

RC39

To the Alaska State Board of Fisheries:
Subject: Proposal number 233 under Upper Cook Inlet Finfish.

Dear People:

I wish to publicly offer the following comments on this sad proposal made by the City of Soldotna, Alaska. I am opposed to this proposal in any form.

First I believe I should introduce myself and tell you a short story about my experience at the hands of the employees of the City of Soldotna. My name is Richard Beardall. I am a resident of Utah and an avid fisherman. I am also a paraplegic and have no use of my body below my waist. I am wheelchair bound but I have never let that stop me from enjoying the fishing experience.

In September of 2012 I undertook a lifetime trip to Alaska to fish the great salmon contained in your mighty Kenai River. On the very first day of this experience, my friend Val Allen and I ventured to the Centennial Campground in Soldotna and found a perfect place to fish. It was easy access to the river bank in my wheelchair and this bank of the river fronted a great deal of the river. My friend assured me that there were thousands of fish in the large area waiting to be taken. I did notice a sign that mentioned something about not fishing in the "lagoon", but I looked around and could not identify any part of the Kenai River resembling my concept of what a lagoon should look like. My friend and I ignored this warning and began fishing. What a wonderful experience it was to catch a fighting salmon with every cast. We continued fishing until I and my friend limited out on silver salmon. I must have caught 100 pink salmon in two hours as I was tired by then and knew we could continue this kind of fishing the following day. What a joyous experience. This was beyond a doubt the best day of fishing I have ever had. The following day would be the worst day of fishing I ever had. It is important to note that on this first day of fishing, several campground employees drove by and waved at us as did a City Police Officer.

Secure in the knowledge that another day of great fishing awaited us, we returned the following day. No sooner had we begun to fish than a campground employee drove up and confronted us with a demand that we cease fishing in this area. Looking around and seeing no reason to cease, we challenged the employee to explain such a ridiculous demand. "It says so on the sign." came the belligerent reply. Apparently the City of Soldotna had seized jurisdiction over the river and arbitrarily declared a great portion of it, including the area where we were happily fishing, as a no fishing zone. We considered the information on the sign and agreed that the City was badly mistaken. We continued fishing. The employee became quite irate and demanded that we cease fishing. We explained in simple language that there was not a single reason for us to stop fish this area and that we intended to continue. She immediately communicated with someone and a few minutes later a city police car arrived. The officer was courteous and after a few minutes of discussion agreed that there was no good reason for forcing us to cease fishing in this area except that the City ordinance said we could not do so. As an official of the City, she was bound to enforce the ordinance and asked us to retire. She

Richard Beardall, comments on proposal 233, Page 2

did mention that the campground administration was irate that we would not do as they told us and wanted her to issue us a ticket. She flatly refused to do so. I believe had we continued to fish there that she would have been forced to arrest us. We retreated in the face of such intimidation. I truly regret that I did not force my arrest at that time as this issue would have surely been resolved had I done so. My once in a lifetime fishing trip to Alaska had turned from a grand experience into one of great disappointment. I did fish the Kenai in other areas and enjoyed it although access to the river bank in these other areas was quite difficult in my chair and left me deeply disappointed and wondering what might have been.

I have read the proposal by the City of Soldotna requesting that you act as their personal agent in seizing control of a large section of the Kenai River, which they have arbitrarily designated as the Centennial Campground Boat Launch Lagoon, thus giving them the right to forbid fishing in that area. There is no such area. There is the ever present Kenai River but it does not contain a city imagined area in any form or under any law. I cannot imagine that the State of Alaska would allow all the other entities along the river, who wished to declare such areas as they so chose, to prohibit fishing. Madness. I am struck by the idea of the owners of Eagle Rock Boat Launch, ten mile downstream from Centennial, using such State sanction for justification of a really bad idea. I imagine them drawing a line from their property to the real Eagle Rock which resides in the middle of the Kenai and declaring that area to the left including the side channel of the Kenai where their boat launch is as a "no fishing" area for "safety and social situations". They can even name it the "Eagle Rock Boat Launch Lagoon.

How can the City of Soldotna seriously ask the Board of Fisheries to act as a social engineering firm concerning the users' actions in using the Kenai River? In all the time I fished at Centennial I saw no more than two boats a day enter the river at the boat launch. My friend Val assures me that fewer than five boats a day on average enter the river at the boat launch in August. If there are some isolated confrontations between user groups this generally manages to correct itself by simple courtesy. To exaggerate the safety issues and demand total access for one user group over another because of such issues smacks of discrimination. I cannot imagine any such situations as described by the City of Soldotna as being anywhere near close to the truth.

Rather, this proposal is full of half-truths and exaggerated scenarios and vibrates with hyperbole. There is nothing fair in this proposal and for the City of Soldotna to couch their request in the mantle of "safety and social situations is highly offensive to any thinking individual. I know when I see discrimination and this proposal drips great gobs of blatant discrimination. Why does the City see this area as a place of contention between user groups, when 90% of the time no boater activity is taking place? Who benefits from a year round prohibition on fishing? No one.

I must tell you that there are numerous times when I long to journey back to Alaska to enjoy and share in the wonderful resources you have and indulge in a true once in a lifetime

Richard Beardall, comments on proposal 233, Page 3

experience. Unfortunately, the one stellar area where I can fish easily and safely from my wheelchair is forbidden to me. This is a wonderful place where I can fish until my arms stop Working. I cannot return and I am grieved, but until this is no longer the accepted situation, I will remain absent.

I believe that the City of Soldotna has determined that their city ordinance is the absolute correct thing to do and will not accept the fact that they have presented a biased proposal. They will not accept the Board of Fisheries rejection as binding upon them and will continue to harass the fishermen until such time as a strong State response forces them to cease. Be that strong response. Inform the City of Soldotna that they must remove any signage which suggests that they have the power to prevent fishing of the natural resource and that they must allow common sense to rule the activities in this section of the river. Give me the reason to return to your wonderful Alaska.

My address is: Richard Beardall
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Thank you for your time and consideration in this matter.

Richard

A handwritten signature in cursive script, appearing to read "Richard Beardall", written in black ink.