

Department of Fish and Game Overview

The mission of the Department of Fish and Game is to protect, maintain and improve the fish, game and aquatic plant resources of the state, and manage their use and development in the best interests of the economy and the well-being of the people of the state, consistent with the sustained yield principle.

The Department's core services are:

- Provide opportunity to utilize fish and wildlife resources;
- Ensure sustainability and harvestable surplus of fish and wildlife resources;
- Provide information to all customers;
- Involve the public in management of fish and wildlife resources; and
- Protect the state's sovereignty to manage fish and wildlife resources.

The department has approximately 1,772 permanent positions (861 full-time, 809 part-time, 102 non-permanent) in more than forty communities across the state. The department employs a highly seasonal workforce, with the number of employees doubling during the months of May through September.

The Department of Fish and Game's FY07 operating budget is \$169.3 million, from fourteen funding sources, including \$63.4 million in federal funds, \$39 million in general funds and \$26.8 million in fish and game funds. The department's capital budget is relatively small (generally under \$15 million), with many items relating to deferred maintenance on facilities, docks, vessels and aircraft.

The department is comprised of five divisions plus the Commercial Fisheries Entry Commission, The Exxon Valdez Trustee Council, and the Boards of Fisheries and Game. Two Deputy Commissioners and special assistants support the Commissioner in managing the state's fish and wildlife resources. The Commissioner's office also represents the state on the:

- Pacific States Marine Fisheries Commission
- Pacific Salmon Commission
- North Pacific Fisheries Management Council
- Exxon Valdez Oil Spill Trustee Council.

Issues Needing Action Within 30 Days

Gulf of Alaska Groundfish Rationalization

The North Pacific Fishery Management Council (Council) will review an initial staff analysis of the Gulf of Alaska (GOA) groundfish rationalization program at a meeting scheduled for December 6-12, 2006. The Council traditionally avoids making major decisions affecting

Alaskans when it meets elsewhere, so it will probably not take action on GOA groundfish rationalization at a meeting scheduled for February 7-13, 2007, in Portland. Some action is likely at the April meeting in Anchorage. The State of Alaska's representative on the Council will participate in these discussions and will have to make some preliminary votes on this issue at the December meeting.

The Council has offered efficiency, conservation and safety concerns as justification for GOA groundfish rationalization. From the State of Alaska's perspective, these problems have not yet progressed in the GOA groundfish fisheries to the levels documented prior to rationalization in the halibut, pollock and crab fisheries. However, the department has seen a trend toward short, fast-paced groundfish seasons for some species and several stakeholders have reported reduced economic returns in recent years. These trends have potential management ramifications, as well as undesirable economic effects on fishery-dependent communities.

The State of Alaska has supported rationalizing the GOA groundfish fisheries to increase fishery value and improve product utilization. Alaska has also consistently maintained that state and federal GOA groundfish management systems should be coordinated to the greatest extent possible, since many Alaskans participate in both fisheries and depend upon them as a vital component of their multi-species business operations. A full discussion of the goals developed by the State of Alaska for the GOA groundfish fisheries and documenting the lessons learned from previous fishery rationalization programs is contained in the document "State of Alaska Goals for the Gulf of Alaska Groundfish Fisheries and Lessons Learned from Prior Rationalization Programs."

Contact: McKie Campbell, Commissioner, Alaska Department of Fish and Game (465-4100)

Sport Charter Halibut Management

The North Pacific Fishery Management Council (NPFMC) is considering a fast track moratorium for the halibut sport charter fishery in International Pacific Halibut Commission (IPHC) Areas 2C and 3A. A decision to proceed will be made at the December 4th, 2006, NPFMC meeting in Anchorage. In addition, at this meeting, the Council will consider longer-term options for managing this fishery, including initial allocations, options for state delegations, limited entry and individualized quota systems. All these options require close coordination with the NPFMC, National Marine Fisheries Service (NMFS), and IPHC.

