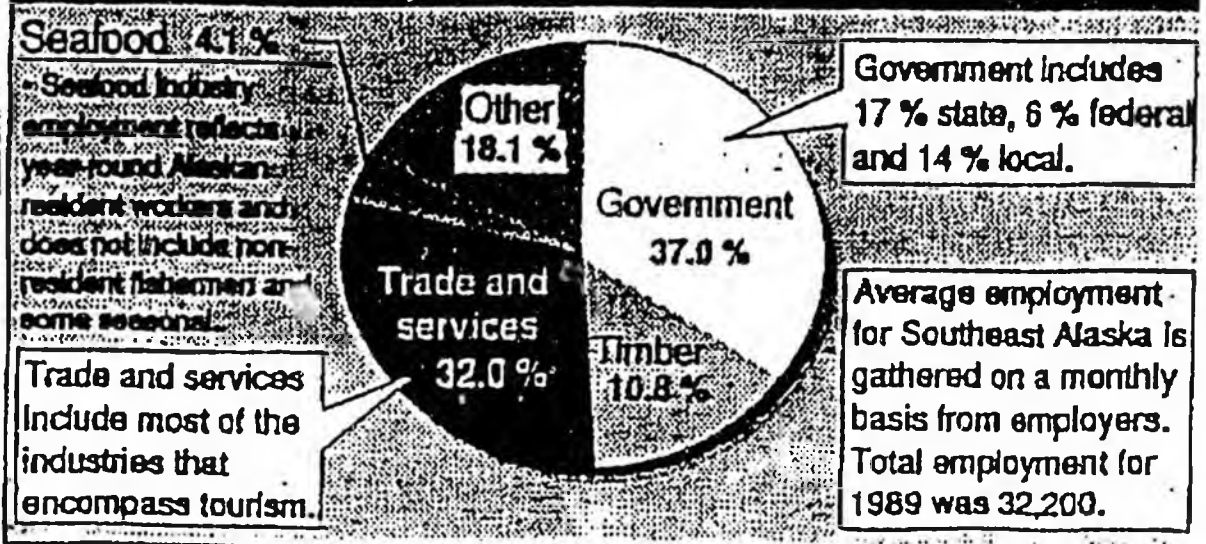


Figure 2. Angler spending for 1988 Southeast sport fishing.

Table 1. Estimated angler spending (millions of dollars) by harvest area for 1988 Southeast Alaska sport fishing

| Harvest Area    | Resident Angler Spending | Nonresident Angler Spending | Total Angler Spending |
|-----------------|--------------------------|-----------------------------|-----------------------|
| Ketchikan       | 6.6                      | 13.7                        | 20.3                  |
| Petersburg      | 3.0                      | 6.7                         | 9.7                   |
| Sitka           | 6.1                      | 4.6                         | 10.7                  |
| Juneau          | 21.0                     | 6.2                         | 27.2                  |
| Prince of Wales | 2.1                      | 3.9                         | 6.0                   |
| Haines-Stagway  | 1.1                      | 4.5                         | 5.6                   |
| Glacier Bay     | 0.3                      | 0.4                         | 0.7                   |
| Yakutat         | 0.5                      | 2.4                         | 2.9                   |
| Total           | 40.7                     | 42.4                        | 83.1                  |

## 1989 average employment in Southeast Alaska



\*Information is obtained from Jones & Stokes Associates, Inc. 1991. "Southeast Alaska sport fishing economic study."

Notes: Information provided by the Alaska Department of Labor.

T. Parker Daily News

## SOUTHEAST OPINION

PACIFIC FISHING, March 1992, (article, Paradise Lost) stated "Sharks and sea lions take a small percentage of the trollers' catch, which is annoying enough; but the fleet is particularly upset these days about their losses to another breed of predator-sport fishermen."

This lends credibility to the question. "What does it take to make a fisherman happy?" Answer: "A fish." "What does it take to make a troller happy?" Answer: "No other fishermen."

Almost all reported troll caught fish leave the State. A large number of trollers take their money and leave each fall. Now the trollers want the sport fishermen to leave without fish and still expect them to leave their money.

The trollers appear to have enough political influence on the Board of Fish and in the Alaska legislature that they can just demand and take with no public hearing, no accurate statistics, and no concern for the public or the State resources.

Alaska has entered into legal agreement with Canada and neighboring states to save a diminishing public resource. If current fishery management proposals are not followed, we risk being out of compliance with the U.S./Canada Treaty.

The February 1992 ALASKA FISHERMAN'S JOURNAL quotes our Senator Eliason as saying, "If we are out of compliance, it's just too damn bad. Let them take us to court."

If the other treaty signers have a similar attitude, it may well herald the end of all Southeast Alaska salmon fishing. After Eliason and the trollers eliminate the sport fishermen, the only other fishermen they can attack are the fishermen of the other treaty signers. Senator Eliason is right about one thing. It is too damn bad!

RECEIVED FEB 24 1982

Representative Cliff Davidson  
House of Representatives  
P. O. Box V  
Juneau, AK 99811

Dear Representative Davidson,

I am very concerned about, and highly opposed to, the current efforts of the commercial troll fishing industry to curtail the recreational fishing for king salmon in southeast, to benefit commercial fishing. SB 397 and the companion HB by Rep. Mackie are part of this effort. These bills appear on the surface to be innocuous, but would inevitably lead to severe restrictions and limiting of charter boat operations in southeast. Charter boats accommodate primarily nonresident visitors, who bring a great deal of money into our local economies. Each salmon caught by a visitor is worth far more to southeastern's economy than one caught by a commercial troller. Charter boats don't catch fish; they are the platform or transportation method used by sport fishermen to catch fish.

Please don't be misled by the seeming innocence of these bills. Please oppose them for the sake of our tourist industry and our resident sport fishermen.

Sincerely,

  
Bob Hinman

9019 Tournure St.  
Juneau, AK 99801

**SALMON BUSTERS RECEIVED FEB 24 1992**

*Guided Fishing*

3222 Tide Avenue South  
Ketchikan, Alaska 99901

Owner - Dan McQueen

Telephone - 907-225-2731

February 19, 1992

All Members of the Alaska  
Senate & State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

To All Members:

There are currently two bills, Senate Bill #397 and Robin Taylor's 502. Both concern limited entry. I would hope that before you take any actions on these two bills you will all read my following statement.

Many of us sport fishing guides support some type of limited entry. I, for one, feel that in the areas that have seen the ceiling hit in places like Ketchikan and possibly Juneau, an immediate moratorium should be enacted.

I feel that many of our smaller communities can benefit from more growth in sport fishing.

I have lived in Pt. Baker and I have seen the numbers of nonresident and resident sport fishermen spending money in the bar and store. True, these bush towns live on trolling, but a smaller amount of sport caught fish will provide thousands of dollars of new money to be left in Pt. Baker, Hoonan, etc.

Before people as smart as yourselves rush into any type of limited entry, you should remember this: a person from in-state and out-of-state would gladly pay a troller to take him or her fishing. If the troller caught only 2 fish for six people, those two fish would bring in \$450.00 apiece, not to mention the person that rents accommodations to them.

I don't want to see either trollers or sport fishing guides hurt. If a lot more time is taken so you could talk to the people that were at our Ketchikan Advisory Board meeting and listen to the concerns of the people in attendance, then you will see that there is lots of headway being made.

2.

From what I gather from 2 nights of careful listening we the people (both trollers and sport fishermen alike) are all ready to talk. The advisory board's own vote will prove even they have questions.

When you hear the number (409 in 1991) of charter boats, remember 27% of those registered boats are also trollers. So limiting entry will only give an operation like that the best of both worlds. Already, a troller has a valuable limited entry permit. If he is granted another, it would be unfair, because he has not used his charter license. Acquiring one was just insurance for them.

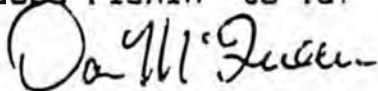
I own a small 21-ft. boat. Due to a back injury and two major surgeries, this is my only way to help support my family.

We fishing guides beg you folks in Juneau to let us have some input into this entry issue. We as an industry need for you to discuss this with us, the people who have been here and seen every document, every data sheet. We have many many ideas that will be acceptable to all concerned. Please before you pass or even discuss any of the two bills, Senate 397 and Robin's 502, please give me a chance to talk to each and every one of you, if need be.

We made history when all of us (trollers, sport fishermen, and sport fishing guides) sat and talked like men; we didn't yell and fight. I would also suggest that you subpoena copies of the tape recording that was made by the press (KRBD?). That tape shows we in Ketchikan want to work this whole issue out before any type of bill is passes.

If any of you want to talk to me, please call me at 1-225-2731. Please don't let these bills be rushed through by special interest lobbying.

Thanks and Good Fishin' to Ya!



Dan McQueen



# The sport of kings

## *Non-charterers seek separate and at least equal status*

By **BERNDA CHASE**  
*Daily News Staff Writer*

Some Southeast sport fishermen say they want to be separated from the sport charter fleet, and have signed a petition to voice their concerns.

