

Alaska Board of Fisheries



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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February 22, 2023

Sent via email

The Honorable Gary Stevens
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

The Honorable Cathy Tilton
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

RE. Fish and Wildlife Enforcement and Use Reporting in Alaska

Dear President Stevens, Speaker Tilton, and Honorable Members of the Alaska State Legislature,

During the November 2022 Board of Fisheries (board) meeting for Bristol Bay, the Alaska Board of Fisheries heard overwhelming public testimony about the lack of law enforcement capability to adequately enforce the regulations that govern this fishery. The board acknowledges the need for enforcement, and the issues resulting from the lack thereof, is not isolated to the Bristol Bay region but presents across all Alaskan fish and wildlife resources and user groups. The board understands fish and wildlife enforcement across our vast and largely remote state is inherently challenging and bears great costs. However, enforcing the laws and regulations that develop and conserve our resources is imperative. Policies that lack enforcement fail to effectively manage natural resources.

In 1983, the Alaska Joint Board of Fisheries and Game passed resolution #83-11-JB requesting that the Governor "direct more adequate fiscal resources to bring the capabilities of the Division of Fish and Wildlife Protection, Department of Public Safety to a level whereby an orderly development of Alaska's fish and wildlife resources shall occur with maximum benefit to Alaska's people."

In 1998, the Alaska Joint Board of Fisheries and Game passed resolution #98-29-JB requesting that the legislature fully fund the operating budget requested by the presiding Governor to provide for additional funding for fish and wildlife enforcement.

In 2017, the Alaska Joint Board of Fisheries and Game passed resolution #2017-286-FB requesting, in brevity, that "the Governor and the Legislature provide the Alaska State Troopers with adequate funds for their identified public safety mission..."

The Joint Board resolutions referenced above are attached.

Re: Fish and Wildlife Enforcement and Use Reporting in Alaska
February 22, 2023

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Data sourced from the Department of Public Safety provide the following statistics:

- In 1983, the State of Alaska employed 121 Fish and Wildlife Troopers and Enforcement Officers.
- In 1998, the State of Alaska employed 93 Alaska Wildlife Troopers.
- In 2017, the State of Alaska employed 89 Alaska Wildlife Troopers.
- In 2023, the State of Alaska employs 91 Alaska Wildlife Troopers.

In the forty years since Joint Board resolution #83-11-JB, the population of the state has grown substantially, as has the participation in Alaska's fisheries. Unfortunately, the enforcement that protects our prized and precious resources has not kept pace. This has presented claims of illegal fishing, gear conflicts, and safety issues. We must do better.

There is much uncertainty in Alaska's fisheries, particularly regarding the sustainability of king salmon populations. Alaska's ability to maintain the health of our fisheries will largely depend on our ability to support our science agency, the Alaska Department of Fish and Game (ADF&G), in the consistent collection of comprehensive data and research efforts, so they may better inform policymakers.

At the November 2022 Board of Fisheries meeting for Bristol Bay Finfish, the board was informed by ADF&G that king salmon retention in the commercial fishery was estimated to be underreported by approximately 55-65%. At that meeting the board passed Proposal 31, as amended in Record Copy (RC) 105, which requires additional king salmon retention reporting by SO3T and SO4T Commercial Fisheries Entry Commission (CFEC) permit holders as well as harvest reporting of king salmon by sport fishermen in the Nushagak River drainage. Nushagak River king salmon were recently designated a Stock of Management Concern.

Additionally, the board is often presented sport fish data from 2018 and prior, in conjunction with the data from the Statewide Harvest Survey, to inform its decisions related to sport fisheries. The sport fish data from 2018 and prior was collected through the sport fish logbook program, which was discontinued. While the Statewide Harvest Survey is useful, it provides an incomplete picture and is dependent upon respondent participation. The information provided through the logbook program was more comprehensive, and RC 105 would require similar reporting for king salmon by all sportfishermen, both guided and unguided, in the Nushagak River Drainage. In adopting the language found in RC 105, the board is relaying to the department and the legislature that the comprehensive sport fish data collected in years prior to 2018 through the guided sportfish logbook program is beneficial in informing the board in its decision-making and should be expanded beyond the guided sport fishery. As was stated on the record at the Bristol Bay meeting by board members, "as fishery participants, we are all responsible for resource stewardship."

