



Outdoor Alaska



The Official publication of the Alaska Outdoor Council and Alaska Fish & Wildlife Conservation Fund.
"Protecting your hunting, fishing, trapping, and outdoor heritage since 1955"

Volume 17, Issue 4

www.alaskaoutdoorcouncil.org

Spring 2009

ALASKA OUTDOOR COUNCIL BOARD OF DIRECTORS:

President: Bill Iverson,
Soldotna, Alaska
email: bill@alaskaoutdoorcouncil.org

**1st Vice-President,
Interior:** Tom Lamal
Fairbanks, Alaska
email: tom@alaskaoutdoorcouncil.org

**2nd Vice-President,
Southcentral:** Randy Quincy
Willow, Alaska
email: randy@alaskaoutdoorcouncil.org

**3rd Vice-President,
Southeast:** Ron Somerville
Juneau, Alaska
email: ron@alaskaoutdoorcouncil.org

Secretary: Dave Ausman
Anchorage, Alaska
email: dave@alaskaoutdoorcouncil.org

Treasurer: Todd Clark
Anchorage, Alaska
email: todd@alaskaoutdoorcouncil.org

At Large: Wayne Nicolls
Juneau, Alaska
email: wayne@alaskaoutdoorcouncil.org

ALASKA FISH & WILDLIFE CONSERVATION FUND BOARD OF DIRECTORS:

(above 7 plus additional Chair and Vice-Chair)

**Trustee Advisory Board
(TAB) Chair:** Vacant

Vice-Chair: Byron Haley
Fairbanks, Alaska
email: byron@alaskaoutdoorcouncil.org

Staff and AOC Office:

Executive Director: Rod Arno
AOC
PO Box 87-1069
Wasilla, Alaska 99687
Email: aoc@alaskaoutdoorcouncil.org
Mobile phone: (907) 841-6849

Bookkeeper/Accountant:
Warwick & Schikora, CPA
Fairbanks, Alaska
Phone: 456-1566

AOC Office:
Alaska Outdoor Council
310 K Street, Suite 200
Anchorage, Alaska 99501
Phone: (907) 264-6645
Fax: (907) 264-6602



AOC Executive Director, Rod Arno tells outgoing AOC President and mentor, Dick Bishop, to "put down the newspaper and go hunting." The AOC Board of Directors presented Bishop with a Model 70 pre-'64 Winchester .270 rifle in appreciation for his many years of volunteer time and dedicated services on behalf of AOC.

In This Issue:

President's Message	2
Executive Directors Report	3
Chitina Dipnetters Association and Alaska F/W Conservation Fund Sue Board of Fisheries and ADF&Go	4
Southeast Alaska- 2009 AK Board of Fisheries Meeting Report	6
IPHC Demonstrates Intent to Protect Commercial Quota	7
In Memoriam	8
Can we manage Alaska moose for harvest yields similar to Scandinavia?.	8
Ray Johnson Earns International Hunter Education Association Award	9
AOC Member Clubs	9
Bison/Agriculture Conflict Resolutions	10
AOC Sustaining Business Members	12
Charter Halibut Task Force	14

Winter Gathering of AOC Delegates in Juneau

By Rod Arno AOC Executive Director

Neither winter storms nor the high cost of travel to the capital city stopped thirteen AOC Club delegates carrying a total of 34 club votes from flying in to Juneau for the 2009 AOC Annual Meeting last February.

All the out-of-town delegates plus Juneau resident AOC members were on hand the first evening over at the Hanger on the Wharf for an AOC/NRA meet & greet with members from the staff of Alaska's Congressional delegation, the Governor's staff, a number of legislators and their staff, plus department folks whom AOC has worked with for years.

Brian Judy, NRA's Senior State Liaison for Alaska, received a warm welcome from many State Legislators who had worked with Brian

on Alaska gun legislation in the past. Knowing Brian is also out there on the front lines in California with NRA's Institute for Legislative Action seems to make all of us here in Alaska rest a little easier.

We started off our Friday work session with an introduction by Senator Charlie Huggins, Chairman of Senate Rules and Vice-chairman of Senate Resources. It is reassuring when we have individuals in the State Legislature who are truly outdoors people. It was good sharing outdoor stories with the Senator. He also reminded us of the fact that outdoors people, conservationists in the true sense of the word, have been successful politically throughout US history because they know the value of perseverance.

continued on page 5

President's Message

By Bill Iverson, AOC President



My name is Bill Iverson and I am your new Alaska Outdoor Council President. I was born in the Territory of Alaska, in 1951, and raised in Anchorage. I moved to my dream cabin along the Kenai River, across from Bing's Landing, in 2000. I am an avid hunter, fanatical fisherman and access advocate. Please join me in fighting to keep our Alaskan heritage alive for future generations.

My goal as President is to improve and maintain our member services. As the owner of a successful computer business, Professional Computing since 1982, I am very computer savvy. We need your email addresses so we can communicate with you more efficiently. Everyone please contact, via email, membership@alaskaoutdoorcouncil.org or snail mail and update your information. We are your voice.

We must ready ourselves for a new assault on the Second Amendment and partner with the NRA and other gun rights advocates to protect our hard fought rights.

I believe in science over emotions or politics, in utilizing predator control. Our game management must follow the state constitution for sustained yield to benefit all Alaskans, which also protects our wildlife for the benefit of all users, including viewers and the animals themselves. We must counter the next round of anti-predator control, public opinion campaigns from animal rights groups, with actual facts and science.

Outdoor Alaska

...is the official quarterly publication of the Alaska Outdoor Council Inc. and the Alaska Fish & Wildlife Conservation Fund.

Alaska Outdoor Council

310 K Street, Suite 200
Anchorage, Alaska 99501
Phone: (907) 264-6645
Fax line: (907) 264-6602

Advertising:

- 1/12 Page (3.5x1.5) \$50
- 1/8 Page (3.5x2.25) \$85
- 1/4 Page (3.5x5) \$150
- 1/2 Page (7.5x5) \$275
- Full Page/Corporate Sponsor \$480

*Rates based on camera ready copy. Scanners available.
Electronic copy in .pdf, .jpg., or .tiff preferred.
Send ad to Rod at aoc@alaskaoutdoorcouncil.org .
Send payment to AOC, 310 K Street, Suite 200, Anchorage, Alaska 99501
Contact phone (907) 841-6849*

I have watched more and more of the Kenai River access shut down to bank fishermen, for bank “restoration-habitat protection”. It is abundantly clear that the bureaucrats making these decisions, on the state and federal level, have never witnessed one winter ice dam break, and with the rush of water and icebergs gouge the river bank, doing more damage in one weekend than 100 years of “human damage”. All rivers are in a constant state of change and blaming the bank fisherman. It is just not right. Our young people are the ones paying price. They have fewer and fewer places they can afford to go to fish, so they just aren't going. Instead they are hanging out in malls and getting into mischief.

I always said the outdoor activities are character building, I know this because I sure have met a lot of characters out there.

I was given my first, pre-64 Winchester Model 70 Featherweight 30-06, rifle by my parents when I was 12 years old. I still use that very rifle to this day for my moose hunting, although the term featherweight is a relative term, by today's standard it is a lead weight. I was taught the values of responsible gun ownership from day one.

I hope I can fulfill the goals of the Alaska Outdoor Council and help the 48 member clubs, and our individual members. Without your support we would not be able to keep up our lobbying efforts fighting the Anti's, and attending Fish and Game board meeting.

Executive Director Report

By Rod Arno AOC Executive Director



Regulations and policies governing management and allocation of fish & wildlife resources, plus access to those renewable resources in Alaska are up for reconsideration at an accelerated pace.

