



Outdoor Alaska



The Official publication of the Alaska Outdoor Council
"Protecting your hunting, fishing, trapping, and access to public lands since 1955"

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"Your Outdoor Heritage is at Stake"

By Rod Arno, Executive Director, Alaska Outdoor Council

AOC urges members to vote in the November 6th general election - in absentee or in person, our outdoor heritage is at stake. There are important races for AOC in the Interior, on the Kenai Peninsula, in Anchorage and in SE Alaska.

We urge members to vote for **Mike Dunleavy for Governor** - a hunter, fisher and ATV rider himself, Dunleavy is the clear choice for AOC members and all Alaskans who enjoy life outdoors.

Upcoming Events

AOC Annual Fairbanks
Banquet & Fundraiser
Westmark Hotel
Saturday - November 10th, 2018
John Sturgeon will be the Guest Speaker.

AOC Annual Anchorage
Banquet & Fundraiser
Egan Center
Saturday - February 9th, 2019

AOC 2019 Annual Business
meeting & Awards Banquet
Pike Waterfront Hotel, Fairbanks
March 29th, 30th, 2019

WE NEED DONATIONS.
Please contact:
pam@alaskaoutdoorcouncil.com

Vote ✓

November 6 2018

INTERIOR: In the downtown Fairbanks state senate race, we urge AOC members to vote for **Senator Pete Kelly**. If you hunt, fish, trap, or run a boat or ATV, no one in the legislature has done more to support you than Pete Kelly. If you live in his district, please vote and support

Pete.

In downtown House District 1, we urge members to vote for Fairbanks community leader **Bart LeBon**. Bart is supported by many Interior AOC members.

In Farmers Loop, College, Ester and Goldstream District 4, we urge members to vote for **Jim Sackett**.

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Presidents' Message

By Bill Iverson, AOC President

Please get out
and Vote.
This is a very critical year.

Please support your AOC and find our booth, at one of the sportshows around the state, as we will be raffling off some fantastic prizes this year. Come to one of our Banquets as well.

Consider volunteering to help whenever you can, and you will gain a better understanding of just what AOC board members give of themselves on behalf of the AOC membership and all outdoor folks in Alaska,

Thank you for being AOC members and donors. Your financial contributions keep AOC at the table when conservation and allocation of public resources comes up in the regulatory process, year after year.

I would like to stress the importance of supporting the Sustaining Business Members in this newsletter. They put their name and reputation on the line by openly supporting AOC, because they believe in our vision.



Bill Iverson in new booth backdrop 2018

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Executive Director Report

By Rod Arno, AOC executive Director



Don't count on current laws or the State of Alaska to assure your continued opportunity to hunt, trap, fish, or access public lands and waters.

Only your vote will do that.

AOC has recommended voting for a number of candidates, statewide, in the November 6th general election.

(Candidates supportive of our outdoor heritage are mentioned on the cover of this newsletter.)

Regulations allowing continued hunting, trapping, and fishing are all made by the Alaska Board of Game and Fisheries members appointed by the current governor and confirmed by 31 votes in Alaska's State Legislature. Access to state public lands/waters are regulated by the Alaska Department of Natural Resource that takes its directions from a commissioner who is also appointed by the governor and needs to be confirmed by a majority of the Alaska State Legislature. The Alaska Attorney General, also appointed by the governor and confirmed by the Alaska State Legislature is responsible for challenging any unconstitutional regulations by federal land managers to restrict your access to public resources on federal public lands and waters.

The continued opportunity to participate in your outdoor activities is a political process, the only way to assure your outdoor heritage is by voting on candidates that will support your interests. Plan and simple.

John Sturgeon's appeal of a National Park Service regulation forbidding his use of a hovercraft on state waters will be before the U.S. Supreme Court (For the 2nd time) the day before the General Election. John is fighting as an individual for your right to access State of Alaska waters. It's been a 13 year battle waged on behalf of all Alaskans. The decision on the case by the U.S. Supreme Court will determine how future Alaskans get to access Alaska's public lands and waters. The personal cost to John in attorney fees is over \$1 million. None of those fees can be recovered from the National Park Service or the federal government.

Your tax free contributions to the John Sturgeon case are sorely needed. You can contribute online at: alaskaoutdoorcouncil.org.

The bottomline for AOC members is to vote, and get other like minded Alaskans to vote for candidates that AOC can work with to assure your continued Outdoor opportunities.

Vote - Continued from Page 1

Jim is an active AOC member who is passing his outdoor heritage on to his kids. He deserves our support.

In the Delta to Palmer district, District 9, we urge members to vote for **George Rauscher**. George has looked out for AOC members during the last two years in the House, and deserves our support this time around.

