

**ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 86/2**

**9686 SENATE RESOURCES**

1 of guide use areas do not coincide with boundaries of federal big game guide  
2 concession or permit areas.

# Alaska State Legislature

Co-Chair Resources Committee  
Special Committee on Oil & Gas  
Legislative Council  
Community and Regional Affairs  
Fisheries



State Capitol, Rm 128  
Juneau, Alaska 99801  
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## Representative Scott Ogan

House District 27

### SPONSOR STATEMENT - HB 151

This bill is a good faith effort to cleanup a statute that was passed last year in the form of the Big Game Guide Bill HB 335. Since the passage of HB 335 last year, several oversights and issues have become apparent. HB 151 is aimed at correcting these issues.

HB 151 Accomplishes the following:

- Makes it illegal for registered guides, class-A assistant guides, and assistant guides to hunt while a client of theirs is in the field.
- Makes it illegal for transporters to knowingly accompany or remain in the field with a big game hunter who is a client.
- Makes it a misdemeanor to break the laws created above.
- Closes a loophole that had allowed felons to apply for a new class of license under a grandfather clause. A person is still protected by the grandfather clause so that they may maintain their current license. However, they would no longer be able to apply for a new class license.
- Creates the ability for guides to register for one more guide use area if the federal lands requested would otherwise not be used and are adjacent to the existing guide use area. This is subject to approval by the Department of Commerce.

# Alaska State Legislature

Co-Chair Resources Committee  
Special Committee on Oil & Gas  
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## Representative Scott Ogan

House District 27

### SECTIONAL ANALYSIS HB 151

**BILL SECTION 1:** AS 08.54.600 is amended by adding a new subsection that would require the department to provide for the administration of an oral examination for a registered guide license if the applicant suffers from a reading disability.

**BILL SECTION 2:** AS 08.54.605(b) is amended by adding language that closes a loophole that had allowed felons to apply for and receive a new class license even if there was warranted concern for public safety. This is simply an alteration of a grandfather clause that protected those who possessed a certain class license prior to the passage of the existing statute.

**BILL SECTION 3:** AS 08.54.605 is amended by adding a subsection that codifies that a person may not receive a certification for a game management unit if the person is prohibited from receiving or renewing a registered guide license or a master guide license.

**BILL SECTION 4:** AS 08.54.610 is amended by adding a subsection that would allow a person applying for a guide license to substitute evidence of 25 years of experience as a class-A assistant guide or class-A assistant guide-outfitter in place of passing the qualification examination administered by the department.

**BILL SECTION 5:** AS 08.54.720(a) is amended by adding subsections (17), (18), (19) which makes it an illegal act for registered guides, class-A assistant guides or assistant guides to

take big game while clients are in the field or for transporters to accompany clients into the field.

**BILL SECTION 6:** AS 08.54.720(b) is amended by adding subsections (17), (18), & (19) which makes it a misdemeanor for violating the crimes set forth in Bill Section 2. Violation is punishable by a fine of not more than \$10,000 or by imprisonment of up to one year, or both.

**BILL SECTION 7:** AS 08.54.720(f) is amended by adding subsections (17), (18), & (19) which allows the court to order the department to suspend the guide or transporter license of a person who commits a misdemeanor offense.

**BILL SECTION 8:** AS 08.54.750 is amended by adding a new subsection (e). This section allows guides to register for one more guide use area if the federal lands requested would otherwise not be used and are adjacent to the existing guide use area. The request is subject to approval by the Department of Commerce.

**HB**

**168**

# SENATE COMMITTEE REPORT

DATE: 4/8/98

FURTHER:

DATE TURNED IN TO OFFICE: 4/17/98

Resources Committee considered CS FOR HOUSE BILL NO. 168(RLS)(efd fld)

"An Act relating to use of traditional means of access to assist in taking game or fish and to traditional means of access for traditional outdoor activities on land and water set aside for fish and game purposes."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title
- House Bill:**
- same title
- technical title
- new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓	<i>[Signature]</i>			✓
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<b>CHAIR:</b> <i>[Signature]</i>	✓	<b>CHAIR:</b>			

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date      Zero      Fiscal

ADFIG	2/2	X	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

No: 1

Bill Version: CSHB 168 (RES)

(H) Publish Date: 2/6/98

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

Revision Date (Note if correction) \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title Traditional Access for Traditional Activities BRU Wildlife Conservation  
 Component Wildlife Conservation  
 Sponsor Representative Masek  
 Requester House Resources Committee Component Serial No. 473

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CHANGE IN REVENUES (1024)</b>	0.0	0.0	0.0	0.0	0.0	0.0

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other -- F&G Fund (1024)						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

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

Prepared by Phil Koehl, Wildlife Biologist  
 Division Wildlife Conservation  
 Approved by Commissioner  
 Agency Alaska Department of Fish and Game

Phone 465-4190  
 Date 2/2/98  
 Date 2.3.98

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# Alaska State Legislature

**Representative Beverly Masek**

Chair, Military & Veterans Affairs

Vice Chair, Transportation

Vice Chair, Resources

Legislative Council

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## **SPONSOR STATEMENT – HB 168** **Bill Protecting Traditional Access on State Lands**

House Bill 168 follows up on the efforts of this Legislature to ensure the general public continues to have reasonable access to the land and resources they own. This legislation protects public access from arbitrary closures by the Department of Fish and Game and the Boards of Fish and Game.

Last year the House and Senate passed HB 23 and SB 35 which dealt with public lands and state park lands respectively. This past interim the Board of Game generated a set of proposals to inquire into whether motorized access should be allowed in Game Management Unit 13. Although at public hearings it was well demonstrated that the majority of Alaskans support access for hunting and fishing, the Board of Game at its November hearing on this issue appointed a special committee to explore this issue further.

Both HB 23 and SB 35 passed the House and Senate by solid majorities. The public's fears that those lands remaining open to access at this time will also be closed are fed by actions such as those taken by the Board of Game this past year. HB 168, like HB 23 and SB 35 will require legislative approval of those closures that are made without sound evidence pertaining to public safety or biological concerns.



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Mar. 1, 1998

**Sectional Analysis – HB 168 – Public Access  
Version \H**

**Sec. 1.** Amends AS 16.05.794 by adding a new section that outlines the parameters under which the Board of Game and the Board of Fish may impose restrictions on traditional means of access. This section also provides definitions for “biologically essential” and “traditional means of access.”

**Sec. 2.** Amends As 16.20.980 by adding language proscribing the manner in which the Board of Game, Board of Fish, and the Department of Fish and Game may restrict traditional means of access as it pertains to hunting, fishing, or trapping within state game refuges, sanctuaries, range areas, or critical habitat areas. Definitions for “biologically essential” and “traditional means of access” are also defined at the end of this section.

**Sec. 3.** Makes the act retroactive to January 1, 1998.

**Sec. 4.** Effective date clause.



**The Alaska Boating Association**

*P.O. Box 210430*

*Anchorage, Alaska 99521*

Donald Sherwood - President

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February 16, 1998

To: Members of the House State Affairs Committee.

Representative Jeannette James, Chair

Members: Representative Fred Dyson

Representative Ivan Ivan

Representative Mark Hodgins

Representative Al Vezey

Representative Ethan Berkowitz

Representative Kim Elton

The Alaska Boating Association strongly supports HB168, dealing with Traditional Access for Hunting and Fishing Purposes.

HB168 is necessary since Seventy (70) percent of our states population resides between Homer and Talkeetna, Alaska. The Game Management Units that this area covers includes GMU13, GMU14, GMU15, and GMU16. In these Game Management Unit areas there are Fourteen (14) state restricted areas that affect motorized access in one way or another. Many of these restrictions were orchestrated to benefit certain special interest groups. In some cases it allows a special interest group the exclusive use of an area. In other cases it benefits a special interest group financially. In the Fourteen (14) restricted areas hardly any restrictions were based upon game habitat protection and none were based upon the protection of the game resources.

**Example:** In GMU13 the Tonsina Controlled Use Area is closed to using motorized vehicles or pack animals for hunting from July 26 to September 30. There is nothing prohibiting a person to use a motorized vehicle or a pack animal during this period of time in this area as long as they are not hunting. It should also be noted that these restrictions not only apply to motorized access, but in some cases, to non-motorized as well.

When restrictions are placed on motorized access the consumptive users with physical disabilities and senior citizens are adversely affected. **Example:** Two hunters in their mid-twenties, who are in top physical condition, hunt in the same Game Management Unit. One hunter accesses the area by non-motorized means by walking. The other hunter accesses the area by motorized means. If the Game Board restricts this area to non-motorized access only, the before mentioned hunter who used motorized means to access will be required to walk in to use the area. However, if there was a third hunter who also hunted in this same area, who accessed the area by motorized means because he has physical limitations or he is physically disabled, when the Game Board restricts motorized access in the area, the disabled hunter does not have the choice of walking in. Instead, because he cannot physically walk in, as the other hunters do, he is in actuality restricted



ALASKA BOATING ASSOCIATION \* PO BOX 871310 \* WASILLA AK 99687

E-Mail [cjudkins@customcpu.com](mailto:cjudkins@customcpu.com) \* 907 373 3591 \* FAX 907 373 3592

TO: Senator Rick Halford, Chairman-Resources Committee  
C.C. Alaska State Senate/ All Senators  
Subj. HB 168

Dear Senator:

My name is Cliff Judkins, I am commenting as president of the Alaska Boating Association. What brings us to testify in favor of this bill is actions by regulatory authorities to restrict access by traditional means to assist in the taking of game and fish when there is no biological reason to do so. An example is the spring of 1996 closure of more than 2,000 acres along the Tanana River to the use of airboats for the taking of moose including transporting of hunters, equipment, and meat. There was no reason for this, other than someone did not like airboats or competition of other hunters. Airboats were still allowed during that same period for hunting waterfowl, bear and small game, fishing and sight seeing. In other action the Board gave approval to a cow season, a muzzleloader season, and lengthened the general season indicating that the moose population in the area was healthy. When questioned, board members sited noise as their reason, yet they allowed airboats in the same area, at the same time, for other hunting and fishing purposes; nor, did they take any action to restrict noisier means of access such as outboards and airplanes. There are other examples, including the closing of 200 miles of the Noatak River to caribou hunting by fly-in hunters. Again there was no biological justification for this action. HB 168 does not restrict the regulatory authority of the Department to manage fish and game resources. It does not "tie their hands" as some are saying. There are many methods of maintaining sustain yield populations. You can find them used extensively in the Fish and Game regulation. We feel that all Alaskans should have access to all of their fish and game resources by all traditional means as long as maximum sustained yield goals are maintained.

Thank you for your consideration concerning this issue and good luck in your deliberations.

Cliff Judkins, Pres.  
Alaska Boating Association  
April 15, 1998

from using the area.

Sec 16.05.255 of the Regulations of the Board of Game gives the Board the authority, with specific guidelines, to set bag limits and seasonal openings, to establish the means and methods employed in the harvest of game consistent with resource conservation and development goals, and other authorities. Included within this regulation the Board of Game has the authority to establish means and methods that may be employed by persons with physical disabilities. The Legislature, in its wisdom, recognized the special needs of the physically disabled and gave the Board of Game this authority to grant special access considerations to this group. The Board of Game has failed, almost totally, in this area. As stated previously, approximately Seventy (70) percent of our states population lives between Homer and Talkeetna, Alaska. Thus, it would stand to reason that this same area has Seventy (70) percent of the disabled population as well. In the four Game Management Units mentioned previously (GMU13, GMU14, GMU15, and GMU16), which are used the most by this Seventy (70) percent of the population, there are Fourteen (14) access restrictions. The Board of Game has made one exception in these Game Management Units for the disabled which is listed on Page Ten (10) of the 1997-98 Alaska Hunting Regulations, under the heading *Disability Provisions, paragraph Three (3)*. The only other exception for the entire State of Alaska is on the same page of the same regulation book under *Disability Provisions, paragraph Two (2)*. Within other State agencies within the State of Alaska there are numerous examples of where the special problems and concerns for the physically disabled are recognized. Businesses are required to provide Handicapped Parking as close to the building entrance as is possible. The Department of Motor Vehicles even gives complimentary Parking Stickers for the Handicapped with proper documentation from a medical doctor. Special ramps are required, not only for wheel chair access, but for people who are ambulatory but find stairways restrictive. Large buildings are now required to have elevators, again not just for wheel chair access, but for those who are stairway restricted. You could go to just about any shopping mall within the State of Alaska and park your vehicle as far away from the entrance as possible and it would be doubtful that you would have to walk more than 150 yards, probably all on a level surface, to get to the building entrances. The State of Alaska has recognized that a distance of 150 yards for many disabled and limited people, is a severe hardship. Yet, the Board of Game has issued in the before mentioned regulations only two exceptions for the physically handicapped. In one of these requirements a person must be restricted to a wheel chair for the exception to apply and in the other a person must be able to prove, through some medical source, that they are considered at least Seventy (70) percent disabled. Where does this agency and the Board get the authority to dictate what percentage or how severe a person is disabled?