The additional reporting regulatory language found in RC 105 coupled with sufficient enforcement in this region will provide more accurate information to our science agency and the board. Further, these changes support the notion of accountability as an important element of responsible resource stewardship. While the regulatory language found in RC 105 is specific to the Bristol Bay region and driven by conservation concerns for Nushagak king salmon, the sentiment of data collection for all fish stocks remains. Alaskan fisheries are essentially fully allocated, and there are currently twenty formally designated salmon Stocks of Concern statewide and several more providing us with reason for vigilance and caution.

Re: Fish and Wildlife Enforcement and Use Reporting in Alaska
February 22, 2023

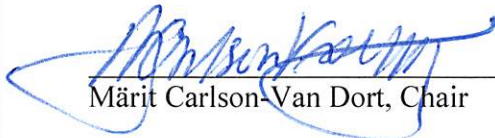
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The board has no fiscal appropriating power nor the authority to direct department spending and carefully evaluates proposals that require additional department resources. The board also recognizes the budgetary constraints and considerations of ADF&G and the State of Alaska. However, we request that careful consideration be given to funding for adequate law enforcement of fisheries regulation, more comprehensive data collection for designated Stocks of Management and/or Conservation Concern and the state's most highly concentrated sport and personal use fisheries.

The true value of Alaska's fisheries can never be overestimated and is ingrained in the people of Alaska and the many who travel far and wide to experience and appreciate our fisheries. The Alaska Board of Fisheries is delegated the authority to conserve and develop Alaska's fish resources. In doing so, we are responsible for communicating to the Legislature what is necessary but not within our authority to provide; additional funding for enforcement and harvest reporting is needed to provide for the sustainability of Alaska's fisheries. We wish to fulfill our duties to Alaskans and the state's fisheries resources under our delegated authority and are reliant on your support and cooperation in addressing these issues.

Respectfully,

Alaska Board of Fisheries



Märit Carlson-Van Dort, Chair



John Jensen, Vice-Chair



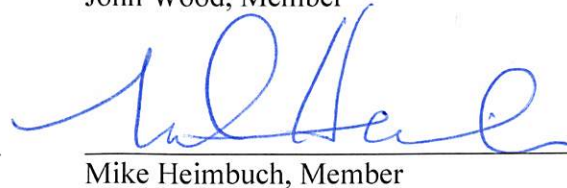
McKenzie Mitchell, Member



John Wood, Member



Tom Carpenter, Member



Mike Heimbuch, Member



Stan Zuray, Member

Enclosures (3)

cc: Governor Mike Dunleavy
Legislative Director Laura Stidolph, Office of the Governor
Commissioner Jim Cockrell, Alaska Department of Public Safety
Commissioner Doug Vincent-Lang, Alaska Department of Fish & Game
All members of the Alaska State Legislature

April 6, 1983

ALASKA JOINT BOARD OF FISHERIES AND GAME
Resolution #JB-83-11

WHEREAS, Alaska's increasing population has put a corresponding increase in demand on the uses of the State's fish and wildlife resources, and

WHEREAS, the Boards' of Fisheries and Game regulations governing conservation and equitable allocation of Alaska's fish and wildlife resources are ineffective without public acceptance of, and compliance with, those regulations, and

WHEREAS, such acceptance and compliance significantly depends on a substantial fish and wildlife protection presence throughout all Alaska, and

WHEREAS, the Board of Game recognizes an ever increasing demand of consumptive uses of Alaska's game resources, and

WHEREAS, the Board of Fisheries recognizes the increasing competitive intensity of fishing efforts by all user groups, in some cases requiring drastic regulatory measures to keep some stocks from declining and that new fisheries are rapidly developing in Alaskan and contiguous continental shelf waters, and