Both state and federal boards, councils, and land managing agencies have been busy determining who gets what percentage of the wildfood harvest and how those that get the allocation can get there.

Here are a number of significant issues currently going through the courts and regulatory process that will affect your ability to gather a wildfood harvest and access public lands:

Alaska Board of Game – After fifteen years of shepherding the intensive management law (AS 16.05.255(e)-(g)) through the legislative process into law, three voter initiatives to block aerial predator control methods, court challenges, and a decade of BOG actions attempting to reduce predation on depressed prey herds it was a pleasure watching board members at the Spring 2009 meeting adopt proposals refining the implementation of five predator/prey management programs. Alaskans can now expect to see increases in the harvestable surplus of managed moose and caribou herds traditionally used as a wildfood source for hunters.

The board also adopted a community harvest program for residents of eight villages in GMU 13. Hunters from these communities will be allowed to take up to a maximum of 300 Nelchina caribou and 100 bull moose. The board's rationale in adopting this "experimental program", which will be reexamined in 2011, was to eliminate the contentious Tier II Nelchina caribou and GMU 13 Tier II moose permit hunts that have taken place in the Nelchina Basin for over two decades. A court challenge, *Manning v ADFG*, to the board's adoption of this harvest allocation to the eight villages will be heard May 12, 2009 at the Kenai Court House. The web site for Manning v. ADFG is <http://www.angelfire.com/ak2/Alaskasourdough/ADFGlawsuit.html>. Ken Manning, PO Box 775, Kasilof, AK 99610.

Alaska Board of Fisheries – As fish stocks in Alaska's near shore and inland waters decline the allocation battles between various fishing groups intensify before the BOF. Personal use fisheries as well as sport caught allocations are under attack. Historically fishing groups dissatisfied by board actions taken or proposals denied have made the costly decision to seek a declaratory judgment from a court of competent jurisdiction, both state and federal. Commercial fisherman, Herb Jenson from Cordova and the commercial fishing organization, United Cook Inlet Drift Association have filed lawsuits in federal court asking the federal government to preempt state fisheries management and among

other claims open the personal use salmon fisheries to nonresidents in accordance with the Magnuson-Stevens Act national standard 4. Another claim in the lawsuit says the State of Alaska, through the Board of Fisheries process, can not use economic allocation criteria when determining which user group gets the fish.

The litigation side of AOC, the Alaska Fish & Wildlife Conservation Fund, and the Chitina Dipnetters Association have filed, in the Alaska State Superior Court, for a summary judgment against the BOF over the classification of the Chitina dipnet fishery. Personal use fisheries do not assure that Alaskan residents will have a first priority to gather their salmon wildfood harvest annually. Alaska's Supreme Court has made it clear in a number of past decisions that the *Common Use Clause* enshrined in Article 8, Section 3 of the State Constitution applies to all Alaskans when it comes to gathering a wildfood harvest. Alaskan residents, under the currently amended state subsistence law, get their allocation of salmon right after salmon escapements are assured. Classified as a personal use fishery the Chitina dipnet fishery is subject to reduced allocations, the same as are the commercial salmon fisheries, when runs are below commercial harvest exploitation levels. The Court has been asked to reclassify the Chitina Subdistrict salmon fishery to a subsistence fishery in time to implement a subsistence designation priority prior to May 15, 2009. Go online to AOC's website to view the case and donate to lawyer fees at: www.alaskaoutdoorcouncil.org

National Oceanic and Atmospheric Administration –

The National Marine Fisheries Service has proposed regulations that would implement a limited access system for charter vessels in the guided sport fishery for halibut in Southeast (Area 2C) and Southcentral Gulf of Alaska waters (Area 3A). Alaskans and non-residents fishing for halibut, with charters in these waters, would be capped at the number of anglers, and poundage of halibut, that was recorded in ADF&G logbooks collected from charter vessels during 2004 or 2005. The proposed ruling and the address of where to send your comments by June 5, 2009 are available on the Web at <http://alaskafisheries.noaa.gov>.

ANCSA Land Transfers and 17(b) Easements – BLM is in the process of approving Records of Decisions (ROD) on how they will manage BLM lands, Wild & Scenic River corridors, and lands yet to be transferred to Native corporations or the State. At the same time BLM is complying with the 2004 Alaska Land Transfer Acceleration Act. The result of these actions has led to numerous reported trespass conflicts in the Copper River Basin and along the Denali Highway to the Cantwell area. Alaskans can help resolve some of these conflicts by asking State and federal land managers to post 17(b) Easement trail markers and

continued on page 13

Chitina Dipnetters Association and Alaska F/W Conservation Fund Sue Board of Fisheries and ADF&G

By Dick Bishop

Do you prize your right as an Alaskan to fish (or hunt) for subsistence foods on State lands and waters? If so, read on.

The Chitina Dipnetters Association (CDA) and AOC's sister corporation, the Alaska Fish & Wildlife Conservation Fund (Fund), need your help in funding a lawsuit to protect the rights of any Alaskan to fish for subsistence purposes at Chitina.

CDA and the Fund said "Enough!" after the fish board repeatedly rejected any review of its 2003 flip-flop which changed the Chitina dipnet fishery from a State subsistence fishery to a State "personal use" fishery.

In March CDA and the Fund filed a Motion for Summary Judgment which explains in detail how the fish board went wrong -- and how it was led by a biased report from ADF&G's Subsistence Division. In addition, the Motion points out that the regulatory "8 criteria" supposedly defining "customary and traditional use" are inconsistent with state statute. Ample evidence is also provided that dipnetting salmon at Chitina is "customary and traditional" under state statutes. After all, people have dipnetted there since time immemorial.

In conclusion, the Motion says: "The history of subsistence law in Alaska demonstrates that the Board of Fisheries has repeatedly and consistently misapplied the law and violated the constitutional rights of Alaskans. The Board has been aided by a Division of Subsistence that continues to promote the idea that subsistence is an activity that can only be practiced by rural villagers. The Board has failed on two occasions to correct the mistake it made in 2003. It is now necessary for this Court to ensure that Chitina dipnetters are treated fairly under the law. Prior to the start of the 2009 fishing season (May 15, 2009) the Court should 1) declare the eight criteria invalid, and 2) declare Chitina a subsistence fishery."

Bear in mind that a "personal use" fishery has no priority under state law, even though its purpose is to provide a way for Alaskans to gather food for their family tables. Harvest quotas, bag limits, fishing seasons are at the mercy of the Board of Fisheries decisions. With that Board usually dominated by commercial fishing advocates, the Chitina fishery has already gotten the short end of the dipnet. If a shortage of harvestable surplus occurs, people who rely on Chitina "personal use" dipnetting for food will be among the first to be further restricted.

The 69 page motion for summary judgment is replete with well documented criticism of the fish board's 2003 decision.

The Subsistence Division report "... on which (the Board) based its decision was biased at its inception, grievously misleading in its implementation, and targeted to achieve an unconstitutional result."

Two other arguments provided in the legal brief:

1. Although the fish board terminated the subsistence classification in 2003 and rejected a review of its position in 2008 "In a baffling display of administrative inconsistency, the Board...made a positive C&T (customary and traditional) finding for all non-salmon finfish stocks..." in the Chitina Subdistrict. Thus all non-salmon finfish are priority use subsistence resources (trout, char, grayling, burbot, whitefish, and pike) because "... they were a reliable source of food that could be harvested at practically any time of year, and because they could be relied upon as an alternative to salmon if the salmon runs failed". But salmon use, said the fish board, has a negative C&T finding. So the fish board said the salmon dipnet fishery doesn't qualify as a subsistence fishery!
2. The brief convincingly argues that the "8 criteria" for C&T use are a relic of the 1980s when the Joint Game & Fisheries Boards felt pressure to conform with federal law and its rural priority. I happen to know that is true, because as an ADF&G staffer I sat in on the Boards' discussions. Most Board members were distressed by the prospect of conforming to the federal law's discriminatory language. Using several examples, the brief argues that the plain language of the current state statute is "much simpler and much clearer, and it would help to put an end to the unconstitutional residence-based discrimination that consistently results from the Board's application of the eight criteria regulation."