Contact: Doug Vincent-Lang, Special Projects Coordinator, Division of Sport Fish (267-2339)

Federal Subsistence Board Meeting Issues

1. Choose a Representative. The Federal Subsistence Board (FSB) meets in Anchorage on December 12th and 13, 2006. The State of Alaska, through a delegation to ADF&G, has a non-voting seat on the FSB. ADF&G Deputy Commissioner Wayne Regelin has normally represented the State and the Department at FSB regulatory meetings and work sessions, with back-up from department staff. Wayne is retiring and a new representative will need to be chosen.

2. Rural/Non-Rural Status. At its December meeting, the Board will action on final rules related to its decennial review of rural determinations. Although the FSB initially determined which Alaska communities were rural when the Federal Subsistence Management Program began in 1990,

federal regulations require that rural/non-rural status be reviewed every 10 years, beginning with the availability of the 2000 census data. An initial staff review, completed in July 2005, recommended that the rural/non-rural status of most Alaska communities should remain unchanged for the proposed rule, but proposed changes for several areas of the state including Kodiak and the Ketchikan area. The

ADF&G submitted written comments during the public comment period of this proposed rule. Once the Board takes final action, the Department must decide whether to appeal any of the decisions.

January Fisheries Meeting. The FSB will have its annual meeting from January 9-11, 2007, to evaluate federal subsistence fishery proposals and institute new regulations for 2007. ADF&G will be submitting formal written comments on the proposals prior to the meeting and should send a high-level policy person from the Commissioner's Office to represent the State of Alaska at this meeting. Once the FSB takes final action, the Department (in consultation with the Department of Law) must decide whether or not to appeal any of the decisions through submission of a Request for Reconsideration.

Contact: Sarah Gilbertson, Subsistence & Federal Issues Coordinator, Division of Sport Fish (2672138)

Forestall Application of Federal Extraterritorial Jurisdiction Over a Southeast Alaska Commercial Salmon Fishery

Federal regulations under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) reserve the right for the Secretary of the Interior to exert jurisdiction over an activity that occurs off of federal lands if the activity interferes with providing a priority for subsistence under the federal law. The Southeast Federal Regional Advisory Council (RAC), which reports to the Federal Subsistence Board, is considering petitioning for extraterritorial jurisdiction on the commercial salmon purse seine fishery in Chatham Strait. The U.S. Forest Service, the responsible federal agency under ANILCA in Southeast Alaska, has offered to help the RAC develop the petition and has done a technical analysis of the seine fishery's effects on salmon stocks and subsistence fisheries that is inaccurate. The department and the Forest Service will produce a joint report on the status of the salmon stocks and fisheries by December 15. The department and U.S.F.S. will meet with members of the RAC in early January to review the report. The RAC will meet in February.

Contact: David Bedford, Deputy Commissioner (465-4115)

Marine Stewardship Council Re-certification of Commercial Salmon Fisheries

Alaska's commercial salmon fisheries were certified in September, 2000, as "well-managed and sustainable" by the Marine Stewardship Council (MSC). That initial certification expired

in October 2005. ADF&G began actively pursuing re-certification before that date, but because of delays from the third-party certification firm (Scientific Certification Systems, SCS), re-certification has not yet been approved. The expiration date of the current certification has instead been extended to December 15, 2006.

While MSC certification may have had a positive effect on the marketing of Alaska salmon, ADF&G and the salmon industry have several concerns with the re-certification process. The recertification is being applied to sixteen individual certification units (rather than to the entire Alaska salmon fishery) and the MSC performance indicators and scoring guideposts have changed from those used in the original certification. Thus, it is possible that some portions of Alaska's salmon fisheries may not attain certification under the new rules being applied. A decision may have to be made very soon either to withdraw Alaska's salmon program from the MSC certification program or to accept that some individual Alaskan salmon fisheries will not be certified. The state's position, and the harvesting and processing sectors' recommendations, to date have been that all of the Alaska salmon fishery must attain re-certification, or else Alaska should withdraw from the MSC process, until the MSC can more appropriately recognize that our ongoing management program already assures the sustainability of Alaska's salmon fishery.