KENAI PENINSULA: In the Homer, Anchor Pt., Clam Gulch, Kasilof and Funny River district 31, we urge members to get out and vote for **Sarah Vance**. A life-time outdoorswoman herself, Sarah and her husband Jeff are raising their 4 kids on moose, salmon and halibut and teaching them to enjoy the outdoor Alaskan lifestyle. It's time for a change in this district, lets give Sarah a shot.

ANCHORAGE: In District 25 that runs from Lore Road to East Dowling, **Josh Revak** is the best choice for AOC members. If you hunt or fish, or have a boat or ATV trailer parked in your driveway, get out and vote for Josh.

In West Anchorage, Senate District K, be glad that pilot and outdoorswoman **Mia Costello** is there to represent you. Mia has a solid record on state's rights, access to public lands, and conservation of our resources. We urge AOC members in West Anchorage to keep Mia on the job.

SOUTHEAST: In Juneau District 34, which includes Auke Bay, the Mendenhall Valley and north along Lynn Canal, hunter and fisher **Jerry Nankervis** is the best choice for AOC members. We urge members to support Jerry so he can support the unique outdoor lifestyle in SE Alaska.

Each year since statehood much of AOC's time and efforts are spent working with the Governor of Alaska, their Commissioners, and the Alaska State Legislators. A number of strong AOC supporters in the Alaska Legislature appear headed for re-election. AOC continues to support them. Having the right representation is critical to our membership's ability to hunt, trap, fish, and recreate on public lands in Alaska. The above-mentioned candidate's success during the upcoming election are **essential** to AOC's efforts to assure ALL Alaskans who choose to keep on hunting, trapping, fishing, and recreating on publicly owned lands and waters in Alaska have that opportunity.

AOC's efforts are more productive by having supportive representation. Make sure you are part of our success, get your vote in.

Mike Dunleavy for Governor

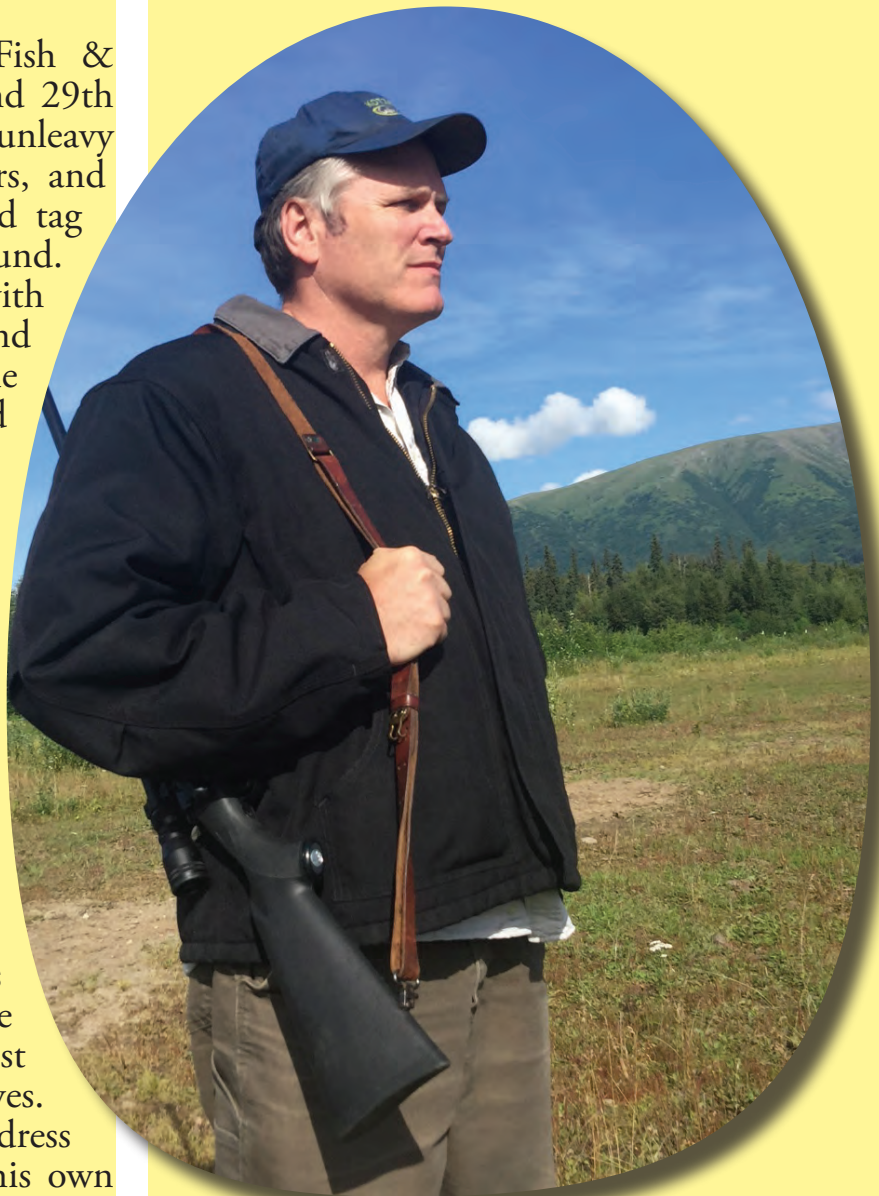
Mike Dunleavy is a proven leader on outdoor issues. Whether it's representing all Alaskans in Juneau in the state senate or at home in the Mat-Su Valley, Senator Dunleavy has stuck to his pledge to put Alaskans first

Senator Dunleavy has no connections to commercial harvesters of Alaska's fish and game resources.

