

March 7, 2013

George Hutchings, President
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Senator Cathy Giessel
Chair Senate Resources Committee
State Capitol Room 427
Juneau, AK 99801-1182

Via email: Sharon.Long@akleg.gov.

RE: SB 54 and the North Pacific Fishery Management Council

Dear members of the Senate Resources Committee:

For the record, my name is George Hutchings and I am a long-term Alaska resident and commercial fisherman based out of Kodiak. When I first came to Kodiak in 1981, the opportunities for a small commercial fisherman were abundant. There was a huge small boat fleet that fished crab, halibut, salmon, and herring. There were also small boats that participated in the trawling, shrimp, and scalloping fisheries; to name a few, F/V *Meridian*, *Sharon W*, *Heidi Kay*, and *Rose-Ann Hess*.

Scallops were the first privatization of public fisheries, followed by the halibut and black cod Individual Fishing Quota programs, the king crab rationalization program in the Bering Sea, Gulf rockfish quotas for trawlers, and now a proposed program to privatize the Gulf trawl quota to match the American Fisheries Act program. The devastation to the Kodiak fleet because of all these actions, and the devastation to the community, is very obvious to any long-term resident or Alaska fisherman and not just myself.

I would like to take this opportunity to inform members of the Senate Resources Committee that I am unhappy with and disappointed by the recent unilateral action taken by the North Pacific Fishery Management Council during staff tasking at its February away-meeting in Portland, Oregon in support of the State scallop fishery as it is currently managed and continuing the vessel-based limited entry program. **During the Council meeting, there was no opportunity for the public to comment on the Council's action on the scallop fishery and no notice to the public because the scallop fishery was not on the meeting agenda.**

After personally spending a large sum of money to attend the Council's away-meeting in Portland for another agenda item, I would have gladly given up a few more days of fishing and stayed through the end of the meeting *if scallops been listed on the agenda*. Being denied notice and an opportunity to be heard, I feel betrayed by the Council taking this action with no public input other than from personal testimony from Mr. Jim Stone, who is the primary player in this game and voiced only his own opinion, which in itself should be illegal. For the Council to draft this letter and mislead the Resources Committee in such in a back-door fashion diminishes the Council's credibility and the public's trust.

I have read the Council's letter to Senator Cathy Giessel and the Resources Committee and disagree with many of the substantive points the Council makes. I was not, however, permitted

an opportunity to either counter Mr. Stone's perspective to the Council or to review the Council's letter as a stakeholder. For example, there should be a parallel fishery inside State waters, in addition to the State waters and Federal scallop fisheries. The scallop fishery has a much lower quota today. The players are very limited and able to save only the nicest size to shuck, and therefore bring top dollar, while returning smaller, less desirable scallops back to sea. If State scallop fishery is allowed to revert to open access, new participants that are motivated to fish more cleanly could target scallops. The same folks that want to keep other participants out of their regulation-created monopoly have overblown the fears of unrestricted fishing and disproportionate harvests.

I wish I had the financial resources of larger fishing-processing entities or fishing associations, like Trident, so that I could appeal the unilateral practices of the Council and meeting outcomes to the State and Federal Court systems. The Commissioners and Department of Fish and Game are on a trend here with these vessel-based limited entry fisheries that is unconstitutional, immoral, and ethically wrong. I would support limiting the fishery through catch shares in a non-privatized, non-monetary form, but as Emil Christiansen, President of Old Harbor Native Corporation, stated to the Council at the February meeting, the time when fish were caught by fisherman and their boats is in the past; those entities were paid for those fish and that does not constitute a future give-away right.

Sincerely,
George Hutchings
Kodiak fisherman
President, Americans for Equal Access