

Limited

Entry

OLD HARBOR COMMITTEE TO PRESERVE LIMITED ENTRY
P. O. BOX 109
OLD HARBOR, ALASKA 99643

Dear Fellow Citizens:

We, the Committee to Preserve Limited Entry, consisting of one hundred twenty fishermen, born and raised in the State of Alaska, who live year round in the City of Old Harbor, who's main income consists of salmon fishing, are trying to stop the repeal of Limited Entry for the reasons understated.

As it is well noted that Kodiak Island, and other regions as well, have in the past several years had a sharp decline in the Salmon catch. It seems most strange that people should want more boats and more gear coming into Alaska. Do they want to kill the salmon off completely? As it is, and the way it's going, we will have to take pictures of the salmon to show our grand children what we caught for a living.

It is said that only a few fishermen want to keep Limited Entry so they can control the industry, this is NOT so. These men are trying to preserve a dying industry. An industry that made Alaska the great state it is. It will most certainly die if not for some type of control.

If it is not controlled by Limited Entry, the fish and game will have to step in and control it by closing certain areas and then limiting the fishing time to a couple days and then just a few hours. We have seen this happen in other regions where there are too many units of gear, thus creating a heavy burden on the tax payers of Alaska, who will have to subsidize the many fishermen and their families who's main income is the salmon fishing by Welfare. Money, that could well be used on Education, Roads, and building a better Alaska, will have to be spent on Welfare recipients who have had a poor salmon season due to too many boats, too much gear, and not enough fish.

We do not want this to happen, but if we open our eyes to a few years ahead this could most certainly be a reality if the present law is repealed.

We do not want welfare, we do not want to be a burden to the tax payers. We want to hold our heads high and be proud that we are sons of fishermen, and want to make our living as our forefathers have.

We know from fact that there are many outside fishermen waiting to come to Alaska to fish if it is repealed to take from the State a part of it, to take it's fish, it's money, and it's heritage, leaving nothing.

On the bad years they will not come, they will instead stay home and stay with their present jobs and businesses or just vacation, as many are in it for monetary gains only and will come in the big years such as the one fourth coming. They don't spend their money here, they don't raise their children here, they couldn't care less if we the year round Alaskan lives or starves, as long as they can come and take what they can, then go to the south and live good during the cold winter months. They are not concerned about building up a dying Alaskan industry back to what it once was.

When the salmon industry does once again regain it's strength by Limited Entry and other means of restoration, we can foresee allowing more permits to those who want to fish here in Alaska.

People are misled to believe that the younger people who want to fish can't and their sons won't be able to fish because of limited entry. There will be no industry for younger fishermen to get into.

Our sport fishing and tourism industry will die if the law is repealed and the law closes the streams to sport fishing due to over harvesting.

Fellow Alaskans, we urge you to open your eyes to the matter before you. It is a serious one and can affect the lives of many Alaskans and the future of our children of Alaska.

We are not a political organization nor do we receive funds to campaign on political matters. We are a group of Alaskan fishermen dedicated to preserve the economy and the heritage of a dying industry in Alaska.

OLD HARBOR COMMITTEE TO PRESERVE LIMITED ENTRY


Ron Berntsen, Chairman

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

JAY S. HAMMOND, GOVERNOR

POUCH KB - JUNEAU 1981

March 8, 1976

The Honorable Frank R. Ferguson
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Ferguson:


Enclosed for your information are samples of the application form and instruction booklet which are being sent to each individual applying for an entry permit for the commercial salmon fisheries of Kotzebue, Norton Sound, the Yukon and the Kuskokwim. The Commission will mail an application and instructions to each fisherman who participated in any of these fisheries as a gear license holder at some time from 1970 to 1975. Also enclosed for your information is a copy of the AYK regulations as adopted by the Commission.

To simplify the application process, the Commission will have qualification points already printed on each individual's application where State records support those points. Applicants may also claim additional points, as the instructions explain.

Applications and instructions will also be available from commercial license vendors, Fish and Game offices, and from those individuals and organizations hired by the Commission to provide application assistance. Application assistance will be provided as practical in each village in the Arctic-Yukon-Kuskokwim area affected by limited entry in the salmon fisheries of these districts. The individuals who will be providing assistance will be local persons who are bilingual and who have been trained to provide proper assistance.

If at any time you are in need of information or assistance relating to limited entry, do not hesitate to contact us.

Sincerely,


Roy A. Rickey
Chairman

RAR:dw
Enclosures

1. 20 AAC 05.220(a) is amended to add the following:

Gear code and annual fees

10 gill net \$20

(Eff. 12/18/74, Reg. 52; am / / Reg. 57)

2. 20 AAC 05.230(a) (1) is amended to add paragraph P and amend paragraph Y as follows:

P Upper Yukon Area - all drainages and watersheds of the Yukon River upstream of the Bonasila River to the Canadian Border.

Y Lower Yukon Area - all waters between the latitude of Canal Point Light at 63 24' north latitude 162 26' west longitude and 62 north latitude and all drainages and watersheds of the Yukon as far upstream as the Bonasila River.