As Chairman of the Senate Finance Fish & Game subcommittee during the 28th and 29th Legislatures (2013-2016) Senator Dunleavy recognized that Alaskan hunters, trappers, and anglers pay their way - their license and tag fees go into the state Fish & Game Fund. For years AOC played hide-and-seek with ADFG trying to track revenues into, and appropriations out of, the Fish and Game Fund. As chairman, Dunleavy insisted on transparency from the department. Outdoor folks were reassured once we could see the money we contribute to the system was being spent to improve our opportunity. Today expenditures from the F&G Fund are easily tracked and available to all on the ADF&G website - it wasn't that way before Sen. Dunleavy insisted on reforms.

Alaskans need someone in the governor's office who understands how important fish and game are to Alaskans. Dunleavy has lived around the state and understands how regular Alaskans depend on these resources because he and his family harvest and eat wild fish and game themselves. Imagine having a governor who can field dress a moose, fillet his own fish and repair his own snowmachine, something we haven't had in a long time. Mike Dunleavy would be a strong advocate for the Alaska outdoor lifestyle because he lives it.

Sen. Mike Dunleavy has earned AOC's trust. Based on his performance in the state senate, we're confident that our membership can count on him to enforce the laws that grant Alaskans access to public resources. That is all AOC membership could ask for, a governor who will enforce state laws rather than try to circumvent them, as the current administration insists on doing.



TERRITORIAL SPORTSMEN PETITION ELECTED OFFICIALS TO STOP ILLEGAL FEDERAL PREEMPTION

By Ron Somerville, South East AOC Board member

Juneau-based Territorial Sportsmen (TSI) petitioned Alaska's elected officials "to return some common sense to what has become a fish and wildlife crisis for the State of Alaska." Our organization accused the Federal Subsistence Board (FSB) of "expanding into traditional state responsibilities, inconsistent with the explicit limited authority granted in the Alaska National Interest Lands Conservation Act (ANILCA)."

Recent actions by the FSB has prompted this conservation organization to raise the alarm. Specifically, the declaration of the Berner's Bay moose hunt as a federally qualified subsistence hunt and the proposal to unnecessarily limit non-local hunter's access to deer in Unit 2 (Prince of Wales Island) were the Southeast-related actions that brought the disturbing trend to light locally. The Territorial Sportsmen concluded that the present trends established by the FSB in Southeast and other parts of the state will eventually lead to 60% of the state being limited to only federally qualified (local) subsistence hunters. This is in spite of the fact that federal law does not authorize this type of action and there is no conservation justification for such action.

Authorizing 25% of the Berner's Bay State moose permits for only federally qualified subsistence users was a major change in management. TSI commented:

"Given the fact that there was not a historical moose population in Berner's Bay, with no accompanying customary and traditional uses of moose, and given further that the existing moose population at Berner's Bay is the result of government and private efforts, TSI believes the herd should remain available to all hunters."

"At Berners we have a place that did not customarily support moose, a sub-species not normally found in Southeast AK, and a hunt that often requires specialized equipment. Further, to reach this hunt one has to go past other moose hunting opportunities with better access and bigger harvest numbers. Finally, it is a small herd that cannot answer subsistence demand due to the low sustainable harvest. All in all, this is not the breadbasket for moose hunting in the region."

At the same meeting, the FSB considered a proposal to reduce the bag limit and shorten the season for non-federally qualified hunters in Game Management 2. The TSI arguments include the following:

"Data presented by the Alaska Department of Fish and Game indicate that deer populations in Unit 2 are high, and that the number of deer taken by federally qualified hunters has actually increased over the past decade. Federally qualified hunters already have substantially more opportunity than other hunters to harvest deer under current regulations, having a higher and less restrictive bag limit (i.e. allowing taking of does) and a longer season than the state season, including a time of year (January) when the animals are at a low elevations and more vulnerable to beach hunts."

"There is no indication that hunting by non-federally qualified hunters has precipitated any biological concern or that

restrictions are necessary in order to provide adequate opportunity for subsistence; therefore the additional restrictions contained in this proposal are not warranted."