About 500 signatures were collected for the petition in 10 days in Ketchikan. The petition is being sent to the Board of Fisheries and state legislators.

The petition urges the Alaska Board of Fisheries give at least 50 percent of the king resource, allocated to the sport fishermen under the existing user group, to non-charter sport fishermen. Local residents who fish periodically, charter boat operators and resort guides are now grouped under the same sport fishing user group.

A similar petition is being circulated in Wrangell, Craig and Sitka, said Shawn Richardson, a local non-charter sport fisherman who helped start the effort.

This is the first major response from the resident sport anglers (non-charter) relating to the issue.

The petition states that non-charter sport fishermen are unable to target the wild and hatchery chinook seven days a week, like the charter/resort sport fishermen do.

The proposed 50 percent allocation within the sport fishery would "preserve the lifestyle of residential (non-charter) sport fishermen," according to the petition.

"For this reason I do not feel I should be classified in the same user group as the charter boat/resort sport fishermen," the petition states.

Richardson said he started the effort after he went to a Tongass Sportfishing Association meeting, where 95 percent of the people there were charter fishermen. It was apparent "they weren't

See 'Sport of kings,' page 2

## Adams reserved

# **CORRECTION**

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



# The sport of kings

## *Non-charters seek separate and at least equal status*

By **BELVEDA CHASE**  
*Daily News Staff Writer*

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See 'Sport of kings,' page 2

## *Adams received*

## Sport of kings

Continued from page 1

willing to stand on their own under their own user group," he said.

"The residents here should have the first crack, after subsistence users, at the resource, said Richardson.

His complaint doesn't lie with the troller or charter fleets. Ketchikan needs both enterprises — trolling and charter fishing.

"The issue is whether you should be involved with a commercial user group or not," he said.

He believes the best way to address the issue is to get the king salmon quota increased, which is set by the U.S.-Pacific Salmon Commission.

Increased hatchery enhancement also would help solve the problem. He said he is willing to pay an extra \$10 for his sport fish license, to be put towards salmon enhancement.

The salmon commission initiated a treaty in 1935 to help restore salmon stocks along the West Coast and Alaska.

The quota set by the salmon commission can be allocated by the state as it sees fit.

The only allocation from the quota now goes to the commercial net gear fisheries. The sport fish king harvest is estimated annually by the Alaska Department of Fish and Game and taken off the top of the quota. The troll fleet receives the remainder of the quota.

Trollers have asked the Board of Fisheries to allocate a percentage of the king quota to the fleet, because of their dismal summer seasons. Trollers fished 7 1/2 days for summer kings in 1991.

The board has scheduled a special meeting March 7-16 in Juneau to review the issue.

If the trollers were given an allocation, sport fishermen also would likely receive an allocation, according to Fish and Game information.

Two Southeast legislators have introduced companion bills that would allow the Board of Fisheries to allocate fishery resources to the guided sport fishery (charter fishermen).

Senate Bill 397, introduced by Sen. Dick Rilaasoo, D-Sitka, has been discussed for three days in the Senate Resource Committee. Public testimony

throughout the state was taken on the bill Friday, Saturday and Monday. About 20 people attended the hearings at the Ketchikan Legislative Information Office.

The bills have been fervently opposed by many people involved in the charter boat industry, but supported by trollers.

Ken Dole, managing general partner for Waterfall Resort, said the bill is a support mechanism to allocate kings to the sport fishermen.

"I see it as a clear message that a separate allocation is supported by our

### 'Why does this have to be done now?'

— Ken Dole

legislators," he said.

The bill is premature because the Board of Fisheries has not yet met, said Dole.

"Why does this have to be done now," Dole asked. "Why not wait until the Board of Fish decides what they want to do."

Waterfall Resort operates 25 guided boats, which have the capacity to accommodate 84 fishermen a day. In 1991, 2,000 people visited Waterfall, and the majority who fished were non-residents, he said.

Dole provided the information when asked by Rep. Jerry Mackie, D-Craig. Mackie has introduced the same bill (HB 306) in the House of Representatives and has attended the Senate committee's hearings on the issue.

Mackie and Rilaasoo repeated numerous times during the three days of testimony that the bill's intent is to provide a tool to the Board of Fisheries.

"This bill is not an allocation, this clearly gives them (the board) a tool," Mackie said.

Gary Plumb, a charter boat owner, said he opposes the bill because it is "discriminatory legislation."

It would be unfair to take a client out, who had to release his kings, while a resident fishing nearby is keeping kings.

Plumb said the legislation was introduced for special interest groups noted Rilaasoo is a power troller.

Testimony from charter fishermen came from around the state, as the ramifications would reach beyond Southeast.

Six Bonney, a guide fisherman or Kasil River and a former Board of Fisheries member, said he is opposed to the bill because it will create a new group.

"It would unfairly and perhaps illegally limit the access to Alaska's fishermen," he said.

The bill is aimed at the South sport king fishermen, "but it encompasses the whole guided sport fishery in the state," he said.

He wanted the legislators that the bill passes, "it will most certainly be tried in court."

Troller Maurice Ingman, who supports the bill, said "something has to be done to stop the charter fleet ... we can no longer just take the leftover."

He suggested the following options:

- A moratorium could be put on charter fleet. That would give the two years to look at the issue.

- A percentage of the sport fishery could be earmarked for hatchery programs.

- Non-residents could be given a smaller bag limit.

- A fair quota from the treaty commission could be requested.

Richard Hoffman, a commercial fisherman in Juneau, said "the real issue is not one of economics, but conservation of the resource."

"The recreational segment has been made aware that a resource conservation problem exists," he said. "Common property users need to be conserving the resource and enhancing the resource."

Brad Maynard, a Juneau sport fisherman, said he supports the bills.

"For too long the resident sport fishermen have been identified with the charter industry," he said. "The fishermen are being used ... I am unwilling to have steps taken to serve the king fishery," he said.



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## Kayhi pool

Continued from page 1

any symptoms of chlorine-related distress, according to Greg Kolesan. There were no injuries or ill effects

a week-long closure while the system was replaced.

The recent breakdown isn't related to a chlorine level problem at the pool on Nov. 11, 1991, Kolesan said.

Written testimony to: House Resource Committee  
I support House Bill # 505

I'm a commercial trawler very much concerned with the rapidly expanding charter fleet, and their big increase in chinook catches the last couple of years.

I live in Port Alexander, Ak. where commercial trawling is our major means of income. Between salmon trawling and halibut fishing my family and I are just getting by with the high cost of living these days.

We Alaska trawlers are not being rewarded by the Pacific Salmon Treaty for our past sacrifices which have helped chinook stocks rebound.

Commercial trawlers have barely endured the large cuts in our chinook quota and steadily shortening seasons. We simply cannot stand the charter fleet taking a very significant chunk of our quota.

The State of Alaska is allowing a relatively new charter industry to harvest chinook with no quota or cap. This favors an industry that just experienced a rapid growth within the past few years, and threatens the livelihood of the commercial troll fishing which has been in existence since the early 1900's. This has to stop!

Trawling is important for employment in S.E. Alaska. There are a lot of jobs at stake for captains and crew alike. Trawling also provides a lot of on shore processing jobs in S.E. There is a high proportion of trawlers residing in the State of Alaska and spend their money here.

I don't want to see undo restrictions put on resident fishermen, but need to bridge the run away

The charter fleet + guided sport fishing lodges are obviously running a commercial business, and should be designated and regulated as a commercial fishery, not sport.

The Board of fish should allocate the sport and charter fishermen a combined quota of about 8 percent of the total chinook quota. (Eight percent was the approximate sport-charter catch in 1985 when the treaty went into effect, and we began operating under the present system. Regulations should be imposed on the charter fleet and non resident sportsmen to ensure enough quota is left for the residents sportsmen's reason. One idea is to lower the chinook bag limit for non residents to one chinook per day, and or, there could be a limited number of chinook stamps available for non resident sportsmen to purchase. I'm sure there are a lot of possibilities for regulations. Please lend a helping hand. The time to act is now.

