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RC 233

Commissioner Joe Balash
Department of Natural Resources
Office of the Commissioner
550 W. 7th. Avenue, Suite 1400
Anchorage, AK 99501

Dear Commissioner Balash,

The Kenai Peninsula Fishermen's Association (KPFA) has been a commercial fishing advocacy group since 1954. Primarily comprised of setnet salmon limited entry permit holders, we also include other Cook Inlet gear types, crewmembers, fish processors, local businesses and general interest in our membership.

As you know, fisheries issues on the Kenai Peninsula have long been a contentious subject. The recent "statewide" ballot initiative petition submitted by the Alaska Fisheries Conservation Alliance (AFCA) to ban setnets in Cook Inlet serves as a reminder of just how cutthroat fisheries allocation on the Kenai can be. KPFA supports and recognizes the importance of ALL fisheries user groups and encourages balanced, healthy discussion between these groups. We on the Kenai Peninsula enjoy very healthy and diverse fishery resources and user groups, all of which support the vibrant culture and economy that make our home unique. It's no secret that one of the cornerstones of our home on the Kenai Peninsula is the Kenai River. The draw of this great resource is what made the Kenai River Special Management Area Advisory Board (KRSMA) a necessity.

The KRSMA board was created pursuant with AS 41.21.510 which states:

"The advisory board appointed under this section shall be representative of user groups, resident property owners, municipalities, agencies of the state and federal governments, and other interest groups. A majority of the members of the advisory group shall be residents of the Kenai Peninsula Borough."

The board bylaws state that:

The purpose of the KRSMA board is, (among other things), *"To represent the broad public interest on issues related to the Kenai River"*.

Section III states:

"Public members shall be selected to ensure representation of the broad spectrum of public interests involved with or affected by the Kenai River and to prevent domination of the Board by a single viewpoint unrepresentative of the river's broad constituency."

It is with this in mind that we express our concern that the KRSMA board has been dominated by special interest. We believe that the current leadership of your board has allowed it to be

overwhelmingly represented by a single viewpoint, which has rendered it incapable of properly addressing the many usage-related habitat issues that the Kenai now faces, or the broad public interest it was created to represent.

KPFA questions the effectiveness of a board created to represent the public interest when it is chaired and overwhelmingly comprised of those beholden to one specific special interest or viewpoint. We question the objectivity of a president or board member who is dedicated to the elimination of one of the user groups his or her board was created to represent.

Three of the nine public seats on the KRSMA board sponsored the petition to eliminate Commercial Setnetting from Cook Inlet, and the current board president authored this petition. Despite multiple applications throughout the years, none of the public seats on the KRSMA board represent the interests of the multiple commercial fisheries user groups, which are a pillar of the Peninsula culture and economy. Even well qualified biologists and private sportfishermen have been repeatedly denied a seat on this board. The majority of the voting seats on this board represent the select interests and viewpoint of Kenai River Sportfishing Association (KRSA) and the Kenai River Guide user group.

According to KRSMA board bylaws, new applicants to the board are to be submitted to the whole board for review before being forwarded to you for confirmation. At the latest KRSMA meeting, the Kenai Peninsula Borough representative objected to the fact that this has not happened. 2012 KRSMA board applicants were interviewed by the DNR parks director who was the former KRSA executive director. 2013 applicants were interviewed by the current KRSMA board president, who is also the AFCA board president and anti-setnet ban petition author and sponsor, and a former KRSA board member. While both of these interviews were also attended by your area superintendent, we feel that the current application and interview process to this board is unacceptable.

The current KRSMA board president recently, without board consult or approval, appointed KRSMA board member, anti-setnet initiative petition sponsor, and Executive Director of Kenai River Sportfishing Association as the KRSMA board Legislative Committee Chairperson. This represents a substantial conflict of interest and is one more example of the degree to which this board has been infiltrated by special interest.

The board bylaws state that:

"there shall be no deliberate concentration of specific viewpoints on the Board which would be contrary to the balanced representation specified in these bylaws. Each Board member carries the responsibility to represent the broad public interest and no member shall consider himself or herself merely an advocate of a specific group."

Commissioner Balash, we ask that you conduct a full review of the KRSMA board including the makeup of the board, the nomination process, and the actions of the individuals who have been entrusted with directing and overseeing this board and the broad public resource and interest it was designed to represent. The KRSMA board has, under the direction of the current board president and DNR Parks Director, been overtaken by special interests and is in direct conflict with the bylaws governing its existence.

Sincerely,



Robert Williams,
President
Kenai Peninsula Fishermen's Association