Despite our expressed concerns, the FSB reduced the bag limit from 4 bucks to 2 bucks per year for non-federally qualified subsistence hunters.

These actions mirror similar illegal actions taken recently by the FSB such as closing the Western Arctic Caribou Herd harvest to only non-local subsistence hunters even though there are no conservation concerns for the herd which still number over 200,000 animals. Similarly, the closing of sheep hunting near Arctic Village by non-qualified hunters for religious reasons and competition from outside hunters again illustrated the direction the FSB was taking in its attempt to limit hunting on federal public lands to only local residents.

The FSB's policy adopted in 2007, states that the "Board will not restrict the taking of fish and wildlife by users on Federal Public Lands... unless necessary for the conservation of healthy populations of fish and wildlife resources, or to continue subsistence uses of those populations." This is precisely the extent of authority Congress granted in ANILCA.

After petitioning the FSB to reconsider their actions here in Southeast, TSI decided that some sort of political action may be necessary to prevent this unauthorized preemption of state management on federal lands. On May 24, TSI sent a letter to our Congressional Delegation and the Governor explaining its dire consequences if left unattended. The only response was from Senator Sullivan. Needless to say, the response from the rest of our delegation and the Governor was "under-whelming."

On October 3rd of this year a video conference with Sara Taylor, Erik Elam and Pierce Wiegard of Senator Sullivan's staff met with Doug Larsen, Ron Somerville, Eddie Grasser and Stan Leaphart to discuss our concerns in more detail. A forty-five-minute discussion allowed us plenty of time to present our case and offer some possible short- and long-term solutions. Whether Senator Sullivan is able to offer some assistance is unknown at this point. However, a coalition of outdoor organizations consisting of Territorial Sportsmen, Alaska Outdoor Council and Safari Club International are committed to finding some solutions.

Matt Robus, president of TSI, summed up the dilemma in his letter as follows:

"Again, we have to ask if this is what was intended when compromise ANILCA legislation passed in 1980? Is this really the level of support for state management we can expect from the federal agencies? Do our delegation, state elected officials and federal agencies support the FSB's regulatory extension of their authorities onto state and private lands and waters? We believe that our elected officials should object to such preemption of state management on federal lands where no conservation problems exist. After all, the quest for statehood was all about state management of its resources – particularly our fish and wildlife."

Keep tuned for the next installment.

Public Comments from Alaskans needed on NPS Proposed Rule RIN 1024-AE38

By Rod Arno, Executive Director, Alaska Outdoor Council

Once upon a time the U.S. Congress understood that Alaska was different. That's why Congress allowed the practice of hunting, trapping, and fishing for a food source to continue on most National Park lands created with the passage of the Alaska National Interest Lands Conservation Act (ANILCA).

The National Park Service (NPS) since the passage of ANILCA in 1980 have continually tried to subvert Congress's intent to provide continued public access to harvest fish and game through their own rulemaking. Alaska's Congressional Delegation and state officials were well aware of NPS's culture to prohibit or interfere with hunting under state regulations back during the drafting of ANILCA and fought hard to make sure federal law would not allow NPS policy to take over the state's authority to regulate hunting, fishing, and trapping. They succeeded in limiting NPS's authority in section 1314 of ANILCA;

§1314. (a) Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands except as may be provided in Title VIII of this Act, or to amend the Alaska constitution.

Yet in 2014 the NPS proposed rules that did just that, takeover state authority to regulate hunting, fishing, and trapping on 20 million acres of Preserve lands in Alaska. The State of Alaska and many other Alaskan groups and individuals commented during the public process that NPS's proposed rules were against federal law. That did not stop NPS from adopting the rules usurping state management authority in 2015 and by granting themselves authority to close lands and restrict harvest activities for reasons not authorized in ANILCA and by reducing public involvement in such decisions. Since that time the State of Alaska and other groups have filed suit in federal court to repeal the unjust rulemaking.

Today under a more receptive federal administration NPS has been forced to reconsider only part of their illegal 2015 rulemaking. The State of Alaska and others still maintain urge that the entire 2015 rulemaking needs be repealed. The public comment period on the partial repeal of the 2015 NPS rulemaking is currently open for public comment. Over 175,000 form comments from Preservations opposing the repeal have already been submitted to NPS.

AOC is asking for substantive personal comments from Alaska outdoor folks who actually utilize fish and game for their personal food source. A full analysis of the problems and changes needed in the current NPS proposed rule and the Environmental Assessment (EA) are available to aid individuals in formulating their own comments asking that the entire 2015 NPS rulemaking be repealed. It is VERY IMPORTANT to write comments and put them in your own words--if comments look too similar, NPS won't count them separately.