The Alaska Boating Association has many elderly and disabled members. Within this group there are Disabled American Veterans, some of whom have become disabled through service to their country. Our members have in the past placed the preservation and protection of the fish and game resources and the habitat of those resources as the ultimate priority consideration. The preservation of both the resource and its habitat is probably the most on going effort getting our organizations attention. And when supported by scientific data and facts, any area concerning the preservation of resources and habitat requiring restriction will get our utmost support. However, we will not quietly sit back and be consistently restricted from our resources when no valid reason is evident. Going back to Sec 16.05.255 of the Regulations governing the Board of

Game there is no authority addressing the quality of an outdoor experience, which we consistently hear is reason for applying restrictions.

Another area that needs to be addressed in support of HB168 has to do with *Public Law 96-487 (ANILCA-Dec. 2, 1980), Sec 811.(a) and (b)* which I quote as follows:

*Access*

*Sec. 811.(a) The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands.*

*(b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation.*

Rural residents under this act, engaged in subsistence uses, are guaranteed access to Public Lands. Two of the methods specifically mentioned are snowmobile and motorboat. Should not the urban consumptive user have the same access rights?

During the first half of the current Legislative Session, two excellent Bills were introduced, debated, and successfully passed dealing with access to public land usage. Senate Bill 035 and House Bill 023 gives the Legislature the authority on restrictions to Public land usage, including Public Parks lands. House Bill 168, being discussed here, completes the circle! This bill will give the authority to the Legislature to approve or disapprove of restrictions to Public Land access for purposes of hunting and fishing.

Our Organization, the Alaska Boating Association, has carefully examined this Bill and we especially note that the Bill protects the fish and game resource and the resource habitat under it's Ammendment to Section 1.AS16.05.794, Item Number Three (3). Thus, our Association, its membership, including the disabled and the elderly limited members, urge you to vote for the passage of HB168 for, but not necessarily limited to, the reasons specifically described herein.

Yours truly,



Elizabeth J. Burkhardt, Legislative Affairs Committee Member

cc: Representative Beverly Masek, Sponsor, HB168  
Cliff Judkins, President, Alaska Boating Association



# ALASKA OUTDOOR COUNCIL

211 4<sup>th</sup> St. #302A

Juneau, AK. 99801

(907) 463-3830

Feb. 2, 1998

The Honorable Beverly Masek  
Alaska State Capitol  
Juneau, Ak. 99801

Dear Representative Masek:

The Alaska Outdoor Council and its member organizations are once again indebted to your continued efforts to protect the general public's ability to access and utilize the common property resources we all have a share in. HB 168 will bring balance to the management of fish and wildlife resources by giving much needed guidelines to the Boards of Fish and Game when addressing access issues in the future.

The timely nature of passing legislation like HB 168 was made abundantly clear this past year when the Board of Game took it on itself to initiate a public controversy over whether motorized access should be continued in Game Management Unit 13. As evidenced by the large turn out of Alaskans opposed to restrictions in Unit 13, it appears the BOG was acting on its own agenda without regard to the needs and desires of many outdoor enthusiasts.

We need HB 168 as it will complete the process of providing meaningful guidelines to the managing agencies that was begun with HB 23 and SB 35. Without access, the natural resources of Alaska hold little value for most people. We hope you are successful in making sure the needs of all Alaskans are addressed whenever managing agencies are involved in decisions related to the public's use of our common property resources.

Sincerely,

Rod Arno  
President



**Alaska  
Wilderness  
Recreation &  
Tourism  
Association**

APR 15 1998

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Juneau, AK 99802  
Phone (907) 463-3038  
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Web [www.alaska.net/~awrta](http://www.alaska.net/~awrta)

April 15, 1998

Senator Rick Halford  
Senate Resources Committee, Alaska State Legislature

Dear Senator Halford,

Please do not pass HB 168. This bill essentially bars Alaska's fish and game managers from regulating motorized access, threatening the diversity of wild land experiences valued by Alaskans and visitors alike. Over the long term it will harm local businesses that provide these experiences, or support services for them, including guiding, rafting, skiing, wildlife viewing, hunting and fishing.

The Alaska Wilderness Recreation and Tourism Association is a statewide trade association representing about 300 members, mostly Alaskan owned and operated tourism businesses. Our members' businesses, operating in more than 50 communities across the state, represent a growing industry generating millions of dollars annually.

We are not against motorized access. However, we strongly oppose giving motorized uses a priority over all other uses, and eliminating state agencies' ability to help maintain a diversity of recreational and business opportunities.

The ability to manage different areas for different levels and types of access and use, both to reduce conflict between incompatible uses, and to ensure a diversity of recreation experiences, is vital to the long-term attractiveness of Alaska to residents and visitors alike. Our members' businesses depend on being able to provide guests with a wide range of quality recreation experiences, including majestic scenery, wildlife, and quiet wilderness.

An example of a problem with unregulated motorized access surfaced recently in Denali State Park. A Talkeetna based outfitter who has operated there for years is dropping permits because increasing noise from flight-seeing makes it impossible for him to continue to provide a wilderness experience for his guests. This increases his costs, is likely to put him in conflict with operators in other areas, and reduces the diversity of the Talkeetna economy. We think that it is appropriate to regulate motorized uses to maintain a wide variety of different experiences in places managed by ADF&G like the McNeil River and Stan Price bear viewing areas, or the Palmer Hay Flats or Minto Flats Game Refuges.

We oppose HB 168 because it deprives our members, and the public, of the fair chance, and the tools, to work out local access problems. It also reduces options for professional wildlife and land managers to protect wildlife. Please do not adopt this unneeded legislation.

Sincerely,

Steven Behnke  
Executive Director

**DENALI NATIONAL PARK  
WILDERNESS CENTERS, LTD.**

Camp Denali • North Face Lodge • Denali Institute

Post Office Box 67 Denali National Park Alaska 99755  
Tel: 907-683-2290 Fax: 907-683-1568 Email: dnpwild@alaska.netDate April 15, 1998To Senator Rick Halford, for distribution to the Senate Resources  
CommitteeFrom Nan Eagleson, Denali National Park Wilderness CentersFax 907-465-4928Pages 1 (Including Cover Sheet)

Dear Senator Halford,

Please do not pass HB 168. Denali National Park Wilderness Centers is an Alaskan owned and operated tourism business and we strongly oppose giving motorized uses a priority over all other uses. This bill would eliminate state agencies' ability to carry out their responsibilities to maintain publicly owned resources. Besides threatening wildlife resources and those who's businesses depend on them the quality of life in Alaska will be jeopardized. Alaska's wilderness serves people who enjoy hunting, fishing, skiing, snowshoeing, wildlife viewing and quiet. These experiences would be greatly compromised by this bill which allows unregulated motorized access. Please help protect Alaska's quality of life and the diverse businesses which seek to protect our unique resources.

Sincerely,

Nan Eagleson  
Chief Naturalist  
Denali National Park Wilderness Centers  
PO Box 67  
Denali Park, AK 99755

Date: April 17, 1998

To: Senator Rick Halford  
Chairman, Senate Resources Committee  
Fax: 907-465-4928

Re: HB 168

Dear Senator Halford,

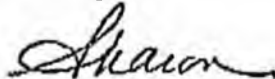
*Dare to be part of the solution.*

What is the problem? Diminishing places on our planet where people can go to escape the noise, pollution and density of our crowded urban areas. Alaska is recognized as one of the last states in the 50 states to have preserved areas and wilderness for people to renew their connection with the natural world. Visitors come from all over the world to experience the peace and serenity of these "wild" places.

We have agencies whose job it is to protect these vanishing qualities. Do not remove the ability of the Alaska Department of Fish and Game to monitor and regulate the access available to motorized vehicles.

*I urge you to vote "NO" on HB 168*

Sincerely,



Sharon Gerhard  
P.O. Box 15  
Denali Nat'l Park, AK 99755

Mr. Kevin  
8050 Summerset Dr

E Hite

563-3990

Anchorage

AK 99518

Distribution

20

Affiliation

Anchorage

Reg Voter

Y

Date POM Sent

Constituency

Bill Number

Response

Subject

04/07/97

N

HB 168

Supports

ON BEHALF OF THE MEMBERSHIP OF OUR CLUB, I STRONGLY SUPPORT PASSAGE OF THIS BILL. ALASKAN'S ACCESS SHOULD BE ENHANCED WITHIN OUR PUBLIC LANDS. STATE PARKS SHOULD BE ANSWERABLE TO O ELECTED OFFICIALS WHO ARE ELECTED BY

THE PUBLIC LAND OWNERS!

*Kevin is President of the Alaska State  
Snowmobile Association*

DATE: APRIL 17, 1998

TO: Senator Bob Halford  
for Distribution to the Senate Resources Committee.

FROM: Robert Shelton

FAX # (907) 465-4928

Dear Senator Halford,

I urge you to vote NO on HB 168.

I do not believe the long term interests of Alaska and of Alaskans will be served by compromising our ability to regulate motorized access to all state lands. It will only appease certain ~~rich~~ wealthy industries and their customers. I have been a resident of Alaska for 18 years. I am not anti-machine. I drive a truck and a car and we own snow machines. I am against unwise laws that cater to special interests at the expense of the general welfare of the public. Please do your job and vote NO on this misguided legislation.

Thankyou,

Robert J. Shelton

Alaskan resident



# ALASKA CENTER *for the* ENVIRONMENT

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501  
(907) 274-3621 • fax: 274-8733

April 13, 1998

Senate  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Re: HB 168

Dear Senator:

HB 168 restricts the ability of the Board of Fisheries, the Board of Game, and the Department of Fish and Game to regulate motorized vehicle use on public lands under their jurisdiction (including purportedly special and protected legislatively designated areas like refuges and critical habitat areas). Since we believe that such regulation is an essential management tool to protect fish and wildlife, soils, vegetation, and water quality, to protect home and cabin owners from the excessive noise of motorized recreational vehicles; and to provide a spectrum, or balance, of fishing, hunting, and other recreational opportunities on the public lands--and that more, not less, such regulation is called for--we strongly oppose this bill (as we did the two bills passed last year, SB 35 and HB 23).

This is the third in a series of bills which puts our fish, wildlife, and public lands at risk, and discriminates against property owners and non-motorized recreationists. We are not by any means against all motorized recreational vehicle use on the public lands; we are, however, opposed to bills like this one that strongly favor particular types of users by perpetuating the gross imbalance on our state-owned public lands between those that are managed for motorized recreational vehicle use and those that are managed for quiet recreation and for the protection of home and cabin owners (for example, a recent DNR analysis concluded that in a southcentral study area of more than 34 million acres of both state and federal public lands, only 4.5% had been set aside for quiet winter uses (this 34 million acres included not only undesignated land but also state parks and designated federal lands like the Chugach National Forest and the Kenai National Wildlife Refuge)).

But that this bill is unfair is not its only problem. Where more than temporary regulations are required for areas of any significant size (more than 640 acres), fish and wildlife managers can fully regulate motorized vehicle use to protect fish, wildlife or their habitat only if it is "biologically essential." This is an impossibly high standard and would prevent managers from exercising their professional judgment by implementing restrictions that they believe are both important and appropriate--unless they can prove that they are "essential." Fish, wildlife, and habitat will suffer from the imposition of this unrealistic standard.

## Alaska Quiet Rights Coalition

P. O. Box 202592  
Anchorage, Alaska 99520  
(907) 566-3524

April 15, 19

To: Members  
Alaska State Senate,  
Alaska Legislature

Re: Our Opposition to House Bill 168

Dear Member of the Senate:

On behalf of the Alaska Quiet Rights Coalition, I wish to register the strong opposition of the Coalition to this bill, and to the erroneous concepts which appear to lie behind it.

I am a former member of the Alaska Board of Game (1975-76), and I know from first-hand experience the great service this Board has performed for all Alaskans, in mediating conflicts between resource users, in supporting the concept of fair-chase hunting, and in attempting to insure a fair allocation of hunting opportunity and quality hunting experiences between all hunters, whether motorized or non-motorized. We do not believe that this is a role that the Alaska Legislature should assume, nor is it one which the Legislature is well-equipped to assume. Yet this will be the result of HB 168.

The unspoken assumption of HB 168 and its sponsor Rep. Masek is that motorized access to hunting and fishing opportunities is the desire of the overwhelming majority of Alaskan resource users, and that this desire must be accommodated without any consideration of non-motorized users, the quality of the outdoor experience, or the health of the resource itself. This notion is flat wrong.

Non-motorized recreation users in Alaska far outnumber the ones who believe they must depend on motorized access for their outdoor experiences. Yet the Boards of Fish and Game, and the Departments of Natural Resources and Fish and Game, are, by the Legislature, being rendered powerless to make a fair allocation of land and resource uses between motorized and non-motorized users

This blind unfairness is an abdication of responsibility to the citizens of the state, and a real "black eye" on the quality of Alaska's environmental credentials. Is it no wonder that, despite our continuing claim that Alaskans are "true environmentalists," we continually fail to convince the rest of the Nation that we could responsibly develop ANWR, for example? Clearly our actions, such as HB 168, speak much louder than our words.