In addition, the MSC is considering the development of a program for the certification of farmed fish. This will potentially create confusion in the marketplace and dilute any benefits that may have been otherwise accrued from MSC certification of Alaska's wild, natural salmon products.

Contact: Denby Lloyd, Director, Division of Commercial Fisheries (465-4210)

Represent Alaskan Interests in Renegotiation of Pacific Salmon Treaty

Renegotiation of fishery regimes under the Pacific Salmon Treaty between the United States and Canada has begun. The Treaty governs salmon fisheries from Northern Oregon to Cape Suckling,

Alaska. Representatives of the U.S. federal government, the states of Washington, Oregon and Alaska, and Pacific Northwest treaty Indian tribes serve on the Pacific Salmon Commission which negotiates the terms of the treaty with Canada. A long-term agreement reached in 1999 will expire at the end of 2008. Initial positions for a U.S. national position on Chinook salmon fisheries will be discussed in the United States Section in October with national positions to be exchanged in January and February.

Development of positions on other fisheries will begin in January 2007 and extend into 2008. The negotiations are likely to be protracted because the interests of the U.S. participants are in many regards incompatible, and representatives from the Northwest and Canada are likely to seek restriction on Alaskan fisheries. Furthermore, some salmon stocks harvested by fisheries governed by the treaty are listed under the Endangered Species Act (ESA), and although the treaty has significantly reduced harvests of these stocks, the Chairman of the President's Council on Environmental Quality has announced the intention of further restricting harvests under the Pacific Salmon Treaty.

The Southeast Alaska sport and commercial fisheries harvest a small number of Chinook salmon from stocks originating in the Pacific Northwest which are listed under the Endangered Species Act. At present the Alaskan fisheries can proceed because they are covered under the ESA by a Section 7 incidental take permit issued for the Pacific Salmon Treaty. It will be necessary to coordinate with the Department of Law on progress in the negotiations and on implementation of the ESA recovery process in the Northwest to ensure that the treaty as renegotiated continues to support a section 7 permit for the Alaskan fisheries.

Contact: David Bedford, Deputy Commissioner (465-4115)

Pacific Coastal Salmon Recovery Fund

ADF&G manages the PCSRF on behalf of the State, and funding for a number of proposed projects will need approval from the Commissioner's Office in December and beyond. Tracking and supporting PCSRF Congressional appropriation efforts by the D.C. Governor's Office staff in the Commerce/Justice/State budget will likely be timely in December and/or early January. Alaska's share of this appropriation now totals over \$145 million and is important to salmon sustainability in Alaska, as well as supporting Alaska's efforts to comply with Pacific Salmon Treaty obligations.

Contact: Sue Aspelund, Special Assistant (465-6139)

Predator Management Policy

Predator control programs that have been implemented under the Intensive Management Law need to be sustained over multiple years in order to have a chance of succeeding. Additionally, the research programs being conducted to evaluate conditions before, during, and after such programs need to continue. Predator reductions face strong opposition and legal challenges, but are based in sound science, help increase allowable moose and caribou harvests and are strongly supported by hunters seeking better hunting conditions. In view of the timing of winter aerial wolf control programs, some important decisions need to be made immediately regarding legal, biological and policy issues for predator management and other active management programs.

Contact: Matt Robus, Director, Division of Wildlife Conservation (465-4191)

Salary and Human Resources Management Issues

Compensation for ADF&G staff is well below that paid by federal agencies or the private sector. In addition to a number of retirements, the agency also has suffered a significant loss of experienced staff to other organizations, and is having increasing difficulty attracting qualified candidates for vacant positions due to noncompetitive salary and benefits.

Contact: Tom Lawson, Director of Administrative Services (465-5999)

Prepare Requests for Federal Funding

The department relies on federal funding to support a number of programs that are necessary to maintain fisheries and marine resources and that also fulfill provisions of federal statute or international treaty. These programs received about \$20 million in federal fiscal year 2006 to fund programs such as Bering Sea crab research and management, Pacific Salmon Treaty and Yukon River Agreement implementation and marine mammal research. The requests are prepared by the department and submitted to OMB by early January for review. The completed requests are delivered to the Alaska Congressional delegation by March 1.

