

Anchorage Fish and Game Advisory Committee Meeting Agenda

April 7th, 6:30 pm at the BP Energy Center, located at 900 E Benson Blvd.

1. Call meeting to order @ 1830
2. Invocation
3. Pledge of Allegiance
4. Advise Guests of Public Testimony signup sheet
5. Establish a quorum

Committee Chair, Joel Doner, Committee Vice Chair, George Jacoby, Committee Secretary Sam Albanese, Frank Neumann, Dwight Johnson, Phil Calhoun, Steve Flory, Micheal Klehr, Robert Caywood, Robert Peck, Neil DeWitt, Kevin Taylor, Mark Campbell (Late arrival), Brian Nelson, Ehren Strahn, Jim Bolgiano,

6. Approve Agenda, Approved by unanimous consent
7. Introduce Department Guests, if any : Tracy Smith – SF; Sherry Wright – Boards Support; Commissioner Designee Sam Cotton.
8. Approve Minutes of prior meeting , approved by unanimous consent.
9. Public testimony

Bruce Markwood spoke in opposition to proposal 207. Support the Wasilla committee in opposition of 207 by writing a letter.

Jim Stubbs spoke to the committee. Served from 1999 to last September. Active in the fisheries issues. Started attending the fisheries meetings in 1983. The current nominee does not represent Anchorage. Bruce Morgan a former committee member should be in that seat. The people of Anchorage should have someone from Anchorage in that seat. Steve said we endorsed Mr Morgan and the Department opposed him. Jim was not aware of this and would be very disappointed if this is in fact true. We have historically had active participation in the BOF from Anchorage.

Commissioner Designee Cotton stated the department didn't take a position on any of the Candidates. He said the Department opposed Steve's statement

Lynette Moreno Hinz spoke about the elections. She served as an alternate on the Anchorage AC in the past. She learned a lot. We can all work together if we try. She was raised here. The Moose and Fish

issues are very important. She would like to run and serve as a subsistence, personal use and sport fishery interest.

Mark Stiller expressed his hope that we will back the Valley in opposition of 207. It was passed hastily and affects a large number of people. Robert Peck asked what Mark thought was the largest group affected. Mark stated it is pilots. This will impact Alaska residents and pilots.

Bryan Hartman thinks 207 was passed in a way that didn't seem correct. What is it addressing. Is it over crowding. People need to scout, look for tents and other hunters to avoid crowding. If the problem is crowding, most will be dropped off in the known high density areas. This will increase crowding. Thought this was due to sheep population being down. It seems to be a crowding issue. Most guys are flying to scout, not harass animals. What is this addressing, population or crowding. Joel asked what public meeting. Bryan said it was the meeting in the valley. Steve stated this AC opposed 207. HB 103 will stop the BOG from doing what they did here. Call your legislature. Robert Peck asked Bryan what he thinks the 9th of August will be like. Bryan said it will be chaos. What do you think the likelihood of harassment accusations. Bryan believes it will be highly likely. Every accusation must be investigated.

Rob has never hunted sheep. He is a pilot and moose hunter. He believes 207 is very bad. He has contacted people in Juneau about it. Opposed to it and the way it came about. Any pilot has the right to fly anywhere it is legal to fly. FAA regulation permit them to fly as low as they want to in uninhabited areas. This will endanger pilots that fly into the mountains. The chance of accusation based on mountain flying is very high. 82% of the communities are not accessible except by flying. Usually have to fly low under the clouds through the passes. In order to land safely must determine the wind direction by circling. Sam asked how he expects the AC to make it go away if the department violates the law and ignores the Acs

Melissa Hall pointed out that the Anchorage BOF rep has been living in Arizona. She wants the representative to represent the fish, a scientist. Ruffler. Neil asked if she felt the ADF&G has done a good job with the Kenai. She feels the ADF&G hands are tied by the BOF.

Tom Lakosh bring attention to the proposal for priority for PU. It is important for the AC to establish the priority of PU over sport and Commercial in N Cook Inlet. Establish superior beneficial use priority for subsistence in accordance with the Constitution.