Please help support this lawsuit against the State. Donations can be sent to:

Chitina Dipnetters Association, 1002 Pioneer Rd., Fairbanks, AK 99709. Or tax deductible donations may be sent to: Alaska Fish & Wildlife Conservation Fund, POB 87-1069, Wasilla, AK 99687. The Fund is the 501(c)(3) sister corporation of the AOC, IRS#920092951

Note: *This case is entitled Alaska Fish & Wildlife Conservation Fund et.al. v. State of Alaska et.al., Case #4FA-09-966 Civil*

Winter Gathering *continued from page 1*

Tina Cunning, ADF&G ANILCA Specialist, presented a 25 year history of persistence on the State's part in working with the federal subsistence management law. While it may seem to some that there has been little improvement in how the law is being implemented and how conservation concerns are being addressed, Tina's presentation shows clear advances toward solving some past conflicts. If any AOC Clubs would be interested in trying to arrange a presentation by Tina in their area let AOC know, we'll ask Tina how big a crowd she needs to come out. (Contact AOC for a copy of Tina's DRAFT "Alaska Subsistence Management Chronology 1867-2008")

Craig Fleener, Director of ADF&G Division of Subsistence, is an excellent speaker who captured all of our attention. Craig made it clear "he is a subsistence hunter". I felt like he really believes his new job as Director of Subsistence Division is to help provide all Alaskans the opportunity to hunt and fish for food.

There was no slacking up for lunch, sandwiches were delivered and Ken Taylor gave a presentation that included what looked like a new standard for wetlands data base gathering. Ken Taylor, who now works with Pebble Partnership, has years of data gathering experience as an ADF&G Area Biologist, Director of ADF&G Habitat Division, ADF&G Deputy Commissioner, and working with the feds on north slope habitat projects. Hopefully AOC can have Ken put together a follow up on Pebble's wetland studies for publishing in an AOC newsletter in the future.

The tempo didn't drop a bit during the afternoon session thanks to a distinguish collection of ADF&G employees; Commissioner Denby Lloyd, newly appointed Deputy Commissioner Patrick Valkenburg, newly appointed Abundance Management Assistant Commissioner Cory Rossi, Director of Wildlife Conservation Doug Larsen, Director of Sport Fish Charles Swanton, and Special Project Coordinator Doug Vincent-Lang. AOC delegates were able to discuss a number of timely topics of great interest to all attending. Topics discussed ranged from predator/prey management, Wood Bison reintroductions, Endangered Species Act (ESA) determinations to contentious fisheries issues such as charter halibut allocations to legislation to create a Sportfish Services Guide Board.

Paul Johnson the Chairman of the Big Game Commercial Services Board provided information on the make up of the Board members and what they are charged to regulate. Area leasing on State land to registered Guide/Outfitters to prevent overcrowding of commercially provided big game hunters is one of the major projects the Board is currently involved in with DNR.

Joe Balash was kind enough to come over from the governor's office to discuss the importance to the State and Governor Palin's administration of continuing to assert State control of access to public lands and waters. AOC delegates were able to express their support of having DNR adequately funded in order to assure continued access to public lands, waters and resources during BLM resource management planning processes currently underway.

Also the need for DNR to assert section 17(b) easements in cases where Alaskan native land transfers could block access to public lands beyond were timely concerns of AOC delegates, due to BLM's accelerated land transfer schedule.

McKie Campbell, past ADF&G Commissioner, who now works for Senator Lisa Murkowski and Chad Padgett, State Director for Congressman Don Young were on hand to discuss issues and concerns for Alaska from the federal perspective. AOC delegates were thankful for the opportunity to visit with both men.

The AOC lobbyist Jeff Logan finished out the work session day with an overview of current legislation effecting outdoor users. The delegates will have the opportunity during the Saturday AOC Annual Business meeting to make recommendations to the AOC board on whether to support or oppose the proposed legislation.

The AOC Work Session broke up just in time for speakers and delegates to prepare themselves for the hugely successful AOC Juneau Banquet/Auction organized by the Territorial Sportsmen's, Inc.

Next years AOC Annual Meeting will be held in Interior Alaska. AOC's agenda for the year is set by the voting delegates who attend the Annual Business Meeting. We hope to see you next winter at the 2010 AOC Annual Meeting. 🐾

"Newly elected AOC President Bill Iverson heading out to spotting hill on fall meat gathering caribou hunt"



Southeast Alaska- 2009 AK Board of Fisheries Meeting Report

By Wayne Regelin President of Territorial Sportsmen Inc.

Territorial Sportsmen Inc. (TSI) has participated in recent Board of Fisheries meetings in Petersburg and Sitka. At the shellfish meeting in Petersburg, we asked the Board to limit the harvest of red king crab in area 11A (the immediate area around Juneau) to personal use only. This personal use fishery is very important to Juneau with over 3200 families participating. The area was closed last year to both personal use and commercial crabbing. The Board did not pass our proposal and we are concerned the crab fishery may be closed for years because the crab resource cannot sustain both a personal use and commercial fishery.

TSI had more success at the fin fish meeting in Sitka. The Board of fisheries modified king salmon allocations to insure the resident fishermen can retain at least some king salmon, even during periods of low abundance and to insure that non-resident fishermen and the charter industry will be allowed to harvest their quota even in years of low abundance.

The Board of Fisheries also defeated a proposal by the Southeast Trollers Association that would have allowed the power troll fleet to fish for king salmon throughout the Juneau area in years when the gill net fishery near the Taku River is opened. This would have placed the commercial trollers in direct conflict with the sport fishermen. The trollers have been successful in harvesting their quota for several years and have no need to expand the areas where they are allowed to harvest King Salmon.

At the end of the Sitka meeting the board took an action that TSI strongly objects to because it violated the long established process that insures that decisions are based on data, are well reasoned and have been vetted through the committee process. After an exhaustive and standard process, the BOF adopted (by a vote of 6-1) a sablefish sport

regulation which provided for a daily bag limit of four, a possession limit of eight and an annual limit of 12 fish. Previously, there was no bag limit on sport harvest of sablefish. The allowable commercial harvest of sablefish in all of Southeast Alaska is 3.4 million pounds. Sport fishermen take only about 1000-1500 sablefish each year (about 15,000 pounds). The harvest is so small it does not register on the sport fish harvest surveys. Very few sport fishermen target sablefish because they occur at a depth of about 2000 feet and power reels are necessary. While TSI does not believe a restrictive bag limit is necessary, we did not object to the Board's action because, up to that point, it followed the normal committee process.

The BOF, however, resurrected the issue late in the meeting and voted 4-1 to reduce the bag limit to two fish per day with a possession limit of four. The reconsideration was based on biased information provided by the commercial fishing industry, they clearly misrepresented facts about the sport harvest of sablefish. Usually, in these types of cases, the BOF refrains from reconsidering major issues unless new information is provided. TSI has reviewed the "new" information and it does not meet in any way the high standards usually set by the Board. Clearly, the special interests providing the "new" information attempted to mislead and hood-wink the Board. Unfortunately, the exhaustive

process initially utilized during the entire process leading up to the adoption of the regulation initially was not followed in the reconsideration. No public comment or review was allowed and the position of some of the sport interests was misrepresented on the record.