WHEREAS, the Alaska Board of Fisheries and the Alaska Board of Game are statutorily charged with the conservation and development of the fish and wildlife resources of the State and the Alaska Constitution mandates maintenance of these resources on a sustained yield basis, and

WHEREAS, the Boards recognize the need for an enforcement effort by the Division of Fish and Wildlife Protection, Department of Public Safety that is far beyond its present capabilities in manpower, equipment, and funding, now therefore;

The Alaska Joint Board of Fisheries and Game respectfully requests that Governor Sheffield seriously evaluate the currently acute problem crucial to orderly development and allocation of Alaska's fish and wildlife resources. We further request that you direct more adequate fiscal resources to bring the capabilities of the Division of Fish and Wildlife Protection, Department of Public Safety to a level whereby an orderly development of Alaska's fish and wildlife resources shall occur with maximum benefit to Alaska's peoples. Additionally, we ask that you facilitate and encourage additional cooperation and coordination between the fish, game, and habitat management and enforcement agencies.



John Shively, Chairman
Joint Board of Fisheries and Game

RESOLUTION
JOINT BOARDS OF FISHERIES AND GAME
98-29-JB

WHEREAS, the members of both the Board of Game and the Board of Fisheries are very concerned with the lack of enforcement of the statutes and regulations concerning Alaska's fish and wildlife resources; and

WHEREAS, many of our citizens are dependent upon the fish and game resources of our State for their subsistence and personal use needs; and

WHEREAS, recreational and commercial fisheries and hunting are substantial resource based industries operating throughout the State of Alaska, employing many Alaskans and bringing significant dollars into the state from non-residents who travel to Alaska to hunt and fish; and

WHEREAS, the protection of these fish and wildlife resources of our State is absolutely essential to the well being of our citizens and the future of our state; and

WHEREAS, in comparison to the value of the resources and the percentage of the revenue derived from the uses of the State's fish and wildlife resources, the budget of the Division of Fish and Wildlife Protection is relatively insignificant; and

WHEREAS, there has been a substantial and proportional decline in the number of Fish and Wildlife Protection Officers both authorized and funded, simultaneously with a significant increase in resource users; and

WHEREAS, both the Board of Fisheries and the Board of Game are mandated to conserve and develop the fish and wildlife resources of the State and, beyond that, are determined to do whatever they can both as Board members and as individuals to insure that these valuable resources are adequately protected under our laws and regulations; and

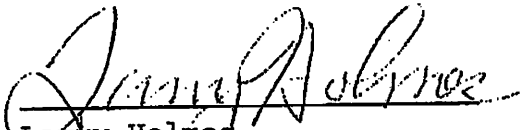
WHEREAS, as a result of the budget reductions which have occurred over time, the ability of the Division to participate in the processes of the Boards of Game and Fisheries has declined to the point where regulations proposed by these Boards are not reviewed during the course of the Boards' deliberations in order that regulations are held to a minimum, are less costly and are easily understood by the public and those charged with their enforcement.

NOW, THEREFORE, based on the foregoing statements of fact,

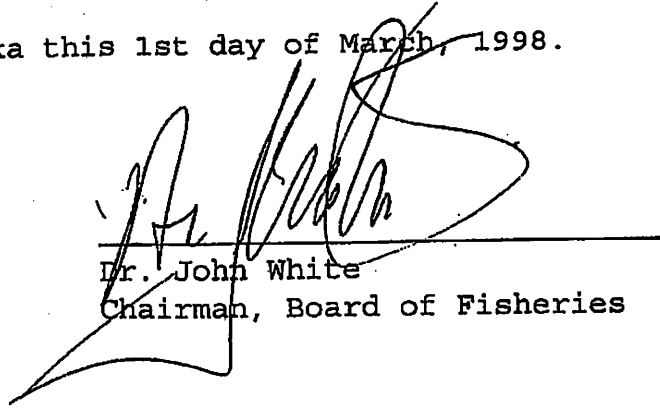
IT IS HEREBY RESOLVED as follows:

- 1) The Legislature should fully fund the operating budget requested by the Governor on behalf of the Department of Fish Game.