(Eff. 12/18/74, Reg. 52; am / / Reg. 57)

3. 20 AAC 05.230(b) is amended to add the following underlined language:

(b) Each administrative area listed in (a)(1) of this section shall include all fresh waters of Alaska draining into the ocean between the points on the coastline which designate the boundaries of the administrative area, unless otherwise provided in the description of the administrative area in (a)(1) of this section.

(Eff. 12/18/74, Reg. 52; am / / Reg. 57)

4. 20 AAC 05.310(a) is amended to add the following fisheries:

(9) Kuskokwim (W)
gill net fishery

(10) Kotzebue (X)
gill net fishery

(11) Lower Yukon (Y)
gill net fishery

(12) Upper Yukon (P)
gill net fishery
fish wheel fishery

(13) Norton Sound (Z)
gill net fishery

(Eff. 12/18/74, Reg. 52; am / / Reg. 57)

Register 57 MISCELLANEOUS BOARDS AND 20 AAC 05.320
COMMISSIONS 20 AAC 05.550

5. 20 AAC 05.320 is amended to add the following:

- (10) Kuskokwim (W)
gill net fishery.....810
- (11) Kotzebue (X)
gill net fishery.....214
- (12) Lower Yukon (Y)
gill net fishery.....627
- (13) Upper Yukon (P)
gill net fishery..... 99
fishwheel fishery.....126
- (14) Norton Sound (Z)
gill net fishery.....195
(Eff. 12/18/74, Reg. 52; am / / Reg. 57)

6. 20 AAC 05.510 is amended to add a new subsection
(b) and to appropriately renumber the present subsections:

(b) The application period for entry permits for those fisheries designated in sec. 310 (a) (9)-(13) of this chapter will be from March 10, 1976, until midnight, May 10, 1976. (Eff. 12/18/74, Reg. 52; am / / Reg. 57)

7. 20 AAC 05.535 is added as a new section:

20 AAC 05.535. APPLICATIONS FOR FISHWHEEL ENTRY PERMITS. Applications will be accepted from fishermen who operated fishwheels commercially between 1960 and 1975 with registration numbers issued to them by the Department of Fish and Game. (Eff. / / Reg. 57)

Authority: AS 16.43.100(b)
AS 16.43.110(a)
AS 16.43.260(a)
AS 16.43.260(d)
AS 16.43.260(e)

8. 20 AAC 05.550 is amended to add the following underlined language:

20 AAC 05.550. ISSUANCE OF ENTRY PERMITS. (a) The commission will issue entry permits to all applicants assigned to priority classifications designated in sec. 600-660 of this chapter as involving significant economic hardship.
(Eff. 12/18/74, Reg. 52; am / / Reg. 57)

9. 20 AAC 05.653 is added as a new section:

20 AAC 05.653. PRIORITY CLASSIFICATION SYSTEM FOR THOSE FISHERIES DESIGNATED IN 310(a)(9)-(13) OF THIS CHAPTER. (a) The commission finds that special circumstances (set out in detail in the findings of October 20, 1975 which accompanied the proposed regulations) exist requiring the use of the priority classification system in sec. 656 of this chapter for those fisheries designated in sec. 310(a)(9)-(13) of this chapter.

(b) For each fishery for which a maximum number of entry permits has been established in sec. 320(10)-(14) of this chapter, a point system is used for ranking applicants for entry permits.

(c) A point scale of 0-24 is established.

(d) The commission will assign an applicant to one of 25 priority classifications designated by the numbers 0-24, based on the total points to which his qualifications, as of the qualification date, entitled him under section 656 of this chapter. The greater the degree of hardship the applicant would suffer by exclusion from the fishery, the higher the total number of points. (Eff. / /, Reg. 57)

Authority: AS 16.43.100(a)(1)
AS 16.43.100(a)(2)
AS 16.43.100(a)(6)
AS 16.43.100(b)
AS 16.43.110(a)
AS 16.43.250(a)

10. 20 AAC 05.656 is added as a new section:

20 AAC 05.656. POINT SYSTEM FOR FISHERIES DESIGNATED IN SEC. 310(a)(9)-(13) OF THIS CHAPTER. (a) Past Participation. Up to a maximum of 16 points will be awarded to an applicant for past participation in the fishery applied for based upon the following schedule:

(1) Year fished as a gear license holder*	Schedule (a)**	Schedule (b)**
1975	4	3
1974	3	3
1973	3	3
1972	3	3
1971	2	2
1970	1	2
	<u>16</u>	<u>16</u>

*In the Upper Yukon fishwheel fishery, where gear licenses have not been required, only the operator of a fishwheel in the commercial fishery, as described in sec. 535 of this chapter, may qualify for the points listed in the schedule in this subsection.

**Schedule (a) is to be used in all fisheries designated in sec. 310(a)(9)--(13) except the Kotzebue gill net fishery, for which schedule (b) is to be used.