Sport, recreational, personal use or subsistence uses of our fisheries resources frequently take a back seat to the commercial interests. The only things that level the playing field are the Board process, our Constitutional mandates requiring that we manage our resources to benefit all Alaskans, the hard work and good will of the individual Board members, and the courts.

TSI is supporting a petition asking the BOF to correct this embarrassment at its upcoming Anchorage meeting. We are asking them to reestablish the public faith and trust in the process that we all have come to expect of our regulatory Board process.

Update:

(At the teleconferenced April 28, 2009 Alaska Board of Fisheries meeting, chaired by Vince Webster with only John Jensen absent, the board did correct itself. The board adopted proposal B which increased the resident and nonresident daily bag limit for sablefish to four fish in Southeast Alaska and removed the resident annual limit.)

IPHC Demonstrates Intent to Protect Commercial Quota

By Earl Comstock and members of the Charter Halibut Task Force

At the International Pacific Halibut Commission (IPHC) annual meeting in January commercial groups asked the IPHC to impose a one halibut daily bag limit with a 32" size restriction on guided anglers in Area 2C (Southeast Alaska). The commercial groups argued this was necessary to hold guided anglers to a 788,000 pound Guideline Harvest Level (GHL) in Area 2C. The GHL is a benchmark established in 2000 based on the average guided angler halibut catch from 1995 to 1999 compared to the average commercial halibut IFQ harvest during those same years. Since 2000, guided anglers in Area 2C have nearly doubled, from 56,000 in 1999 to over 100,000 in 2007, while IFQ holders in Area 2C declined from 1,544 in 1999 to 1,302 in 2007.

The commercial IFQ fleet argued that guided anglers should only get one small halibut in Area 2C because there is a conservation crisis. The Charter Halibut Task Force (CHTF) told the IPHC why the IPHC's own actions demonstrate that there is no conservation crisis in Area 2C. Instead, as CHTF explained, the IPHC staff assumed a one halibut daily bag limit on guided anglers in order to increase the amount of halibut available to the commercial fleet. By assuming a one halibut daily limit, the IPHC staff was able to increase the commercial quota from 3,970,000 pounds to 4,540,000 pounds by taking halibut from guided anglers. Taking fish from one user group and giving it to another is not conservation; it is allocation.

In the end the IPHC did not recommend a one halibut a day limit with a size restriction. Instead the IPHC relied on a new proposed NMFS rule to impose the one halibut a day limit and added another 480,000 pounds of halibut to the 570,000 pound increase the staff had already assumed – for a total commercial quota of 5,020,000 pounds. Thus, the IPHC demonstrated that it has no conservation concerns in Area 2C. It appears the IPHC's only concern is how to increase the commercial quota by taking fish from guided anglers.

May 5, 2009- NMFS imposed a one halibut a day limit for Southeast Alaska, Area 2C.

Tanana Valley Sportsmen's Association in the new TVSA Clubhouse

We brought our camp chairs and sat them on the concrete -- surrounded by insulation, vapor barrier and sheet rocking materials. The first monthly meeting of Tanana Valley Sportsmen's Association in the new TVSA Clubhouse was held Tuesday, May 12. The Tanana Valley Rifle and Pistol Club met immediately after. Two work parties per week are being held all summer. The goal: Get this building completed enough to again host youth shooting programs by fall. Any and all help is appreciated – Tuesdays and Thursdays from 6 to 9 pm – no experience required.

Please help! For info call Grant or Pam Lewis at 488-2884.

“Increases in the halibut harvest of any non-commercial fishery reduce the amount available to the commercial fishery”

Federal Register/Vol.74, No.75/
April 21, 2009/Proposed Rules

Take Action: Your help is needed. Please contact Governor Palin and the North Pacific Fishery Management Council (NPFMC) - Let them know that the allocation of halibut to charter-supported anglers does not meet anglers' needs. The allocation is only 13% of the poundage allocated to commercial and charter fleet halibut harvest. If conservation of the resource is at issue, commercial harvest in near shore waters should be restricted a) to reduce harvest and b) to allow the charter fleet to provide for individual take of halibut for anglers to eat.

The Honorable Sarah Palin,
Governor of Alaska
PO Box 110001
Juneau, Alaska 99811-0001
Sarah.palin@alaska.gov

Eric Olson,
Chairman North Pacific Fishery
Management Council (NPFMC)
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252
FAX: (907) 271-2817

In Memoriam

By Dick Bishop

AOC and Alaska are the poorer for the passing away of these members and friends, each of whom through their unique knowledge, abilities, and concern for others added to the quality of life for all.

Al Franzmann – Soldotna

Al's work in wildlife medicine, physiology, and research permanently enhanced wildlife management in Alaska and worldwide. He was a life member of AOC and Trustee of the Alaska Fish & Wildlife Conservation Fund, AOC's sister corporation.

Merrill Hakala – Fairbanks

Merrill worked all over the country as an outstanding lineman, including the North Slope. His great passion for fishing, hunting and trapping and his belief in equality for all Alaskans led to his long-term, generous support of the AOC and to many other roles in public service. He truly appreciated Alaska's fish, wildlife, wild country and people.

Curt Menard – Wasilla

Throughout his years of service in the Legislature and as Mat-Su Borough Mayor, Curt was a friend and champion for sound fish and game management and Alaska's fishers and hunters. AOC and the Fund recognized Curt as "Outstanding Fish Conservationist" in 2008 for his leading efforts to address chronic salmon management problems in the Mat-Su drainages.

Walt Sheridan – Juneau

As a forester Walt worked in many areas of resource management policy during his long tenure in Alaska. Walt contributed his wealth of knowledge and experience on the AOC board of directors for several years, much to the betterment of the organization.

Ivan Thorall – Fairbanks & Chisana

Ivan lived life to the fullest since coming to Alaska in 1940. His outdoor interests led him to long-time service in the Tanana Valley Sportsmen's Association, to becoming a member and chair of the Alaska Board of Fish & Game under Gov. Bill Egan, and to long support of the AOC.

Can we manage Alaska moose for harvest yields similar to Scandinavia?

(This is a timely topic of discussion as Alaskans begin to reap the rewards of successful predator/prey management in interior Alaska. Levels of moose harvest will be a topic at the 2010 Spring Board of Game meeting next year regarding some interior Game Management Units. I'm sure of that, Rod Arno)

Article by: Scott M. Brainerd^{1,2} Gunnar Glöersen³ and Thomas F. Paragi¹

During the 2007 hunting season, Swedish and Norwegian hunters harvested 116,631 moose (0.6 / mi²) or ~33% of the pre-hunt population. It is tempting to conclude that by imitating management conditions in Scandinavia, Alaskan managers could achieve similar results.

However, conditions unique to Scandinavia generally preclude adapting this model to Alaskan situations. High Scandinavian moose density comes from higher net productivity (climate and soil) coupled with intensive forestry practices (high forage availability) and the historic absence of significant populations of moose predators (wolves and brown bears). Hunters are organized in teams that enjoy exclusive hunting territories locally. Hunter coverage of moose habitat is virtually 100% due to relatively even hunter distribution and good access afforded by an extensive network of primary and forest roads. Local and regional moose boards annually use biological data collected by hunters and managers to set harvest quotas by sex and age. Strong economic incentives and regulatory mechanisms motivate hunters to expend the effort necessary to fill 80-90% of harvest quotas. Calves and yearlings compose ~60% of the total harvest, and females compose ~40% of adult harvest. Recently, recovering large carnivore populations have begun to pose challenges for managers, particularly in Sweden.