In your personal comments **supporting** NPS's proposed rule RIN 1024-AE38 it's worth noting that;

- Repealing the NPS 2015 rule (Which is what the current NPS 2018 proposed rule partially does) prohibiting State of Alaska hunting and trapping regulations will not in any way cause a conservation concern for wolf or bear. NPS admits that repeatedly in their published Environmental Assessment (EA) of the effects hunting and trapping methods that they banned. A link to the NPS EA is available on the AOC website.

- Hunters and trappers asked the Alaska Board of Game to adopt the methods singled out and prohibited by the NPS on 20 million acres of Preserve lands open to **all** for regulated harvest.
- State hunting and trapping methods allowed in regulation can only be used if there is adequate numbers of the populations of bear and wolf to provide an opportunity for human use of the resources. That is consistent with the Alaska State Constitution, Article 8, Section 4 Sustained Yield. There must be a surplus of wolf or bear numbers before state hunting and trapping regulations allow a harvest.
- Furthermore, comments **not** being addressed in the current NPS 2018 proposed rule but were part of the NPS 2015 Final rule need repealed at this time. **Loses to State management authority and the public process** in the 2015 NPS Final Rule are not necessary for NPS to fulfill their mandate from Congress.
- NPS does not withdraw its assertions of authority to preempt State management of game. The U.S. Congress never gave NPS that authority. A link on AOC's website to the Alaska National Interests Lands Conservation Act (ANILCA) will show that is just the opposite of what Congress intended, ANILCA Section 1314.
- The NPS 2015 rulemaking diminishes the public process and protections created by ANILCA to allow public involvement before closures to access and restrictions to activities can be implemented on Preserve lands/waters.

AOC has provided documents on its website to help Alaskans craft their own comments; A letter to Alaska's Congressional Delegation on August 15th, an August 7th analysis of the NPS proposed rule, the NPS EA on the proposed rule, and AOC's October 10, 2018 comments supporting the NPS proposed rule.

Alaska is different, NPS needs to be reminded of that fact. Only a repeal of the entire 2015 NPS rulemaking and Finding of No Significant Impact (FONSI) will bring NPS back in line with what the U.S. Congress intended when they voted to make ANILCA law. Just repealing the part of the 2015 NPS proposes in the Final rule won't be enough.

Without public comments from Alaska's outdoor folks ,who benefit from regulated hunting, trapping, and fishing on 20 million acres of National Preserve lands, the U.S. Secretary of the Department of the Interior will only have the opinions of hundreds of thousands of anti-hunters when he makes the determination to direct NPS to repeal the whole 2015 NPS decision to takeover state authority to manage fish and game. Get your comments in before the November 5th deadline.

Where to submit comments by November 5, 2018

Your personal comments must contain an identifier to be considered: NPS-2018-0005 or NPS RIN (1024-AE38)

Submit by email; Federal eRulemaking Portal: <http://www.regulations.gov>

Or mail to:

National Park Service

Regional Director, Alaska Regional Office

240 West 5th Ave.

Anchorage, AK 99501

Win for AK hatcheries

By Craig Medred on October 17, 2018

Before a room packed with commercial fisherman angry they might lose profits from catches of hatchery salmon, the Alaska Board of Fisheries on Tuesday turned back a proposal to cap or rollback the state's industrial aquaculture business.

The 5-2 vote came after Alaska Department of Fish and Game scientist Bill Templin walked board members through an 84-screen PowerPoint presentation explaining the complexities of salmon genetics and even more so the impenetrable tangle that is the ecosystem of the North Pacific Ocean.

State biologists, Templin said, can't say what will happen once fish disappear into the big black box of the Pacific, and thus can't say whether adding ever more hatchery pink salmon to the ocean will harm wild fish. They know there is a limit to the carrying of the marine environment, but they don't know what the limit.

Neither can they say to what extent hundreds of millions of hatchery pink salmon swarming north out of Prince William Sound on the Alaska Coastal Current and lesser numbers of sockeye smolt flooding west from Cook Inlet compete for food in a huge and ecologically productive mixing zone in the gut of the Gulf of Alaska.

The pertinent question that went unanswered as the meeting ended was voiced by the Board's Israel Payton, who grew up in the remote Yentna River community of Skwentna.

Noting that the state's hatchery program was begun in the 1970s to rehabilitate the state's faltering salmon runs, he wanted to know at what level of hatchery production that rehabilitation would be compete.

Ocean-ranched salmon – or what Alaska commercial fishermen prefer to call “wild-caught” fish in an effort to avoid being cast as fish farmers – have been making up an increasingly larger and larger segment of the annual harvest since the late 1980s.

“Private, no-profit (PNP) hatcheries (now) account for a third of the commercial harvest,” Templeton noted. As a result, big money is involved.

An economic mainstay

“In 2017, the commercial fleet caught about 47 million hatchery-produced salmon worth an estimated \$331 million in first wholesale value,” according to Alaska Salmon Fisheries Enhancement Annual Report. And 2017 was not the best year for hatcheries.

