

# Commercial Fisheries Entry Commission Overview

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## House Fisheries Committee



**Bruce Twomley, Chairman**  
**Benjamin Brown, Commissioner**  
**Verne Rupright, Commissioner**

**February 24, 2015**

# In the Beginning: 1972 - 1980

- 1972 Amendment to Article VIII, § 15  
Alaska Constitution
- 1973 Limited Entry Act  
AS 16.43
- 1975 - 1980: Initial Implementation of Limited Entry
- *Isakson v. Rickey* (1976)

# 1980's: Effect of Judicial Decisions

- *Ostrosky Case* (1983)
- From 1983 – 1985, Alaska Supreme Court issued 28 limited entry decisions
- Cases requiring many additional CFEC adjudications
  - *Forquer* (1984)
  - *Byayuk* (1984)
  - *Cashen* (1984)
  - *Deubelbeiss* (1984)
  - *Roehl* (1984)
  - *Wickersham* (1984)
  - *Chocknok* (1984)

## 1980's: Effect of Judicial Decisions (continued)

- The continuing threat of *Byayuk & Cashen*
- *Wassilie* settlement (1988)
- Since 1984, CFEC met its affirmative duty to limit 35 more fisheries

# 1990's: Fisheries Under Pressure

## Triage

### Pressured

- Prince William Sound Fisheries  
(1988 Exxon Valdez Oil Spill)
- Cook Inlet Salmon Drift & Set  
(Action by Board of Fisheries)
- Southeast Salmon Seine & Troll  
(US - Canada Treaty)

## Contrast

- Chignik Petition
- Bristol Bay Salmon Drift  
(*Kelly* case)
- 1990 - Nearly 900 cases before Hearing Officers and Commissioners

## CFEC Priorities

- Cases where immediate right to fish at stake (*Wassilie & transfer cases*): absolute top priority
- Applications for Permanent Entry Permits (first, most pressured PWS, Cook Inlet, SE)
- 1997 - Salmon market collapse (farmed salmon)
- CFEC addressed Bristol Bay cases first as the state's largest salmon fishery

# 1980s Through 2005: Other Obstacles

- *Carle* decision (1996)
- Outline of Options for Fleet Consolidation in Alaska's Salmon Fisheries (CFEC 1998)
- *Carlson* class action
- 1980's and early 1990 budget cuts
  - ❖ Exempt: Eliminate executive director, salary freezes, leave without pay
  - ❖ FT positions: 41 (1986) → 28 today ( 30% decrease)  
(remaining staff members must absorb functions)