Sincerely,  
Marty Remund  
P.O. Box 8147  
Port Alexander, A.L.  
99836

# THE GUIDED SPORTFISHING BOOM

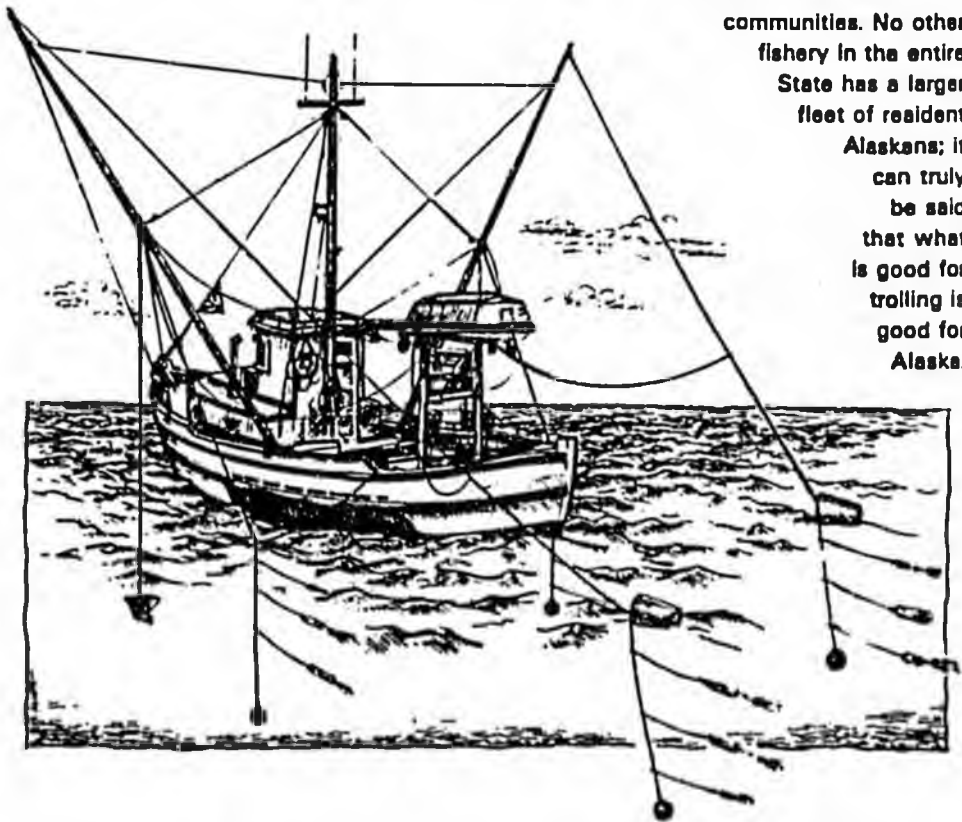
## --It's Impact on Southeast Trollers--

As opposed to the large, indiscriminate, and often destructive nets used by trawlers, trolling is a selective fishery targeting certain salmon species by hook-and-line. TROLLERS are fishermen skilled in the art of enticing adult salmon to strike individual lures. The special care and prompt processing techniques used by trollers produce high-quality salmon that are prized throughout the world.

Entry into the troll fishery is limited by the State of Alaska, which also regulates fishing time and trolling gear to maintain the continuing good health of the salmon stocks. While other salmon fisherman must use large nylon nets to harvest their catches, we trollers fish with small hooks, thus minimizing any possible negative interaction with the marine environment.

Trolling is a unique, environmentally responsible fishery that has been one of the primary components of the Southeast Alaska economy for over 75 years. No other fishery produces greater employment or profit to citizens throughout Southeast Alaska than trolling. And, while the financial advantages of the other major Southeast salmon fisheries are concentrated in the larger cities and towns, trolling is a broad-based individualistic effort which is especially

beneficial to the smaller communities. No other fishery in the entire State has a larger fleet of resident Alaskans; it can truly be said that what is good for trolling is good for Alaska.



## **ISSUE OVERVIEW**

### **U.S./Canada Pacific Salmon Treaty**

- 1.) The Pacific Salmon Commission has failed to adjust Southeast's chinook quota to reflect the current abundance of king salmon.
  - a.) Conservation measures taken by Southeast Alaska, Lower 48, and Canadian fishermen have led to a large increase in chinook abundances, but southeast's quota does not reflect that.
  - b.) The PSC has granted increases to Alaska's chinook quota only twice since 1985; (39K in 1990; 10K in 1991)
  - c.) The Department of Fish and Game says it should take trollers just four days to meet the 1992 summer quota, partly because of a high abundance of chinook.

### **Guided Sport Fishing Expansion**

- 1.) Sport charterboat expansion is unregulated. Charterboats do not subscribe to a limited entry program, so the industry grows unchecked.
- 2.) Guided sportfishing harvests are regulated the same as traditional sportfish harvests, so the charterboat catch is lumped with the sport catch. The sport catch is deducted from the trollers' quota, therefore trollers are losing more and more quota chinook to an unregulated, growing industry.
- 3.) Recent large sport catches have caused Alaska to exceed it's chinook quota. This "overage" will be deducted from the 1992 trollers chinook quota, but the guided sport-fishing industry will not be penalized.
- 4.) The 1991 total sport harvest was 51% over the 1980-84 average. The 1991 commercial troll harvest was 14% under the 1980-84 average.

*The trolling industry in Southeast Alaska is in dire straits. Treaty parties and an unregulated guided sport-fishing industry are nudging commercial trollers out of business. The two combined spell formidable consequences for a vital Alaskan industry.*

## **U.S./CANADA SALMON TREATY**

In 1980, chinook harvest limits for southeast fishermen were set jointly by the North Pacific Fisheries Management Council and the State Board of Fisheries, to protect salmon populations which had begun to dwindle. A collaborative effort by the U.S. and Canada was initiated to protect and replenish the chinook salmon both nations share. The U.S./Canada Pacific Salmon Treaty was signed in 1985. The Treaty was an attempt to structure salmon fisheries in Oregon, Washington, Southeast Alaska and Canada in a way that would allow salmon populations to rebound. Conservation efforts were coupled with an enhancement plan, designed to replenish salmon populations using a voluntary 3% tax assessed against commercial fishermen, and federal mitigation funds.

The Pacific Salmon Commission became the implementing body of the Treaty. The Commission imposed harvest limits (quotas) on southeast and several Canadian fisheries. Washington and Oregon did not receive quotas.

Southeast fishermen have lost millions of dollars in the name of conservation, and the salmon populations have rebounded dramatically, prompting an abundance of chinook. However, the commission has failed to adjust the southeast quota accordingly. The southeast quota for 1992 will be 23% less than the 1970-79 pre-treaty average of 342,000. 1992's quota is the same quota allocated to our fleet at Treaty signing. A larger quota is a just reward for years of conservation and fisheries enhancement practiced by southeast fishermen, but the commission has granted small increases to Alaska's chinook quota only two times since 1985.

Prior to 1980, the summer chinook fishery lasted 169 days. Officials estimate this year trollers may catch the summer quota in just four days. The 1992 summer fishery is slated to be the shortest ever!

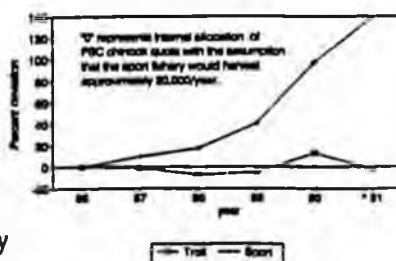
Demands by the Commission on southeast commercial fishermen have been unfair and inequitable. Our commercial fishermen were promised they would eventually share the benefits of conservation if they shared the pain of conservation. Our fishermen feel betrayed.

The state Board of Fisheries divides the chinook quota among the user groups. Net fisheries get 20,000 fish a year, and trollers and sport fishermen get the rest. When the Treaty was signed, southeast trollers agreed to deduct whatever sport fishermen caught from the trollers' quota. Trollers trusted the sport catch would stay at it's historical average of about 20,000 fish a year. No one foresaw the explosion of the guided sportfishing industry.

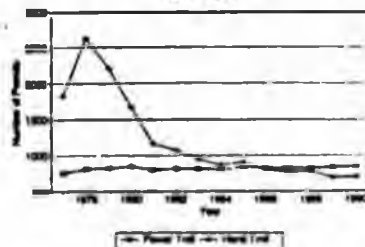
## THE SPORT CHARTERBOAT EXPLOSION

ATA supports all sport fishermen. We always have. However, trollers make a distinction between resident sport fishermen and the guided sport-fishing industry. Sport charterboats are classified sport boats, even though they make a profit, own business licenses, and file business taxes. The expansion of the guided sport-fishing industry has caused the sport chinook catch to grow rapidly, and trollers are footing the bill. Trollers agreed to absorb the sport catch within the troll quota when the Treaty was signed, but they believed the sport catch would remain at about 20,000 fish a year. Last year alone the sport fleet caught 42 thousand quota fish, causing Alaska to exceed the quota. The "overage" will be deducted from the trollers 1992 quota, but the guided sportfishing industry will not be penalized. In addition, guided sportfishermen caught 26 thousand Alaska hatchery fish, which are paid for mostly by the 3% tax commercial fishermen pay voluntarily.

Deviation from 1986 harvest levels  
"Quota" chinook



Southeast Troll Permits Fished  
1977 - 1990



Troll fleet participation is controlled through Alaska's limited entry program. The guided sportfishing fleet is not limited, therefore it grows unchecked. Unlimited growth of this user-group may eventually displace traditional chinook users.