“Hatchery fish contributed 21 percent of the statewide commercial salmon harvest, which is the lowest percentage of hatchery fish in the harvest since 1995, and due largely to an extraordinary wild stock harvest that was the third highest in Alaska history,” the report said. The hatchery return for 2018 is expected to be back up in percentage but down in fish in a year in which runs of sockeye salmon, one of the state's most valuable fish, faltered around the north and east Gulf of Alaska coast.

The Kenai River Sportfishing Association has suggested failing sockeye runs on the Kenai, Copper and other rivers are a sign of wild fish losing out in the competition with the hatchery salmon – primarily pinks – raised in Prince William Sound (PWS).

A study of the Exxon Valdez Oil Spill found “all (Copper River) sockeye salmon stocks examined exhibited a downward trend in productivity with increasing PWS hatchery pink salmon returns. While there was considerable variation in sockeye salmon productivity across the low- and mid-range of hatchery returns (0–

30 million), productivity was particularly impacted at higher levels of hatchery returns.”

There is no evidence to indicate those hatcheries are influencing Cook Inlet sockeye returns, but there is a correlation between the numbers of pink salmon in the Sound and sockeye in the Inlet.

As the Sound's, hatchery-boosted pink salmon production has climbed since the 1980s, Cook Inlet production has fallen.

“Commercial harvests of sockeye salmon were about 4.5 million fish in the 1980s, 4.1 million fish in the 1990s, and 3.6 million fish since 2000,” a state study reported in 2006. The 10-year average is now down to 2.8 million.

Average, 10-year PWS pink salmon returns that historically averaged about 15 million fish per year were boosted to 31 million in the 1990s, climbed to 44 million in the 2000s and have remained near 37 million since.

Several studies have suggested that fast growing pink salmon, which are evolutionary designed to spend only a year at sea growing from inch-long fry to 18- to 25-inch fish, enjoy a competitive advantage over other species.

Unknown causes

As Templeton noted in his PowerPoint, and as all scientists know, “correlation is not causation.” The interactions between juvenile salmon from the Inlet, the Sound, and to some extent Kodiak Island and Chignik remain an unknown.

But the value of the hatchery fish is well documented, and both commercial fishermen and processors have lobbied hard against any reduction in hatchery stocking efforts. Ageless wonder Sen. Clem Tillion from Halibut Cove, Alaska's “fisheries czar” under the late Gov. Wally Hickel, was at the hearing to back the hatcheries along with hatchery managers from across the state.

“The hatchery program has been a success,” the 92-year-old Tillion said. “Don't mess around with what works.”

“This idea that we're over-stressing the North Pacific? What we're doing is chicken feed.”

He pointed to unknown North Korean hatchery production and high Russian production as the possible cause if the Pacific is over-stressed, although neither country would be involved if the real issue is with near-shore competition in the Alaska Coastal Current running from Southeast Alaska past the Sound around Kodiak and on to the Bering Sea.

Hatchery advocates called the KRSA proposal a thinly veiled attack on commercial fishermen and pointed to more than 1,000 comments to the Board in favor of hatcheries verses less than 100 opposed.

The accusation was a mischaracterization with a grain of truth.

Age-old disagreement

At its root, the Alaska hatchery issue is an argument between technocrats, who think man can improve on anything done by nature, and naturalists, who would prefer to let nature function naturally.

A debate almost identical to the one in Alaska is now raging in Scotland where the only difference is that the salmon in question are farmed in pens instead of being ranched into the seas. As salmon farming has exploded in Scotland, wild Atlantic salmon

Continued on Page 11 - Hatcheries

Alaska Outdoor Recreation: Access to Lands and Waters for Hunting, Fishing and Recreation Negatively Impacted by Ballot Measure 1 (BM1)

By Portia Babcock, Alaska Hunter & Fisher, AOC Life Member, NRA Life Member, SCI Alaska Member, NRA Defender of Freedom Award Recipient

- BM1 Imposes New Minor Individual and General Permit (common use/public interest) Rules, Requirements and Restrictions (mostly in Sections 2, 3, 6 and 8):

- Under BM1, nearly all waters in Alaska are presumed to be important salmon/fish habitat, until proven otherwise
- Under BM1, every General Permit (permits issued for areas of Alaska for common use/public interest/similar activities) will now require:
 - Public Notice for every permit
 - A 30-day public comment period for every general permit
 - At least one public hearing, if requested by an interested person for every general permit
 - Opportunity for any interested person, including Outside groups like PETA, Sierra Club, and the Center for Biological Diversity, etc., to challenge every Department determination and every permit, and then appeal to the Alaska Superior Court (Section 8)

- BM1 creates a new minor individual permit and a new process for general permits (common use/public interest). These permits have nothing to do with large-scale development, or public or private infrastructure projects, like building roads, airports or installing a culvert (those are covered by major permits). The added restrictions, burdens and costs under these permits directly impact the lives and outdoor activities of individual Alaskans – potentially restricting the ability to access Alaska's lands and waters for recreation, hunting, fishing, camping, etc.