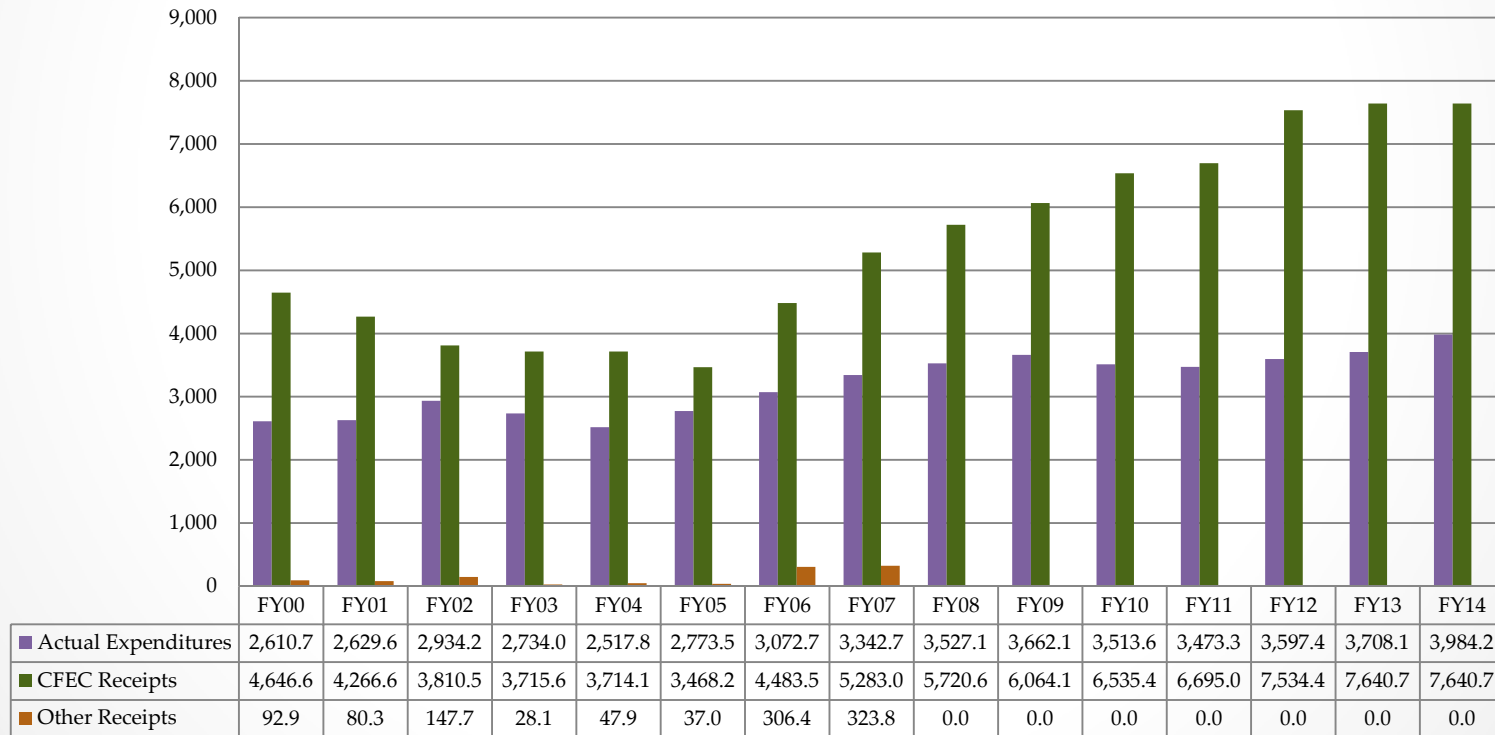
# Today: A Rational Caseload

- 28 cases before Hearing Officers & Commissioners
- CFEC's goal is to complete cases by the end of 2016 (barring interruption)
- Transfer cases remain top priority – *Williams*

# CFEC Raises Revenue For The State

## Commercial Fisheries Entry Commission Actual Revenue and Expenditures

(Thousands)

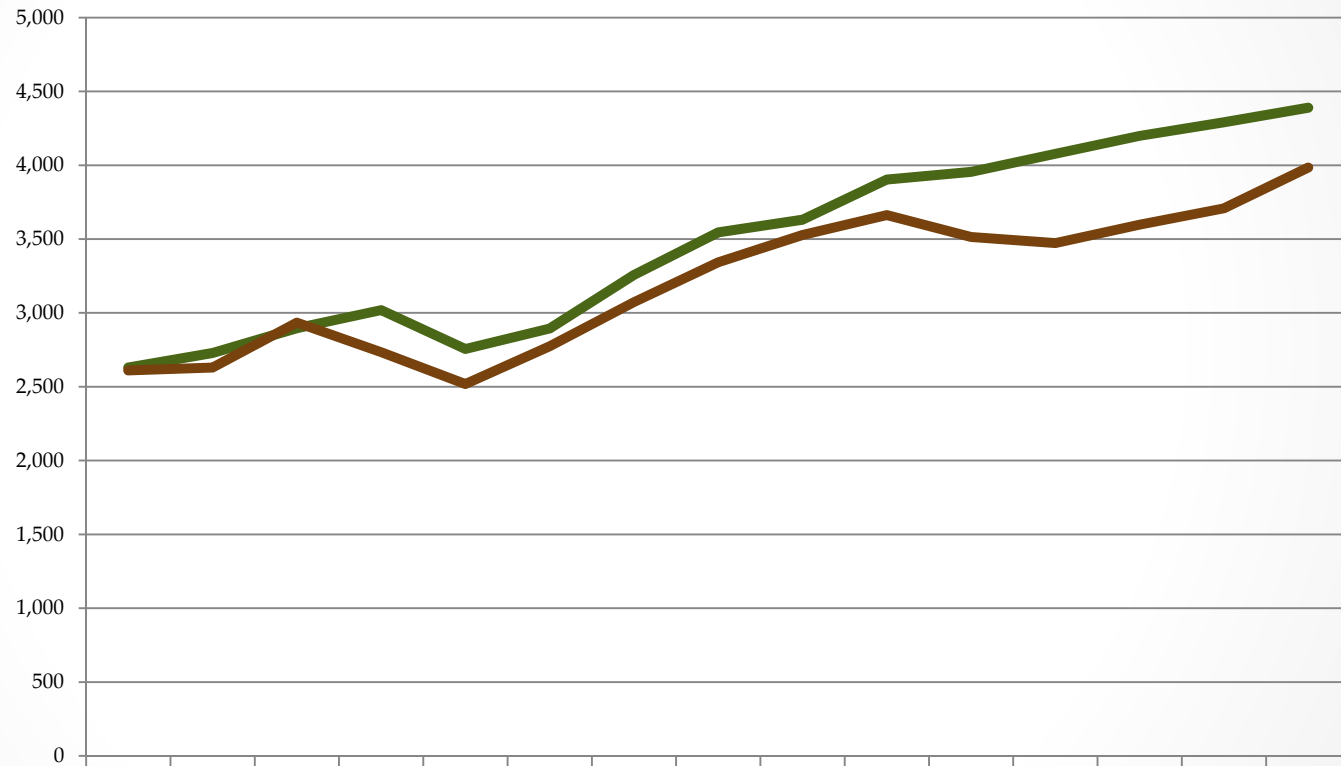


Note: "Other Receipts" are comprised of Federal, General (UGF), InterAgency, and Investment Loss Trust Funds