PacRim Coal

Joe Lucas distributed an information packet to the committee. Dan Graham addressed the meeting. Provided a brief bio and he is the project manager for this project. Focus on the fishing and fish protection portion of the project. Located on the west side of Cook Inlet in the Chitna River Basin. 5% foot print. The coal is on the mental health trust lands. Royalties will support them. Fish protection key aspects. Doing the baseline work. What should be counted. Adult returns. Set up a system to count the outbound smolt. Design and protect for these numbers. Monitoring requirements will be in place. Types of fish, Chinook don't go up very far, stay in the main stem. Coho get up into the area. Some spawn into the mining area. Set up Weirs on the two tributaries. Middle Creek and Bass Creek to monitor what the

stream produces now. These were used for 4 years to count every fish. They established population estimates. The commercial harvest is about 4 million fish. They are dedicated to maintaining the population. Establish habitat amenable for the fish. Plan to construct the new habitat prior to mining. Nutrient addition is planned too. This will be a big job production effort. Well paying jobs.

Caywood asked what the estimated start date is. Anticipate the permit process to be completed no early than 2017.

Cook InletKeeper

Sam Weis from the Alaska First campaign. We stand to loose habitat on the west side of CI. This is a precedent setting issue. This is the first time mining will be permitted in a salmon stream. 13.7 miles of river lie in phase one. 100% of this coal will go to foreign markets. 36 miles of salmon stream lie within the Pac Rim area. 57 miles of salmon stream will be within the desired coal mining areas. This will have a substantial impact on substance fishing in the area. This will put some commercial set netters out of business. The DNR decision will be precedent setting. This won't just impact the Chuitna watershed. Twenty biologist said this stream can never be rebuilt as promised. It will not work. In 2009 this commission opposed the Chuitna Mine. Steve asked about the stream can never be put back. Are you aware of the salmon streams in Portage Valley. Yes he is but this is a wild salmon stream. The stream can not be rebuilt the same as before. Steve asked if he thought those in Portage Valley were exactly the same as the ones destroyed by the earthquake.

Robert Ruffner is to dial in. He is a nominee to be a BOF member. He introduced himself. Wants to serve for the next three years. He came to AK in 1996. 46 years old. 2 daughters 8, 10 YO. After school moved to AK after visiting Sitka for a summer. Did the hunt and fish thing. Now is mostly a dad. Did a lot of work in math statistics and physics. Understands the scientific use of data. Worked in the Kenai Watershed organization. It grew under his leadership. He worked to protect habitat on the Kenai Peninsula. They do this through scientific work and by working in a non adversarial way. He has fished his whole life. He substance fishes, some sport fishing. On the commercial fishing side did work for two days in a drift gill netter. More to see what it was like. Endeavors to reduce conflict.

Phil asked if he would support shutting down fishing, both commercial and sport, in the Kenai River if the King run is low. Over the last few years virtually everything has been shut down. If we can maintain the bottom end of the escapement goal, he supports the managers managing the fishery as they have.

One of the critics stated we need someone on the board from Anchorage. Ted said he tries to attend a couple of board meetings annually. He said he will try to show up at AC meetings from time to time.

10. Open Floor for Nominations and Elections to seat new members after June 30th

nominated;

Ira Edwards; Actively involved in the AC for the last 1.5 years. Degree in wildlife biology. Has worked for ADF&G. Active sport fish enthusiast. Has trapped.

Brian Nelson; has served for the last 5 months as an alternate. It has been a real eye opener.

Trevor Rollman; born and raised in AK. Has commercial fished and is concerned about decisions being made about fish and game.

Lynette Moreno-Hinz; very interested in running for the AC. Has been the chair of the native fish and game group. She was raised here. These issues are very important to the people of south central AK. Wants personal use to trump commercial.

Ehren Strahn; has been on the AC since December. sport hunt and fish. Wishes to continue to support constituents.

Kenny Rogers; Life long AK. Commercial fish, Hunt, etc. On Cook Inlet aquaculture. His background can bring highlight to habitat.

Jerry Gugel; Been in AK for 60 something years. Has 7 children and 22 grandchildren. All the aspects are important to him and his children.

Mark Stiller; Anchorage resident for 40 years. AFD, was a teacher. Outdoors are a big part of his life. hunts, traps. Has two daughters. Time for a commoner like himself to step up. Independent thinker.