- Many areas and activities would now be subject to new permitting criteria, public comment periods, public meetings, and an increased potential for law suits by Outside environmental groups. Some areas and activities potentially affected:
 - Nearly all waters in Alaska, potentially including

coastal marine waters

- Landing small planes on lakes, river beds, and along the coast of Alaska
- Boating, rafting and recreational activities on waterbodies
- Crossing streams, rivers or lakes in boats or all-terrain vehicles
- Access to boat launches, docks, river banks, and Special Areas
- Any onshore activity that affects areas in close proximity to waters that may have fish



Portia Babcock with Caribou

How will changes to Minor Individual Permits and General Permits increase cost, add delays, and potentially restrict access to lands and waters in Alaska?

Example: during the first half of 2018, the ADF&G issued 274 General Permits (there currently are no minor individual permits, so we will focus on general permits as an example). If we assume that the ADF&G will issue a similar number of general permits for the remainder of 2018, there will be about **500 General Permits issued during 2018.**

(*Note: once a general permit is authorized, many individuals may operate under the general permit authorization as long as the conditions and stipulations of the general permit are followed).

- The current General Permit process is that the experts, biologists and scientists at the ADF&G determine to issue a general permit in order to best serve public needs and protect habitat.
 - <http://www.adfg.alaska.gov/index.cfm?adfg=uselicense.generalpermits>
- Under BM1, the General Permit process will be:
 - First, an area may require a site-specific study to determine anadromy, which then can be challenged by an interested person. Or, the state may take the easy, less costly path and just assume all waters are protected fish habitat.

- Before issuing a permit, *including minor and general permits*, the state must ensure the proper protection of fish habitat by maintaining seven specific criteria (Section 2) – the adequacy of the state’s assessment of each of these criteria can be contested in court.
- 500 Public Notices, including 30-day public comment periods
- Up to 500 Public Hearings (if requested)
- Potential for three separate opportunities (per permit) for an interested person to challenge a determination or authorization
- Potential for up to 500 law suits – *could delay issuing a general permit for months, or even years.*
- The added cost to the State of Alaska to administer 500 public comment periods, up to 500 public hearings, to fight additional challenges and appeals, and to fight potential law suits is unknown. But, there will be significant cost.
- The added delays, costs, and potential loss of the ability to access areas to hunt, fish and recreate throughout Alaska is impossible to calculate. But, there will be burdensome and costly impacts to Alaskans.
- **NOTE:** it is unclear how the ADF&G will implement the new minor individual permit requirements and stipulations. It is possible that Alaskans may need to get minor individual permits for certain activities in place of, *or in addition to* operating (accessing, using, disturbing lands and waters, etc.) under a general permit.

Paid for by Stand for Alaska Vote No on 1, 200 West 34th Avenue, PMB 1219, Anchorage, AK 99503. Marleanna Hall, chair, Aaron Schutt, Jaeleen Kookesh, Joey Merrick, and Sarah Lefebvre, co-chairs, approved this message. Top contributors are ConocoPhillips Alaska, Anchorage, Alaska, Donlin Gold LLC, Anchorage, Alaska and BP Alaska, Anchorage, Alaska.



Subsistence uses and lifestyles

By Dick Bishop, past AOC president

A U.S. Supreme Court decision favoring John Sturgeon does not mean the end of subsistence cultures, traditions, values, and lifestyles as proclaimed by various alarmists. Those values will be maintained by people who choose to live the lifestyle, whether urban or rural, Native or non-Native. I say to those people: “Go for it!”

Jim Kowalsky’s letter of 8/6/18 regarding subsistence use and the Sturgeon case is an interesting but misleading bit of “revisionist history”. The “we” he speaks of likely was the “Alaska Coalition”, a collection of prominent national environmental and other groups. The Alaska Coalition ran the political machine in Washington, D.C. promoting passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980.

The Alaska Coalition wanted nothing to do with condoning consumptive uses of wildlife on lands proposed to be added to U.S. National Park lands, whether “Park” or “Preserve”. Contrary to Jim’s statement, the Alaska Coalition was not an advocate of a Native or rural subsistence priority. The Coalition only conceded to accommodating such consumptive uses when they realized that their continued opposition would mean appearing to be indifferent to the interests of Alaska Natives.

Eventually, Congress copied existing Alaska state law which provided a priority for subsistence uses. But at Alaska Federation of Natives’ (AFN) insistence, Congress stuck in the word “rural” before “subsistence uses”.

