

**From:** [Riley Roberts](#)  
**To:** [Leasia, Henry N \(DFG\)](#)  
**Subject:** Fwd: ADFG Research and proposed regulation changes in or near Whale Pass  
**Date:** Wednesday, March 9, 2022 7:10:00 PM

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To whom it may concern,

The intent of this email/letter is to be a record of opposition to the proposed regulations suggested by the " East POW Advisory Committee". I apologize for the late timing of this letter, but some of this information has just been made available to me.

I will try to be as brief as I can be and try to make my points clear and concise(as I have very strong opinions on this and could indulge in a very lengthy letter). My name is Riley Roberts and I am a property owner in Whale Pass, as well as, operate a Charter business there. My brother, Dave, manages my operation and is a resident of Alaska and therefore we have some insight from a resident, nonresident, business owner and nonresident sportfisherman.

#### Point #1

When I first heard about this proposal it made its way to me by "word of mouth" from others that had also heard about it from someone else. I point that out because I believe something like this proposal should have gone through a more in depth vetting process by the community and business owners of Whale Pass prior to being presented to the ADFG. It is a very controversial proposal and it should be discussed in depth by ALL those that it affects. Rather, it appears to be the personal agenda of a few that are claiming to be representatives of the whole. This is not so! Further input from locals, property owners, businesses and nonresidents alike is necessary PRIOR to this moving forward.

At this point, I would question whether or not the initial "meeting" was posted with the necessary time for all those to be informed or if it was pushed through under the radar. Either way, it has a "shady" feel to it.

#### Point #2

In regards to the proposal on 108 Creek, there are unsubstantiated claims of the

biological effects that "nonresident sport fishers" are having on that area. This is accusatory by nature and completely off base. I submit that there has NEVER been a study done, nor will there be one now to determine how "non resident sport fishing anglers" are the ones affecting the mortality of fish on 108 Creek. The claim is unfounded and the proposal to restrict only nonresidents is unconstitutional. Yes, I went there! Refer to "The Priveleges and Immunities Clause in Article IV, section 2 of the Constitution." The East POW Advisory Committee's proposal to restrict access to any portion of 108 Creek to any nonresident with a valid Alaska fishing license feels more like a ploy to keep others out of their own "honey hole" than it does a concern for the welfare of fish in 108 Creek. Public ground is public ground and every red blooded American has the God given right to use it. Resident and nonresident anglers alike love and fish 108 Creek throughout the year. To penalize a nonresident angler for doing the same thing as a resident angler doesn't make any sense at all.

### Point #3

Proposal 206 is also unfounded. There is again, accusatory verbiage, only this time it is pointed at "nonresident tourists". Even saying they are checking others crab pots and taking crabs??? That is a pretty bold statement and it had better have some evidence to back it up. There is no mention of the potential of other locals checking someone else's crab pots, or the effects that the thousands of otters might have had on the crab numbers or the overall number of dungees harvested in that area compared with years prior. No evidence, no studies...only opinions of how they perceive things.

### Final thoughts

If there is, in fact, a real concern for the overall management of the fish in 108 Creek and the Dungees in the bay in or around Whale Pass, a study should be completed by the ADFG to address such claims. Any current proposals should be tabled until such studies can be completed. Such a study would be welcomed by resident and nonresident alike if there really is an issue.

Let me speak bluntly now. I believe these proposals are a direct result of a few individuals pushing a personal agenda. Whether done by committee or as individuals, they do not represent the majority in Whale Pass, the resident anglers of the great state of Alaska and they certainly do not represent the nonresidents. I would also caution the East POW Advisory Committee from making defamatory accusations and discriminatory proposals in the future. They are entitled to their opinion, but it is just that... an opinion. Proposals such as these, should be based on real facts, real studies, real information. Something that involves the many, should never be pushed through because of the opinion of a few.

Thank you for your time,

I do not have everyone's contact information, so please feel free to forward this letter to ALL who may be involved.

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