Contact: David Bedford, Deputy Commissioner (465-4115)

Issues Needing Action Long-Term (90+ Days)

Avian Influenza

Since August, 2005, ADF&G has partnered with federal biological agencies to develop and implement a program for the early detection of Highly Pathogenic Avian Influenza in Alaska, as a component of a national early detection system. The department has also worked in conjunction with the Department of Health & Human Services, the Department of Environmental Conservation, and the Department of Veterans and Military Affairs to bring factual information on avian flu and pandemic preparedness to Alaskan towns and villages, and to organize to be ready should a positive detection of HPAI occur. Although no positive detections have resulted from this summer's sampling program (to date), the potential for the disease to arrive in Alaska via wild birds still exists and it is expected that federally-funded sampling efforts will continue in 2007. The new administration will have to carry on the coordination and planning functions for HPAI issues that have been put in place over the previous year and a half.

Contact: Matt Robus, Director, Division of Wildlife Conservation (465-4191)

Geoduck Aquatic Farm Industry Recommendations

The State of Alaska and aquatic farming interests have been working on the development of a regulatory framework for the farming of shellfish species native to Alaska. Geoduck clams and littleneck clams have been the species of greatest interest. This has been a long and difficult process and has included litigation. Some issues still remain contentious.

The department plans to provide a tentative regulation package for public review this winter that will attempt to resolve remaining issues of contention within the current constitutional and statutory framework for dealing with common property wild stock resources. Additional mediation work with the industry and the Southeast Alaska Regional Dive Fishery Association (SARDFA) will focus on determining designated areas and future funding mechanisms to pay for the wild stock biomass surveys.

Contact: Patti Nelson, Deputy Director, Division of Commercial Fisheries (465-6105)

Limited Entry for Sport Fish Guide Industry

A policy issue the new administration will be faced with is whether or not to proceed with legislation establishing a limited entry program for the Alaska sport fishing guide industry. The Division of Sport Fish has formed an advisory group of sport fishing guides from across Alaska to discuss this issue. Preliminary discussions have suggested a general level of support exists. Work is now proceeding towards identifying legislative options with affected users.

Contact: Kelly Hepler, Director, Division of Sport Fish (267-2195)

Tongass Land Management Plan Adjustment

ADF&G staff and staff from the Governor's office have participated in the Forest Service's efforts to make adjustments to the Tongass Land Management Plan. Reviews of Old Growth Reserves and legacy tree reviews have constituted a part of that effort, as has a review of the TLMP Conservation Strategy. This effort is expected to extend for the foreseeable future.

Contact: Doug Larsen, Region I Regional Supervisor, Division of Wildlife Conservation (465-4266)

Federal Subsistence Board Meeting on Wildlife and Kenai Peninsula Proposals in May 2007

The Federal Subsistence Board will hold its annual meeting from May 8-10, 2007, to evaluate federal subsistence wildlife proposals and institute new regulations for 2007. Also at this meeting, the Board will consider proposals to change federal subsistence hunting, trapping and fishing regulations on the Kenai Peninsula, including seasons, harvest limits, methods of harvest, and determinations of customary and traditional use. The Department will submit formal written comments on the proposals prior to the meeting and should send a high-level policy person from the Commissioner's Office to represent the State of Alaska at this meeting. Once the Board takes final action, the Department (in consultation with the Department of Law) must decide whether or not to appeal any of the decisions through submission of a Request for Reconsideration.