DATED at Anchorage, Alaska this 1st day of March, 1998.



Larry Holmes
Chairman, Board of Game



Dr. John White
Chairman, Board of Fisheries

**Alaska Board of Game
2017-221-BOG
Alaska Board of Fisheries
2017-286-FB**

A Resolution Regarding Fish & Wildlife Enforcement in Alaska

WHEREAS, the Board of Game and Board of Fisheries have received numerous public complaints in recent years concerning the decreasing level and effectiveness of fish and wildlife enforcement in Alaska; and

WHEREAS, management plans are formed by the Alaska Department of Fish & Game to support the constitutional mandate to maintain fish and game populations on sustained yield principle; and

WHEREAS, regulations are developed by the Alaska Boards of Fisheries and Game through the public process to support management plans. All management plans rely upon public compliance with regulations to achieve success; and

WHEREAS, enforcement is a crucial element needed to ensure long-term compliance with regulations by the public; and

WHEREAS, enforcement of the regulations that govern the take of these resources is an integral part of the sustainability; and

WHEREAS, fish and wildlife enforcement is a critical element in the state's fish and wildlife management programs; and

WHEREAS, the Alaska Department of Public Safety, Division of Alaska Wildlife Troopers are the front-line agency tasked by the legislature with enforcing regulations and statutes pertaining to fish and game; and

WHEREAS; vigorous, proactive efforts are required to positively affect compliance by the public in fish and game regulations; and

WHEREAS, every subsistence, personal use, recreational or commercial resource management program is dependent on robust enforcement for these programs to be successful; and

WHEREAS, Alaskans demand and have supported a strong and effective fish and wildlife enforcement program in the state; and

WHEREAS, Alaskans have been assured that the integration of the Alaska Wildlife Trooper enforcement programs into the Alaska State Troopers system would not result in any decreased level of effectiveness in the states fish and wildlife enforcement efforts; and

WHEREAS, in 2003 the Division of Fish and Wildlife Protection was eliminated and re-established as a separate Bureau within the Alaska State Troopers; and

WHEREAS, in 2006, in response to reduced levels of wildlife and fisheries enforcement statewide the Division was recreated into the Alaska Wildlife Troopers but only regained part of their original identity and personnel; and

WHEREAS, Alaska's population has steadily gone up from 524,000 people in 1983 to 739,000 people in 2017 and during that same time frame wildlife and fisheries enforcement has precipitously declined from 117 commissioned Troopers in 1983 to 89 commissioned Troopers in 2017; and

WHEREAS, the number of hunting and fishing opportunities created by the Board of Fisheries and the Board of Game have dramatically increased in the last 15 years which results in more fishing and hunting seasons, permit hunts, drawing hunts, commercial fisheries, sport fisheries, personal use fisheries and subsistence fisheries for the Alaska Wildlife Troopers to enforce; and

WHEREAS, Alaska's fish and game resources taken during commercial fishing, sport fishing, sport fish guiding, personal use fishing, subsistence fishing, big game guiding, hunting, trapping and subsistence activities are worth more than \$5 billion dollars annually to every community in the state; and

WHEREAS, more than 100,000 jobs in Alaska are directly supported by Alaska's game and fisheries resources and the loss of available resources directly affects these jobs; and

WHEREAS, in 2017 the entire budget for the Division of Alaska Wildlife Troopers was \$24 million dollars which represents .002% of the overall value of the resources to the economy of the state; and

WHEREAS, the primary emphasis and accepted principles of fish and wildlife enforcement relating to promoting voluntary compliance, preventing resource violations rather than focusing only on apprehending violators, educating the public about the conservation purposes for fish and wildlife regulations, emphasizing selective sting and special investigations directed at commercial operators and discouraging violations through a continued presence in the field have been reduced significantly due to substantial budget cuts, reductions of total number of Alaska Wildlife Troopers and reductions of equipment used to patrol the fisheries and hunts across the state; and