We are particularly concerned with specific parts of HB 168 which, if enacted, can lead to long-term and irreversible resource damage. The burden on the Game and Fish Boards to demonstrate that a "traditional access" restriction is "biologically essential" for the protection of a species or its habitat is much too

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services  
Department of Education  
State of Alaska



# ALASKA CENTER *for the* ENVIRONMENT

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501  
(907) 274-3621 • fax: 274-8733

April 13, 1998

Senate  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Re: HB 168

Dear Senator:

HB 168 restricts the ability of the Board of Fisheries, the Board of Game and the Department of Fish and Game to regulate motorized vehicle use on public lands under their jurisdiction (including purportedly special and protected legislatively designated areas like refuges and critical habitat areas). Since we believe that such regulation is an essential management tool to protect fish and wildlife, soils, vegetation, and water quality; to protect home and cabin owners from the excessive noise of motorized recreational vehicles; and to provide a spectrum, or balance, of fishing, hunting, and other recreational opportunities on the public lands--and that more, not less, such regulation is called for--we strongly oppose this bill (as we did the two bills passed last year, SB 35 and HB 23).

This is the third in a series of bills which puts our fish, wildlife, and public lands at risk, and discriminates against property owners and non-motorized recreationists. We are not by any means against all motorized recreational vehicle use on the public lands; we are, however, opposed to bills like this one that strongly favor particular types of users by perpetuating the gross imbalance on our state-owned public lands between those that are managed for motorized recreational vehicle use and those that are managed for quiet recreation and for the protection of home and cabin owners (for example, a recent DNR analysis concluded that in a southcentral study area of more than 34 million acres of both state and federal public lands, only 4.5% had been set aside for quiet winter uses (this 34 million acres included not only undesignated land but also state parks and designated federal lands like the Chugach National Forest and the Kenai National Wildlife Refuge)).

But that this bill is unfair is not its only problem. Where more than temporary regulations are required for areas of any significant size (more than 640 acres), fish and wildlife managers can fully regulate motorized vehicle use to protect fish, wildlife or their habitat only if it is "biologically essential." This is an impossibly high standard and would prevent managers from exercising their professional judgment by implementing restrictions that they believe are both important and appropriate--unless they can prove that they are "essential." Fish, wildlife, and habitat will suffer from the imposition of this unrealistic standard.

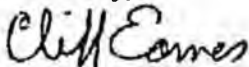
Furthermore, managers will be unable to protect local residents from the unfair competition provided by often wealthier individuals from outside the area who might have the advantage of greater access to motorized vehicles and therefore an increased chance of success. In fact, among the large majority of witnesses who opposed this bill in committee were the Tanana Chiefs Conference and three other Native leaders. The administration is also opposed to this bill.

Finally, the legislature has more than enough important matters on its plate without taking on additional responsibilities that are better left to boards and agencies. These latter entities are experts in their fields; can devote far more time than the legislature can to these complicated issues; and can provide many more, and more accessible, opportunities for public involvement (for example, most non-legislative meetings and hearings are held in the evenings or on weekends, not during the work day, and are long enough so that everyone who makes the effort to attend can have a chance to be heard). The legislature is far too busy to be able to devote this much attention to these issues. Micro-managing the site specific regulation of motorized recreational vehicles is no more appropriate a legislative task than the drawing of specific oil and gas lease sale or timber sale boundaries.

Surely there is enough room on Alaska's 104 million acre land entitlement (much of it far closer to major population centers and roads than the federal lands) to provide for the enjoyment of all Alaskans, and all types of visitors, not just the minority that use motorized recreational vehicles. Many people still prefer to use truly traditional means of accessing our public lands, like hiking boots, skis, snowshoes, dog teams and canoes. In fact, Controlled Use Areas are some of our most popular hunting areas. We have a responsibility to accommodate hunters, fishers and others who recreate under their own power as well as motorized users, and to provide some level of protection for private property owners and local users of local fish and wildlife resources.

Thank you for your consideration of these thoughts.

Sincerely,



Cliff Eames  
Issues Director

**Alaska Quiet Rights Coalition**

P. O. Box 202592  
Anchorage, Alaska 99520  
(907) 566-3524

April 15, 1998

To: Members  
Alaska State Senate,  
Alaska Legislature

Re: Our Opposition to House Bill 168

Dear Member of the Senate:

On behalf of the Alaska Quiet Rights Coalition, I wish to register the strong opposition of the Coalition to this bill, and to the erroneous concepts which appear to lie behind it.

I am a former member of the Alaska Board of Game (1975-76), and I know from first-hand experience the great service this Board has performed for all Alaskans, in mediating conflicts between resource users, in supporting the concept of fair-chase hunting, and in attempting to insure a fair allocation of hunting opportunity and quality hunting experiences between all hunters, whether motorized or non-motorized. We do not believe that this is a role that the Alaska Legislature should assume, nor is it one which the Legislature is well-equipped to assume. Yet this will be the result of HB 168.

The unspoken assumption of HB 168 and its sponsor Rep. Masek is that motorized access to hunting and fishing opportunities is the desire of the overwhelming majority of Alaskan resource users, and that this desire must be accommodated without any consideration of non-motorized users, the quality of the outdoor experience, or the health of the resource itself. This notion is flat wrong.

Non-motorized recreation users in Alaska far outnumber the ones who believe they must depend on motorized access for their outdoor experiences. Yet the Boards of Fish and Game, and the Departments of Natural Resources and Fish and Game, are, by the Legislature, being rendered powerless to make a fair allocation of land and resource uses between motorized and non-motorized users

This blind unfairness is an abdication of responsibility to the citizens of the state, and a real "black eye" on the quality of Alaska's environmental credentials. Is it no wonder that, despite our continuing claim that Alaskans are "true environmentalists," we continually fail to convince the rest of the Nation that we could responsibly develop ANWR, for example? Clearly our actions, such as HB 168, speak much louder than our words.

We are particularly concerned with specific parts of HB 168 which, if enacted, can lead to long-term and irreversible resource damage. The burden on the Game and Fish Boards to demonstrate that a "traditional access" restriction is "biologically essential" for the protection of a species or its habitat is much too

Member of the

Alaska State Legislature  
April 15, 1998  
Re: HB 168

high. First, it assumes scientific or biological certainty, which any scientist can tell you is a near impossibility. Second, it almost invites resource damage (rather than before-the-fact prevention) as "proof" that a restriction is necessary. In many cases, once the damage is done (particularly to terrain and vegetation), it will last for decades, or even centuries.

The definition of "traditional outdoor activities" in HB 168 goes far beyond those activities associated with hunting and fishing, which are the purview of the two Boards affected by HB 168. It includes "recreational mining" which has the potential of uncontrolled, long-term terrain damage.

There is no maximum weight limit in HB 168 for motorized "recreation vehicles." It is very possible that under HB 168, the Boards and the resource agencies would be unable to control or prevent the "recreational" use of a D-8 Cat, for example, anywhere on state land for the purpose of "recreational mining" or any other "traditional outdoor activity" for which a user might desire to use his tractor for access or sport. Even vehicles less damaging than a D-8 Cat may, over time and with concentrated use, leave scars on the land that will not heal for decades, if ever.

The Denali Highway hunting areas are one example where rampant ATV and tracked vehicle access have left permanent resource damage, and HB 168 would simply encourage and perpetuate this damage. If this is an example of Alaska's wise natural resource management attitudes and policies, then it is little wonder that the rest of the Nation cannot trust this state to develop ANWR responsibly. As a Congressman from Ohio or Tennessee, would you take a look at HB 168 and reach any other conclusion?

We urge that HB 168 not be approved. If it is approved, the Quiet Rights Coalition urges that amendments be adopted to encourage the prevention of natural resource damage *before* it occurs, that authority to make fair allocation of motorized and non-motorized areas be specifically retained by the Fish and Game Boards, and that the details of HB 168's definitions be amended to place a maximum weight limit or ground pressure per square inch on permitted motorized recreational vehicles, and to entirely prohibit tracked vehicles with metal tracks, lugs or blades.

Thank you for your consideration of this testimony on behalf of the Alaska Quiet Rights Coalition.

Sincerely yours,



Thomas E. Meacham

Anchorage  
750 W. 2nd Avenue, Suite 109  
Anchorage, Alaska 99501  
phone: 907-258-6171  
fax: 907-258-6177  
email: unite@akvoice.org

**Alaska Conservation Voice**  
*Speaking Out for Alaska's Future*

Juneau  
P.O. Box 22151  
Juneau, Alaska 99802  
phone: 907-463-3366  
fax: 907-463-3312  
email: unite@akvoice.org

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**Testimony on HB 168**

The Alaska Conservation Voice finds HB 168 to be a HARMFUL bill, beyond repair. Therefore, on behalf of its members, a coalition of 27 Alaskan conservation organizations with a collective membership of more than 19,900 Alaskans, ACV opposes HB 168.

With very limited exceptions, HB 168 bars the Boards of Game and Fish from regulating motorized recreational vehicles, including snowmachines, ATV's and airboats, for hunting and fishing.

The legislation also precludes the Department of Fish and Game, the Board of Fisheries and the Board of Game from effectively regulating motorized access, not only for hunting and fishing but for other recreational purposes, on some of the state's most important wildlife and habitat areas. Such access could include snowmachines, ATVs and even jet skis.

Areas affected include state game refuges, game and wildlife sanctuaries, threatened species habitat preservation areas, and fish and game critical habitat areas. Areas of particular concern include:

McNeil River State Game Sanctuary  
Palmer Hay Flats State Game Refuge  
Minto Flats State Game Refuge  
Stan Price State Wildlife Sanctuary (Admiralty Island bear viewing)

Besides threatening wildlife resources and those who depend on them, the bill threatens local businesses that serve a wide range of recreational activities that depend on quiet, serene experiences, including guiding, hiking, skiing, snowshoeing, wildlife viewing, hunting and fishing.

Anyone who seeks to enjoy Alaska's quiet, scenic beauty, wilderness, and wildlife resources will lose their rights to recreate in areas undisturbed by motorized recreational vehicles.

ACV opposes HB 168 because

--It deprives all affected parties--from tourist businesses, skiers and snowmachiners to hunters, trappers and mushers--a fair chance to work out suitable local access problems with land managers, in the event such problems arise.

--It limits the options of professional wildlife and land managers to protect fish and game populations in fulfillment of their constitutional responsibility.

--It poses a direct threat to public resources, particularly to wildlife and wildlife habitat, through the effects of unregulated motorized access.

--It is an overreaching legislative solution to a non-problem, which does not justify either the curtailment of existing administrative authority in resource management or micro-management of complicated issues by the legislature.



# ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the Senate Resources Committee

Committee on HB168 Committee Name  
Bill / Subject Dated 4/17/98

I'd like to testify against HB168. As a biologist I feel the bill poses a direct threat to wildlife populations and sensitive wildlife habitat.

Non-game species would not be protected from disturbance by motorized vehicles.

As a recreationist, I oppose any bill allowing motorized access into areas now protected from ~~the~~ motorized vehicles. Motorized vehicles, especially jet boats, air boats, and snowmachines severely diminish the quiet, serene experiences people are looking for when they visit wild places of the great outdoors. The number of such "quiet", protected areas are decreasing quickly - please protect what areas remain. Thank you.

SIGNED: Beverly Reitz  
Testifier

Mypuf  
Representing

1022 PO Box 85162 FBX 479-5225  
Address / Phone Number



# ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the SENATE RESOURCES  
 Committee on HOUSE BILL 168 Committee Name SENATE RESOURCES  
 Dated APRIL 17, 1998  
 Bill / Subject

My name is RICHARD CHAPEL, 5801 HAYSTACK MOUNTAIN ROAD, ✓  
 AND I AM OPPOSED TO HOUSE BILL 168. I AM A HUNTER AND FISHERMAN.

PLEASE LEAVE IT TO THE BOARD OF GAME AND BOARD OF FISHERIES TO MAKE DECISIONS ON HOW TO MANAGE OUR WILDLIFE RESOURCES WITHOUT REMOVING ANY TOOLS THEY HAVE AT THEIR DISPOSAL. THE BOARD PROCESS ALREADY WORKS IN MAKING DECISIONS ON HUNTER AND FISHERMAN ACCESS. WE HAVE A GOOD SYSTEM, WITH THE REGIONAL ADVISORY BOARDS AND PUBLIC MEETINGS, THAT ALLOWS ALL THE INTERESTED PARTIES LOCAL PARTIES TO EXPLAIN THEIR CONCERNS ABOUT HOW AND WHEN THE TAKING OF FISH AND GAME IS ALLOWED. LET THE BOARD OF GAME AND FISH WEIGH THE BIOLOGICAL FACTORS AND WHAT MEANS AND METHODS THE LOCAL USERS THINK IS APPROPRIATE FOR TAKING GAME IN THE AREA. MORE STATEWIDE RESTRICTIONS ARE NOT NEEDED.

WE HAVE A GOOD SYSTEM IN PLACE FOR MAKING HUNTER ACCESS DECISIONS, HOUSE BILL 168 WOULD ONLY IMPOSE NEW RESTRICTIONS ON MANAGEMENT OPTIONS, WHICH WILL SLOW THE PROCESS DOWN.