Contact: Sarah Gilbertson, Subsistence & Federal Issues Coordinator, Division of Sport Fish (2672138)

Work on State/Federal Protocols and Agreements Related to Subsistence

The State of Alaska, through the Alaska Department of Fish and Game, is a signatory to an Interim Memorandum of Agreement (IMOA) with the federal agencies represented on the Federal Subsistence Board for "Coordinated Fisheries and Wildlife Management for Subsistence Uses on Federal Public Lands in Alaska." The Alaska Board of Game recently pulled out of the IMOA and is interested in renegotiating portions of the IMOA. The Department must decide whether it is also interested in pursuing any changes to the IMOA. The IMOA enables the development of agreements (protocols) to coordinate specific aspects of federal and state

management of subsistence regulation of fish and wildlife harvest. In recent years, the Department set as its highest priority negotiation of a Subsistence Use Amounts Protocol with the federal agencies represented on the Federal Subsistence Board. Earlier this year, negotiations on that protocol fell apart. However, both sides have indicated a willingness to revisit the issue, and if possible, to restart negotiations on the issue.

Contact: Sarah Gilbertson, Subsistence & Federal Issues Coordinator, Division of Sport Fish (2672138)

Prioritize Marine Mammals Research in Cooperation with Other Researchers

The department, federal agencies, universities, nongovernmental organizations and Alaska Native organizations engage in research or management activities for marine mammals. Marine mammals are regulated under federal law. Some populations are listed under either the Endangered Species Act or the Marine Mammals Protection Act, both of which can result in restriction of human activities that affect the listed populations. Federal funding for research and management of marine mammals is static and may decline. The department is working with the other organizations engaged in marine mammals work to prioritize research and management activities.

Contact: David Bedford, Deputy Commissioner (465-4115)

Joint Board of Fisheries and Game to Meet October 2007

In addition to the regular meeting activity of the Alaska Board of Fisheries and Alaska Board of Game, the boards acting jointly (Joint Board) scheduled a meeting for October 2007 to review and consider improvements for the local fish and game advisory committee system. A call for proposals was issued in September 2006 and the public review period of proposals will begin in January 2007. The Joint Board also scheduled consideration of the state's "nonsubsistence" areas beginning with an initial review in October 2007 and concluding with final action in 2008.

Contact: Jim Marcotte, ADF&G Boards Support (465-6095)

The Carlson Case

An Alaska Supreme Court decision in *Carlson v. State of Alaska*, CFEC, could be issued at anytime. In the worst case outcome the state's liability could reach \$30-50 million. In 1984, a class action lawsuit (*Donald H. Carlson, et al v. State of Alaska*, CFEC) was filed challenging the higher annual commercial fishing permit renewal and crew license fees charged to non-residents. The Superior Court initially ruled the differential was allowable. The plaintiffs appealed to the Alaska Supreme Court. During the last 20 years the case has been to the Alaska Supreme Court three times and to the

U.S. Supreme Court once. The case is currently before the Alaska Supreme Court for a fourth time and a decision could be issued soon. In 1984, the challenged fee differential between

residents and non-residents was 1:3 and the highest of the five resident fee classes was \$250 (a cap set by the legislature on permit fees). Non-residents could be charged a maximum of \$750 per permit. In the 2002 licensing year (in response to an Alaska Supreme Court decision), the Alaska Legislature changed the ratio to a fee differential calculated by the Office of Management and Budget based on state costs in support of commercial fisheries to which non-residents do not contribute. This differential is recalculated every three years by OMB. For the 2007 license year, non-residents will be charged a one-time differential of \$105. Crew member licenses issued by ADF&G are also subject to the differential.

In the worst case outcome, the state's liability could reach \$30 million to \$50 million, depending on repayment of back fees, interest allowed, and attorney fees. If the state is not successful, the Commercial Fisheries Entry Commission (CFEC) will likely require additional agency financial resources to prepare and administer a payback program as well as the amount of the payback, which will require appropriation by the legislature. CFEC is represented by Assistant Attorney General Lance Nelson from the Department of Law in Anchorage.