Vote counts;

Jerry Gugel 51

Kenny Rogers 44

Trevor Rollman 34

Brian Nelson 32

Mark Stiller 23

Ehren Strahn 16

Ira Edwards 15

Lynette Moreno-Hinz 7

11. Statements and Testimony of AAC members

Sam Albanese tendered his resignation and addressed the meeting. Letter attached.

Robert Peck tendered his resignation. He read his letter to the meeting.

Michael Klehr tendered his resignation. He read his letter to the meeting.

Steve Flory tendered his resignation. He read his letter to the meeting. letter attached.

Mark Campbell tendered his resignation. He read his letter to the meeting.

Robert Caywood tendered his resignation. He read his letter to the meeting.

George Jacoby addressed the meeting to talk about the problem with the ADF&G and the BOF and BOG. If they don't rubber stamp it, the BOF and BOG just go around us.

The Chair announced the Next meeting time; October 20th at 6:30 pm, Location TBA, Election Meeting to fill vacated seats due to the six resignations.

Adjourn 20:40

Sam Albanese
Anchorage Advisory Committee
Letter of Resignation
4/7/15

I, Sam Albanese, hereby resign from the Anchorage Advisory Committee to the Alaska Department of Fish and Game effective July 1, 2015 unless rescinded by myself prior to July 1, 2015.

My reasons for resigning are as follows;

The ADF&G ignores and marginalizes the vote of the Advisory Committee.

The ADF&G has violated Alaska Statute 16.05.780 by willfully using the vote of the Susitna Valley AC to ignore and go against the vote of the Anchorage area AC.

AS 16.05.780. Taking of Antlerless Moose Prohibited.

(a) The taking of antlerless moose in any game management unit or subunit or a portion of a unit or subunit is prohibited except that antlerless moose may be taken only under regulations adopted under (b) of this section after

(1) the department recommends the season be opened in that year, based on biological evidence, and

(2) a majority of active local advisory committees for that unit or subunit have recommended an opening for that year, after each has taken a vote and a majority of the members of those committees have voted in the affirmative.

(b) Pursuant to (a) of this section the board, in its regularly scheduled annual game board meeting, may adopt regulations for the taking of antlerless moose in any game management unit or subunit in any year.

The ADF&G promised the Anchorage AC a complete moose survey for 14C if the AC voted to authorize the antlerless moose hunt for 14C for the 2014 hunting season. The Department failed to follow through with this promise. The Anchorage AC, citing lack of data and public input believes the moose population in 14C is too low to support an antlers moose hunt, has voted to NOT authorize antlerless moose hunts, rather, we voted to authorize any bull hunts for 14C. The ADF&G circumvented this vote by illegally using the vote of the Susitna Valley AC to authorize this hunt.

The ADF&G ignored the input and will of the Advisory committees across the state and did not implement or agree with any of the AC votes with respect to sheep hunting and management.

This has demonstrated to me that the ADF&G does not take the Advisory Committee process seriously. They have marginalized the public input process and chose to simply manage game as they see fit without any input or consideration from the public.

I have wasted over 20 hours of my personal time and efforts under the mistaken belief that the public's input will be seriously considered and that the ADF&G follows the law. ADF&G does not adhere to either principle.

End

Steve Flory's letter.

To Who it may concern

I have spent years in the Anchorage Fish and Game Advisory Committee trying to help the system work as it is intended, unfortunately to no avail. The Legislature created the system to keep a strong local and public influence even with the intention of directing the Department of Fish and Game, the BOG, and BOF. The check and balance system worked very well in the history of our very young state. However with time and the use of aggressive regulatory tactics by the Department of Fish and Game, the Department of Law, and the Department of Public Safety that strong public process has been subverted to closely resemble a vehicle to subjugate, and oppress the very people it was intended to serve. I believe government should answer to the people at all levels. The will of the people should never be subjugated by any element of that government.

The system now stands in FAILURE! The watchdog being the Legislature, who 's charge it was to safeguard the will of the people has long neglected its duty. It delegated its constitutional responsibilities to the BOG and, the BOF with the understanding that these entities would always hear, and heed the voice of the people brought to them by the Advisory Committees. It has failed to keep the checks, and balances in place that protected the will of the people. Instead opting to be "too busy" for a number of years to the detriment of those elected AC members who they have charged with seeking the will and advise of the constituent.