SIGNED: Richard D. Chapel RICHARD S. CHAPEL  
 Testifier

SELF

Representing

5801 HAYSTACK RD., FAIRBANKS, AK 99712  
 Address / Phone Number (907) 457-5801

**ALASKA BOARD OF GAME  
98-121-BOG**

APR 13 1998

Findings of the Alaska Board of Game regarding HB 168,  
An Act relating to the use of traditional means of access to assist in taking game or fish and to  
traditional means of access for traditional outdoor activities on land and water set aside for fish  
and game purposes.

The Board of Game uses access restrictions that often affect areas larger than 640 acres, in the  
form of Controlled Use Areas.

One of the principle actions available to the board for protection of wildlife, habitat, broadest  
possible hunter opportunity, and hunt quality in areas of heavy harvest pressure and user conflict  
is the establishment of Controlled Use Areas. Controlled Use Areas allow separation of user  
groups and modes of hunting in space and time, thus reducing conflicts between them while  
maximizing hunter opportunity as a whole.

By their nature, however, Controlled Use Areas restrict access. For that reason, the board  
considers their establishment in cases where significant conflict between user groups or  
particular resource considerations have reached a level where separation of uses is less restrictive  
of overall opportunity than other alternatives available to the board, such as adjustment of season  
and bag limits, limiting participation through drawing hunts, or area closures.

Some examples of conflicting groups include motorized versus nonmotorized, aircraft versus  
boat, airboat versus prop boat, bowhunters versus rifle hunters. Separating hunter groups by  
restricting access in space and/or time has been used to the mutual satisfaction of the groups  
involved. Generally, there has been broad public support for these actions.

The Board of Game has not done a complete analysis of this bill, therefore it is unclear to us how  
this legislation would affect the board's ability to resolve user conflicts and protect wildlife  
habitat and populations in the future for the benefit of users. If, however, the bill's effect is to  
remove the board's ability to establish controlled use areas or their equivalent, it would greatly  
compromise the board's ability to maintain overall hunter opportunity. It would force the more  
frequent employment of more restrictive actions such as shorter seasons, lower bag limits and  
area closures in order to protect the resource and resolve user conflicts.

DATE: March 30, 1998  
Fairbanks, AK

Lori Quakenbush  
Lori Quakenbush, Chairman  
Alaska Board of Game

Vote: 7-0

Post-It Fax Note	7671	Date	4/13/98	# of pages	1
To	Senator Halford	From	Diana Cote		
Co/Dept.		Co.	Board of Game		
Phone #	4928	Phone #	6095		
Fax #		Fax #	465-6094		

**HEB**

**182**

# SENATE COMMITTEE REPORT

DATE: 2/26/98

FURTHER:

DATE TURNED IN TO OFFICE: 3/12/98

Resources Committee considered CS FOR HOUSE BILL NO. 182(RLS)

"An Act relating to the qualifications of the state forester."

and recommends:

- be replaced with S CS HB 182 (RES)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill: same title
- new title
- House Bill:**
- same title
- technical title
- new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>John Ingram</i>	✓	<i>Loren A. Lewis</i>			✓
<i>Chris Taylor</i>	✓				
<i>Linda Beck</i>	✓				
<i>Bob King</i>	✓				
<b>CHAIR: <i>Paul Helford</i></b>	✓	<b>CHAIR:</b>			

**NEW FISCAL NOTE(S):**

Department                      Date              Zero              Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date              Zero              Fiscal

<i>DNR - FORESTRY</i>	<i>2/11/98</i>	<i>X</i>	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

No: 1

Bill Version: CSHB 182 (RES)

(H) Publish Date: 2/16/98

## STATE OF ALASKA 1998 LEGISLATIVE SESSION

Revision Date:	Dept Affected: <u>Natural Resources</u>
Title: <u>An Act Relating to the qualifications of the State Forester</u>	BRU: <u>Resource Development</u>
Sponsor: <u>Representative Williams</u>	Component: <u>Forest Mgmt &amp; Development</u>
Requestor: <u>House Finance</u>	Component Serial No. <u>#435</u>

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY99	FY00	FY01	FY02	FY03	FY04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CHANGE IN REVENUES (fund code)</b>	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: \$ none

POSITIONS	FY99	FY00	FY01	FY02	FY03	FY04
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

There is no anticipated fiscal impact associated with implementation of this legislation.

Prepared by: <u>Jeff Jahnke, State Forester</u>		Phone: <u>465-3379</u>
Division: <u>Forestry</u>		Date: <u>11-Feb-98</u>
Approved by Commissioner: <u>[Signature]</u>		Date: <u>2-11-98</u>
Agency: <u>Natural Resources</u>		

MEMORANDUM

TO: Senator Rick Halford

FROM: Brett Huber

DATE: March 11, 1998

SUBJECT: HB 182

=====

Following is a synopsis of the Resource committee action on HB 182:

amendment #1 Page 1, Line 11 Delete "a forestry-related  
program" and Insert "forest management"

amendment #2 Page 1, following line 13 Insert "or at least eight  
years of professional work experience as a forester."

Following the two amendments the committee moved the SCS for HB 182(RES) out with individual recommendations and accompanying fiscal note.

# Alaska State Legislature

Committees:  
Transportation, Chairman  
Resources  
Economic Development  
Rules



Representative William K. Williams

During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
50 Front Street, Suite 203  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-7157

2/24/98

## Sponsor Statement

### House Bill 182

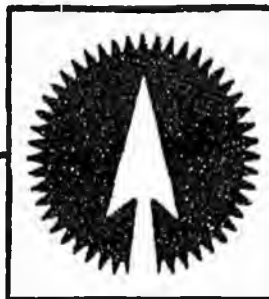
#### **“An act relating to the qualifications of the State forester.”**

This bill would require the state forester (director of the Division of Forestry) to have a bachelor's or higher degree in a forestry-related program and have three years of field experience in forestry. It would also require the commissioner of the Department of Natural Resources to solicit and consider the recommendations of the state Fire Chief's Association or successor organization while reviewing the list of candidates for the state forester position forwarded by the board of forestry.

A “forester” is a specialist in forestry. The state forester heads a division comprised of mostly professional foresters and forestry technicians. I believe the division director should have a proper education in forestry and adequate field experience. Under the current statute there are neither forestry qualifications nor field experience required to head the state division of forestry. Considering the statutory defined responsibilities of the division the lack of required forestry qualifications and experience is alarming.

The state forester is charged with fire suppression on state land. In fact over half of the forester's job is related to fire suppression. Because of this fact it is logical that the Fire Chief's Association should have some input in the selection process of the state forester. While the legislation does not bind the commissioner of Natural Resources to act on any particular recommendation it does allow the Chief's to have input during the hiring process.

# Alaska Forest Association, Inc.



111 STEDMAN SUITE 200  
KETCHIKAN, ALASKA 99901-6599  
Phone 907-226-8114  
FAX 907-225-5920

January 23, 1999

The Honorable Bill Williams  
House of Representatives  
State Capitol  
Juneau, AK 99801

Dear Representative Williams: *Bill*

The Alaska Forest Association wishes to be on record in support of House Bill 182, "An Act relating to the qualifications of the state forester." The legislation requires the director of the division of forestry to be a professional forester, a concept which the AFA heartily endorses. The bill also gives the Alaska Fire Chiefs Association a role in the process of selecting the state forester. This is important to that organization, and AFA supports the fire chiefs' position.

The Division of Forestry is a professional division of state government with a specific mission in the field of forestry. It is principally staffed with professional foresters - men and women trained and working in the broad field of forestry. As with the USDA Forest Service, its focus can be affected by the experience and training of its leadership. Just as you would expect the head of the state's revenue division to be trained and experienced in accounting, it is reasonable to expect the state forester to be trained and experienced in forestry.

AFA believes that the focus of the division should be on forestry and that it should be managed by a qualified and experienced manager who is himself a professional forester. It should be noted that "forestry" as defined and encompassed by college programs under the SAF certification procedures is fairly broad. It includes forest economics, silviculture, timber management, forest hydrology and a host of other sub-disciplines.

Thank you for introducing this legislation. We urge its speedy passage.

Sincerely,

Jack Phelps  
Executive Director



# Alaska Society of American Foresters

9723 Trappers Lane  
Juneau, Alaska 99801  
February 12, 1998

Cook Inlet Chapter  
Dixon Entrance Chapter  
Juneau Chapter  
Sitka Chapter  
Stikine Chapter  
Yukon River Chapter

Representative Bill Williams  
State Capital  
Juneau, Alaska 99801

Dear Representative Williams:

The Alaska Society of American Foresters believes, consistent with the national Society's position relative to federal natural resource management agencies, that Alaska's state resource management agencies should be lead by professionals pertinent to the agencies' responsibilities.

As regards the Division of Forestry, we believe the State's best interests in behalf of professional scientific management of the State's forest resources, are best served by a professional forester. Requirements for professional membership in the Society of American Foresters (SAF) should serve as a working definition for this purpose. They follow:

- a. Must be a graduate of an SAF accredited forestry curriculum or of a candidate curriculum for accreditation or,
- b. be a recipient of a graduate degree in forestry from an institution that has an SAF accredited forestry curriculum or one that is a candidate for accreditation or,
- c. be a scientist or practitioner who holds a bachelor's or higher degree within the broad field of forestry based on a curriculum that is neither SAF accredited nor a candidate for accreditation and who has three or more years of qualifying experience within the broad field of forestry.

The characteristics of natural resources are such that their most effective management should not be subject to frequent leadership and personnel turnover and policy shifts that preclude continuity.

We support House Bill 182 to the extent that it would require a professional forester to fill the position of Director of the Division of Forestry, Department of Natural Resources, also called the State Forester.

Thank you for the opportunity to comment on this important legislation. We are available to provide additional help in any way we can and to answer any questions you or members of the Committee may have.

Sincerely,



*for* John C. Sherrod, Chairman  
Alaska Society of American Foresters

**HB**

**198**

# SENATE COMMITTEE REPORT

DATE: 5/1/97

FURTHER:

DATE TURNED IN TO OFFICE: 5/8/97

Resources Committee considered CS FOR HOUSE BILL NO. 198(FIN)

"An Act relating to regional dive fishery development associations and to dive fishery management assessments; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ ( )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical change
  - new: SCR' \_\_\_\_\_

SIGNING DO. PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Adrian L. Taylor</i>	✓	<i>[Signature]</i>	✓		
<i>[Signature]</i>	✓				
<i>Kevin D. Leman</i>	✓				
<i>Lynn Green</i>	✓				
<b>CHAIR: <i>Rick Halford</i></b>	✓	<b>CHAIR:</b>			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal
<i>FIG CFMD</i>	<i>4/8</i>		X
<i>REVENUE</i>	<i>4/9</i>	X	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

No. 3

Bill Version: HB 198

(H) Publish Date: 4/10/97

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title: Dive Fishery Management and Assessment BRU: CFMD  
 Component: Fisheries Management  
 Sponsor: Representative Williams  
 Requester: House Fisheries COMPONENT SERIAL NO. 1941

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES		184.6	184.6	184.6	184.6	184.6
TRAVEL		9.3	9.3	9.3	9.3	9.3
CONTRACTUAL		42.8	42.8	42.8	42.8	42.8
SUPPLIES		5.9	5.9	5.9	5.9	5.9
EQUIPMENT		9.4	9.4	9.4	9.4	9.4
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS		50.0	50.0	50.0	50.0	50.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF Program Receipts		301.9	301.9	301.9	301.9	301.9
1037 GF Mental Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>	<b>301.9</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

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

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

See attached page.

Prepared by: Bob Clasby  
 Division: Commercial Fisheries Management and Development  
 Approved by Commissioner: Frank Rue  
 Agency: Department of Fish and Game

Phone: 465-6143  
 Date: 4/8/97  
 Date: 4/8/97

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This fiscal note for ADF&G assumes no cost to the department associated with establishing the dive association.

Pass through funding for the administration of the dive association is estimated at \$50,000. This is shown under miscellaneous on the fiscal note. This portion of the fiscal note is built on the assumption that there is one group formed in Southeast Alaska. Additionally, if budget cuts go through as currently proposed in the Senate, staff associated with this process (Regional Resource Development Biologists) may no longer exist. Under this situation, the fiscal note would increase to cover the cost of a Fisheries Biologist III, at a cost for salary and travel of \$85,000 to reflect the need to hire new staff to administer oversight of dive associations.

This fiscal note does not cover costs associated with enforcement issues that are the purview of the Department of Public Safety.

This fiscal note does not cover costs associated with the Department of Revenue.

All expenditures in FY99 through FY03 are anticipated to be recovered by Program Receipts generated by a dive fishery association assessment.

FISCAL NOTE

Revision Date: \_\_\_\_\_ Dept. Affected: Revenue  
 Title: Dive Fishery Management Assn & Assessment BRU: Revenue Operation  
 Component: Income and Excise Audit  
 Sponsor: REP WILLIAMS, Hudson, Kookesh, Grussendorf  
 Requestor: (H) FSH COMPONENT SERIAL NO. 113

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( GF )	0.0	***	***	***	***	***

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY97) cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

\*\*\* See Attached Analysis

Prepared by: Paul E. Dick  
 Division: Income and Excise Audit Division  
 Approved by Commissioner: Wilson L. Condon  
 Agency: Revenue

Phone: 465-3691  
 Date: April 9, 1997  
 Date: April 9, 1997

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DEPARTMENT OF REVENUE  
Income and Excise Audit Division

Dive Fishery Management Assn & Assessment  
CSHB 198(FSH)  
April 9, 1997  
Page 2 of 2

**BILL ANALYSIS**

**Section 1** authorizes the formation of qualified regional dive fishery development associations for the purpose of developing dive fisheries in the state.