In contrast, Alaska has generally lower habitat productivity, more severe climate, and much higher predation levels with lesser and uneven hunter access. The Alaskan moose harvest (avg. 2002-06 = 7055 / yr) is much lower in even the most intensively managed areas (Unit 20A: 0.2 / mi²) with a sustainable harvest rate of 6%.

¹Alaska Department of Fish and Game, 1300 College Road, Fairbanks, AK 99701, scott.brainerd@alaska.gov; ²Norwegian Institute for Nature Research, NO-7085 Trondheim, Norway;

³Swedish Association for Hunting and Wildlife Management, Box 65, SE -660 60 Molkom, Sweden

Ray Johnson Earns International Hunter Education Association Award

The International Hunter Education Association recognized Ray Johnson of North Pole as the 2008 Volunteer Hunter Education Instructor of the Year at the IHEA 2009 Conference held in Toronto, Canada.

“Ray has been one of the most active and dedicated instructors with ADF&G’s Hunter Information and Training (HIT) Program over the past 4 years,” said Interior Hunter Ed coordinator Bob Hunter. “He’s one of our ‘go to’ instructors for just about everything.”

Many volunteer instructors from the U.S. and Canada were nominated for the award based on their significant contributions to advancing safe hunting.

Johnson logged 192 hours teaching Basic Hunter Education, Bowhunter Education, and Muzzleloader Education classes in Fairbanks area and bush villages in 2008.

In addition, he often assists with the hunting and shooting portions of Becoming an Outdoors Woman workshops and Alaska Conservation Camp, both of which are sponsored by the Outdoor Heritage Foundation of Alaska and ADF&G. Johnson also volunteers with shooting programs for both 4H and the Boy Scouts, conducts NRA ammunition reloading classes, and helps plan and conduct the annual NRA Youth Hunter Education Challenge program.

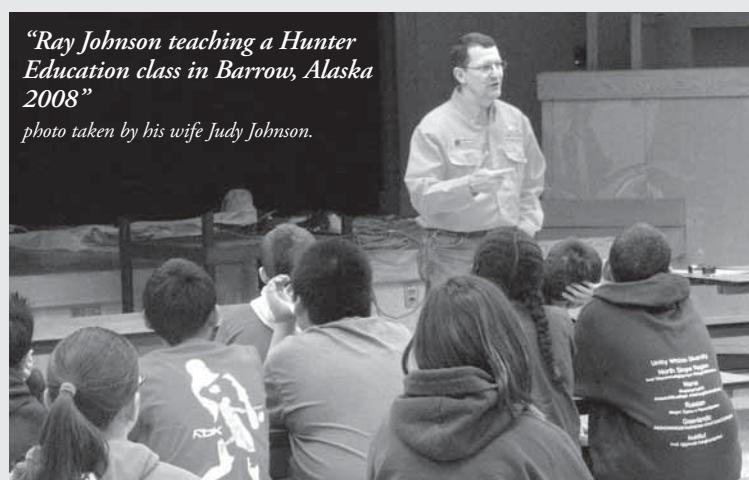
Johnson was recognized in 2006 by the nonprofit Alaska Interior Marksmanship Committee (AIMComm) as their Hunter Education Instructor of the Year, and by the Alaska Department of Fish &

Game’s Hunter Information & Training Program as the 2007 Alaska Muzzleloader Instructor of the Year and the 2008 Alaska Hunter Education Instructor of the Year.

Ray retired after 20 years service as a US Army Military Policeman and is currently employed as the Chief of Security Guards at Eielson Air Force Base. He and his wife Judy, also an outstanding Hunter Ed instructor, were present for the presentation of awards in Toronto.

ADF&G Public Communications
CONTACT: Cathie Harms (907) 459-7231

AOC would also like to add our congratulations to Ray for his years of service toward furthering our hunting heritage.



“Ray Johnson teaching a Hunter Education class in Barrow, Alaska 2008”

photo taken by his wife Judy Johnson.

AOC Member Clubs

Alaska 2nd Amendment Coalition	Fairbanks	Interior Airboaters Association	Fairbanks
Alaska ATV Club	Anchorage	Interior Alaska Gun Dog Association	Fairbanks
Alaska Backcountry Adventure Tours	Palmer	Juneau Alaska Billfish Association	Juneau
Alaska Charter Association	Homer	Juneau Gun Club	Juneau
Alaska Frontier Trappers Association	Palmer	Juneau Rifle and Pistol Club	Juneau
Alaska Gun Collectors Association	Anchorage	Juneau Shooting Sports Foundation	Juneau
Alaska Interior Marksmanship Committee (AIM-COMM)	Fairbanks	Kodiak Island Sportsman’s Association	Kodiak
Alaska Motor Mushers Club	Wasilla	Matanuska Valley Sportsmen, Inc.	Palmer
Alaska Outdoor Access Alliance	Palmer	McKinley Mountainmen Muzzle Loading Rifle Club	Eagle River
Alaska Professional Hunters Association	Copper Center	Personal Watercraft Club of Alaska	Anchorage
Alaska Rifle Club	Anchorage	Prince William Sound Charter Boat Association	Valdez
Alaska State Snowmobile Association	Anchorage	Ruffed Grouse Society, Interior Alaska Chapter	Fairbanks
Anchorage Snowmobile Club, Inc.	Anchorage	Ruffed Grouse Society/SC AK Chapter	Palmer
Chitina Dipnetters	Fairbanks	Safari Club International, Kenai Chapter	Soldotna
Clear Sky Sportsmen’s Club	Nenana	Safari Club International/AK Chapter	Eagle River
Cook Inlet Sportfishing Caucus*	Willow	Sitka Charter Boat Operators Association	Sitka
Delta Sportsman’s Association, Inc.	Delta Junction	Sitka Sportsman’s Association	Sitka
Fairbanks Retriever Club	Fairbanks	Slana Alaskans Unite	Slana
Fairbanks Snow Travelers Association	Fairbanks	Tanana Valley Rifle & Pistol Club	Fairbanks
FNAWS/Alaska Chapter	Anchorage	Tanana Valley Sportsmen’s Association	Fairbanks
Golden North Archery Assoc.	Fairbanks	Territorial Sportsmen, Inc.	Juneau
Houston Chamber of Commerce	Houston	Tok Shooters Association	Tok

*Clubs with an * after their name have not yet paid their 2009 dues. Club dues are \$50 per year.*

BISON/AGRICULTURE CONFLICT RESOLUTIONS

Review of possible solutions

By AOC member Vern Aiton

(There is a desire by some farmers in the Delta area to restrict the size of the Delta bison herd. Proposals related to this issue may come before the BOG at the Spring 2010 board meeting. Below are some possible options to reduce the conflict.)