## Southeast Charter Boat Registrations 1978 - 1991

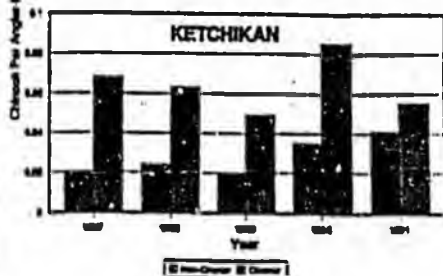
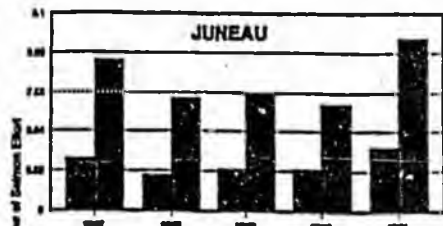
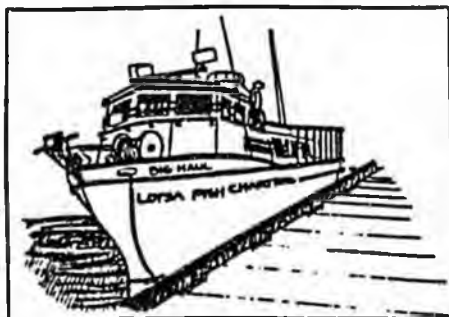
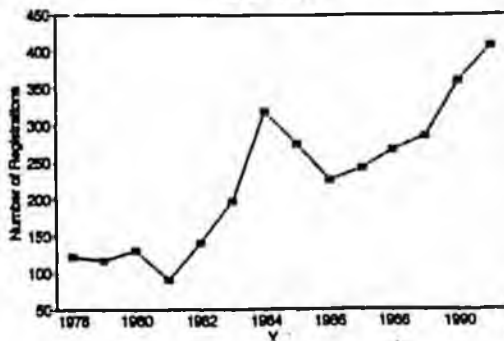


Chart uses the same scale (0.8000) for both non-charter and charter boats. The chart of the non-charter boats of the Juneau and Ketchikan waters are identical for the years 1987 to 1991. Data are from available commercial sources.

-Alaska Post & Courier

Traditional sportfishing and guided sportfishing are *not* the same. The expertise of the guided sportfishing operators increases the probability that their clients will catch fish. Statistics show guided sportfishermen are more efficient than traditional sport fishermen. They catch more fish in less time.

Southeast trollers have watched their fair-share of chinook shrink to accommodate the guided sportfishing industry. Commercial trollers have conserved fish and paid for fisheries enhancement. Money spent has created an abundance of chinook, and guided sportsfishermen are reaping considerable benefits. The present system is forcing Southeast trollers to subsidize their own destruction.

## A.T.A. POLICY STATEMENT

### Guided Sport Industry

*A.T.A. has a strong regard for Alaskan sportfishing, be it by traditional sportsmen, or through commercial operators of charterboats and lodges, or guiding services. Our association appreciates the significance of the sportfishing "experience" by residents and non-resident alike. A.T.A. also recognizes the importance of sportfishing to the tourism industry which helps support our communities in Southeast. However, the threat posed by an unlimited guided sport industry to the livelihoods of Southeast trollers has prompted A.T.A. to outline its position on the issue.*

→ Limited entry was imposed on the commercial salmon fishery to protect the resource and ensure the continued viability of Alaska's historic fisheries. Neither the resource or the fleets can bear the burden of an additional, unlimited user group.

→ A.T.A. believes there is room to accommodate a *regulated* guided sportfishing industry.

→ A.T.A. is dedicated to curtailing the *unregulated* growth of the southeast guided sportfishing industry.

→ Guided sport fishers must be recognized as a user group distinct from sport fishers utilizing traditional means.

→ Due to the uncontrolled growth and efficiency of the guided sport fishing industry, A.T.A. believes the potential exists for this user group to harvest a significant portion of the Treaty quota and displace traditional commercial and sport fisheries.

→ A specific allocation of chinook salmon to the troll fishery is necessary to protect fleet viability.

→ The rapid expansion of the guided sportfishing industry has serious ramifications for the economic health of many small southeast communities which rely on the troll fleet.

→ A.T.A. notes that Alaska is the only state or province on the west coast that does not make a distinction between traditional sport fishing and the guided sport industry.

## ***ALASKA NEEDS THE TROLLING INDUSTRY!***

- \* The troll fleet is the region's most significant employer among the major salmon fleets. When troll-induced processing employment is added, the fishery provides southeast Alaska with 7% of its basic industry employment.
- \* Alaska's troll fleet employs more residents than any other fleet. More than 2,300 Alaskans hold troll fishery permits, and about 1,000 of them live in rural communities.
- \* One of every 25 southeast residents works on a troll vessel.
- \* The troll industry employs 56% of all Alaskans employed in the southeast salmon fisheries.
- \* Troll harvesting employment adds an average annual equivalent of 691 year-round jobs for residents to the southeast economy.
- \* Trolling brings income to 27 southeast communities. The economic problems of the troll fleet touch virtually every community in southeast.
- \* 76% of all troll dollars remains in Alaska.
- \* For the region as a whole, half of all southeast permit owners in all fisheries are trollers.
- \* In 12 communities, over 75% of all permit holders are trollers.
- \* Most communities rely significantly on the troll fleet. In 21 communities, over 50% of all active fishery permit holders are trollers.
- \* Half of all southeast permit owners in all fisheries are trollers.



Juneau Empire 3-9-92



MARK KELLEY/JUNEAU EMPIRE

**Signs of the times:** Demonstrators line sidewalk outside Board of Fisheries meeting on Saturday.

# Fish board's powers questioned

## THE ASSOCIATED PRESS

The legal adviser to the Alaska Board of Fisheries said at the board's meeting Saturday that it's uncertain whether the board has authority to allocate fish stocks between anglers who charter guides and those who don't.

Assistant Attorney General Stephen White's report was the first of 12 presented to the board as its eight-day meeting opened.

The board is considering an Alaska Trollers Association petition seeking a specified allocation of king salmon for power and hand trollers. Because the entire Southeast salmon harvest this year is capped at 263,000 wild-run kings, an allocation to commercial trollers amounts to a de facto limit on what sport fishers can catch.

In response to the petition, the board has said it may consider limit-

ing sport catches from guided charter boats, while leaving unguided fishermen unregulated.

About 25 people picketed the meeting, with signs calling for "equal rights" for all sport anglers.

Charterboat operators say they're simply a taxi service for sport fishermen and regulation of guided sport fishing would discriminate against their clients.

White said nothing in state law

now differentiates between sport fishermen in charterboats, private skiffs or on a dock. And he said it wasn't clear if the board is authorized to issue different regulations for those groups.

The board was expected to rule on the trollers' petition Tuesday or Wednesday. It then is scheduled to begin reconsidering the increase of chum salmon bycatch in the False Pass fishery.

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME              | ADDRESS                | PHONE    |
|-------------------|------------------------|----------|
| ANRON (JLAWIN)    | 4447 TRV U BLVD        | 789-9226 |
| STEVE DRAKE       | 4512 WINDY DUCK AVE    | 9-5632   |
| Robert Days       | PO. 33716 Juneau       | 780-4776 |
| Richard Woodward  | 219 S Franklin Juneau  | 586-7000 |
| Devin D. Holmberg | POB 210425 Auke Bay    | 789-5422 |
| Carol Holmberg    | PO Box 210425 Auke Bay | 789-5422 |
| Kusty Roberts     | 8175 Erin Juneau AK    | 784-9016 |
| WILLIS S. BEYER   | 9363 N. DOUGLAS        | 463-1569 |
| Julia Beyer       | 9363 N. Douglas        | 463-1569 |
| Kewin Kramer      | POB 33762 Juneau       | 789-3599 |
| Tommy Kramer      | PO Box 337102 Juneau   | 789-3599 |
| Mark Jones        | C. 310 Glacier Hl      | 780-4211 |
| Jeff Roberts      | 324 2ND ST # 11        | 586-4733 |



