

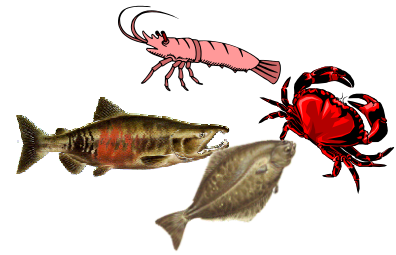
Southeast Alaska Fishermen's Alliance

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March 28, 2010

Alaska State Legislature
House Fisheries Committee
Representative Bryce Edgmon, Chair
State Capitol
Juneau, AK 99811

RE: Oppose HB 266

Representative Edgmon, Chair and Fisheries Committee Members,

Southeast Alaska Fishermen's Alliance (SEAFA) appreciates this opportunity to express our concerns regarding HB 266 or the committee substitute which mandates a personal use priority after subsistence. Our association is comprised of 85% Alaskan residents, who participate in personal use and sport fisheries in addition to their commercial fishing livelihood. Southeast Alaska Fishermen's Alliance has always supported the importance of personal use fisheries to the residents of the State of Alaska as is evidenced by our testimonies to the Board of Fish. However, personal use fisheries also need to have limits and share in the burden of conservation along with commercial and sport fishermen.

This legislation as written is flawed. The subsistence priority statute AS 16.05.258 (f) clearly states that the subsistence priority is to provide for a reasonable opportunity. This legislative language mandates development of a personal use priority without any qualification. Further, it does not provide language, as the subsistence priority does, to share the resources with other users. As the Alaska population continues to grow, the language as written will ultimately close commercial and sport fisheries, regardless of the economic harm to the state or local communities, without any express concern over conservation in order to provide a personal use priority.

This legislation as written severely ties the hands of the Board of Fish preventing there ability to fulfill the obligations listed in AS 16.05.251. This legislation contradicts with the allocation criteria between commercial, sport and

personal use fisheries As written this legislation creates an elevated right for personal use fishermen, which can very easily be used in court to challenge any allocations that the Board of Fisheries makes in which they feel any restrictions at all during any part of the lifecycle. Clearly this violates fundamental precepts embedded in the Alaska Constitution, regarding Uniform Application, and Common Use.

Does this legislation even allow the Board of Fish to set limits or develop management plans that include the personal use fisheries?

At what point can management decisions affect the personal use fishermen and still allow commercial and sport fisheries to exist?

Would ADFG have to stand by and allow a system to fail to meet their management target because a commercial fishery had an opening so therefore the personal use fishery could not be restricted? In many fisheries it is not possible to allow a commercial fishery to wait until escapement is met and all personal use needs are met because by then the fish have swam past the point a commercial fishery can be conducted. Do we in these situations in order to provide for a personal use priority, forgo economic opportunity and close the commercial and sport fisheries? The current State of Alaska management system is considered superior to all other regions due to the public process through the board of fish and the end mandate for maximum sustained yield provided for in the State Constitution. Are we now going to ignore what has worked and take away the Board of Fish authority to allocate and ADFG flexibility to manage the resource in real time allowing for all users to share in the burden of conservation?

Commercial fishing is an important industry to the State of Alaska ranking third behind Oil & Gas and Federal Government in generating basic economic activity in Alaska with a total economic contribution of \$5.8 billion to Alaska's economic output and over 78,000 jobs in 2007. In addition, the raw fish taxes paid into the general fund and shared with the local coastal communities are critical to their economy.

For many residents of coastal Alaska, their only access to our sustainable fishery resources to provide healthy protein to their diet is through the commercial fishery. Is it fair to take away their primary access?

There are allegedly businesses being built to supply, outfit and provide transportation for personal use fisheries. This seems to be in conflict with the original intent during development of the personal use fishery.. We believe the original intent of the personal use fishery was to allow Alaskans access to fishery

resources in a non-subsistence areas, or access to fisheries with negative C&T findings by providing differential bag limits than non-residents, because it was acknowledged that in many cases these Alaskans were using the resource to provide for their own family consumption.

Thank you for this opportunity to testify on this legislation. If you have any questions about our testimony or points raised in the testimony, please contact the office, we would be glad to provide additional information.

Sincerely,

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

Kathy Hansen
Executive Director