HUNTING MANAGEMENT (improve hunter success to obtain harvest objective)

- 1: Submit proposal to BOG to allow **“same day airborne”** hunting of bison so that hunters may fly to locate bison.
- 2: Submit proposal to BOG to **extend the bison season** until April 30 or May 31 to encourage harvest of any bison that are reluctant to migrate off the private agriculture lands.
- 3: Submit proposal to BOG to allow establishment of a **“communications hotline”** between landowners and ADFG to inform bison hunters of the physical location of bison (this will include all electronic communication methods).
- 4: Encourage landowners to cooperate in establishing an **early opening of the bison season (prior to October 1) on private lands**. This will include a listing of which landowners will permit early hunting on what lands and at what times to assist in keeping bison off private lands until the fall agricultural crop harvest is complete.
- 5: **Encourage landowners to allow hunting on their lands** to assist in meeting the bison harvest objective.
- 6: Inform landowners of the process to obtain a **commercial guiding license** to enable them to guide bison hunters.
- 7: **Split the bison hunting season** so that two groups of new enthusiastic hunters are released into the field each year – may increase hunter success. Note: October and March are the two periods of greatest hunter success (temperature and daylight factors – however, the bison are more difficult to hunt in March as they have been hunted and they also begin to move off of the traditional hunting lands – ag. land and bison range).
- 8: Declare as **surplus bison**, the difference between the bison harvest objective and the actual hunter harvest, with this number of bison being given to private individuals. This requires (5 AAC 93.050) a declaration of surplus bison by the Commissioner of ADFG, with the Board of Game. Other uses of bison, such as subsistence uses, recreational hunting, natural dispersal, transplanting to new areas, scientific or educational uses have priority over allocation to private ownership.

BISON RANGE MANAGEMENT (provide more quality forage on the bison range)

- 1: Encourage cooperation with the various agencies (US Army, US-BLM, US-NRCS, SBDSWCD, AK- DNR, AK- ADFG, etc) in **revitalizing the bison summer range** along the Delta River. Note: bison are migratory grazers and may leave adequate summer forage to move into other areas – just as they now leave adequate forage on the bison range and migrate onto private lands.
- 2: Revoke the ADFG prohibition on using **“approved, licensed and registered” herbicides** on the bison range for the purpose of improving forage production for the bison.
- 3: Contact AK-DNR to obtain permission to apply **fertilizer** along portions of the **Transalaska Oil Pipeline** to encourage additional forage production for the bison. Note, Alyeska can not permit this activity according to their lease with the State.

- 4: Solicit private producers to **share-crop on the bison range**. Producers would receive reduced rental rates in exchange for leaving some portion of the crop for the bison (ex: plant oat hay, cut it above the first node and leave regrowth for the bison; harvest first cutting of perennial forage and leave second growth for bison).
- 5: Encourage a private landowner to **experiment with an electric fence** in known areas of bison crop damage. This would, hopefully, be in close proximity to the homestead so that personal observations of bison/fence interactions could be evaluated.
- 6: Acknowledge existing **Alaska Statutes - to perpetuate free-ranging bison** – (section 1, chapter 39, Session Law Alaska, Temporary and Special Acts and Resolutions 1979);(as amended in SLA 1980 chapter 73 and SLA 1988 chapter 149. Note: this does not violate the controlled grazing district laws, which applies to domestic animals. A controlled grazing district is established by a minimum of 60% of the landowners, owning a minimum of 30% of the land, petitioning such to the Alaska DNR.

Question: What is the significance of the landowners signing a land contract with the State that acknowledges the presence of a free-ranging bison herd? Suggest contacting AK Div of Ag for the actual language in the contract.

INCREASE FUNDING FOR BISON RANGE MANAGEMENT

- 1*: Submit legislation to **increase the bison hunt application fee** to \$20 - \$25 (this may decrease the number of applicants thereby decreasing the overall funding for the bison range).
 - 2*: Submit legislation to require a \$250 **trophy fee** for bison hunters (this may also reduce the number of applicants, especially when some landowners are charging up to \$400 for a successful hunt on their lands).
- *NOTE: this would require a “good-faith” commitment from ADFG that the additional funds generated would indeed be transferred to the Delta Bison Range Management budget.

BISON HERD SIZE

- 1: **Reduce the size of the Delta Bison Herd** to what it was in 1979 before the commercial agricultural land development began in Delta. This would require ag producers to develop a reasonable method of quantifying crop damage from bison with which to determine the effect of various bison management practices.

Note: unreasonable suggestions, such as presented by the President of the local chapter of the Farm Bureau (reduce the herd to what it was in 1928 -which means 0 or at the maximum, 23) only serves to beget more unreasonable comments. For example: if the bison numbers are to be reduced to that of 1928 then perhaps the farmers should be reduced to the number present in 1928 also.

Note: Comments like “I Had a Dream” are somewhat controversial in that we all had a dream. The Alaska Public had a dream of 100,000 acres of amber waves of grain in the Delta area. We had visions of grain farms, equipment dealers, farm supply stores, feed stores, equipment repair facilities, dairy farms, beef cow-calf operations, feedlots, pork production units, processing plants, export facilities and such. We believed so strongly in that dream that we willingly invested \$50+ million dollars of public money in the Delta Ag Development. Most of that money has been lost through debt forgiveness and foreclosure. The public is still investing more money through USDA subsidies than the value of the grain crops produced in Delta (ex: 2006 subsidies of about \$1.3 million for a crop valued at about \$550,000 in barley and oats). This is the public opportunity cost of Delta Agriculture.

AOC Sustaining Business Members

Support those who support you by patronizing AOC's Business Members!

INTERIOR

Alcan Builders, Inc.
Jeff Alling
PO Box 70752
Fairbanks, AK 99707

456-1383

Dr. Robert J. Veazie, DDS
807 College Road
Fairbanks, AK 99701

452-4288

F & E Taxidermy and Rental
Frank Borba
3679 Hurst Road
North Pole, AK 99705
feborba@alaska.net

488-2850

Frontier Outfitters
Mike Lund
250 Third Street #6
Fairbanks, AK 99701

452-4774

Geo-Watersheds Scientific, LLC
Michael Lilly
PO Box 81538
Fairbanks, AK 99708
mlilly@gwscientific.com
www.gwscientific.com

479-8891

Gundersen Painting Inc.
Gary & Deborah Gundersen
758 Old Richardson Hwy
Fairbanks, AK 99701

456-8287

*Taping, texture, painting, vinyl wall coverings,
special coatings. Commercial-Industrial-Residential*

Jantz Associates
Merle Jantz
1648 Cushman Street, Suite 200
Fairbanks, AK 99701

451-9353

*Providing architecture and planning services
in Alaska for 22 years.*

John P. Bast DDS, Inc.
John P. Bast DDS
570 University Avenue
Fairbanks, AK 99709
jbast@acsalaska.net

479-2206

Mike's Electrical Maintenance
Mike Potter
PO Box 80293
Fairbanks, AK 99709
mpotter@alaska.net

479-3523

*Industrial and commercial electrical maintenance,
specializing in industrial controls.*

Pacific Rim Geological Consulting, Inc.
Tom Bundtzen
PO Box 81906
Fairbanks, AK 99708

458-8951

bundtzen@mosquitonet.com
www.pacrimgeol.com
*Active in geological consulting in Alaska, Northwest
Canada and Eastern Russia.*

Portwine Plumbing and Heating
Dan & Joanne Portwine
1500 Alaska Way
Fairbanks, AK 99709
baja@gci.net

479-3046

Serving the Interior since 1974.