Contact: Peter Froehlich, Commercial Fisheries Entry Co-Commissioner (790-6936)

IRS Seizure and Forced Sale of Alaska Limited Entry Permits

For the first time since the federal 1998 IRS Reform Act, the IRS is threatening the Entry Commission with the seizure and forced sale of an Alaska Limited Entry Permit. This spring, an Alaska IRS agent threatened to seize and force the sale of a Limited Entry Permit held by an Alaskan. Chairman Homan and Commissioner Twomley spoke with the IRS agent in an attempt to persuade him that seizing a Limited Entry Permit would not be in anyone's interest and that the IRS had other practical means (for example, seizing earnings from the permit) to enforce tax obligations. To date, no permits have been seized, but the issue has not been resolved.

This represents the first such IRS threat to reach the Commission since passage of the federal 1998 IRS Reform Act.

Contact: Bruce Twomley, Commercial Fisheries Entry Co-Commissioner (790-6944)

Water/Boating Safety, Diving Safety, Firearms Safety, and Bear Safety

Large numbers of ADF&G staff, particularly field staff from the Division of Commercial Fisheries, work on boats, at weir sites, fish wheels, counting towers and sonar sites where water safety is a concern. ADF&G also has a number of employees using scuba and other dive technology to carry out their duties. Many field camps are located in bear country and some knowledge of bear behavior is important to avoid bear/human conflicts. In the cases where conflict between bears and staff cannot be avoided, staff are armed with firearms to provide for their defense.

While ADF&G provides some training in safety associated with these activities, Department management believes efforts should be intensified. This is needed to increase the safety of staff and to address any potential liability the state might face because of inadequate safety training.

Contact: Geron Bruce, Deputy Director, Division of Commercial Fisheries (465-6151)

Upper Cook Inlet Salmon Management

During its October 2006 work session, the Alaska Board of Fisheries agreed to establish a working group of board members and ADF&G staff to examine the Upper Cook Inlet management plans. The tasks for this working group are to review the current plans and to identify conflicts and confusions within and among the plans that are hindering management of these important salmon stocks. At the end of the working group process, ADF&G will prepare a proposal for the board to consider during its 2007/2008 meeting cycle, when Cook Inlet salmon issues are scheduled to be considered.

Contact: Patti Nelson, Deputy Director, Division of Commercial Fisheries (465-6105); and Rob Bentz, Deputy Director, Division of Sport Fish (465-6187)

Bear Management Issues

Streams containing salmon attract anglers and bears alike. Bear/Human conflicts at locations like Russian River, Chilkoot River, and in urban areas require resolution to provide for public safety as well as conservation of the respective bear populations. Whether the fishing area is remote and receives low or dispersed angler effort or is easily accessible with high and concentrated angler effort, negative encounters with bears can and do occur. Increasingly, these encounters have led to discussions between the Department and land management agencies (U.S. Fish and Wildlife Service, U.S. Forest Service and ADNR) to develop strategies to lessen angler-bear interactions. These strategies range from educational strategies to land closures to fishing restrictions, each of which is controversial. In addition, the department will be working at Board of Game meetings in November and March to prevent the opening of areas near bear viewing sites at Pack Creek (Admiralty Island) and McNeil River to the taking of bears.

Contact: Kelly Hepler, Director, Division of Sport Fish (267-2195); Kim Titus, Deputy Director, Division of Wildlife Conservation (465-4192)

Wood Bison Restoration

ADF&G continues to work towards reintroduction of wood bison, a native species no longer found within the United States. The Division of Wildlife Conservation continues to conduct a public process to evaluate support for the project and has just received a letter from the USFWS that helps further resolve issues regarding Endangered Species Act provisions, ban on importation, etc.

Contact: David James, Region III Regional Supervisor, Division of Wildlife Conservation (459-7222)

Alaska Board of Game Findings and Regulations on Unit 13 Moose and Caribou (Nelchina Herd) and Tier II Hunts