# Commercial Fisheries Entry Commission

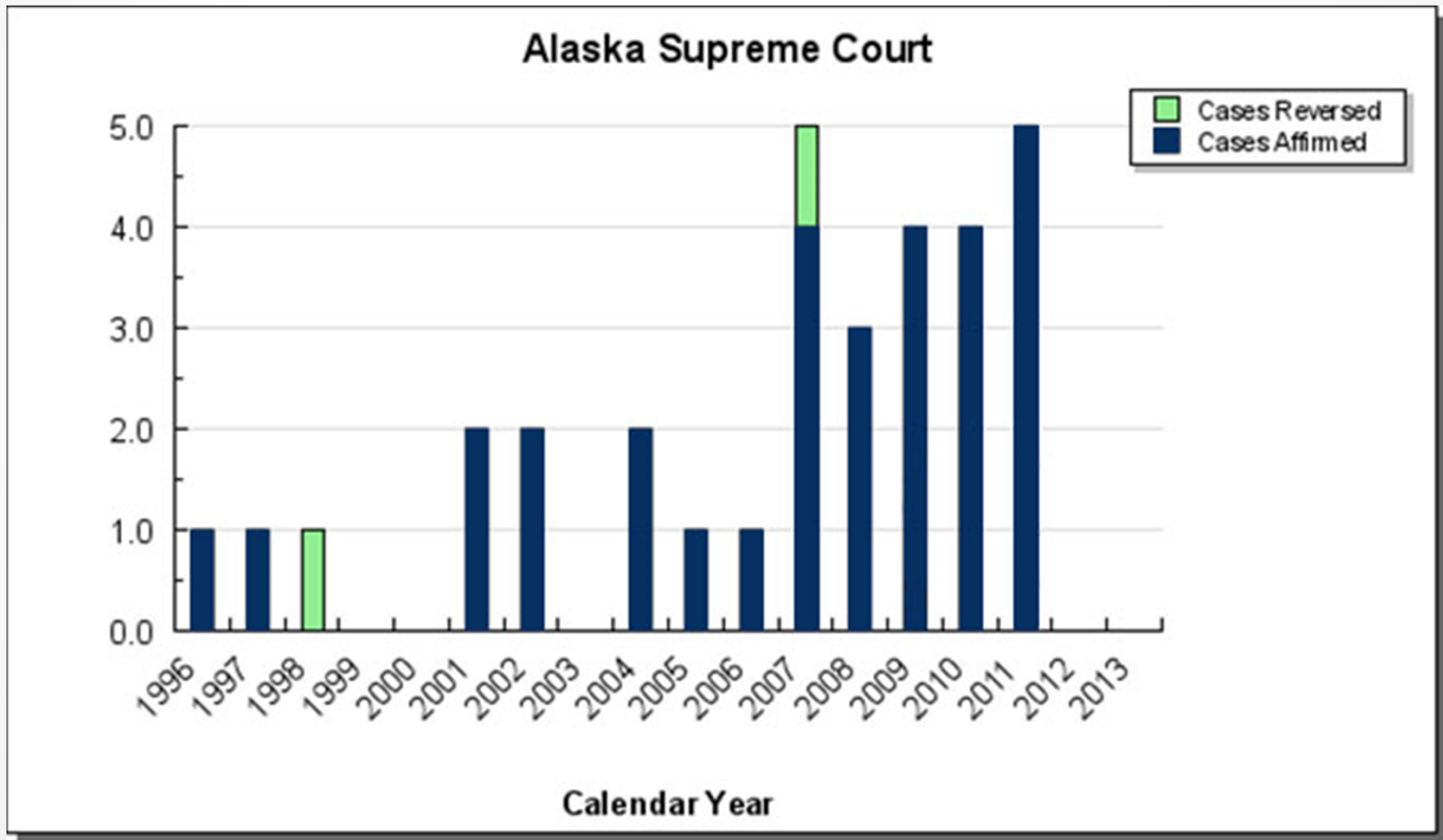
## Actual Revenue and Expenditures

(Thousands)



	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14
Management Plan	2,629.6	2,728.1	2,896.7	3,018.5	2,755.5	2,894.3	3,257.3	3,545.3	3,630.7	3,902.6	3,954.7	4,077.3	4,198.5	4,291.3	4,389.2
Actual Expenditures	2,610.7	2,629.6	2,934.2	2,734.0	2,517.8	2,773.5	3,072.7	3,342.7	3,527.1	3,662.1	3,513.6	3,473.3	3,597.4	3,708.1	3,984.2

# 1996 to Present: Winning Cases Saves the State \$



Winning 21 out of 23 cases yields a success rate of better than 90%

# Deciding Cases & Closing Out Fisheries

- *Kuzmin* cases (September 2013)
- The continuing threat of *Byayuk & Cashen*
- We would ask that our current organizational structure with three commissioners be maintained until our current adjudications are final