Silver Fox Roadhouse
Dan & Eva Splain
HC 62, Box 5740
Delta Junction, AK 99737
silverfx@wildak.net
www.wildak.net

895-4157

Splash'n Dash Carwash
Jerry Timmons
Westside at University and Airport
1295 University Avenue
Eastside at 720 Old Steese
Fairbanks, AK 99701

474-8585

*Carwash from basic wash to the best polishers and
sealers. Affordable interior cleaning with Express
Detail.*

Sportsman's Warehouse
Scott Bidwell, General Manager
423 Merhar Avenue
Fairbanks, AK 99701

374-8800

Summit Telephone Company
Roger Shoffstall
PO Box 10089
Fairbanks, AK 99710
summit@polarnet.com

389-1012

SOUTHCENTRAL

Alaska Marble & Granite, Inc.
Mark Sprano
1115 Whitney Road
Anchorage, AK 99501
alaskamarble@aol.com

277-7625

Alaska Range Outdoor Gear, LLC
Ron McAlpin
PO Box 809
Soldotna, AK 99669
sales@AkRange.com
www.AkRange.com

235-3736

*Provides packs and gear functional for the extreme
conditions of the outdoor world.*

Alaska Remote Guide Service
Wayne & Marilyn Kubat
PO Box 874867
Wasilla, AK 99687
args@mtaonline.net
www.alaskaremove.com
*Moose calling & hunting instructional videos, also
"Bull Magnets" – durable five function moose calling
megaphones.*

376-9568

Alaska Sausage Company
Martin Eckman
2914 Arctic Boulevard
PO Box 92157
Anchorage, AK 99509
aks@alaska.net
www.alaskasausage.com
*Custom fish and game processing. Retail-wholesale-
gift packages.*

562-3636

Alaska Vision Clinic
Bret Miknich, OD
2702 Gambell Street, Suite 102
Anchorage, AK 99503

272-7211

B-J's Services, Inc.
Robert Jenksi
932 South Colony Way
Palmer, AK 99645
www.b-jservices.com
*Complete automotive repair and diagnostics. Retail
sales of firearms and ammunition.*

745-3050

Barney's Sport Chalet
Bob Hodson
906 West Northern Lights Blvd.
Anchorage, AK 99503
*Outfitting hunters since 1963. Outdoor equipment:
specializing in high-quality gear, Bombshelter Tents,
sleeping bags, custom hunting packs.*

561-5242

Century Dental Center
Dr. Patrick Dorman, DDS
3501 Denali Street, Suite 302
Anchorage, AK 99503

561-2475

Deshka Landing Outdoor Assoc., LLC
Jason Votruba
PO Box 155
1000 Deshka Landing Road
Willow, AK 99688
DLOAManager@hotmail.com
www.deshkalanding.com

354-3374

Dr. Phillip L. Locker Jr., DDS
3401 Denali Street, Suite 201
Anchorage, AK 99503
p.locker@alaska.com

561-8573

Dr. Robert Bundtzen, MD 4120 Laurel, #204 Anchorage, AK 99508 bundtzen@alaska.com	561-4362	T.J. Northcott PO Box 795 Kenai, AK 99611 gesi@gci.net www.gesi-ak.com <i>On-site remediation of oilfield drilling & production, liquids & solids; dry well injection of solids & fluids.</i>	398-1194	Prospector Outfitters, Inc. Joe Prax PO Box 1090 141 Galena Street Valdez, AK 99686 jprax@alaska.net www.prospectoroutfitters.com <i>Outfitting Alaskans with the finest apparel and outdoor gear for over 20 years.</i>	835-3858
Dr. Roland E. Gower, MD 2841 DeBarr Road, Suite 41 Anchorage, AK 99508	279-3564	Holliday Aircraft Services Terry & Sue Holliday PO Box 670109 Chugiak, AK 99567 holliday@mtaonline.net www.hollidayair.com	688-4337	Robert Bauder DMD PC 36275 Kenai Spur Hwy Suite 1 Soldotna, AK 99669 www.drbauder.com <i>Committed to excellence in cosmetic and family dentistry.</i>	262-8404
Emerald Pines Lodge Steve & Roma Novakovich PO Box 3087 Homer, AK 99603 steve@emeraldpineslodge.com www.emeraldpineslodge.com <i>A full service lodge for small groups. Fish for a day or for a week, everything furnished.</i>	235-6204	Palmer Machinery Company Monte Goodrich 1226 S Chugach Street Palmer, AK 99645 <i>Machine work, heavy equipment repair, aircraft tube and sheet, steel, welding gasses and supplies.</i>	745-6641	Team CC 491 South Willow Street Wasilla, AK 99654 13140 Iris Way Eagle River, AK 99577 info@teamcc.com www.teamcc.com	357-3200 694-3200
Fishtale River Guides Andy Couch PO Box 155 Palmer, AK 99645 fishing@fish4salmon.com www.fish4salmon.com <i>Mat-Su king and silver salmon charters.</i>	376-3687			True North Adventures Jim Hamilton PO Box 3082 Kodiak, AK 99615 jimhkodiak@gci.net www.truenorthfishing.com	486-5188


Executive Director Report *continued from page 3*

by providing maps showing the locations of public trails. Alaskans can still participate in the Eastern Interior RMP/EIS, which includes the Fortymile area, process by following on-line at; www.blm.gov/ak/st/en/prog/planning/east_int_rmp.html Federal law assures Alaskans will have reasonable, continued access to public lands beyond private land holdings. Well marked public trails crossing private lands could help preserve the opportunity to access public lands and reduce trespass conflicts.

NPS- Nabesna Off-Road Vehicle Environmental Impact Statement (EIS). The NPS has drastically modified their original Alternatives which were to be analyzed for the Draft EIS regarding recreational ORV use in the Wrangell-St. Elias National Preserve. Now the scope of the EIS has been expanded to include subsistence ORV use on the nine trails challenged in federal court by the National Parks Conservation Association, Alaska Center for the Environment, and Wilderness Society in 2006. The newly modified alternatives will come closer to identifying what trail use activities result in what resource impacts to the existing trails. The original intent of the lawsuit against the NPS was to stop permitted recreational ORV use along the Nabesna Road on the grounds that it was an incompatible use of the NPS. The EIS has now been expanded to make recommendations when to close trails to inholders and subsistence ORV use in order to protect NPS resources.

There are two actions common to all alternatives;

1. Nodwells or other tracked rigs greater than 5.5 ft wide or 4,000 lbs. curb weight, street legal highway vehicles, dune buggies, custom 4x4 trucks, deuce and ½ military vehicles, dozers, excavators, and log skidders will not be permitted on any of the nine trails.
2. Recreational ORV use will be restricted to existing trails.

The outcome of this EIS will most likely set a standard for all motorized trail uses on federal public lands in Alaska. Public review of the Draft EIS is scheduled for March 2010. The Nabesna ORV EIS Scoping Report is available for review at: www.nps.gov/wrst/parkmgmt/upload/Scoping_Report_WRST_NabesnaTrails_EIS-2.pdf. 

Charter Halibut Task Force

Decision has been made to Litigate

A CHTF statewide conference call was held today with CHTF legal counsel Earl Comstock.

A unanimous decision was reached to support a lawsuit to stop the recent decision of NMFS to impose a "One Halibut Rule" on guided recreational anglers in Area 2C, Southeast Alaska, effective June 5, 2009. The following is a statement from Earl.

Dear Charter Operators and Guided Recreational Fishermen --

Your support is needed to bring a lawsuit to stop the new one halibut a day rule that is set to take effect in Area 2C on June 5. Last year charter operators from Areas 2C and 3A successfully filed a lawsuit that stopped the one fish rule from taking affect last year. Now the National Marine Fisheries Service is trying again. With your support we have the opportunity to try and stop this new rule.

The Charter Halibut Task Force is working with the same attorneys at Sher & Blackwell LLP who we had file last year's successful lawsuit. Sher & Blackwell has committed to cap the cost of this year's litigation at \$60,000, and as legal counsel to the Charter Halibut Task Force (CHTF) I will be devoting my time to assisting Sher & Blackwell once again on the research and arguments that go into the briefs we will file with the court. We need your contributions to pay for the lawsuit and to continue CHTF's efforts.