NOW THEREFORE BE IT RESOLVED that the Boards of Fisheries and Game respectfully request that the Commissioner of Public Safety recognize the importance and relevance of the Division of Alaska Wildlife Troopers and it's essential separate identification and mission; and

BE IT FURTHER RESOLVED that the Alaska Department of Public Safety must maximize it's enforcement of fish and game regulations to the greatest extent possible in order to preserve and protect the fish and game resources of the State of Alaska for public use and future generations; and

BE IT FURTHER RESOLVED that the Boards of Fisheries and Game respectfully request the Governor and the Legislature provide the Alaska State Troopers with adequate funds for their identified public safety mission rather than depending on the Alaska Wildlife Troopers to continually fill in for inadequate numbers of State Trooper positions; and

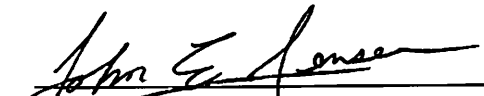
BE IT FURTHER RESOLVED that the Boards of Fisheries and Game respectfully requests the Governor and the Legislature provide an adequate budget to fully fund Alaska Wildlife Troopers enforcement activities to include vessel and aircraft operations statewide to ensure the Alaska Wildlife Troopers have the tools and personnel necessary for superior fish and wildlife enforcement; and

BE IT FURTHER RESOLVED that the Alaska Boards of Fisheries and Game request that, to the greatest extent possible, the Alaska Wildlife Troopers focus efforts on enforcing, patrolling and documenting criminal activity in the areas of fish and game regulations. It is encouraged that every effort be made for the Alaska Wildlife Troopers to remove duties from enforcement personnel that do not pertain to the enforcement of fish and game regulations.

BE IT FURTHER RESOLVED that the Boards of Fisheries and Game respectfully requests that the Governor's office and the Alaska State Legislature provide a reasonable level of oversight over the fish and wildlife enforcement performance of the Department of Public Safety to assure that our fish and wildlife resources are being adequately protected and our fish and wildlife management programs receive the enforcement support needed to make our programs successful.

Copies of this resolution are being sent to Governor Bill Walker, Commissioner Walt Monegan of the Department of Public Safety, Commissioner Sam Cotten of the Department of Fish and Game, and the House and Senate leadership.


Ted Spraker, Chairman
Alaska Board of Game


John Jensen, Chairman
Alaska Board of Fisheries

Date: November 17, 2017

Date: December 5, 2017

Vote: 7-0

Vote: 7-0

[submitted during BOF Alaska Peninsula / Aleutian Island / Chignik Finfish Meeting as RC105]

Submitted by Board Member Mitchell, prepared by the Alaska Department of Fish and Gameⁱ.

Substitute language for proposal #31 :

5 AAC 06.377 is amended by adding a new subsection to read:

(c) A SO3T or S04T CFEC permit holder must report on a form provided by the department the total number of king salmon retained for personal use that were harvested in a commercial fishery annually as follows:

(1) CFEC permit number

(2) statistical area of harvest

(3) the permanent ADF&G vessel license plate number; if applicable

(4) date of harvest;

(5) number of king salmon greater than 28 inches in length;

(6) number of king salmon between 20 and 28 inches in length;

(7) the form must be submitted to the department no later than November 30th by the method specified on the form provided by the department.

5 AAC 67.022(g) is amended by adding a new paragraph to read:

(g) In the Nushagak River drainage, excluding the Wood River drainage, and unless otherwise specified in 5 AAC 06.361 or 5 AAC 06.368, the following special provisions apply:

(7) a harvest report for the total number of king salmon harvested in the Nushagak River drainage is required to be submitted to the department in the manner specified by the department no later than November 30th containing the following information:

(A) number of king salmon harvested;

(B) number of king salmon released;

(C) number of king salmon harvested greater than 28 inches in length;

(D) number of king salmon harvested between 20 and 28 inches in length;

ⁱ Preparation of draft substitute language at the request of a Board member does not imply ADF&G support. The Department will state its position on the language during deliberation.