It has deteriorated so greatly that as a rule the BOG and BOF run roughshod over the very advice, and direction the law instructs them to use as their guide. The Advisory Committees members spend thousands of hours, on many topics, gathering information from the constituent. Indeed these people give their time and energy to ensure the will of the people is heard, with no gain to themselves. The BOG and BOF have a deaf ear for that AC voice.

The deterioration is not limited to the BOG and BOF, the Legislature itself is just as guilty by introducing bills that would curtail the voice of the people on fish and game issues without input from the Advisory Committees, which were created for that purpose. Indeed the only people who seem to be heard on these issues are lobbyists in Juneau. The voice of the people has so diminished in importance it is in danger of being extinguished completely.

Examples of the current system failure are but not limited to:

At the two recent BOG meetings the Chair of the BOG complained on the record that the advisory committees need to be under better control or eliminated from the process. The BOF was recently delegated by the department to review and repeal any personal use fishery, intended salmon, three kinds of crab, clams, and "other than salmon" species now covered in regulation. Not delegated to prepare a proposal for consideration. No advisory committee was asked to comment on this delegation, thus the public has no opportunity for input.

Sen. Cathy Geisel from Anchorage has introduced a bill which would strip AC of their statutory authority to hold the deciding voice over Antlerless hunts she has never attended or asked the AC its opinion

House Bill 137 seeks to raise hunting ,fishing and trapping licenses across the full spectrum and again the only input invited by the Legislature were of lobbyists who are campaigning heavily . No AC was asked to weigh in ..

Both the BOG and the BOF routinely write their own proposals and pass them over the objections of the public and the AC's. These board generated proposals do not follow any rules of order for the meeting process and are often acted upon without any further review. Even those who submitted the original proposals are not asked if their issues are covered by these new creations.

The BOG with the aid of the Department of Law and Department of Fish and Game are in violation of the statute governing the taking of antlerless moose and are in fact involved with conspiracy to keep the Anchorage Advisory Committee from exercising it authority over them on this issue. The recent authorization in Kincade Park was proposed by an individual and never "recommended" by the department. That alone should have made it non-debatable by the board.

Members of the board of game have conspired to interfere and strong arm members of the AC's in order to accomplish their own goals. .

Director of Wildlife Bruce Dale was asked in February why when the people, conditions, and funds were available to complete a survey of the moose in subunit 14C Regional Manager Defraties did not want to have a survey done? He stated that he "would find out and get back to us". After the two BOG meetings the Director was again asked at a meeting of concerned citizens in Fairbanks where he admitted having not followed up or even asking for the answer. This question remains unanswered.

The Commissioner designate was asked a question on the legal structure of the BOG, and BOF by members of the public from Fairbanks. The very next day he was asked the same question by members of this Advisory Committee at which time he told us that "he had never heard any such idea". The question was posed because the asker already was aware the Commissioner had been asked the same question 24hours before. Since the Commissioner either lied to us or does not possess the ability to keep a thought 24hours, I expect nothing to change at the Department of Fish and Game if the boss there has no problem lying to AC members.

These are just a few examples of failures within the system, and by no means is an exhaustive list. With the example from our members who last year resigned because they felt that participation in this broken process only aided in a show without purpose I hereby resign from The Anchorage Fish and Game Advisory Committee with a affective date of June 15 2015.

Steven L Flory Sr.

To whom it may concern.

I got involved in the Board of Game process 15 years ago, when I saw how the BOG was screwing the Alaskan public. For instance I saw the Board change the boundary of an access area so a non U.S. citizen Hunting Guide could fill his pockets with money, all the while taking hundreds of thousands of pounds of food out of Alaskans freezers. In the next 2 BOG cycles all of the ACs that voted, voted to move the boundary back but the BOG saved the area for the Guide. Article 8 Section 2 of the Constitution of the State of Alaska lays out the rules.

I saw the BOG close off another area that was millions of acres, locking out Alaskans just because they didn't have the right Zip Code. Article 1 Section 1 and 3 of the Constitution of the State of Alaska lays out the rules.