There is no sure thing in litigation, and everyone needs to understand that the courts give great deference to the government in any court challenge. However, like last year, we have strong substantive and procedural arguments we can raise, and after careful review and discussion of the final rule the attorneys at Sher & Blackwell and I agree that there is a reasonable chance we could prevail and that it is worth pursuing the case. The fact that we have a good chance does not guarantee success, but we believe it is the best course of action to pursue.

For those of you wondering what are the pros and cons, let me list them briefly.

The reasons for filing the suit are:

- 1) it is the only opportunity to stop the one fish rule;
- 2) it demonstrates that the charter sector and guided anglers are serious about pursuing a fair and equitable allocation;
- 3) if we prevail it means that any future discussion of what constitutes a fair allocation needs to start from a status quo of two fish a day rather than one;
- 4) it is the best chance we have to get an unbiased review of whether an 87/13 split of the resource in favor of the commercial sector is fair;
- 5) if we prevail it will likely delay implementation of the Council's Catch Sharing Plan that NMFS is preparing to try and implement next year; and

6) if we don't file a suit the commercial sector will have won and will have successfully set the precedent that one fish is enough for guided anglers.



The only downside is if we lose it arguably sets the precedent that the GHM was a fair and equitable allocation, but since that is the position that NMFS and the Council already have taken, we really don't lose anything.

Charter operators and guided anglers in Area 3A need to understand that the rule NMFS has issued for Area 2C also directly affects them. It does so because in this rule NMFS has changed the status of the GHM (Guideline Harvest Level) from a simple benchmark to a "preseason estimate of the allowable harvest" for the guided sector. This means that they now are saying that the GHM is the cap to which guided anglers will be managed, and that they can take action IN ADVANCE to make sure guided anglers don't exceed this new "allowable harvest level". Area 3A has been over their GHM every year since 2004. With the change in law that is being done for both areas as part of the Area 2C rule, the success of the 2C rule will set the rule for Area 3A as well.

Please take action to support the lawsuit by sending an email to Richard Yamada (richard@alaskareel.com) to let us know of your pledge to support the lawsuit and sending a check as soon as you can made payable to SHER & BLACKWELL LLP. Checks should be sent to:

John Butler
Sher & Blackwell LLP
1850 M Street NW
Suite 900
Washington, DC 20036

Please note in the memo line of the check "HALIBUT LITIGATION". The checks will be deposited by the law firm in an escrow account, and the money will only be spent to cover their costs on the litigation.

You can also send checks to support CHTF, which pays for my participation in the lawsuit, to:

Charter Halibut Task Force
500 Lincoln Street, Unit B9
Sitka, AK 99835

Thank you.

Earl Comstock
Counsel for the Charter Halibut Task Force
202-255-0273

A Personal Challenge

We need your pledges no later than next Friday, May 15th, to determine if we have the funds to finance the lawsuit. I personally have pledged \$4,000 (\$1,000 per boat I operate) and I encourage those that feel like I do, that we need to take a stand against commercial fishing interests that feel they own 100% of the halibut resource, to step forward and match my pledge.

Together we can win!

Richard Yamada



Plaintiffs Needed

If you have suffered a guest cancellation or the loss of a potential booking due to the impending "One Halibut Daily Bag Limit", we would like to add you as a plaintiff to our lawsuit. It is important that we demonstrate irreparable harm to our businesses by the passage of this rule. Please contact us with your testimony.



PROCESS YOUR OWN

- Grinders
- Paper
- Meat lugs
- Spices & supplies
- Scales

ALASKA FEED COMPANY

1600 College Rd. Fairbanks 99709
451-5570 800-478-3333

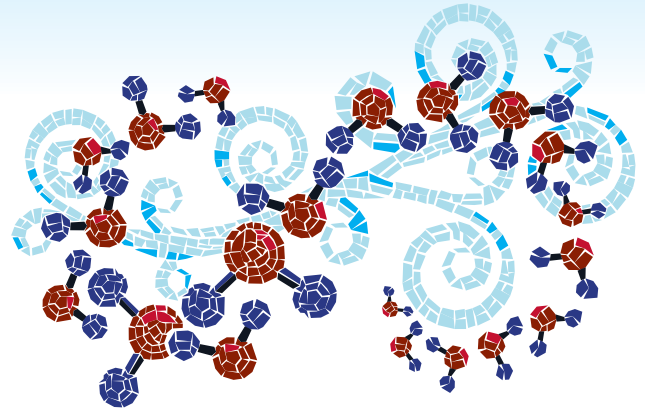
BOONDOCK

SPORTING GOODS
Alaska's Outdoor Headquarters

FISHING ★ TACKLE
OUTDOOR CLOTHING
HIKING ★ CAMPING
FIREARMS ★ OPTICS

Eagle River Loop Road
Eagle River Alaska

★ ★ Serving Alaskans Over 35 Years! ★ ★



Not Your Grandfather's
Copper Mine.



Visit our website
and learn the facts today.
www.pebblepartnership.com

EMERALD ISLE PULL TABS IN FAIRBANKS

WASHINGTON PLAZA, RIVER MALL,
2110 BADGER ROAD, GOLD RUSH SALOON,
FRONTIER LOUNGE, BADGER DEN,
TESORO MALL, REFINERY LOUNGE
CONTACT 479-5821 FOR MORE INFO!

CAPTAIN B'S
Alaskan C's
Adventures

(907) 235-4114
(866) 234-4144

Homer, Alaska
M/V Ashtikan

www.fishinghomerak.com

Member of Alaska Charter Association

It's a well known fact that
real Alaskans
fix it themselves.



...and if they want
the good stuff, they
come to NAPA.



304 Gaffney Rd.
Fairbanks 458-6272
Corner of Giest & Loftus
Fairbanks 458-6280

1987 Van Horn Rd.
Fairbanks 458-6280
Mi. 14 Richardson Hwy.
North Pole 488-6272

All locations open Monday - Friday 8-7, Saturday 8-6, Sunday 9-5.
www.napaonline.com



Alaska Outdoor Council Inc.
 Alaska Fish and Wildlife Conservation Fund
 310 K Street, Suite 200
 Anchorage, Alaska 99501
 P: (907) 264-6645 F: (907) 264-6602
 www.alaskaoutdoorcouncil.org
 aoc@alaskaoutdoorcouncil.org

Non-Profit Org.
 US Postage
PAID
 Anchorage, AK
 Permit #537

“Alaska’s Outdoors is Yours”

Check mailing label for membership expiration. Please renew today!

If you are not getting AOC E-mail alerts – E-mail us at aoc@alaska.net



This publication is produced on FSC certified paper at an FSC certified printing facility. Please pass it along or recycle it. Thank you.

AOC Membership Application

NAME #1: _____

ADDRESS: _____

OPTIONAL: Ph: _____ Fax: _____

E-Mail: _____

NAME #2: _____

ADDRESS: _____

OPTIONAL: Ph: _____ Fax: _____

E-Mail: _____

PAYMENT: Check Visa/MC: _____ - _____ - _____ Exp: _____ - _____

SIGNATURE: _____

For membership and lobbying donations, please make payable to “AOC”. For education donations, please make payable to “AFWCF”. Lobbying donations are not tax deductible; education donations are tax deductible. Mail to 310 K St., Suite 200, Anchorage, AK 99501

I WOULD LIKE TO:

- Renew my membership
- Become a new member
- Make a donation

MEMBERSHIP CATEGORY:

- Annual Individual \$25 Annual Family \$30
- 3-year Individual \$60 3-year Family \$70
- 5-year Individual \$100 5-year Family \$110
- Club Membership \$50 annual
- Sustaining Business \$150 per year
- Life Membership \$400 one time
- Lobbying Donation \$ _____
- Education Donation \$ _____

TOTAL: \$ _____