**Section 2** adds new section to AS 43.76 (Salmon Enhancement and Marketing Taxes) which establishes provisions for an elective dive fishery management assessment. Qualified dive fishery development associations would be authorized to conduct an election to approve, amend or terminate a dive fishery management assessment based on a percentage of the value of the fishery resource. Terms for conducting the election are provided in this section.

Processors would collect applicable dive fishery management assessments from dive fishermen when they acquire or buy dive fishery resources. Processors would be required to file returns and remit assessment collections to Department of Revenue on a quarterly basis. Persons who export dive fisheries from the state would be required to file returns and pay assessments directly to the department on a quarterly basis. Assessment collections would be deposited in the general fund. The legislature may appropriate assessment revenue to the Department of Fish and Game for funding the qualified regional dive fishery association in the area in which the assessments were collected.

**Section 3** provides for an immediate effective date.

**OPERATING EXPENDITURES**

Department of Revenue estimates that less than 40 dive fishery assessment returns would be filed each year. The department could handle collection of the fishery management assessments and processing returns with current resources.

**REVENUE**

It is not feasible to estimate revenue under this bill because the dive fishery assessment is contingent on (1) formation of a qualified dive fishery development association and (2) approval of an assessment and rate by a majority vote of association members. According to Department of Fish and Game, the total estimated value of dive fishery resources for calendar year 1997 will be between \$3.5 and \$4.0 million. Collections would likely begin in FY 1999 because of the time it would take to form associations and conduct an election for approval of an assessment.

# FISCAL NOTE

No. 1  
 Bill Version: HB 198  
 (H) Publish Date: 4/10/97

STATE OF ALASKA  
 1997 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title: An Act relating to regional dive fishery development associations and BRU: Commercial Fisheries (Limited) Entry Commission  
to dive fishery management assessments Component: Limited Entry Program Administration  
 Sponsor: Williams  
 Requester: House Special Committee on Fisheries COMPONENT SERIAL NO. 0471

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>						

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

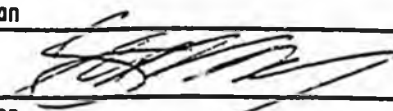
Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact.

Prepared By: Roger Kolden Phone: 789-6160  
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/7/98  
 Approved by Commissioner: Bruce Twomley   
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/7/98

# Alaska State Legislature

Committees:  
Transportation, Chairman  
Resources  
Economic Development  
Rules



During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
352 Front Street  
Ketchikan, AK 99901  
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Fax (907) 225-8546

Representative William K. Williams

## SPONSOR STATEMENT

### HOUSE BILL 198

**"An Act relating to regional dive fishery development associations and to dive fishery management assessments; and providing for an effective date."**

Southeast Alaska dive fishermen have been attempting for the past decade to establish orderly, consistent and stable fisheries capable of providing dependable economic opportunity for themselves, their families and the communities of southeast. The urgency to create an economically viable fishery is highlighted by the recent closure of the regions largest employer and other related negative economic effects on the economy of southeast Alaska.

Substantial untapped dive fishery resources have been identified through diver and ADF&G underwater activities for over a decade. Many of the southeast communities have placed the development of the dive fishery as a priority item in economic development documents and locally developed legislative budget priorities. The dive fishery resources appear to be abundant and diverse throughout the region. The small sea cucumber and geoduck fisheries in southeast have a combined annual ex-vessel value of \$2.0-2.5 million dollars. In California, the urchin fishery has ranged in ex-vessel value from \$16 to \$39 million dollars from 1990-1996. Geoducks range in price from \$6/lb. live to \$3.50/lb. processed. Alaskan waters contain abundant amounts of these fishery resources plus many others not currently harvested. This legislation will encourage the identification and development of these resources. The potential for future jobs for harvesters, processors and support industries is considerable.

The commitment to work together is evidenced in the red sea urchin fishery. In 1996, the Alaska Department of Fish & Game (ADF&G), after a test fishery, was unable to open the red sea urchin fishery because of lack of funding. Based on positive results in the test fishery and a vision to diversify and develop their local economy, the Ketchikan Gateway Borough provided funding to ADF&G to conduct bioassessment surveys needed to open the fishery. The Borough continued in its involvement by facilitating and participating in a local task force comprised of Borough personnel, divers, processors and ADF&G. The resulting plan was for processors to "forward fund" the management costs of the fishery with agreements to recoup their funding through a \$.05/lb. assessment on divers. Thus, in January 1997, a red urchin fishery opened in districts 1 through 4 in the Ketchikan and Craig areas.

Sponsor Statement  
HB 198  
Page Two

This temporary fishery opening is based on a one time source of funding that will expire June 30, 1997. In order to continue this fishery, and to develop the other dive fishery resources, a stable source of funding is necessary.

The August 1996 red urchin management plan states: "Developing a long-term program to fund the costs of stock assessment, research and management remains an outstanding issue. If sufficient funds are not provided to the department each year, the fishery will not open." This is the dilemma divers face and House Bill 198 provides a creative and progressive vehicle to move towards a solution.

House Bill 198 does not mandate but allows the creation of regional dive fishery development associations for the purpose of developing dive fisheries and creates a working relationship between the divers and ADF&G to develop annual operating plans. The legislation is permissive and once a regional association is formed, divers can hold a ballot election of all interim-use permit holders to answer two questions: 1) shall we assess ourselves, and 2) at what rate shall we assess ourselves.

If approved by election, divers would be assessed, the state would collect, and the legislature may appropriate the assessment back to ADF&G. The appropriation will be based on the mutually developed annual operating budget and plan. ADF&G would then fund the specific purposes outlined in the legislation for the regional dive fishery development association and ADF&G.

All the appropriate checks and balances are in place and all parties are held accountable. In addition, all other fisheries business taxes are collected and deposited into the general fund.

House Bill 198 is a positive step forward by the private sector to support economic development and diversification without seeking a general fund appropriation. Time is of the essence. I would appreciate your support of this legislation for passage this session to keep the economic development for southeast moving forward.

# Alaska State Legislature

Committees:  
Transportation, Chairman  
Resources  
Economic Development  
Rules



During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
352 Front Street  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-8546

Representative William K. Williams

## SECTIONAL ANALYSIS

### CS for House Bill 198(FIN)

**“An Act relating to regional dive fishery development associations and to dive fishery management assessments; and providing for an effective date.”**

#### Section 1

##### **Sec.16.40.240. Regional dive fishery development associations.**

- Allows the creation of regional dive fishery development associations for the purpose of developing dive fisheries.
- Association becomes qualified if the commissioner of Fish & Game makes the following determinations:
  1. it is incorporated as a nonprofit corporation;
  2. represents commercial divers in the region; and
  3. the board has representation from each of the significant commercial dive areas in the region; a processor of dive fishery resources; and, a representative of the municipalities in the administrative area.

#### Section 2

##### **Sec.43.76.150. Dive fishery management assessment.**

- Allows the divers to first form an association. The association then holds an election to determine their rate of assessment from rates (1%, 3%, 5%, 7% of value) set forth in the bill.
- If the association forms, determines to assess themselves at a certain rate, then this portion of the bill provides for the collection of this assessment by the Department of Revenue.

**Sec. 43.76.160. Election to approve, amend, or terminate dive fishery management assessment.**

- This section mirrors other language currently in statute. It outlines the time line, what must appear on the ballot. The commissioner of Fish & Game certifies the results of the election.
- This section also provides the same procedure for amending or terminating an assessment by the regional dive association.

**Sec. 43.76.170. Amendment of dive fishery management assessment.**

- Allows the Department of Revenue to amend a dive fishery management assessment if:
  1. 25% of the number of persons who voted in the original election present a petition to the commissioner of Fish & Game;
  2. an election is held asking the question to amend;
  3. a majority votes to amend; and
  4. the regional association provides proper notice.

**Sec. 43.76.180. Termination of dive fishery management assessment.**

- Allows the Department of Revenue to terminate a dive fishery management assessment if:
  1. 25% of the number of persons who voted in the original election present a petition to the commissioner of Fish & Game;
  2. an election is held asking the question to terminate;
  3. a majority votes to terminate; and
  4. the regional association provides proper notice.

**Sec. 43.76.190. Collection of assessment. (Follows current method in statute.)**

- Requires assessment to be collected at point of sale.
- Requires quarterly remittal to Department of Revenue.
- Requires the maintenance of buyer records.
- Requires the "owner" of the fishery resources to remit the assessment and maintain records if they remove the fishery resource from the state.
- Assessment deposited into general fund.

**Sec. 43.76.200. Funding for qualified regional dive fishery development associations.**

- Provides for appropriation of revenue to ADF&G for funding of qualified regional dive fishery development associations.
- The assessment collected in a particular administrative area will be returned to that administrative area.
- Funds may be expended by regional association for costs of management, research, and planning for dive fisheries and for the administration of the association.
  
- Requires associations receiving funding to:
  1. to develop an annual operating plan with the cooperation of ADF&G;
  2. plan must describe activities for which funds will be spent including:
    - a. identification of species and areas for bioassessment surveys;
    - b. description of management and research activities to be performed by both the regional association and ADF&G.
- Funds appropriated to ADF&G for the regional association cannot be spent by either the association or ADF&G (except for administration costs of the association) unless both parties have approved the annual operating plan.
- Requires an annual financial report to be submitted by the association to ADF&G.

**Sec. 43.76.210. Definitions.**

Provides definitions for the legislation.

Section 3

The bill will become effective upon passage.

Management Plan for the Harvest of Red Sea Urchins  
in Districts 101-104 of Southeast Alaska



Regional Information Report<sup>1</sup> NO. 1196-19

Alaska Department of Fish and Game  
Commercial Fisheries Management and Development Division  
P.O. Box 240020  
Douglas, Alaska 99824

August 1996

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<sup>1</sup> The Regional Information Report Series was established in 1987 to provide an information access system for all unpublished divisional reports. These reports frequently serve diverse ad hoc informational purposes or archive basic uninterpreted data. To accommodate timely reporting of recently collected information, reports in this series undergo only limited internal review and may contain preliminary data, this information may be subsequently finalized and published in the formal literature. Consequently, these reports should not be cited without prior approval of the author or the Commercial Fisheries Management and Development Division.

## INTRODUCTION

Fishers and seafood processors have expressed interest in developing a red sea urchin fishery in southern southeast Alaska since at least the late 1980s. While the department has sought an appropriation from the legislature to develop this fishery for many years, no such appropriation has been provided. In 1994, the department began to explore alternative funding sources to develop this resource.

In late 1994 the department chose test fishing to generate revenue for a stock assessment survey. District 101 was selected because of its large urchin resource and close proximity to Ketchikan (Figure 1). Ocean Fresh Alaska was the sole bidder, paying the department \$139,567 to cover costs of a stock assessment survey and for the costs associated with the monitoring the subsequent year long test fishery. In exchange, Ocean Fresh Alaska was allowed to harvest 3 million pounds of urchins from March 1995 to April 1996. The results of the survey and subsequent test fishery clearly demonstrated the economic potential of a red sea urchin fishery in the Ketchikan area.

In 1996, industry representatives sought legislation that would resolve funding and management issues necessary to begin a fishery. Legislation to resolve these issues did not emerge. The department proposed test fishing be used once again as the source of revenue but this approach met with significant opposition. As an alternative, industry representatives sought funding from the Ketchikan Gateway Borough to conduct stock assessment surveys in Districts 103 and 104 (the west coast of Prince of Wales Island and coasts of Dall and nearby islands to the north) and began discussion of alternative sources of revenue to pay for long term research and fishery management. In May of 1996, when it appeared that the borough would fund the stock assessment in District 103 and 104, a task force formed with the aid of staff of State Representative Williams (Saxman) to address the issues of long term funding and to advise the department on management of the fishery.

Members of the task force included dive fishermen, fish processors, and community representatives. Department staff served as advisors to the task force. The task force held a series of meetings through June 1996 and provided the department with a report that included a list of recommendations for management measures.

The Ketchikan Gateway Borough contracted with the department in July 1996 to conduct a survey of urchin biomass in Districts 103 and 104. These assessments, in addition to those in Districts 101 and 102, are a necessary step to allow the department to establish quotas for a commercial fishery over a wide geographic area.

With information available on stock size, two tasks remain prior to opening a commercial fishery. First, the department must adopt regulations to manage the fishery under the High Impact Emerging Fisheries Regulation (5 AAC 39.210) and the Administrative Procedures Act (AS 44.62.180-290). Second, funding must be provided to the department to cover all management costs and to begin the research program.