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| NAME                | ADDRESS                        | PHONE             |
|---------------------|--------------------------------|-------------------|
| Nebbie Petersen     | Box 211345 Anchorage           | 9-2502            |
| Muen Murray         | Box 327104 W. AK               | 9-5050            |
| Randy Brown         | 6590 Glacier Hwy #242          | 780-4845          |
| Janet Fisher        | 6590 Glacier Hwy #242          | 780-4845          |
| Greg Germain        | PO Box 24073 Douglas AK 99824  | 586-4740          |
| Janis Elderman      | 615 West 10th St. Juneau AK    | 586-2079          |
| William J. Cate     | P.O. Box 32142 Juneau, AK      | 789-0491          |
| Craigie Court       | Box 34130 Juneau, AK           | 789-1675          |
| Jon Canyon          | 70 B 22342 Juneau, AK          | 463-5884          |
| Eric Martens        | P.O. Box 34534 Juneau AK 99803 | 789-4079          |
| Raymond             | 1624 Grant Ave Juneau          | 6-1923            |
| Richard L. Dietrich | P.O. Box 210402 Auke Bay       | 789-7675          |
| Eugene M. Skovvick  | P.O. Box 210402 Auke Bay       | 789-7675          |
| John M. Lee         | 1108 Wee Burn Drive Juneau     | 463-4897          |
| Bill Wright         | 1108 Wee Burn Dr. Juneau       | 463-4897          |
| Don V. Smith        | PO Box 32524 Juneau            | 780-4401          |
| Chicki Deach        | P.O. Box 35093 Juneau          | 790-2254          |
| Kathie Nicholas     | P.O. Box 35093 Juneau          | 790-2254          |
| W. A. Smith         | 6310 Glacier Hwy #19           | 790-6450          |
| Wendy Madril        | 2202 Murray St Juneau          | 790-3419          |
| William Helms Will  | AK-9031 Co. est. Juneau        | 789-5951          |
| Dan H. Gowdy        | PO 125 Douglas St              | 369-3270-789-4985 |
| Paula Smith         | Box 32856 Juneau               | 789-5418          |
| Loth                | PO 33646 Juneau, AK            | 99803             |
| Don Higgins         | 5136 Barber Ave                | 789-0223          |
| Bob V. Vinner       | 3819 Killewick Dr. Juneau AK   | 789-2433          |
| Beverly Vinner      | 3819 Killewick Dr Juneau AK    | 789-2433          |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME              | ADDRESS                             | PHONE      |
|-------------------|-------------------------------------|------------|
| J.H. A. A.        | 10392 MENDENHALL LOOP               | 789-4681   |
| Jane Swinicki     | 10392 Mendenhall Loop               | 789-4681   |
| Luise Erickson    | 2698 David St. Douglas AK 99801     | 381-2664   |
| Al Hall           | 2668 David St Douglas, AK 99801     | 364-2667   |
| Larry H. Ost      | PO Box 22441, JUNEAU, AK 99802      | 789-2459   |
| Jim Janeman       | 800 F ST C-4 JUNEAU AK              | 586 1379   |
| Robert McLaughlin | PO 210605 Auke Bay, AK              | 789-3048   |
| Jim Marshall      | 4473 Mountanside Rd Juneau          | 780-8615   |
| Donald Bond       | 3601 E 20TH AVE Anvik AK            | 89277-4971 |
| John A. Blah      | P.O. Box 210825 Auke Bay, AK 99821  | 715-59     |
| John F. McCall    | Box 210162 Auke Bay AK 99821        | 789-9267   |
| Paul Kalton       | Box 21793 JUNEAU, AK                | 789-9564   |
| Tom Parkhill      | 3925 W Douglas Juneau AK            | 586-3535   |
| Norman Smith      | 9724 C. St. Juneau AK               | 586-1961   |
| Myron Walling     | P.O. Box 22622 Juneau, AK 99802     | 586-3515   |
| Terrance Quinn    | PO Box 210545 Auke Bay AK 99821     | 7-1442     |
| KEVIN WILKINSON   | PO Box 34753 JUNEAU AK 99803        | 759-5736   |
| MARK VALL         | 4142 N. Douglas Hwy JUNEAU AK 99801 |            |
| Jim Wilkerson     | PO Box 34753 JUNEAU, AK             | 759-5736   |
| K. K. Hillier     | PO Box 32614 JUNEAU, AK             | 789-1290   |
| John Wilson       | Box 211013 Auke Bay, AK             | 789-0490   |
| Don Parker        | 3500 STREAM CT JUNEAU AK            | 789-7982   |
| Colin Miller      | 5500 Reintown Juneau AK             | 787-7463   |
| K. K.             | 9315 STEVEN Bickel's AK             | 789-2665   |
| K. K.             | 8750 Hallock Way AK                 | 789-4968   |
| Arthur G. G.      | 5976 Land St Juneau AK              | 780-4509   |
| KIRKILL KNIGHT    | 2993 BILKWOOD JUNEAU AK             | 789-3402   |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| <u>NAME</u>         | <u>ADDRESS</u>                | <u>PHONE</u>          |
|---------------------|-------------------------------|-----------------------|
| <i>[Signature]</i>  | Box 210154 Anchorage AK 99821 | 789-0429              |
| <i>[Signature]</i>  | 17200 Andrewoff Dr. Juneau    | 99801 789-6789        |
| <i>[Signature]</i>  | 15860 Glacier Hwy Juneau      | 789-5633              |
| Louisa Ethier (d)   | 8459 Kimberly St Juneau       | 789-0395              |
| Charlie McMillan    | 3805 Portage Blvd Juneau      | 789-2341              |
| Richard Jensen      | PO Box 33814 Juneau           | 99803 789-6402        |
| GREG ROTH           | 3252 HOSPITAL DR. Juneau      | 99801 586-9833        |
| FRED Wilson         | PO Box 210843 Nulken Juneau   | 99821 789-3238        |
| <i>[Signature]</i>  | 8105 Circle Dr Juneau         | AK 99801 789-0231     |
| George Houston      | 141 Belvidere Ave Juneau      | 586-2450              |
| Jim Hainey          | 3291 Douglas Hwy Juneau       | 586-1497              |
| Matt Neumann        | 1991 Highway 11 Juneau        | 789-4132              |
| Russ Maxwell        | 9499 Marine Way Juneau        | 789-7627              |
| John Anderson       | P.O. B. 22176 Juneau          | 789-5967              |
| Ronald R Metzgar    | P.O. Box 20546, Juneau, AK    | 99802 789-0196        |
| GERALD GEARITY      | 800 FST C-5 JUNEAU, AK        | 99801 586-1301        |
| <i>[Signature]</i>  | 3060 Glacierwood Drive AK     | 99801 789-5163        |
| <i>[Signature]</i>  | PO Box 211088 Auto Bay AK     | 99821 789-4219        |
| <i>[Signature]</i>  | PO Box 211055 Auto Bay AK     | 99821 789-4219        |
| <i>[Signature]</i>  | 13311 Men Pen Rd. Juneau      | 99801 789-9468        |
| Lawrence Stewart    | 6735 Marguerite Juneau        | 99801 463-3047        |
| Alvin H. Carlson    | 4500 Prospect Way Juneau      | AK 789-2328           |
| Stan D. [Signature] | 4170 Glacier Hwy Juneau       | AK 789-4201           |
| Bob [Signature]     | 1565 H.P.R. Sitka AK          | 99835 (907) 747-8383  |
| Kimberly Birchhoff  | 3280 Maxwell Juneau           | AK 99801 907-586-2267 |
| Tom [Signature]     | 622 Hemlock Juneau            | AK                    |
| <i>[Signature]</i>  | 9147 Parkwood Dr. Juneau      | AK 99801              |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME                        | ADDRESS                                | PHONE                  |
|-----------------------------|--|------------------------|
| <i>(mirrored signature)</i> | 4370 Henderson Blvd                    | 789-1610               |
| <i>(signature)</i>          | 11687 Auke St JUNEAU                   | 789-7377               |
| <i>(signature)</i>          | <del>Box</del> 16629 LENA Court #01/MD | 9-2989                 |
| <i>(signature)</i>          | 3340 Howell Apt F JUNEAU               | <del>789</del> 5861629 |
| <i>(signature)</i>          | Box 33014 SNO AK 99803                 | 789-9500               |
| <i>(signature)</i>          | Box 34534 JUNEAU AK 99803              | 789-7079               |
| <i>(signature)</i>          | PO Box 22780 JUNEAU AK 99802           |                        |
| <i>(signature)</i>          | 601 JunEAU AK 99801                    |                        |
| <i>(signature)</i>          | 601 JunEAU AK 99801                    |                        |
| <i>(signature)</i>          | 3733 EL CAMINO 99801                   | 789-4990               |
| <i>(signature)</i>          | 9469 Berners Ave 99801                 | 789-7050               |
| <i>(signature)</i>          | P.O. Box 32433 99803                   | 789-0046               |
| <i>(signature)</i>          | 6751 MALQUARITE 99801                  | 586-9672               |
| <i>(signature)</i>          | 4034 DEBORAH DR. 99801                 | 789-7357               |
| <i>(signature)</i>          | 8495 Thunder Mt. Rd                    | 789-1413               |
| <i>(signature)</i>          | 2865-025 MOUNTAIN RD. 99801            | 789-5836               |
| <i>(signature)</i>          | 24354 Glacier Hwy 99801                | 789-3241               |
| <i>(signature)</i>          | 8314 Aspen Ave - JUNEAU                | 99801 789-5703         |
| <i>(signature)</i>          | 6590 Glacier Hwy #36 99801             | 789-4152               |
| <i>(signature)</i>          | 5205 Churchill                         | 789-4898               |
| <i>(signature)</i>          | 3071 Mountainview Circle               | 789-0466               |
| <i>(signature)</i>          | 3808 Melrose                           | 789-7591               |
| <i>(signature)</i>          | 4460 Windward Ave.                     | 789-5884               |
| <i>(signature)</i>          | 4460 Windward                          | 789-5884               |
| <i>(signature)</i>          | PO Box 21024 Auke Bay                  | 789-0961               |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME               | ADDRESS                               | PHONE       |
|--------------------|---------------------------------------|-------------|
| Andrew Whit        | P.O. Box 33627 Juneau 99803           | 789-9732    |
| Ronald P. Davis    | 1535 E. 2nd Ave Juneau 99801          | 789-3766    |
| Wesley W. ...      | 10601 HORIZON AVE AK 99801            | 586-5650    |
| Robert ...         | 2519 SCOTT DR. JUNEAU AK 99801        | 789-6194    |
| ...                | 5875-76 (Hwy 101) JUNEAU AK 99801     | 789-4389    |
| Theresa ...        | P.O. Box 240151 Douglas, AK 99824     | 364-3344    |
| Kim ...            | Box 2525 JUNEAU AK 99801              | 3-1577      |
| KRISTINE JORGENSEN | Box 32552 JUNEAU AK 99803             | 9-2472      |
| Michael ...        | 6001 Lemay St. Juneau 99801           | 789-4442    |
| Mark ...           | 10726 Horizon Dr. Juneau 99801        | 463-5807    |
| Betty Johnson      | 11726 Horizon Dr. Juneau 99801        | 463-5807    |
| ALFRED L. MEDVED   | 3706 AMARAL ST JUNEAU 99801           | 789-9261    |
| John Langworthy    | 6026 Chatham Dr. JUNEAU 99801         | 789-4685    |
| Gary D. ...        | P.O. Box 33632 Juneau 99801           | 789-1867    |
| Ann ...            | P.O. Box 33714 Juneau 99801           | 789-4770    |
| Rose ...           | P.O. Box 33632 Juneau 99801           | 789-1862    |
| Thomas E. TUNE     | 6590 GLACIER HWY #191 JUNEAU AK 99801 | 789-5110    |
| Marcine Tune       | 6590 Glacier Hwy #191 JUNEAU AK 99801 | 789-5110    |
| RAYMOND DEKOSIK    | P.O. Box 210455 HOKI BAY 99821        |             |
| ...                | 9007 Emery Way Juneau AK              | 789-4239    |
| William ...        | 110' F" Douglas AK                    | 99804       |
| ART YORK           | GEN-DEL VALLEY                        | 789-2296    |
| Larry ...          | P.O. Box 310035 Auke Bay              | 789-5713    |
| Frank L Cox        | 9507 Fairview Lane Juneau             | 360-3302    |
| ...                | ...                                   | AK 789-7164 |
| ...                | Box 20937 Juneau 99802                | 789-3850    |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME                   | ADDRESS                           | PHONE                        |
|------------------------|-----------------------------------|------------------------------|
| Judith Krout           | 32411 S. GROSS ST # F             | <del>789-5407</del> 789-5407 |
| MIKE NICHOLS           | 8439 KIMBERLY                     | 789-4135                     |
| Vern VOSS              | 1501 5th St Dooly                 | 364-3435                     |
| Dale Banks             | P.O. Box 20691 Juneau             | 789-5407                     |
| BODDIE L KRAIG         | P.O. 210396 AK                    | 9-1411                       |
| Tony Meyer             | 3360 Nowell Ave AK, Juneau        | 8-3657                       |
| Charles Ferguson       | P.O. Box 34292 Juneau AK 99803    | 780-2170                     |
| HELEN WHITE            | P.O. BOX 20762 ANCHORAGE AK 99507 | 790-0488                     |
| Cacey Gregg            | PO Box 33985 Juneau AK            | 99803 7893501                |
| Larry White            | P.O. Box 21928 Juneau AK 99802    | 789-3235                     |
| Russell Christensen    | P.O. Box 22401 Juneau AK 99803    | 789-2144                     |
| STEVE SYLWAGE          | PO Box 33546 Juneau 99803         | 789-5325                     |
| Gannor Noreen          | P.O. Box 367 Douglas AK 99824     | 586-9064                     |
| Mary K Franklin        | 361 Distin Ave #101 Juneau AK     | 99801 463-3780               |
| Bill Pennington        | on boat                           | 789-1276                     |
| Dunkle M. J. [unclear] | 8477 Thunder Pt                   | 789-8426                     |
| Martha [unclear]       | P.O. Box 33396 99803              | 790-3033                     |
| Terry [unclear]        | P.O. Box 34863 99803              | 789-1779                     |
| Bonnie Kelly           | PO Box 33452 99803                | 789-6940                     |
| Diamond Behnke         | PO Box 210893 99821               | 789-7562                     |
| Claire Behnke          | PO Box 210893 99821               | 789-7562                     |
| Lois MARTINSON         | PO Box 210893 99821               | 789-7562                     |
| Nick Mauer             | PO Box 20856 Juneau AK            | 789-4784                     |
| Debbie Meyer           | PO Box 210836 Juneau AK           | 789-4784                     |
| Maude Mauer            | PO Box 210936 Juneau AK           | 789-4784                     |
| Marilyn Hsu            | 6590 Alac Hwy #137                | 780-4416                     |
| Tracy Hsu              | 6590 Alac Hwy #137                |                              |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME              | ADDRESS                         | PHONE          |
|-------------------|---------------------------------|----------------|
| White Corcoran    | PO Box 32318 Juneau             | 789 3072       |
| Barbara Salzman   | 420 W 10th                      | 862 719        |
| Frank Gray        | 5868 Churchill                  | 9-4776         |
| Carol Hedberg     | 4513 Loop Rd.                   | 789-9880       |
| Tom Angus         | 9083 Sherwood Way               | 9-2977         |
| Maude Kubler      | POB 210591 Duke Bay, AK         | 99821          |
| Deanna Grather    | PO Box 32678 Juneau, AK         | 99803 789-2387 |
| Ted Thorg         | Box 482 Juneau AK               | 99807          |
| W.P. Henry        | 3841 Melrose Juneau             | 789-3517       |
| Mary Ann Hennig   | 3841 Melrose Juneau, Ak         | 789-3517       |
| W.D. Wall         | 3842 Lee Ct Duke Bay            | 789-2581       |
| Norman White      | 8221 Cedar Dr Juneau            | 789-7406       |
| Tom Sel. Bond     | 9037 Phipps Lane                | 789-0629       |
| W.M.              | 5895 Sunset Juneau AK           | 780-4435       |
| Frank White       | 10105 Silver St                 | 789-9105       |
| John England      | P.O. Box 228 Skagway            | 983-2310       |
| Robert B. Hoffman | P.O. Box 240182 Douglas, AK     | 99824 790-2080 |
| W.D. Wall         | PO Box 41222 Juneau AK          | 99803 789-7222 |
| John A. Johnson   | PO 33406 Juneau AK              | 99803          |
| Dr. Michaelson    | P.O. 32901 Juneau AK            | 99803          |
| David Somers      | 8097 Threadneedle St. Juneau AK | 99803          |
| Diane Somers      | 8097 Threadneedle Juneau, Ak    | 99803          |
| Michael O'D       | 6590 Glacier Hwy #85 Juneau AK  | 99801          |
| Garry B. Miller   | P.O. 20490 Juneau Alaska        | 99802          |
| Thomas V. Vance   | PO Box 2834 Juneau AK           | 99802 789-1900 |
| Bob Jones         | PO Box 35352 W. AK              | 99803          |
| Williamson        | PO Box 33382 Juneau Ak          | 99803 9-5030   |



**PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505**

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME               | ADDRESS                        | PHONE            |
|--------------------|--------------------------------|------------------|
| Freud Kellgren     | 8515 Nugget St Juneau          | 799-1799         |
| Toni Swilly        | BOX 21-1134; ALICE BAY AK      | 789-7058         |
| Jim Pittman        | Box 210195 Alice Bay, AK       | 789-0736         |
| Gauri Weiss        | POB 210195 Alice Bay, AK       | 9-0736           |
| David Culbert      | 4391 Thule Blvd                | 789-7233         |
| Glenn D. Hand      | Box 211187 Alice Bay, AK       | 99821            |
| LARRY WACH         | 1770 Nenden Hall Penn Rd       | 789-3072         |
| John Maclean       | 5875 GLACIER HWY               | 780-5185         |
| Mark Stutts        | PO Box 22630 Juneau            | 465-2758         |
| Billy Conell       | 9951 Sprucewood #89 Juneau Ak. | 790-2509         |
| Vat Muzhova        | PO Box 33106 Juneau, AK        | 99801            |
| Robert W. McVey    | Box 211413 Alice Bay           | 99827            |
| Sam Fagerstrom     | 12175 61 Hwy A103 Billings AK  | 99901            |
| WILLIAM BERRY      | PO 52725 JUNEAU, AK            | 99803 789-0124   |
| George Castellon   | Box 210496 Alice Bay           | 789-7425         |
| Son Somers         | 210622 ALICE BAY AK            |                  |
| Theresa Colwell    | Box 210113 ALICE BAY, AK       | 789-9816         |
| Caroline Fischer   | 18575 The Way Juneau AK        | 789-4841         |
| Tom Funder         | 1017 ALICE BAY Juneau AK       | 789-01           |
| Bernardo Gutierrez | POB 020985                     | 789-5442         |
| Cheryl Carada      | 14020 Glacier Hwy Juneau, AK   | 99801<br>789 003 |

