RC17

# JDAC Meeting
# 9/23/13~ 6:00 p.m.
# UAS Egan Room 219

Attending: Mike Peterson, Mike Bethers, Jesse Ross, Chris Condor, Richard Yamada, Chris Miller, Henry Webb, Ed Buyarski, Jason Kolhase, Thatcher Brower

ADFG representatives: Lauren Sill (Division of Subsistence), Frances Leach (Board Support)

Kevin Maier (elected this meeting)

**I. Call to Order**
Meeting called to order at 6:06 p.m. Quorum met.

**II. Agenda Approval**
Agenda approved

**III. Elections**

Personal Use/Sport fish/Hunting Guide- end of 2014- closed
Freshwater Charter/Guide- end of 2014- Kevin Maier elected
Alternate (x2)- end of 2013- closed

Freshwater Charter/Guide- seat has been open for 1 1/2 years- finfish proposals for spring of 2014

**IV. Discussion of Proposals:** The meeting for these proposals is October12-16, 2013

**<u>Proposal 38</u>- Repeal the state non subsistence areas**
**Frances:** The department reviewed the information on the 12 factors defining subsistence areas and the new information on public comment and concluded that it warrants reclassification of specific areas.
**Lauren:** If non-subsistence is repealed the board will look for customary and traditional (C&T) use of fish stocks and/or game populations.
**Richard:** How do you classify C&T?
**Lauren:** Since 1992, Juneau has not been classified as a subsistence area. We look at 100 years of data to determine if there has been C&T use in the area.
**Henry:** Will this fit in with ANILCA?
**Lauren:** The big problem with ANILCA is that there is no priority for rural areas and therefor is out of compliance. We would remove the geographic: under the federal law subsistence is only considered in a rural area. In the Tongass, we have Fed/State regulation with extended regulation under Federal rule.
**Ed:** Eliminating non-subsistence areas- what does that gain us? Are the Feds going to care about this?
**Lauren:** Where there is State/Fed regulations we follow State regulations. There might

be restrictions, but will still be bound by Fed regulation if different from State.
**Richard:** There is a difference in fish subsistence- it would increase the amount of harvest in the Juneau area.
**Lauren:** Subsistence would open up, but only with certain gear.
**Mike:** If areas would become subsistence the state regulations would change and not the federal.
**Henry:** How will this affect Anchorage/Kenai?
**Lauren:** Same situation as Juneau- there would be the restriction of a whole lot of uses.
**Mike:** If 5 areas of non-subsistence were to be repealed, would that have an effect on nonresident hunting?
**Response from Lance Nelson (LAW):** Not directly, but to the extent that nonresidents are hunting in those areas and C&T hunts were identified and established, then those nonresident uses there may well be restricted to provide reasonable opportunity for subsistence hunting. Drawing permit hunts may very well disappear in those areas.
**Henry:** If you are subsistence fishing you have a priority over commercial.
**Lauren:** Correct. Other uses would get curtailed.
**Lauren:** The population cap was used for federal classification of subsistence areas and that will be coming up for rural review.

***Yay: 0 Nay: 9 Abstain: 2***
***Proposal 38 Fails***

**Proposal 33-** Subsistence uses- modify the process
**Frances:** The department opposes this proposal, because it puts a burden on the public and replicates efforts already done concerning subsistence use.
**Lauren:** This will establish new reporting requirements and make changes to the permit based program. More money and time will have to be put forth by ADFG to do this. Changes would have to use the previous 5 years and some species life cycles are longer than 5 years.
**Chris:** The proposal said no longer than 30 days- is this right?
**Lauren:** Can turn in a permit right before you get your next one.
**Chris:** When are they required to get harvest reports?
**Mike:** Needs an interpretation- ANS shall be 5 years of reportable harvest, but until 5 years- the wording seems off. Also, the department requires for a *majority* of big game - what species are in the majority?
**Lauren:** Don't know.
**Ed:** They just changed harvest ticket reporting- black bear just added- normally 30 days from the time of harvest you report.
**Jesse**: There is a connection to the Alaska Outdoor Council. It seems like they are worried about natives in a village not reporting. The AOC wants ADFG to have hard numbers. I will not support this.
**Mike:** The department supports harvest use information- what is going on with that?
**Lauren:** The division of subsistence does door to door surveys, but a lot of area is too expensive to get to. We do an index survey and go to smaller communities more frequently.

***Yay: 0 Nay: 11***
***Proposal 33 Fails***

**Proposal 17**- Uniform rules of operation- clarify procedures for removal of AC members
**Frances:** The department supports this proposal. There needs to be a more orderly process with more clarification. The submission of minutes before AC testimony at board meetings is supported.
**Josh:** We are doing this already- the only distinction is that we are putting it in writing, right?
**Jesse:** Was this directed due to a past AC member's behavior?
**Frances:** Yes, in Anchorage.
**Mike:** I think the joint board wants to give more power to the AC.
**Mike B:** It probably would add a level of consistency so that all ACs work similarly.
**Jason:** Subsection R seems to be the same as Robert's rule- are these different disciplinary actions?
**Mike:** The committee has the authority.

