



Southeast Alaska Fishermen's Alliance

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May 19, 2016

State of Alaska Board Support Section
Board of Fisheries
Glenn Haight, Executive Director
PO Box 115526
Juneau, AK 99811-5526

RE: BOF Policy on Proposal Review Process

Dear Board of Fish Members,

Southeast Alaska Fishermen's Alliance (SEAFA) is a non-profit, multi-gear, multi-species organization representing our 300+ members involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska and Gulf of Alaska.

SEAFA opposes the adoption of the Policy on Proposal Review Process under consideration at this time. We believe this policy will not create efficiencies or create cost savings, takes away from the public process and transparency, policy is not fully developed or more information is needed to be outlined and with a major change in the board occurring in the next month should a new major policy be implemented. We will discuss each of these issues in detail below.

EFFICIENCY & COST SAVINGS:

In reading through the draft policy on proposal review we do not see where any cost savings will be realized because you will be paying Board of Fish members for participation in the Committee on Committee (CoC) instead of paying for time at the regulatory meetings. This new policy adds many layers to the current process without really providing any efficiencies because ADF&G will still have to prepare information on every proposal and will likely have to provide an abbreviated background/explanation of a proposal for the CoC which might actually provide more work rather than less. We agree with UFA's comments that an analysis of the cost savings with the process needs to be provided so an educated opinion can be developed if the lack of transparency is worth the savings that may be generated. If the gain is in streamlining the process and reducing the workload, please also provide the basis for this assumption because it is not evident within the policy.

POLICY NOT DEVELOPED AND TRANSPARENCY OF PUBLIC PROCESS:

Committee on Committees section does not explain how large the CoC will be or what the process for determining the membership for the CoC will be.

Department review section states that proposals will be eliminated if they miss the deadline, do not have contact information, do not identify a contact person and are non-responsive to the call. Please explain in the policy if passed what non-responsive to the call means? Will the Department review be able to prevent proposals submitted by the public from seeing the light of the day? Doesn't this process already occur by Boards Support and why would other agencies such as ADF&G need to be involved in a review for whether a submission was late, or lacks contact information.

CoC Review section raises many questions and the section of the policy that detracts from an open and transparent public process. I am assuming that a CoC meeting will have to have public notice and be held as an open public meeting. That being said then the proposals would likely have to be published prior to the CoC as part of the meeting materials under consideration which actually makes more work, in publishing the proposals and then re-publishing them after the CoC meeting with the consent agenda.

The CoC will be identifying the proposals which may be delegated to the ADF&G and proposals for a consent agenda. What will be the criteria to determine whether a proposal is suitable for a consent agenda? What is the difference between housekeeping type of proposals for a consent agenda and proposals that may be delegated to ADF&G? Industry does not always agree with ADF&G on housekeeping proposals or what you may be proposing to cover on delegations to ADF&G. What will be the public's recourse when they disagree with an issue delegated to ADF&G? Will these delegated issues go out for public review and comments considered before being implemented? How does this streamline issues for the State overall and isn't it just moving work from one division to another? The description of proposals appropriate for the consent agenda included conservation, development and utilization of fisheries but routine in nature and uncontroversial, what will be the criteria? Generally a proposal for the development of a fishery or utilization is controversial by nature as you generally have some type of allocation involved in the decision. The policy states that the consent agenda proposals will be published in the proposal book but will they still have the same analysis and background information provided by ADF&G on each consent proposal as a proposal for full consideration? If full analysis is being included in staff comments we come back to where does this process streamline or provide efficiencies as well as create cost savings.

It is also stated in the policy that the CoC will handle other review actions including providing a ruling on whether a proposal addresses more than one issue or is unclear. We are extremely disturbed by this addition to the policy. What is the definition of "one issue"? Many times one issue overlaps many regulations? What might be unclear to a board member not familiar with a fishery may be clear to the public and/or ADF&G so unless the analysis of the proposals by ADF&G are done prior to any review of the proposals by the CoC they may not have the information to sort them out by delegations, consent agenda, unclear or multiple issues.

This pre-sorting of proposals disenfranchises the public by creating the feeling that their proposals won't be considered in an open and transparent manner. This process puts way too much power into the hands of a chairman particularly if they have a personal agenda in a particular part of the state. If all of this takes place in open meetings, we don't see a cost savings and if held in closed meetings, the transparency of and public process is severely compromised.

A consent agenda may not really be addressing the problem of proposals that the Board and public wonder why time is being spent on. Many times a review of the proposal book an

individual might think why is this in the book again but it is not a proposal that you would put on a consent agenda because it will not be a proposal that you want passed and passage of the consent agenda is putting the proposal in regulation. Simple proposals (housekeeping) changing a line slightly sometimes is a big issue and affects a fishery significantly.

CHANGE IN BOARD MEMBERSHIP:

When 3 of the 7 board members will be changing before this policy is put in place and Governor Walker has stated to UFA that his choice of Board of Fish members is to create a change of direction for the board, it seems that this decision should be made after the new board members are sworn in and not within the last month of the current board members service to the State (which we appreciate the outgoing members service to the state).

Southeast Alaska Fishermen's Alliance opposes this policy change until all questions particularly regarding cost savings is answered, until the oncoming board members have a chance to review the policy and the issues above are further clarified. This should be delayed until the October work-session with additional analysis and clarification before going back to the public. We are available to answer additional questions regarding our position on this policy.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hansen" followed by a long horizontal line extending to the right.

Kathy Hansen
Executive Director