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PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME                     | ADDRESS                     | PHONE                     |
|--------------------------|-----------------------------|---------------------------|
| Lloyd Lunka              | 4568 Toka Blvd Juneau       | 789-9644                  |
| Kenneth W. Cook          | 10465 Elan Hwy              | 789-2445                  |
| Mike Herrick             | 2345 KASU Av Juneau         | 789-2218                  |
| Ken Eubank               | 16295 PT LENA LP            | 789-5105                  |
| KAREN MASSEY             | POBx 35003 Juneau AK        | 780 7777                  |
| Kimberly D. Mahaffey     | PO Box 21093 Anchorage AK   | 99521 789-2481            |
| Dave Lullin              | Box 21082 " "               | 789-5519                  |
| <del>Bob [unclear]</del> | POB 210796                  | Anchorage AK 99521 9-7872 |
| Dennis Eubank            | PO 10 ELFIN COVE            | 239 2230                  |
| William D. [unclear]     | PO 210674                   | Anchorage AK 789-7414     |
| W. Baumgart              | 9350 Northland St. Juneau   | 789-9553                  |
| Travis L. Smith          | 9000 27th Ave Juneau        | 789-7265                  |
| <del>[unclear]</del>     |                             |                           |
| Nancy A. [unclear]       | 9635 Moraine Way Juneau AK  | 99801                     |
| Mavis Matthe             | 2216 Radcliff Rd Juneau, AK | 99804                     |
| Earl Stamer              | PO Box 21077 " "            | 99802                     |
| Frank [unclear]          | 7620 Eagle St Juneau        | AK 99801 789-5663         |
| Chris [unclear]          | Box 344 Neah Bay, Wash.     | 98357-                    |
| George E. [unclear]      | 4943 Steelhead Juneau AK    | 99801 789-9231            |
| John [unclear]           | 4943 Steelhead Juneau       | 99801 789-9231            |
| Tadine [unclear]         | 2967 Maxwell Ave Juneau, AK | 99801 586-9475            |
| Geert Nymalm             | 604 5th St JUNEAU, AK       | 99801 586-7872            |
| Jenny [unclear]          | 5461 Dayton St Juneau       | 99802 586-3773            |
| Ken [unclear]            | 4441 Columbia Blvd. Juneau  | 99801 789-070             |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME               | ADDRESS                              | PHONE    |
|--------------------|--------------------------------------|----------|
| Donald Zenger      | P.O. Box 240492 Douglas AK 99824     | 364-3477 |
| TERRY LENNON       | 5993 PINE ST. JUNEAU, AK 99801       |          |
| Ronald L. Baxter   | P.O. Box 240574 Douglas, AK 99824    | 364-3373 |
| Larry Baxter       | P.O. Box 240731 Douglas, AK 99824    | 364-3488 |
| Alan J. Wood       | 205 5TH ST Douglas AK 99824          | 364-2100 |
| Honora M. Voss     | 1501 5th St. Douglas, AK 99824       | 364-3437 |
| <del>Edith</del>   | 4488 E. 1st Juneau AK 99801          |          |
| Kathy Barker       | P.O. Box 240731 Douglas AK 99824     | 364-3488 |
| Robert Lipson      | 5530 N. Douglas AK                   | 586-1249 |
| Joyce Lipson       | 5580 N Douglas                       | 586-1249 |
| Fredrick Kasniak   | 3960 Glacier Hwy                     | 780-4104 |
| Rachel Kasniak     | 3960 Glacier Hwy Juneau, AK          | 980-4104 |
| Deborah Zenger     | Box 240492 Douglas AK 99824          | 364-3477 |
| Judy Johnson       | Box 240478 Douglas 99824             | 364-3432 |
| Michael Long       | Box 240478 Douglas AK 99824          | 364-3412 |
| Charles Kasniak    | P.O. Box 240863 Douglas AK 99824     | 364-2145 |
| Scott Anderson     | P.O. Box 240534 Douglas, AK 99824    | 364-2548 |
| <del>Barbara</del> | 1310 4th St Douglas, AK 99824        | 364-22   |
| DAN CORCORAN       | P.O. Box 240133 Douglas, AK 99824    | 364-2212 |
| Martha J. Corcoran | P.O. Box 240505 Douglas, AK 99824    | 364-3532 |
| Robert Ward        | 615 5th Street Douglas Alaska 99824  | 364-22   |
| James Ward         | 615 5th Street Douglas, Alaska 99824 | 364-22   |
| JESSE WATERS       | 1005 2nd St. Douglas, AK 99824       | 4-3690   |
| Jeffrey C. Hill    | P.O. Box 22557 JUNEAU, AK 99802      | 364-2711 |
| John Smith         | P.O. Box 22411 Juneau AK 99802       | 463-5116 |
| Don S. Koko        | P.O. Box 240521 Douglas AK 99824     | 364-322  |
| John Pearson       | Box 240497 Douglas AK 99824          | 364-3477 |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

MEMBERS OF THE LEGISLATURE: I AM A RESIDENT OF ALASKA AND SUPPORT SENATE BILL 397 AND HOUSE BILL 505. I UNDERSTAND THAT THESE BILLS WILL RECOGNIZE TWO SEPARATE "SPORT" USER GROUPS - GUIDED SPORT AND SPORT. BECAUSE OF THE GROWTH IN NON-RESIDENT AND GUIDED SPORT FISHING IN ALASKA WE NEED TO PROTECT RESIDENTS RIGHTS TO FISH IN OUR WATERS FOR BOTH RECREATION AND FAMILY CONSUMPTION. WITH THESE BILLS IN PLACE IT WILL GIVE THE BOARD OF FISH THE OPPORTUNITY TO MANAGE SPORT FISHING IN THE BEST INTEREST OF THE RESIDENTS OF ALASKA.

| NAME                      | ADDRESS                          | PHONE               |
|---------------------------|----------------------------------|---------------------|
| <del>TED M AZEVEDO</del>  | <del>4119 202 WOOD</del>         | <del>780-2111</del> |
| M. W. AM MONETTE          | PO Box 20733 JUNO                | 780-4217            |
| <del>Edie Monette</del>   | <del>PO Box 20733</del>          | <del>780-4217</del> |
| Jon Hanson                | Bx 33014                         | 790-2255            |
| Napoleon Simmons          | Bx 211342                        | None                |
| Richard Brown             | Bx 211342                        | 789-2728            |
| <del>Jason Jay HAMM</del> | <del>Bx 220985</del>             | <del>7873498</del>  |
| <del>Frank ...</del>      | <del>7602 7th st</del>           | <del>789-3649</del> |
| Timothy G.P. VERA         | 9800 S.R.D.                      | 790-2561            |
| <del>Walt ...</del>       | <del>2321 ...</del>              | <del>789-0139</del> |
| Lisa Ritter               | 15120 Pt. Stephens Rd.           | 789-7838            |
| Jon Deu                   | Box 33771 JUNEAU                 |                     |
| <del>K. ...</del>         | <del>P.O. Box 20724 JUNEAU</del> |                     |
| DEWEY SMART               | 4101 BIRCH LANE JUNEAU           |                     |
| Gerry Crossley            | 3816 Melrose                     | 789-2574            |
| ARND SMITHERS             | 4290 BROTHERS                    | 789-9425            |
| A. WAYNE                  | 2255 MENDOW LANE                 | 789-9017            |
| ERIC FAXO                 | PO BOX 20357 JUNEAU              | 463-2675            |
| <del>Tom ...</del>        | <del>P.O. Box 32332 JUNEAU</del> | <del>789-0079</del> |
| <del>Craig ...</del>      | <del>8177 Thibodeau</del>        | <del>789-8100</del> |
| Craig Bennett             | 8824 GAIL AVE                    | 789-3589            |
| DAVID CAMERON             | 1600 Lennie Lane                 | 780-4457            |
| Roy Thomas                | 435 B Taku Blvd                  | 789-3758            |
| Vikki Parson              | 6590 Glacier Hwy #49             | 780-4160            |
| John PARSON               | 6590 Glacier Hwy #49             | 780-4160            |
| CHARLES ROSS              | PO Box 21206 JUNEAU              |                     |
| Davin A. Smith            | 5841 Churchill Way JUNEAU        | 780-6182            |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

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| NAME              | ADDRESS                               | PHONE          |
|-------------------|---------------------------------------|----------------|
| Anthony Price     | 8910 Gee St                           | 789-1506       |
| Dale Kautzer      | 220 Troy St.                          | 586-3128       |
| Rob Hays          | 10828 Steep Dr. EIR AK                | 694-6877       |
| Robert Young      | 2529 Scott Dr. Juneau AK              | 586-9755       |
| Bill Foster       | Box 22851 Juneau AK                   |                |
| SHARON L. SANDERS | BOX 22851 JUNEAU AK                   |                |
| Tom WALDRIP       | 2380 ODAY JUNEAU                      | 789, 214       |
| Les Hamley        | 2349 Kevin Ct. Juneau                 | 789-2635       |
| Ray Didie         | 4064 DEBORAH DR. JUNEAU AK.           | 99801          |
| Jim Wolfe         | 9322 Northland St Juneau AK           | 99801          |
| Ginny Johns       | 4236 Dtarimigan Juneau AK             | 99801          |
| Chris Caste       | 9225 Long Run Dr Juneau               | 99801 789-79   |
| Dave McCourtney   | 4526 Chelsea CT Juneau AK             | 99801          |
| Mick Hixon        | 8708 Valley Ave Juneau                | 9-3028 78915   |
| Elden DeWitt      | 5955 Thane Road Juneau, AK            | 99801 586-354  |
| Ann Huxley        | 8548 Steep Place Juneau AK            | 99801 789-503  |
| Bruce Wright      | 8548 Steep Place Juneau AK            | 99801 789-503  |
| John Smith        | 2800-v Poter Lane Juneau AK           | 99801 463-516  |
| Ed Smith          | 4192 Taku Blvd. Juneau AK             | 99801 789-3    |
| Jeffrey Moore     | Box 34776 Juneau AK                   | 99803 750 455  |
| George Jones      | 7760 Geneva Hwy Juneau AK             | 99801 789 3580 |
| Keith             | Box 210336 Anka Bay, AK               | 789-008        |
| John P. Jones     | 3220 BIRCH JUNEAU AK                  | 99801 9-343    |
| Charles           | 713 7 <sup>th</sup> St. #41 Juneau AK | 99801 467-     |
| Walter Green      | 5292 No Douglas Hwy JUNEAU AK         | 99801 586-6    |
| W. J. ...         | 4920 Glacier Hwy Juneau AK            | 99801 9-4      |