The new administration will have to respond to any turmoil related to changes in the Game Management Unit (GMU) 13 Tier II subsistence hunts for moose and caribou (Nelchina herd). The Board of Game has been seeking ways to revise the Nelchina caribou hunt to better provide for customary and traditional uses. At present, regulations mandate that 100% of the allowable harvestable surplus go toward the subsistence hunt; and there is no way to allocate animals for other uses. Consequently, there is a great motivation for all categories of hunters to try to participate in the subsistence hunt and associated permit process. This results in practices by some hunters not typical of traditional use patterns. At its special meeting, the BOG attempted to limit the subsistence allocation to a finite number, based on traditional use patterns, to allow an allocation of any excess harvestable surplus to nonsubsistence hunts. To date, the GMU 13 Tier II caribou hunt has generated a large majority of the complaints and controversy about the state subsistence permit process. Any changes, however well-intentioned, are likely to generate a new round of public debate. The incoming administration should be prepared to respond to Nelchina-related issues spanning from an increase in questions from the public all the way to potential lawsuits by hunter constituencies who feel deprived by the BOG's decisions. Within ADF&G, the Division of Subsistence, the Division of Wildlife Conservation, and the Boards Support Section will be focal points for questions and controversy on this subject and will be heavily involved in preparations for the upcoming Southcentral Region BOG meeting in March 2007.

Contact: Kim Titus, Deputy Director, Division of Wildlife Conservation (465-4192);
Elizabeth Andrews, Director, Subsistence Division (465-4146)

Regulation of the Transporter Industry

Conflicts between local and nonlocal Alaskan hunters are aggravated by the practice of some commercial transporters, who are not legally prevented from putting too many nonlocal hunters into areas already heavily used by other hunters. This not only detracts from the clients' experience, but creates and worsens competition and friction among different user groups. The Board of Game is not equipped with tools that directly address this type of problem, and the new Big Game Commercial Services Board has limited ability to control transporters. In order to successfully administer hunting equitably among a wide array of users, regulation of transporters is necessary.

Contact: Kim Titus, Deputy Director, Division of Wildlife Conservation (465-4192)

Impacts of Development on Wildlife in Northwestern Alaska, North Slope

Petroleum and mining development in northern and western Alaska are important for the state's economy but hold the potential for effects to wildlife resources important on local, regional, and continental scales. It is important that the Division of Wildlife Conservation regain capability for research and monitoring wildlife populations in these regions in order to help guide development. The Department is working to coordinate information needs and research projects on the North Slope with numerous federal agencies through the North Slope Science Initiative (NSSI). The goal is to ensure that development is not delayed or prohibited because of a lack of information necessary for permits to be issued and to reduce operating costs by working together.

The Commissioners of ADF&G and ADNR represent the State as members of the NSSI oversight group.

Contact: : Kim Titus, Deputy Director, Division of Wildlife Conservation (465-4192)

Terminating the Exxon Valdez Oil Spill Trustee Council

The Exxon Valdez Oil Spill Trustee Council was created to administer the \$900 million provided by Exxon to settle state and federal claims arising from the 1989 Exxon Valdez oil spill. The Council includes representatives of both state and federal agencies. Of the initial \$900 million, about \$146 million remains uncommitted and available for restoration projects. In addition, the state and federal governments have filed a claim for another \$92 million under a “reopener” provision of the settlement agreement.

As the state approaches 18 years after the spill, the vast majority of the resources injured by the spill have recovered or are nearly recovered. Viable projects to restore any lingering injuries are elusive. The state and federal governments are faced with fundamental questions of the most efficacious uses of remaining settlement moneys and whether there is a continuing purpose and need for the Trustee Council.

Contact: McKie Campbell, Commissioner (465-4100); Leslie Pearson, DEC Prevention and Emergency Response Program (269-7543)

Legislation

Repeal Sunset Date for Alaska Weathervane Scallop, Bering Sea Hair Crab Fisheries

Legislation is needed to repeal the sunset provisions which will eliminate limited entry for the Alaska weathervane scallop and Bering Sea hair crab fisheries (AS 16.43.450-520) on December 30, 2008.

If these fisheries return to open access, the fisheries may have to be closed or remain closed to protect the resource. Without new legislation, the state will not have the ability to limit the number of vessels entering these fisheries.