While adoption of interim regulations and short term funding will allow the department to open a fishery, successful completion of these steps do not assure a fishery in the longer term, nor

necessarily define how the fishery will be managed after the first year. Developing a long-term program to fund the costs of stock assessment, research and management remains an outstanding issue. If sufficient funds are not provided to the department each year, the fishery will not open. Last, the regulations adopted under the High Impact Emerging Fisheries Regulation are subject to review and change by the Alaska Board of Fisheries at its next regularly scheduled meeting.

In developing this management plan, the department incorporated many of the recommendations of the sea urchin task force. Some recommendations were deemed inappropriate by the department and either modified or eliminated. Significant changes in management from those recommended by the task force are noted and discussed.

STATE OF ALASKA  
 COMMERCIAL FISHERIES ENTRY COMMISSION

13:40 Friday, January 24, 1997

PROJECT NUMBER : 96157  
 PROJECT NAME : Southeast Dive Fisheries

Moratorium Eligibility List For Out Of State Permit Holders

,ADDR,CITY

A_CITY	Frequency	Cumulative Frequency
ANCHORAGE	6	6
ANGOON	1	7
AUKE BAY	5	12
BETHEL	1	13
COFFMAN COVE	2	15
CORDOVA	4	19
CRAIG	51	70
DOUGLAS	1	71
EDNA BAY	6	77
GUSTAVUS	1	78
HAINES	4	82
HOMER	2	84
HYDABURG	4	88
JUNEAU	8	96
KENAI	1	97
KETCHIKAN	98	195
KLAWOCK	5	200
METLAKATLA	14	214
MEYERS CHUCK	1	215
PALMER	1	216
PETERSBURG	37	253
PORT ALEXANDER	2	255
SEWARD	2	257
SITKA	116	373
SLANA	1	374
THORNE BAY	16	390
WARD COVE	12	402
WASILLA	2	404
WRANGELL	34	438

Addresses listed are the most current ones on file.

,ADDR,STATE

A STATE	Frequency	Cumulative Frequency
CA	26	26
CO	1	27
ID	1	28
NM	1	29
NV	1	30
NY	1	31
OR	13	44
WA	74	118
WY	1	119

**S.E. DIVE FISHERIES ELIGIBILITY**  
 (Based on final version of HB 547)

DIVE FISHERY OPTIONS	Number Eligible Participants
Abalone: All persons who harvested abalone in 1994 or 1995 (and) any persons who harvested any of the four species in the five consecutive years 1991-1995.	190
Geoducks: All persons who harvested geoducks in 1994 or 1995 (or) January 1996 (and) any persons who harvested any of the four species in the five consecutive years 1991-1995.	170
Sea Cucumbers: All persons who harvested sea cucumbers in 1994 or 1995 and any persons who harvested any of the four species in the five consecutive years 1991-1995.	472
Sea Urchins: All persons who harvested sea urchins in 1992 or 1993, (and) any persons who harvested sea cucumbers in 1994 or 1995, harvested abalone in 1994 or 1995 or harvested geoduck in 1994 or 1995 or January 1996.	559



# KAKE TRIBAL CORPORATION

April 1997

P.O. Box 263

Kake, AK 99830

## COURT RULES AGAINST KTC

Past errors haunt Kake Tribal

The Alaska Supreme Court dealt a blow to a majority of Kake Tribal shareholders on February 21, 1997 when it upheld a lower court decision in the Arlene Bell Hanson et. al v. Kake Tribal Corporation. The highest court in Alaska ruled that Kake Tribal must pay 173 shareholders approximately \$98 per share as res-

Continued on page 3

## Going After MONY

The only bright lining to the otherwise dark cloud created by the Alaska courts is that Kake Tribal has preserved its right to sue Mutual of New York (MONY), the company responsible for the insurance program that discriminated against certain shareholders.

"There is a wide paper trail that leads directly to Mutual of New York, the insurance company that sold the program to Kake Tribal in 1980," says Gordon Jackson. "It was naive of the board back then to accept a program that was discriminatory, but it was irresponsible for a huge enterprise like Mutual of New York to sell such a life insurance program. Certainly a corporation such as this insurance company should have known about corporate laws, fiduciary responsibilities, and shareholder rights."



The Kake Crew: over 40 residents of Kake are employed processing sea urchin this winter.

## KAKE SEA URCHIN PROJECT

The processing crew at Kake is given credit for producing high quality sea urchin roe that commands top prices at the famed Tsukiji Market in Tokyo, the largest sea food market in the world. Mike Ellis, the sea urchin specialist hired by Larry Cambronero to oversee processing at Kake Fisheries, says the Kake Fisheries' crew is producing a product that sells for a higher average price than that of other Alaskan urchin producers.

"For those who understand the system, the key is the average price you receive," Ellis explains. "The market is an auction, and while

someone else might sell a portion of their product for a higher price, the bragging rights go to whoever gets the best price over-all."

Start-up of the project in January coincided with the low end of the market price for sea urchin. The sales strategy Cambronero and Ellis devised was to enter the market at the low end and to build a demand for the product as prices rise. The strategy appears to be paying off. In the 7th week of producing sea urchin roe the project is making profits.

"This project is labor intensive, and fortunately, we have a good

Continued on page 2

## THE 1997 WORK SEASON BEGINS

In 1996 KTC employed over 400 people. Over 500 may work in 1997.

# SEA URCHIN PROCESSING

is the place to be

The early morning scene at the Kake Cold Storage is unusual only for the time of year. People, mostly young, stream into work, engaging in good natured banter as time cards are punched and rubber gloves and aprons are put on. Within a few minutes after eight in the morning the processing line

and workers talk, gossip and joke with one another.

During coffee break at 10:00 a.m. Carole Jackson, a widow with three children, is seated in the lunch room. She says that were it not for this job, she would be trying to raise money at bake sales to keep her family going.

are," he says with a grin. "Sea urchin processing is a nice job. It doesn't require heavy lifting like processing halibut and salmon."

When the break ends, Sandra Thomas and Melody Martin, both 19 years old and 1995 graduates of Kake High School, are back at work. Sandra is on the production line using a table spoon to separate the sea urchin roe from the spiny shells. Nearby, Melody sits at the table where the product is packaged. Using a tweezers, she



Dan Varnetti is one of the first to arrive at the plant. He and several other workers set things up so the full crew can go right to work at 8 a.m.



George Skeek, Danny Jackson, and David Thomas crack the sea urchin shells with reverse-jaw pliers.

is up and running. For the first time in living memory there is mid-winter seafood production work in Kake.

"People came out of the woodwork for these jobs," says Larry Jackson, employee coordinator for Kake Fisheries. "We are paying good wages: this is the place to be."

Anyone who has ever seen a seafood processing plant in operation would be struck by the high morale of these workers. Rock and roll blasts from a boom box and the only time harsh criticism is voiced occurs when a heavy metal tape is replaced by the easy listening rock favored by management.

Even with the music, the noise level is much lower than during the height of the salmon season,

George Skeek, a heavy equipment operator during the logging season, seated across from Carol, says he would be drawing unemployment.

At the end of the table is George's father, Wilfred Skeek,

"People came out of the woodwork for these jobs."

who has regular employment as the driver of the senior services van and works part-time as a long-shoreman whenever a log ship pulls in. The elder Skeek says he doesn't need the check, but he likes the companionship. "Might as well

removes spine and gut fragments before sliding two pounds of product into a styrofoam cup filled with chilled water. Both Sandra and Melody are saving to afford attendance at the colleges of their choice, decisions available to them only with the earnings from winter season processing jobs.

Leonard Johnson, whose present job is to tend the trays of product during the drip-drying phase between extraction and packaging, is one of several people from the nearby village of Angoon who came to Kake last summer for work at the cold storage. The others left after the salmon season ended in September, but Johnson stayed on and has worked steadily ever since. "Sea urchin processing



About 18 people work the roe extraction line including Sandra Thomas, Wilfred Sikeek, Ray Kadake, Ella Vernetz and others.



Melody Martin and Kari Hale pack the product in styrofoam containers.

is good work. I wouldn't have a job otherwise," says Johnson who was unable to find employment in Angoon after his fourteen year stint with the local National Guard unit ended due to force reductions.

Mike Ellis, hired by Kake Fisheries manager Larry Cambronero to supervise the processing end of the project has been a commercial diver since 1976. He is also a seasoned processor with experience in markets up and down the west coast.

"We are processing red sea

"Sea urchin processing is good work. I wouldn't have a job otherwise."

urchin, which are much larger than green sea urchin. You have to extract the roe of red urchin, unlike green sea urchin which are often shipped whole," says Ellis. Because of the processing requirements for red sea urchin the project is labor intensive. "The beauty of this fishery is that it doesn't require a lot of capital or equipment. Just labor and typical plant facilities."

According to Ellis, the Kake product is receiving high marks

for quality. "We were amazed that the Japanese compare our product favorably to Santa Barbara sea urchin, which has the best reputation for flavor and consistency."

Processing, while mechanically simple, is labor intensive and requires great care, especially once the roe is extracted. If not handled properly, vibrations during shipment will render the roe into a soupy, unmarketable mess.

"There is a learning curve for processing like this," Ellis notes. "Although it's simple work, it is a manual dexterity thing. Like typing: you start out and 20 words a minute seems fast, 70 words per minute impossible." With a start up project like this, Ellis is pleased that everything has gone so smoothly that no product has been lost, and that it is receiving such high marks from the buyers.

## UNI FOR SUSHI

Two to three times a week, a tender pulls into Kake with loads of sea urchins that vary from 12,000 pounds to 20,000 pounds per delivery. The variables are largely weather induced. A bad storm on the coast, and the divers will be unable to work. Really bad storms can keep the tender weather bound; and mild but foggy weather can delay delivery of the valuable, fragile, and quick to spoil processed sea urchin roe from getting to market. Despite a season of quirky weather, no shipment has spoiled, and the reports from Japan have praised the Kake Fisheries' product.

"We were amazed that the Japanese compare our product favorably to Santa Barbara sea urchin, which has the best reputation for flavor and consistency," says Mike Ellis.

The roe, known as uni in Japan where it is usually eaten as sushi, is actually gonads, either male or female, but to the untrained eye uni looks like a thumb-sized golden skein of tiny eggs. Unlike caviar of fin fish, this product does not demand an acquired taste. It has a pleasant tangy sour cream flavor and texture, palatable even to the uninitiated. The Japanese are extremely discriminatory. If the sea urchin roe is off-colored, too small or too large, not firm enough, not fresh enough, it may be rejected out of hand or will barely command any price at all.

KETCHIKAN  
GATEWAY  
BOROUGH

OFFICE OF THE MAYOR  
John "Jack" Shay  
344 Front Street  
Ketchikan, AK 99901-6494  
907-228-6605  
(Fax) 907-247-8439

April 9, 1997

Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

Dear Legislators:

The Ketchikan Gateway Borough supports House Bill 198 sponsored by Representative Bill Williams, "An Act relating to regional dive fishery development associations and to a dive fishery management assessment."

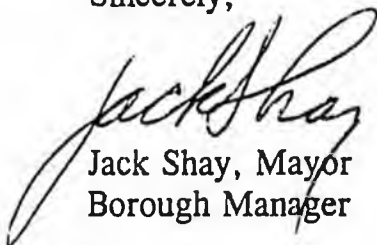
This legislation is part of a broader Dive Fisheries Economic Development Project for Southeast Alaska in which the Ketchikan Gateway Borough is participating. We have appropriated \$20,000 for Phase I of this project as part of a regional effort to develop dive fisheries.

The Ketchikan Gateway Borough has allocated substantial time and money seeking the development of the dive resources. The red sea urchin fishery now open in the Ketchikan management area is due largely to our efforts.

Southeast Alaska dive fishermen have been trying for the last decade to establish an orderly, consistent and stable fishery capable of providing dependable economic opportunity. House Bill 198 is another step in this direction.

The Ketchikan Gateway Borough appreciates your support for economic development and diversification for our region. Thank you for your consideration.

Sincerely,



Jack Shay, Mayor  
Borough Manager



April 7, 1997

Representative Austerman  
Alaska State Legislature  
State Capitol Juneau, Alaska  
99801-1182

Subject: House Bill 198, Regional Dive Fishery Development Associations

Dear Rep. Austerman:

The City of Craig supports House Bill 198 sponsored by Reps. Williams, Grussendorf, Kookesh, Hudson and Elton. This bill is entitled "An Act relating to regional dive fishery development associations and to dive fishery management assessments;...".

The city has supported this legislation as part of a broader project called the Dive Fisheries Economic Development Project to which the City of Craig has appropriated \$20,000 of our scarce city resources in support of phase I of this project.

The reason that our city has committed time and money to this project is that the dive fishery is an extremely important part of our community economic activity. The dive fishery produced over 270 jobs in our community just this past year in the following developing fisheries: sea cucumbers, sea urchins and geoducks. These fisheries have a very bright future along with other developing dive fisheries and, with proper resource management, we look to this fishery for many more jobs on a sustainable basis.

As you will note from the bill, management of the fishery pays for itself with an assessment from participating permit holders. Eligible divers vote on the amount that is assessed and placed into the general fund monthly. The legislature may then appropriate an amount to be determined by the legislature based on the amount of assessment received into the general fund. We wish that more programs were self-funding as is this one.