**PETITION  
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| NAME                | ADDRESS                       | PHONE          |
|---------------------|-------------------------------|----------------|
| Thomas Whalen Jr    | BOX 22167 JUNEAU AK 99802     | 364-3364       |
| EARL Hubbard        | PO. Box 132, Douglas AK       | 364-3366       |
| Kenneth I P Wiley   | Box 22628 JUNEAU              | 99802 364-2311 |
| Jim SCAOLL          | PO Box 22297 JUNEAU           | 364 2247       |
| Neli BARMON         | PO 21916 JUNEAU AK 99802      | 4633427        |
| MANUEL C Moss       | 2740 Rosec St JUNEAU AK 99801 | 364-3382       |
| Larry King          | 8746 N Douglas JUNEAU AK      | 586 1852       |
| Jeff Prother        | 7457 BERNERS AVE #24          | 789-0273       |
| John S. King        | P.O. Box 22909 - JUNEAU AK    | 586-3322       |
| Mike Sotomalis      | PO. Box 71551 - AK BAY        | 586-6811       |
| John Lee            | 230 S. Franklin St #708       | 463-5863       |
| Ken Keegan          | PO. Box 32221                 | 463-2467       |
| Dick Randall        | 299 N. FRANKLIN               | 463-5051       |
| Harlan Winkelman    | 1693 Harbor Way               | 463-4871       |
| Kenneth Casotto     | 8179 Erin St                  | 789-3390       |
| John E. King        | 2222 Ritchie Rd               | 790-2285       |
| Mark M. Keegan      | 5848 North St                 | 780-4529       |
| Joseph Pusch        | Box 32411 JUNEAU AK           | 739-4215       |
| William D. Milligan | PO. Box 23141 JUNEAU AK       |                |

PETITION  
IN SUPPORT OF SENATE BILL 397/HOUSE BILL 505

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| NAME                      | ADDRESS                              | PHONE          |
|---------------------------|--------------------------------------|----------------|
| <i>Frank Biff</i>         | 8307 V. Hwy Ave                      | (907) 789-0307 |
| <i>A. M. Williams</i>     | 4101 W. Humboldt Blvd                | (907) 789-7824 |
| <i>Frank Jensen</i>       | 4101 W. Humboldt Blvd                | (907) 789-7824 |
| <i>Paul Jensen</i>        | 1779A Pt. Stephens Rd                | 907 789-9672   |
| <i>Bob Johnson</i>        | 3521 S. Mutt Dr. Jun.                | (907) 789-9610 |
| <i>Michael D. Johnson</i> | 307 SPRUCE ST KETCHIKAN              | (907) 225-2532 |
| <i>Edward J. J.</i>       | 12020 LOOP ROAD                      | 907 789-9200   |
| <i>Ed Hall</i>            | Box 1947 Juneau AK                   | (907) 789-9846 |
| <i>Bob Johnson</i>        | 1617 2nd St Douglas                  | 364 2501       |
| <i>Jim Johnson</i>        | Box 21009 Ruby Bay                   | 789-9227       |
| <i>Alvin J. Jones</i>     | 208 7th St Juneau                    | 586-3351       |
| <i>Dennis W. Johnson</i>  | 3446 Meander Way, Juneau             | 789-3463       |
| <i>Robert J. Paquin</i>   | P.O. Box 845 Douglas AK              | 586-8043       |
| <i>Nancy Lewis</i>        | 302A 1st St Juneau AK                | 586-3351       |
| <i>David Logan</i>        | 3653 Portage Blvd Juneau             | 789-765        |
| <i>Paul Allen</i>         | 4245 N. Riverfront Dr. TULAKA        | 789-0926       |
| <i>Joe Bandetola</i>      | 5992 Houghton St Jun                 | 789-4207       |
| <i>Jerry E. Carr</i>      | Box 32639 Juneau AK                  | 789-3228       |
| <i>James Hendt</i>        | Box 070881, Juneau, AK               | 789-2932       |
| <i>George L. Binkett</i>  | Alondale St #39                      | 789-7960       |
| <i>Steve Carter</i>       | P.O. Box 22620 Juneau 99802          | 789-4789       |
| <i>Jim Bouschur</i>       | P.O. Box 21212 Juneau 99802          | 789-4577       |
| <i>William J. Newman</i>  | P.O. Box 32691 Juneau 99803          | 789-2257       |
| <i>Bill ...</i>           | 1400 Glacier Hwy #103 Juneau 99801   | 463-2688       |
| <i>Mike ...</i>           | 10518 Fox Farm Trail Juneau AK 99801 |                |
| <i>Chuan M. ...</i>       | 3705 Amalgam St Juneau 99801         |                |
| <i>Donald B. ...</i>      | 304 5th St Douglas AK                | 99824-0        |







7-LS2066ND  
Utermohle  
3/10/92

CS FOR HOUSE BILL NO. 505 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVE MACKIE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the guided sport fishery, regulation of sport fishermen, and the  
2 definition of 'fishery'."

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

4 \* Section 1. AS 16.05.251(a) is amended to read:

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

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

9 (2) establishing open and closed seasons and areas for the taking of fish; if  
10 consistent with resource conservation and development goals, the board may adopt regulations  
11 establishing restricted seasons and areas necessary for persons 60 years of age and older to  
12 participate in sport, personal use, or subsistence fishing;

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

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

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

5 (6) classifying as commercial fish, sport fish, guided sport fish, personal use fish,  
6 subsistence fish, or predators or other categories essential for regulatory purposes;

7 (7) waterhed and habitat improvement, and management, conservation, protection,  
8 use, disposal, propagation, and stocking of fish;

9 (8) investigating and determining the extent and effect of disease, predation, and  
10 competition among fish in the state, exercising control measures considered necessary to the  
11 resources of the state;

12 (9) prohibiting and regulating the live capture, possession, transport, or release  
13 of native or exotic fish or their eggs;

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

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

19 (12) regulating commercial, sport, guided sport, subsistence, and personal use  
20 fishing as needed for the conservation, development, and utilization of fisheries;

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

24 (A) is the only practical data-gathering or enforcement mechanism for that  
25 fishery;

26 (B) will not unduly disrupt the fishery;

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

28 (D) can be coordinated with observer programs of other agencies,  
29 including the National Marine Fisheries Service, North Pacific Fishery Management  
30 Council, and the International Pacific Halibut Commission,

31 (14) establishing nonexclusive, exclusive, and superexclusive registration and use

1 areas for regulating commercial fishing;  
2 (15) regulating resident or nonresident sport fishermen as needed for the  
3 conservation, development, and utilization of fishery resources.

4 \* Sec. 2. AS 16.05.251(e) is amended to read:

5 (e) The Board of Fisheries shall establish criteria for the allocation of fishery resources  
6 among personal use, sport, guided sport, and commercial fishing. The criteria may, as  
7 appropriate to particular allocation decisions, include factors such as

8 (1) the history of each personal use, sport, guided sport, and commercial fishery;

9 (2) the number of residents and nonresidents who have participated in each fishery  
10 in the past and the number of residents and nonresidents who can reasonably be expected to  
11 participate in the future;

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

14 (4) the availability of alternative fisheries resources;

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

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

18 (7) the importance of each fishery in providing recreational opportunities for  
19 residents and nonresidents.

20 \* Sec. 3. AS 16.05.940(12) is repealed and reenacted to read:

21 (12) "fishery" means a specific administrative area in which a specific fishery  
22 resource is taken with a specific type of gear; however, the Board of Fisheries may designate a  
23 fishery to include more than one specific administrative area, type of gear, or fishery resource;  
24 in this paragraph

25 (A) "gear" means the specific apparatus used in the harvest of a fishery  
26 resource; and

27 (B) "type of gear" means an identifiable classification of gear and may  
28 include

29 (i) classifications for which separate regulations are adopted by the  
30 Board of Fisheries or for which separate gear licenses were required by former  
31 AS 16.05.550 - 16.05.630; and

- 1 (ii) distinct subclassifications of gear such as "power" troll gear
- 2 and "hand" troll gear or sport gear and guided sport gear;