***Yay:11 Nay:0***
***Proposal 17 Passes***

**Proposal 15**- Seeks to clarify the *Uniform Rules of Operation* to accurately reflect the current procedures followed by AC and Boards Support Section.
**Frances:** The department submitted and supports this proposal.
**Chris M.**: Asks question on item (e) membership- Why did they change "must" to "may?"
**Mike:** It probably had to do with costs.
**Chris C.:** Terms of membership- Holding the elections in the middle of fishing season will not work.
**Thatcher:** Agreed, timing of election is a problem.
**Jason:** Dates of elections may have something to do with board cycle
**Mike P.**: Agreed. They are looking for AC trying to be steady
**Jason:** I suggest moving it to January-December.
**Chris M.:** Keep it as it is, or until next meeting- if we don't have meeting, it's fine.
**Richard**: Effective terms of the seats. Elections could still take place in December, but effective dates would be in June.
**Jason:** Dynamics of committee play a role. JDAC has a good pool of applicants.
**Mike P.:** There is a motion on table to keep language as currently is, January 1-December 31 All in favor of motion Passes 11 support
Question called Proposal as amended, stay as they currently are.

***Yay:11 Nay:0***
***Proposal 15 Passes as amended***

**Proposal 11**- Seeks to modify the nomination process for AC membership by establishing a higher standard for membership.
**Frances:** The department opposes this proposal.
**Member of the Public:** It's complicated and its going to cut out a large amount of people who want to apply- we will have to do a lot of research.
**Chris C. :** We are not experts and we call in specialists.
**Henry:** It's nice to have qualified people who are smart, but this will turn people away. If there was a primer or talk we could have, explaining terms, etc., that would be helpful. This is resource cause of constitution. It would be nice if we could have an orientation to get people on the same page about how state, fed law works and how the board system works.
**Jason:** Bottom end of new language requires nominations to be taken at one meeting, voted at the next. Our time is valuable. I like the idea It might work in a big city, but in our world, nominations and voting happen the same night and it works.
**Mike P.**: Can I assume you support the rest of the language:
**Jason:** Yes.
**Mike B.:** This reflects an idea of a perfect situation. I worked for Fish and game and I still have questions I can't answer. Supports Henry's suggestion of having an orientation. We are an unique advisory committee. This is way over and above, we wouldn't have a committee
**Ed:** The next to last sentence talks about the committee voting--this is too much. I don't support it.
**Jason**: Revise my earlier stance- I don't support the rest of this language.
**Jessie:** This was written by a guy on the Fairbanks AC, he's trying to keep out special interest groups, and he's creating his own special interest group. Jessie called question. All in support of 11.

***Yay:0 Nay:11***
***Proposal 11 Fails***

**Proposal 19**- Seeks to expand the list of qualifications for AC chair and vice-chair as specified below, and shortens the notification to 10 days for removal of committee officers.
**Frances:** The department opposes this proposal.
**Member of the public:** Same view as way to attempt the way the AC is created. It would scare people away.
**Jessie:** I don't support this.
**Ed:** We should have a chair person who has been here and seen the process work. I think what we have now works. I don't see adding these qualifications is going to add anything. Experience is always good, but we don't need to requirement.
**Mike P.:** What happens to an AC that is made up of special interest groups? Is that the way life is or is a proposal in that direction, will this help alleviate the problem?
**Chris C.:** The board is going to have a good idea where the committee is coming from.
**Henry:** Power can come from above or below. The intent of this proposal is to raise the level of discourse. You can do that by enticing better people to come out and participate. You will get a better product if you give some say and authority in the

process. If you make it more credible, it will make better and more membership. Trying to improve by dictating what kind of members you're going to get on paper is the wrong way to go.
**Mike P.:** My knowledge of rules and regulations was nil. The goal was to run a fair meeting that benefited the proposal and public. It undermines the whole credibility of the AC to make them have this knowledge.
**Chris C.:** Question called
All in support of 19.

***Yay:0 Nay:11***
***Proposal 19 Fails***

**Proposal 28**- This proposal would provide the option of allowing designated ACX representatives to participate in board deliberations.
**Frances:** The department opposes this proposal.
**Ed:** Chairman, what is your role? Can they ask you questions during deliberations?
**Mike P.:** No, they do not ask me questions during deliberations. But, I do have a chance to speak during public testimony and participate during the committee of the whole.
**Jaso:**- This is a game changer and I'm going to vote no.
**Chris C:** Question
All in support of proposal 28

***Yay: 1 Nay: 8 Abstained: 2***
***Proposal 28 Fails***

More Discussion on Proposal 28…
**Ed:** I like this idea to give local ACs more power in the process.
**Henry:** I agree, the closer we can get to the users and communities, the better. It would improve what we do here. I like the spirit of it, but whether it would work or not, I don't know.
**Richard**: The amount of AC representation would make the meeting long and cumbersome. The AC's already do get recognition. They do get more weight, but the number of the ACs participating would be bad.
**Henry:** I appreciate that. But when you look at state board process verses federal, we are much closer to the users and its democratic. The closer we stick to the rank and file citizens of the state, the better. The reason ours works is the proximity between the board and average user.
**Member of the public:** The way the process works now, the AC's already have two shots to make their points.