I watched the BOG wipe out the highest producing moose area in the state, because the Department wanted to take hundreds of cows year after year. The AC's voted against it. There was even civil unrest in one town where the Biologist life was threatened. This did not stop the BOG or the Department they kept killing cows. The BOG even made up their own rules to say the AC's had no say because they did not live in the area. Now there are not even enough moose to meet the ANS in the area. The BOG did not apologize to Alaskans nor did they say bad job to the biologist. Instead they said maybe some moose will swim the rivers or walk over the mountains. They should have closed it to all hunting but they didn't, I am not sure why. If they had listened to the AC's a lot more Alaskans would have meat in their freezers. Article 8 Section 4 of The Constitution of the State of Alaska lays out their rule.

The AC has been lied to numerous times by the Department and we have asked simple questions and they will look to a biologist who had quit 5 or 5 years ago for answers. I am not sure who they are working for? I am sure it is not for the people of the State of Alaska. If the Boards and Department don't have full control over the AC's they come unglued it is a strange thing to watch.

Our AC had 6 members drag up last summer because they were lied to by the BOF and the Department so many times. What a shame, there was decades of knowledge there. I know people who have lost their fishing lodges even their homes because of no fish.

Our AC represents 106,000 hunters, fishers and trappers and that does not even include children under 16 or adults over 60. The people get less than 1.8% of the fish and game in this State.

I can say that I have wasted countless hours trying to represent the people of the Anchorage area.

When we have boards that don't follow the Constitution of the State of Alaska it does not matter.

I there for resign effective June 30 2015.

Robert Caywood

To whom it may concern,

My name is Michael Klehr, member of the Anchorage Advisory Committee. I have spent a relatively short time on the committee. During this time, I have gone from being excited about being part of this public process and helping my fellow Alaskan's have a voice in management and regulatory decisions to frustrated and disheartened with this process. I have quickly learned the Department of Fish and Game have their own agenda, and have little or zero interest in public opinion. The Board of Fish and the Board of Game take no consideration of the recommendations of this Advisory Committee. I believe, with this current relationship, we are having a negative effect on our constituents. There needs to be a major change in the management of Alaska's fish and game; the public voice needs to be heard. We cannot get complete or current surveys on our resources. The Anchorage Advisory Committee represents the largest population of outdoor enthusiasts, yet our recommendations have no merit with the Department. The most important reason for my resignation is to bring attention to this broken process with expectations of the public opinion getting recognized. I hereby resign from the Anchorage Fish and Game Advisory Committee with an effective date of June 30 2015.

Sincerely,

Michael Klehr

To whom it may concern

I once thought it a good idea to serve on the Fish & Game advisory committee. It was a sacrifice... my time and resources. But that was fine, I was making a difference, I was helping to make the public process work... Grassroots... The peoples voice... I would talk to many of my peers, listen to public testimony, carefully consider what I had heard, maybe even throw in my own biases, to break a tie. You know, try to make it legitimate! Well...

We, my committee and I did this, week in and week out. Season in and season out...

Alaska State Constitution.

Article 8, Section 3. Common Use.

Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

This section enshrines in the Alaska Constitution the common law doctrine that natural resources must be managed by the state as a public trust for the benefit of the people as a whole, rather than for the benefit of the government, corporations, or private persons.

Article 8, Section 4. Sustained Yield.

Fish, forests, wildlife, grasslands, and all other replenish-able resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

This section bolsters the commitment to conservation found in Section 2. The principle of sustained yield management is a basic tenet of conservation: the annual harvest of a biological resource should not exceed the annual regeneration of that resource. Maximum sustained yield is the largest harvest that can be maintained year after year. State law defines maximum sustained yield as “the achievement and maintenance in perpetuity of a high level annual or regular periodic output of the various renewable resources of the state land consistent with multiple use” (AS 38.04.910).

We tried, ultimately to follow these maxims!

After hearing comments from our, “just trust us” ADF&G manager/biologists like, “Oh, you want more fish in the river, you’ll have to talk to Com/Fish, and have them put more fish in the river.” It became very clear to me, that the manager’s mind set was that the fish did belong to, “**corporations, or private persons!**”

This is just one of the failures of our trusted system. I’m sure my fellow committee members will articulate many others. After careful consideration, I hereby resign from The Anchorage Fish and Game Advisory Committee with an effective date of 30 June 2015.

Mark Franklin Campbell