The City of Craig appreciates your consideration of this bill and points out that a vote for this bill is a vote for regional economic development and diversification. Please incorporate this letter into the bill-file for hearings on April 10th & 11th.

Sincerely,

Dennis Watson, Mayor  
City of Craig



RECEIVED AUGUST 17th  
March 17, 1997

# CITY OF WRANGELL, ALASKA

INCORPORATED JUNE 19, 1893

FOR SAT. 09300 1997) 874-3391  
FAC 1907) 874-3812

Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Legislators:

The City of Wrangell supports House Bill 188, sponsored by Representative Bill Williams, "An Act relating to regional dive fishery development associations and to a dive fishery management assessment."

This legislation is part of a broader Dive Fisheries Economic Development Project for Southeast Alaska in which the City of Wrangell is actively participating. We have allocated \$20,000 for Phase I of this project as part of a regional effort to develop dive fisheries.

Southeast Alaska dive fishermen have been trying for the past decade to establish an orderly, consistent and stable fishery capable of providing dependable economic opportunity. The urgency to create an economically viable fishery in Southeast is magnified by the recent reduction in timber harvest and the closure of several forest products manufacturing plants in the region. In fact, in Wrangell we have at least eight displaced timber workers who are now participating in the dive fishery.

The City of Wrangell appreciates your support for economic development and diversification for our region. Thank you for your consideration.

Sincerely,

*Douglas W. Roberts*  
Douglas W. Roberts  
Mayor

DW/R:fv



# City and Borough of Sitka

Providing for Today . . . Preparing for Tomorrow

100 LINCOLN STREET • SITKA, ALASKA 99835

747-1811

March 17, 1997

Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

Dear Legislators:

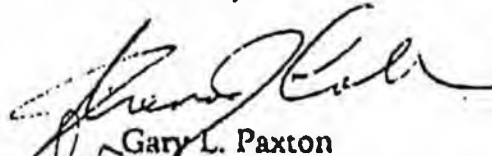
The City and Borough of Sitka supports HB 198 sponsored by Representative Bill Williams. "An Act relating to regional dive fishery development associations and to a dive fishery management assessment."

This legislation is part of a broader Dive Fisheries Economic Development Project for Southeast Alaska in which the City & Borough of Sitka is actively participating. We have allocated \$20,000 for Phase I of this project as part of a regional effort to develop dive fisheries.

Southeast Alaska dive fishermen have been trying for the past decade to establish an orderly, consistent, and stable fishery capable of providing dependable economic opportunity. The urgency to create an economically viable fishery in Southeast is highlighted by the recent reduction in timber harvest and the closure of several forest products manufacturing plants in the region.


The City & Borough of Sitka appreciates your support for economic development and diversification for our region. Thank you for your consideration.

Sincerely,



Gary L. Paxton  
Municipal Administrator

\*\*\*END\*\*\*



# NORQUEST

Lafayette, Silver Lining Crusader  
Phone: 907-826-3334  
Fax: 907-826-3353  
PO Box 412  
Craig Ak. 99921

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March 26, 1997

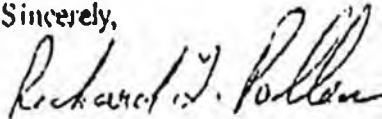
Dear Senator Mackie,

I wish to thank you for your support of House Bill 198. This Bill would set the stage for dive fishery production, which in turn will offer seafood processors the opportunity to operate year round. This would offer employment to many local folks who other wise would not have it at this time of year.

Norquest currently has a payroll of forty-five people which contributes around \$2400.00 daily into the local economy. This fishery has the potential of allowing other, now empty plants to open and operate in these labor intensive fisheries.

Again, your support of House Bill 198 is greatly appreciated.

Sincerely,



Richard L. Pollen  
Plant Manager  
Norquest/Craig



# NORQUEST

Lafayette, Silver Lining Crusader

Phone: 907-826-3334

Fax 907-826-3353

PO Box 412

Craig Ak. 99921

3-25-97

Alaska State Legislature  
Representitive Bill Williams  
Juneau, Alaska

Representitive Williams,

Thankyou for introducing H.B. 198. Positive action by the Legislature on this bill will solve the permanant funding of ADF&G management for Red Sea Urchins and clear the path for the development of several other dive fishery resources that we see promising futures in.

Dive fisheries are an important part of our winter program in S.E. Alaska. We currently employ 30-35 people on a full-time basis in each of our facilities in Craig and Ketchikan. We are looking forward to expanding the program to Petersburg when resource becomes available in that area.

I am confident that fisherman are in support of the mechanism put forth in H.B. 198. We have been deducting a .05 cents assessment from fisherman on urchins. To date we have collected \$17,000.00 with only \$380.00 not paid. This current method is temporary. Your bill addresses all of the concerns that I have and I support it. I favor this permanant solution so our company can make investments in these resources with confidence of a future.

Sincerely yours,

*Stephen LaCroy*



# SEAFOOD PRODUCERS COOPERATIVE

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

January 7, 1997

To Alaska Harvest Divers Association:

First of all I would like to thank you for the effort you have put forward concerning the dive fisheries in Southeast Alaska. Individual divers from other major communities in southeast have formed their own associations which have been modeled after yours and there is every indication that this movement will continue and develop into a regional association.

At a time when competition for other species are resulting in limited entry, moratorium, and quota based management systems, resources available to the diving industry remain in abundance and at near historic levels.

Markets for many of these products available in our area have been utilizing production from other coastal areas around the world. How our stocks will compete against these other sources in the marketplace depends on many factors, primarily on our ability to provide a consistent supply, which up until just recently has only been possible with Sea Cucumbers.

The problem is funding. Simply put, without funding to do stock assessments and to manage these fisheries, there will be no new fisheries. Knowing this, ADF&G has (within the last 2 years) been receptive to non legislative funding from the private sector. One example of this has been the Red Urchin fishery which just recently opened. Another is an area opened to Cucumber harvesting in Sea Otter Sound with money put forward by a Seafood Processor. That survey which cost \$15,000 opened an area which provided a 200,000 lb. quota in the first period. Considering an ex-vessel price of \$1.30 p/lb. that is a good first season return on anyone's calculator. When you take into account contributions to processing, transportation, equipment and other service related jobs as well as generating raw fish taxes, the benefits are significant. I believe that this is just the beginning.

I encourage you to continue in your efforts to secure ADF&G funding for the purpose of stock assessment surveys, and to explore self funding strategy, so that these new fisheries may be opened.

Sincerely,

Craig Shoemaker

SEAFOOD PRODUCERS COOPERATIVE



Wrangell FISHERIES INC.

641 SHAKES STREET, P.O. BOX 908, WRANGELL, ALASKA 99929

TEL. (907)874-3346. FAX (907)874-3035

MARCH 6, 1997

To whom it may concern:

Wrangell Fisheries, Inc. supports the dive fishery in S.E. Alaska. The development of this fishery is important to this community as well as to ourselves, to be able to provide an opportunity for employment in this industry during the "off season". Being able to keep a plant operational on a year round basis is dependant on these other fisheries.

Thank you for your consideration on the development of this dive fishery and hope you view it favorably.

Sincerely

Levi Dow  
Plant Manager  
Wrangell Fisheries, Inc.



## Sitka Tribal Enterprises

Mr. Bert Bergman  
Alaska Harvest Divers Association  
PO Box 6423  
Sitka, Alaska 99835

RE: Letter in Support of the Dive Fisheries Development Project

Dear Mr. Bergman:

With this letter, I would like to offer my support for the Dive Fisheries Economic Development Project. Sitka Tribal Enterprises is in the process of developing a fish-waste composting facility. The waste materials generated from this fishery, such as geoduck shells, would be a great additive for our compost. Seafood shells are an excellent source of calcium and would improve the quality of our finished product.

If this fishery project has the opportunity to come to fruition, we would like to offer The Alaska Harvest Divers Association a place for them to take their waste.

The Sitka Tribal Enterprise fish-timber waste composting facility, along with the Dive Fisheries Development Project, will help provide an economic stimulus for the community of Sitka, as well as provide an outlet for environmentally conscious business development within the Native community and the community at large. We look forward to working with the Alaska Harvest Divers Association as they move forward with this project.

Sincerely,

Bobi Rinehart  
Environmental Resources Manager  
Sitka Tribal Enterprises



February 25, 1997

City and Borough of Sitka Assembly  
100 Lincoln Street  
Sitka, AK 99835

Dear Assembly Members:

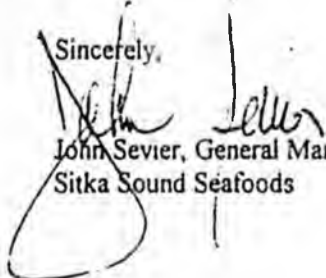
Sitka Sound Seafoods supports the development of the dive species in southeast Alaska. We have shore plants in both Sitka and Yakutat and we presently process sea cucumbers at our plant in Sitka.

The development of the dive species will provide opportunity for our organization to consider additional investment for the processing of these species. Being able to keep a plant operational on a year round basis is dependent on the availability of product.

Many of the dive species require labor intensive processing which affords the opportunity of employment to a broad base.

As the new general manager of Sitka Sound Seafoods, I look forward to getting to know each of you and working with you over the years to come. Thank you for your consideration of the dive fishery development proposal and I hope you will view it favorably.

Sincerely,

  
John Sevier, General Manager  
Sitka Sound Seafoods

(907) 747-6662

FAX (907) 747-6268

FRESH AND FROZEN SALMON, COD, SABLEFISH, HALIBUT, ROCK FISH, CRAB, HERRING



NorQuest Seafoods, Inc.

Petersburg Plant  
101 Harbor Way  
P.O. Box 292  
Petersburg, Alaska 99833

PH: (907) 272-1111

FAX: (907) 272-0130

April 8, 1997

Dear Representative Williams:

Just a brief letter to thank you for your efforts to support the Dive fisheries and progress on House Bill 198. As a full range seafood processor, we depend on resource harvest to survive and prosper in a challenging industry. Consistent work opportunities for our crews as well as earning opportunities for our fishermen are dependent on taking advantage of available viable resources.

House Bill 198 addresses an excellent fisheries development opportunity and provides a funding source that fits our declining State revenues. I hope that with its successful passage, we will be able to provide increased opportunity for our community. Thanks again for all your work.

Sincerely,

*Dave Ohmer*  
Dave Ohmer,  
Plant Manager  
Norquest/Petersburg

Post-It® Fax Note	7671	Date	4/8/97
To	STEVE LA CRUZ	From	DAVE O
Co./Dept			
Phone #		Phone #	
Fax #		Fax #	

# Tenass Pass Shellfish Company

Gourmet Oysters and Clams from Alaska Pure Waters



April 9, 1997

Rep. Bill Williams  
Capitol Building, Room 524  
Juneau, AK 99802-0704

Dear Rep. Williams:

As a small-scale processor just entering the geoduck business, I wish to strongly endorse House Bill 198 as the only apparent option for developing Alaska's great under-utilized clam resources. My company is one of the state's oldest shellfish farms and currently is the leading oyster and clam producer in the state, but we are still struggling to make a profit as we enter our second decade of business on Prince of Wales Island.

We began processing and shipping live geoducks last year, but we were stopped dead in our tracks after only three weeks as shipments began to fail PSP (paralytic shellfish poisoning) tests. We will test a system of purging geoducks of high levels of PSP during the 1997 fishery and fully expect to be able to consistently sell our geoducks on the lucrative live market in Hong Kong by the following year.

Your legislation should allow new geoduck and horse clam beds to open. These large clams can sell for more than \$10 per pound in Asian markets, and Alaska appears to have large quantities of untapped commercial scale resources. Here's the problem: state policies essentially prohibit the opening of new fisheries until there is sufficient research to verify resource strength and the Alaska Department of Fish and Game has the resources to manage a new fishery, but reduced state and federal spending has led to a virtual halt in research into new fisheries and ADF&G's budget is shrinking several sizes each year.

The result is a virtual assurance that no new fisheries will open, at least none under state control, or that only large companies with deep pockets need apply. HB 198 essentially gives the divers the ability to use the resource to help fund stock assessment and provides a method of funding ADF&G management. HB 198 has the potential to break down the existing barriers to development of some of Alaska's highest value seafood resources. It has my full support.

Sincerely,  
  
Rodger Painter



THE <sup>1</sup> GREATER <sup>1</sup> SITKA  
**chamber**  
OF COMMERCE

329 Harbor Drive, Suite 209  
Mail: P.O. Box 638 • Sitka, Alaska 99835  
(907) 747-8604 • Fax (907) 747-7413

April 8, 1997

**The Honorable Bill Williams**  
Alaska House of Representatives  
State Capitol Room 424  
Juneau, AK 99801-1182

Dear Representative Williams:

The Greater Sitka Chamber of Commerce hereby strongly urges passage of HB 198.

Because of the continued lack of State funding for dive fisheries, HB 198 is the only reliable way of developing dive organizations and establishing a means of providing consistent funding to take advantage of the emerging economic opportunities available in these marine resource species.

Developing dive fisheries is one of the few bright spots for the economy of Sitka and the Southeast Alaska region at this time. There are hundreds of fishermen and dozens of seafood processors and their employees who would benefit directly from passage of HB 198.