**Proposal 23**- Seeks to move the functions of the regional councils, established in 5 AAC 96.250 to AC functions, and removes reference to regional councils under 5 AAC 96.050.
**Frances:** The department opposes this proposal.
**Richard:** Clarification of regional councils
**Mike P.:** Proposer wants to get rid of the regional council all together.
**Chris C.:** What are we not doing on this?

**Henry:** Number 11 is the only thing we are not doing.
**Mike:** Do we want to dissect this?
**Chris M.:** I'd like to take it up as a whole.
**Henry:** Agree. This is what we are doing already. Yes, make everyone be proactive. It's a good idea.
**Ed:** If we voted for this and it passed, does that mean we would then be directed by the board to get more actively involved in that issue? Are they going to say now you have to do this?
**Mike P.:** They could. They have the ultimate authority.
**Mike B.:** We are doing most of this already. With the subsistence stuff, we are going to be limited to what we can do.
**Henry**: To answer Mike's question, let's think about all AC's in the state. All the voices would resonate. We are doing this, maybe they are not. Maybe if they start, there will be more voices coming from below.
**Chris M.:** I don't see the point in limiting ourselves in future things. AC's can take issues on as they see fit.
**Richard:** This is backdoor way of recreating the regional councils. It's working with a regional council. It's beyond what an AC should do and includes regional councils now.
**Henry:** I read it different. They are taking the powers of the regional council and giving it to AC's.
**Mike P.:** If this would pass it would certainly deal with power coming below.
Question called
Not heard
**Chris M.:** What is the point of the AC? Should we have power or are we a sounding board for the community as a stepping stone? I like the idea of us providing the opportunity and not being a huge position of power.
**Ed:** Are you concerned passing this would remove power t get public involved?
**Chris M.:** No.
**Henry:** The boards are not elected. They are appointed and approved by legislature. That's good; I like how we do it. But I don't mind having public vote for us having a say in how these things are decided. I'd say a little more power to the AC's would be just fine with me. I'm in favor of it.
**Mike P.:** How would committee members feel if all proposals had to come through us (relative to the area?) would that decrease the amount of proposals the BOF gets?
**Chris M.:** The only issue I would have with that is if there is a group running rough shot over the AC because then if someone had a proposal it wouldn't be heard.
**Jason:** If we are going to look at this proposal and I like the intent of where it's going, I agree with Henry up to a point. But if we are going to do this, I'm not familiar with 96.250 that he wants to move over to 96.250 If we are going to look at this and pass it, does that create housekeeping issues? We will need to go through all current regulations and not duplicate them.
**Mike P:** Proposer is reinventing the wheel. Since we are doing all this stuff, I don't support making a guideline to cover our guidelines. I agree with Henry, but I think that's as far as we take it. I'll be opposed to it.

All in favor of proposal 23 as written

**Mike P:** Proposal is reinventing the wheel. Since we are doing all this stuff, I don't support making a guideline to cover our guidelines. I agree with Henry, but I think that's as far as we take it. I'll be opposed to it.

All in favor of proposal 23 as written

***Yay: 5*** ***Nay: 5*** ***Abstained: 1***

***Proposal 23 Fails***

**Comments Regarding Board Generated Proposals-** None

V. **Committee Comments-**

**Henry:** I am going to miss Greg Brown and want to thank him for his dedication and passion for the committee.

**All**: Agreed Greg would be missed, expressed concern and condolences for Tina.

Chair's Note: Greg Brown held the Non Consumptive Commercial seat, and was the Chair. Last Spring declining health forced Greg to resign the Chair position. Greg passed September 1st.

**Mike P.:** Elections coming up in December. Two alternate seats are open. Mike's seat, a Sport Fishing/Hunting/Personal Use, Chris Condor's term expires(Charter Fishing-Saltwater), Thatcher Brouwer's Commercial fishing seat, Greg's Non-Consumptive Commercial(Doug Ward is interested) and Atlin's Hunting Guide seat. A total of 7 seats open. Likely an elections in December. Chair will send a list of upcoming opening to AC members

**Chris M.:** If a seat stays vacant, can we open it up to others?

**Mike P.:** It is my opinion is that if it stays open for 2 years a discussion should be considered for opening it up.

**Ed:** What if someone comes along who is specifically qualified, can they remove the other person ?

**Mike P.:** You would hold an election. You can't bump someone.

VI. **Adjournment**

8:25 PM

No next meeting date set.

Minutes approved by email (10-8-2013) and respectfully submitted,

Mike Peterson

Mike Peterson
Juneau-Douglas AC Chair

10/9/2013