Governor Hammond had made it clear that the State could not legally embrace a racial priority. But he overlooked, or chose to ignore, legal advice that “rural” was likely also not acceptable under Alaska’s Constitution. Sure enough, the Alaska Supreme Court confirmed – in its 1989 McDowell decision—that the rural criterion was unconstitutional.

Kowalsky repeatedly asserted that the federal rural subsistence priority only applies in times of resource “scarcity,” a favorite but false assertion. As the AFN points out—and experts on ANILCA know-- on federal lands the rural subsistence priority is in place “at all times”. Section 804 of ANILCA says: “...The taking on public lands of fish and wildlife for non-wasteful subsistence uses shall be accorded priority over the taking ... for other purposes.”

Kowalsky also refers to the rivers involved as “federal waters”. However, as Alaska Attorney General Jahna Lindemuth points out, navigable waters in Alaska are state waters, acquired as a provision of Statehood.

Does the Sturgeon case threaten subsistence uses and lifestyles? No. Alaska state law gives subsistence uses of fish and wildlife priority over other uses – but for all Alaskans, not just rural or Native people. Fishing, hunting, trapping and other uses of wild renewable resources for food, fiber, and income are time-honored Alaskan traditions and cultures -- practiced and respected across the spectrum of Alaskans. State laws reflect this fact.

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Hatcheries: *Continued from Page 7*

returns have gone down.

“Pro-aquaculture interests, such as the Scottish Salmon Producers’ Organization (SSPO)....contend that “any potential impacts on wild fish are not understood, and the science is particularly lacking for Scotland,” NPR reported.

While salmon advocates have called for “moratoriums on fish farm expansions until the environmental impacts are better understood,” government reports have not backed that idea, SSPO General Manager David Sandison told NPR.

A “parliamentary committee is expected to publish its findings (on this issue) sometime this fall, but release of those findings has already been delayed several times, likely because of the challenge of reconciling environmental and economic interests,” wrote NPR’s Eileen Guo.

The economics have historically tilted these arguments over wild versus farmed in favor of the technocrats.

The buffalo that once roamed the Great Plains the way the salmon still roam the sea are long gone. They were replaced first by free-ranged livestock (the equivalent of hatchery fish) and then by fields of wheat and corn that, in large part, serve to grow cattle in feed lots, the now dominant source of beef.

An estimated 60 percent of the corn grown in the U.S. is used to feed livestock these days. But there are still places where farmers ranch cows as Alaskans ranch salmon. There is nowhere left in America where anyone hunts bison for sale in the market or, for that matter, hunts ducks or geese or deer or Dall sheep in a country where market hunting once flourished.

It was brought to an end by President Theodore Roosevelt after he was heavily lobbied by sport hunters who witnessed the decimation of moose, caribou and sheep populations for profit.

Alaska was like any other part of the country in that regard more than a century ago.

Roosevelt’s forestry chief, Gifford Pinchot, sent a young forester named William A. Langille to the Kenai Peninsula in 1904 to investigate reports that market hunters were over hunting moose, caribou and Dall sheep populations,” according to a history of the

Kenai National Wildlife Refuge.

Langille recommended creation of the Chugach National Forest, which once “extended from the Copper River on the east to Cook Inlet on the west, to Kachemak Bay on the south, and included all the Chugach Mountains to the north,” according to the history.

“Throughout the 1920s and 1930s, hunters and conservationists continued to press Congress to designate part of this land specifically as a wildlife preserve, without logging, mining and other forms of development. Congress finally recognized these voices, and a second President Roosevelt — FDR — signed the enabling legislation for the Kenai National Moose Range on Dec. 16, 1941, just nine days after Pearl Harbor.”

The damage done to wildlife populations by over hunting was obvious. The fishery issue now facing the state of Alaska is a whole lot more complicated.

Though the Board refused to address it Tuesday, some Board members said later it is obvious there is a need to cap hatchery production at some level, and even most hatchery supporters concede there is a limit to the carrying capacity of the North Pacific.

It remains to be seen whether the Fish Board is willing to address that issue.

Following on the success of the Prince William Aquaculture Association and similar PNP hatcheries in Southeast Alaska and on Kodiak Island, other communities and or regions in Alaska want to jump into the hatchery game.

Hatcheries seem to many fishermen the magic bullet, and opposition in Alaska has so far been muted.

There is a “Stand for Salmon” initiative on the Alaska ballot this fall aimed at sharply restricting, possibly in some cases shutting down, any sort of development to preserve state salmon waters.

But there was no one at the Fish Board meeting on Tuesday Standing for Salmon, or at least Standing for Wild Salmon. The only standing came when Tillion made his plea for continuing hatchery expansion. He got a standing ovation.

To paraphrase Ed Asner in an old, Saturday Night Live skit, you can’t put too many salmon in the ocean.

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