The Alaska weathervane scallop fishery in state waters was in danger of being closed before the vessel-based limitation statutes were passed in 2002. Currently the scallop fishery is limited in both federal and state waters. The entire fishery is managed by the state through an agreement with the federal government. The fishery occurs in both state waters and the federal Exclusive Economic Zone (EEZ). This is an active fishery with estimated gross earnings in 2005 of about \$4.1 million a year.

The Bering Sea hair crab fishery is such a fragile fishery that it was closed in 2001 and has not reopened. The stock is in the process of rebuilding and needs the protection of limitation when it does re-open. Without limitation on the number of participants, the

fishery will likely have to remain closed. The average gross value of this fishery between 1991 and 1999 was \$2.6 million a year.

Contact: Frank Homan, Co-Commissioner of the CFEC (790-6942)

Allowing Board of Fisheries to Allocate Within a Fishery

ADF&G has asked the Department of Law (Steven Daugherty) to draft a bill that would allow the Board of Fisheries to continue to allocate fisheries resources among permit holders within a single fishery, to the extent the Board is doing that now, making sure that the Board's authority to allocate within a fishery has adequate sideboards.

Contact: Patti Nelson, Deputy Director, Commercial Fisheries Division (465-6105)

Share Marine Sport Charter Logbook Data with NMFS, NOAA

The Department cannot share logbook information with the NPFMC or NOAA. This is resulting in increased costs and enforcement difficulties. To correct this, the Department plans to propose state legislation that would allow it to share confidential charter logbook information with the NPFMC and NOAA. Shared information would remain confidential. This would require a modification to AS 16.05.815.

Contact: Doug Vincent-Lang, Special Projects Coordinator, Division of Sport Fish (267-2339)

Board of Game Membership Terms

The Board of Game feels that legislation is needed to align the dates of the Board of Game membership terms with those of the Board of Fisheries terms. The terms for the Board of Game members expire on March 1st while BOF terms begin July 1st. The March 1st deadline is disruptive to the Board of Game cycle because the transition occurs less than two weeks prior to the big BOG regional meetings (Southcentral and Interior every other year). Aligning these dates would be beneficial for the board process.

Contact: Kristy Tibbles, Executive Director, Alaska Board of Game (465-6098)

Positions Held by the Commissioner (or his designee)

The Commissioner of Fish and Game, or a person designated to represent him and the agency, serves on these bodies:

The North Pacific Fishery Management Council. The Commissioner or his designee (currently, Commissioner Campbell fills this seat)

The Pacific Fishery Management Council. The Commissioner or his designee (currently, SpecialAssistant Gordy Williams fills this seat)

The Pacific States Marine Fisheries Commission. The Commissioner or his designee (currently, Special Assistant Sue Aspelund fills this seat)

The University of Alaska-Fairbanks School of Fisheries and Ocean Sciences (SFOS) AdvisoryCouncil. The Commissioner or his designee

The Alaska Board of Fisheries. The Commissioner is the ex officio secretary, though not a memberof the Board (the duties of the secretary are carried out by the Board's Executive Director, JimMarcotte, an ADF&G employee)

The Alaska Board of Game. The Commissioner is the ex officio secretary, though not a member ofthe Board (the duties of the secretary are carried out by the Board's Executive Director, Kristy Tibbles, an ADF&G employee)

The Federal Subsistence Board. The Commissioner or his designee has a non-voting seat (currently, Deputy Commissioner Wayne Regelin attends most of these meetings)

The Association of Fish and Wildlife Agencies. The Commissioner or his designee

The Western Association of Fish and Wildlife Agencies. The Commissioner or his designee(currently, Special Projects Coordinator Doug Vincent-Lang attends)

The Alaska Migratory Bird Comanagement Council. The Commissioner or his designee (currently, Wildlife Conservation Division Director Matt Robus fills this seat)

The Pacific Flyway Council. The Commissioner or his designee (currently, Wildlife ConservationDivision Director Matt Robus fills this seat)

The North Slope Science Initiative Board of Directors. The Commissioner or his designee(currently, Deputy Commissioner Wayne Regelin fills this seat)