We applaud and stand behind the efforts of the diver fishermen to take the initiative to make positive steps, without relying on State funds.

Sincerely,

**GREATER SITKA CHAMBER OF COMMERCE**

**Anita VanDyck**  
President



United States  
Department of  
Agriculture

Rural Development

210 Seward Street, Suite 101  
Sitka, Alaska 99835  
Phone: (907) 747-5492  
Fax: (907) 747-4965  
FTS: A07AK60019

E-Mail: kperkins@rda-un2.rurdev.usda.gov

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*"Partners in helping the people of rural America develop sustainable communities."*

April 11, 1997

Representative Bill Williams, Saxman ✓  
Representative Ben Grussendorf, Sitka  
Representative Al Kookesh, Angoon  
Representative Bill Hudson, Juneau  
Representative Kim Elton, Juneau

RE: HB 198 Dive Fishery Management Association and Assessment

Dear Representatives:

I am writing with regard to this important development on the SE Alaska efforts for a regional dive fishery and your related efforts to enact legislation (HB 198) to assist this development. As I understand it, HB 198 provides for the formation of regional dive associations for the purpose of development and cooperative management of dive fisheries. The associations would be financed by an assessment on the dive catch; if it is approved in an election of permit holders.

With this concept in mind, it is a very intriguing one that would be a very welcome development for SE Alaska. We all know that the region is suffering from the downturn in the economy with a dramatic decline in the timber industry as well as the current volatile nature of the fishing economy. Natural Resource extraction is the economy of this region. With a sound development and management plan, I firmly believe that this emerging industry may be able to contribute to the stabilization of the SE Alaska region' economy.

From an agency perspective involved in rural development issues, we would be willing to assist this project along in any fashion that any of our programs may fit. We provide loan guarantees for private sector business development for the individual businesses as well as technical assistance programs for cooperative development issues. While this concept of a cooperative has not evolved yet, we stand ready to assist if this is the desired direction of the region's divers. We recently had a staff person from our Rural Development Cooperative Services Division stop through here (SE Alaska) from Washington, DC. He provided us a copy of the following success story of a related dive fishery development in the State of Oregon that seems to show that there may be some value to cooperative development processes. We have also received additional detailed information on this free technical assistance program for Cooperative Development that Rural Development offers out of the Washington, DC office.

Thank you for allowing this input regarding further development opportunities of this fishery. I believe it will be very beneficial to SE Alaska. All of the programs we offer are accessible to the communities of the region. Should you have any questions regarding our programs, please feel free to call me. Rural Development looks forward to assisting this program in any manner that we have programming available.

Sincerely,

Keith R. Perkins, Manager  
SE Alaska Area

CC: Ernest Brannon, State Director - Rural Development  
Frank Muncy, Director - Rural Business Services, Rural Development



Southeast Alaska Harvest Divers Association  
Ketchikan Chapter  
P.O. Box 6263  
Ketchikan, AK 99901  
March 29, 1997

Representative Bill Williams  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Representative Williams:

We would like to thank you for securing funding for the red urchin fishery for the continuation of the fishery after June 30. We understand that it is one year's funding only and that you were able to secure the money because of our initiative in stepping forward in our support of House Bill 198. While the red urchin fishery is important, and many of us participate in it, it is only one small part of what is addressed in House Bill 198 and the Dive Fishery Economic Development Project. We view this legislation as an opportunity to provide economic development for not only Ketchikan, but, for all of southeast. It will allow us to work in a positive manner with the Department of Fish & Game to develop these resources.

The most important fact relating to House Bill 198 is that it provides a level entrance for all the participants in the fishery. The funding mechanism currently in place is voluntary and has caused considerable confusion. House Bill 198 will provide opportunity for stability and accountability which we believe is very important.

The following individuals support House Bill 198 and the development project. We will continue to work in a forward looking manner to ensure the goals of the project are met. Thank you for your vision and support.

Sincerely,

Southeast Alaska Harvest Divers Association

<i>[Signature]</i>	P.O. 8155 KTN	F/V Motivation
<i>[Signature]</i>	428 W. ONIUS L.P. RD	LA STEVENS WA
<i>[Signature]</i>	P.O. B. 157 Ktn	Grantable Marine Products
<i>[Signature]</i>	Box 5582 KTN	F/V Clear Light
<i>[Signature]</i>	Box 23472 KTN	F/V OSPREY

Representative Bill Williams

Page 2

March 29, 1997

~~Van Nguyen~~ Box 5703 KETCH. ALASKA  
~~Jim Kim~~ PORT ANGELES  
~~Bob Miller~~ 670 Bill St Anchorage  
~~Scott Stewart~~ Yak Wash Penn  
~~Paul De~~ 777 P ( ) Sitka  
~~Ray De~~ " " "

Alaska Harvest Divers Association

Sitka Branch  
P.O. Box 6423  
Sitka, Alaska 99835  
March 31, 1997

Representative Bill Williams  
Alaska State Legislature  
State Capitol, Room 424  
Juneau, AK 99801-1182

Dear Representative Williams:

The Sitka divers support House Bill 198. We have been working for many years to develop our dive fishery in the Sitka area. Funding for this fishery has been requested as City and Borough priorities for a decade; however, the fishery has not developed because money has not been appropriated for the developing fishery.

In the Sitka area we have some geoduck and sea cucumber dive fisheries which are currently open. These fisheries represent a small portion of the dive resources located adjacent to our city and borough. House Bill 198 is part of a Dive Fisheries Economic Development Project which will begin to move us forward in the development of these resources.

At the same time we are working on several other elements connected with the project. It is our desire to develop these resources for the long-term benefit of our fishermen and community.

The following individuals support House Bill 198. Thank you for your support in this effort and we look forward to our continuing work with you and your staff.

Sincerely

Greg Cushing

- William R Arnold 1308 SMC S, Sitka (MANAGER Hidden Falls Hatchery)
- Timothy D White P.O. Box 253 Sitka (S.E. Dive Shop)
- Don He 8631 Aurora Circle, Anchorage AK
- Robert Gray 717 C Rice St Sitka AK owner/op (F/V MARIE)
- Norma May 147 Phipps #C Sitka, AK
- Harry H Bradley P.O. Box 1043 Sitka, AK 99835
- Charles M. Hamrick Box 117 Sitka, AK 99835 (OWNER LAKE SIDE Groc)
- Greg Bradley P.O. Box 2416 Sitka AK 99835
- Jim White 705 HPR SITKA AK 99835 (owner Whites + Race Pharmacy)
- Robert Collins 603 HPR SITKA AK 99835 (owner ROCK RACK)
- Paul L. Johnson 617 Kathleen E-33 Sitka, AK 99835

Dawn Neush 3201 HPR SITKA  
Ramon San Pedro HPR  
Rebecca Jaurio 138 WEA DR SITKA (Owner F/V Jenny Leah)  
Angela n: Bradley P.O. Box 1043 Sitka, AK  
Richard S. Daniel 101 B Kuhnle Dr Sitka AK  
Philippa 224 Lakewood dr. Sitka AK  
Billy Lee 2309 HPR #42 Sitka AK  
Jung Phillip 2103 SMC Sitka, AK  
Bill 2200 SMC Sitka, AK (Owner F/V Roshell)  
John Kuhn P.O. Box 6517 Sitka AK, (F/V STAMSON OWNER)  
Terri Guntter P.O. Box 6212 Sitka AK (F/V MAGIC OWNER)  
Mary McMeater 1722 Eduecumbre S. HKA AK (Owner F/V Bria)  
Edward J. Burt 101 Rudolph Watson Cir SITKA, AK (owner f/v)  
Verdell E. Swan 617 Kathleen St A13 SITKA AK  
Murd. B. Kuhn 409 HPR #35 Sitka, AK (F/V Puffin)  
Ann K. Ali P.O. Box 6342 Sitka AK  
Denise P. Klunker 909 HPR #35 Sitka AK  
Gregory J. Atkins 637 ORONOVA SITKA, AK (owner Pristeen Seab)  
Gizet, J. K. 637 ORONOVA SITKA, AK  
Darlene M. Long 1302-27 SMC Sitka, AK  
Mark Simon 3307 HPR #4 SITKA, AK  
Clarita Helen 805 SUSTAD Sitka, AK  
Idome Phillips PO Box 854 Sitka AK  
Karen Cornacchio P.O. Box 1925 Sitka, AK  
Mitch Cowan 605 DeGroot Sitka, AK (F/V WILD HORSES)  
Kau Weis P.O. Box 6343 SITKA AK  
Jerry Fleming 1924 BODGE Circle Sitka, AK (owner Fleming, Jr)  
James Lecrone P.O. Box 591 Sitka AK (F/V)

Richard Stephens PO Box 6358 SITKA AK, 99835

William J. Corwell PO Box 6484 SITKA AK 99835

M. K. Warr Box 6467 SITKA AK 99835 annual op  
FN Int'l.

Ward Eldridge Box 6245 SITKA AK 99835 SAIPWRIGHT

Gene Calder PO Box 252 Sitka, AK, 99835 SN

Alan Newman 2309-22 HPR, Sitka AK, 99835

Brenda Reynolds 507 Jeff Davis, Sitka, AK, 99835

Camelia Hyde Box 6444 Sitka, AK 99835

Alula Box 6444 Sitka, AK 99835 FIN LOON

Koller, Warren Box 6467 SITKA AK 99835

Marie J. Gordon Box 1043 Sitka, AK, 99835

Richard G. Urias 612 BIORKA Sitka, AK 99835

Dorothy Gordon 908 HPR #3 Sitka AK 99835

George A. Carlos 908 H.P.#3 Sitka AK 99835

Barbara B. B. Box 6423 Sitka, AK 99835 F/V NORMAN

Burke B. Box 277 SITKA, AK 99835 (SITKA VET)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

March 28, 1997

Representative Bill Williams  
Fax (907) 465-3793

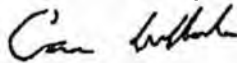
Dear Representative Williams

I support House Bill 198 and the whole concept of developing the dive fishery in southeast.

There are alot of untapped dive resources out there in southeast that Divers can earn their living from.

I believe this dive fisheries will help improve the economy for southeast people who need it, because of reduction in the timber harvest and the closure of several forest products manufacturing plants in southeast.

Sincerely,



Cam Tulloch  
Petersburg Commercial Diver  
Fax (907) 772 2141

James B. Dennis  
 Box 591  
 Craig, Alaska 99921  
 March 19, 1997

Senator Jerry Mackie  
 Alaska State Legislature  
 Juneau, Alaska 99801-1102

Dear Senator Mackie:

The undersigned divers support House Bill 198 "An Act relating to regional dive fishery development associations and to dive fishery management assessments." We would urge your support of a Senate version of the bill.

A public meeting was held today in Craig and the legislation was reviewed. As you know, we have been attempting to develop the dive fishery resources in southeast for over a decade. This bill will provide a mechanism for moving forward with the development of these resources.

The legislation is part of Dive Fisheries Economic Development Project for southeast and we look forward to its passage which will move this project forward.

Thank you for your consideration.

James B. Dennis Box 591 Craig 99921 826-7010

Robert Baste Box 384 Craig 99921 826-3047

Harriet K. Walker Box 318 Craig 99921

Robert E. Linder Box 177 Craig 99921 755-2700

Bob Knutson Box 527- Graham 826-3476

Matt Kasper Box 542 Craig 826-3651

William A. Miller Box 1131 Craig 99921 254-1179

Michael F. Bell Box 849 Craig 99921 826-3456

Rick Summers Box 227 CRAIG 826-2271

Tracy S. Hummer Box 260 CRAIG 99921



Alaska Harvest Divers Association

Sitka Branch  
P.O. Box 6423  
Sitka, Alaska 99835  
March 31, 1997

Representative Bill Williams  
Alaska State Legislature  
State Capitol, Room 424  
Juneau, AK 99801-1182

Dear Representative Williams:

The Sitka divers support House Bill 198. We have been working for many years to develop our dive fishery in the Sitka area. Funding for this fishery has been requested as City and Borough priorities for a decade; however, the fishery has not developed because money has not been appropriated for the developing fishery.

In the Sitka area we have some gexluck and sea cucumber dive fisheries which are currently open. These fisheries represent a small portion of the dive resources located adjacent to our city and borough. House Bill 198 is part of a Dive Fisheries Economic Development Project which will begin to move us forward in the development of these resources.

At the same time we are working on several other elements connected with the project. It is our desire to develop these resources for the long-term benefit of our fishermen and community.

The following individuals support House Bill 198. Thank you for your support in this effort and we look forward to our continuing work with you and your staff.

Sincerely

Greg Cushing

- Barton Sollars Sr. 3315 HPR Sitka Ak 99835 (owner trailer solar panel)
- Carol A. Sollars 3315-HPR Sitka AK 99835
- Jerry Lundvall 313 Lake Sitka AK 99835 (owner Alaska Automotiv)
- Edith Deason 1302 SMC #13 Sitka Ak 99835
- Alan A. L. Ther 313 Lake St Sitka AK 99835 (F/U Wind)
- David Hoja PO Box 1285 Sitka, AK 99835