(2) If unavoidable circumstances exist such that an applicant was unable to participate in the fishery during 1974 or during 1975, the commission will in its discretion award the applicant up to a maximum of 7 points upon a special showing of past participation.

(b) Economic Dependence. Up to a maximum of 8 points will be awarded an applicant for economic dependence on a fishery based on the schedule in this subsection.

(1) Income dependence percentage or non-fishing occupational income based on harvesting the fishery resource while participating as a gear license holder, in the fishery applied for, in 1974 and 1975 is shown in the following schedule:*

<u>Salmon Fishery</u>	<u>Criteria</u>	<u>1975 Points</u>	<u>1974 Points</u>
Kuskokwim (W) gill net fishery	Income dependence percentage in excess of <u>60%</u> , or non-fishing occupational income less than <u>\$3,000.</u>	4	2
	Income dependence percentage in excess of <u>30%</u> , or non-fishing occupational income less than <u>\$6,000.</u>	2	1
Kotzebue (X) gill net fishery	Income dependence percentage in excess of <u>80%</u> , or non-fishing occupational income less than <u>\$2,000.</u>	4	2
	Income dependence percentage in excess of <u>60%</u> , or non-fishing occupational income less than <u>\$4,000.</u>	2	1
Lower Yukon (Y) gill net fishery	Income dependence percentage in excess of <u>60%</u> , or non-fishing occupational income less than <u>\$3,000.</u>	4	2

Lower Yukon (Y) gill net fishery	Income dependence percentage in excess of <u>30%</u> , or non- fishing occupational income less than <u>\$6,000</u> .	2	1
Upper Yukon (P) gill net fishery	Income dependence percentage in excess of <u>60%</u> , or non- fishing occupational income less than <u>\$3,000</u> .	4	2
	Income dependence percentage in excess of <u>30%</u> , or non- fishing occupational income less than <u>\$6,000</u> .	2	1
Upper Yukon (P) fishwheel fishery	Income dependence percentage in excess of <u>60%</u> , or non- fishing occupational income less than <u>\$3,000</u> .	4	2
	Income dependence percentage in excess of <u>30%</u> , or non- fishing occupational income less than <u>\$6,000</u> .	2	1
Norton Sound (Z)	Income dependence percentage in excess of <u>60%</u> , or non- fishing occupational income less than <u>\$3,000</u> .	4	2
	Income dependence percentage in excess of <u>30%</u> , or non- fishing occupational income less than <u>\$6,000</u> .	2	1

*In the Upper Yukon fishwheel fishery, where gear licenses have not been required, only the operator of a fishwheel in the commercial fishery, as described in sec. 535 of this chapter, may qualify for the points listed in this subsection.

(2) If unavoidable circumstances exist such that an applicant's income dependence upon the fishery is not realistically reflected by his income dependence in 1974 and 1975, the commission will in its discretion award an applicant up to a maximum of 6 points based on a special showing of income dependence.

(3) Points will be awarded for investment in fishing gear as of the qualification date.*

- (A) Owns vessel or gear or both 1 point
- (B) Owns fishwheel 1 point

*A maximum of one point may be claimed under this subsection.

(4) Points will be awarded for availability of alternative occupations in the applicant's place of domicile as of the qualification date.

(A) One point will be awarded an applicant whose domicile is in a census district or county with a population that is 80% or more rural or has a total population of under 10,000 as of the 1970 census.

(B) Zero points will be awarded an applicant whose domicile is in a census district or county with population that is less than 80% rural or has a total population of more than 9,999.

(C) An applicant from a zero point area may receive one point through a special showing that there is neither a road nor an adequate daily transportation service from the applicant's domicile to other potential areas of employment in his county or census district. (Eff / / , Reg. 57)

Authority: AS 16.43.100(a)(1)
AS 16.43.100(a)(2)
AS 16.43.100(a)(6)
AS 16.43.100(b)
AS 16.43.110(a)
AS 16.43.250(a)

11. 20 AAC 05.659 is added as a new section:

20 AAC 05.659. DESIGNATION OF SIGNIFICANT AND MINOR ECONOMIC HARDSHIP CLASSIFICATIONS FOR THOSE FISHERIES DESIGNATED IN SEC.310(a)(9)-(13) OF THIS CHAPTER. (a) Priority classifications 10 through 24 are classifications of applicants who would suffer significant economic hardship by exclusion from the fishery, except in the Kotzebue gill net fishery where such classifications are 12 through 24.

(b) Priority classifications zero through 2 are classifications of applicants who would suffer only minor economic hardship by exclusion from the fishery, and an entry permit originally issued to them under AS 16.43.250(c) may therefore have certain restrictions placed upon its transfer as required by AS 16.43.170(c). (Eff. / / , Reg. 57)

Authority: AS 16.43.100(a)(2)
AS 16.43.110(a)
AS 16.43.127(c)
AS 16.43.250(b)
AS 16.43.250(c)

Sen George Hohnman

15.7

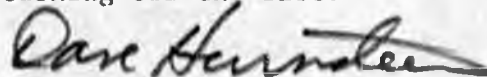
Limited Entry is a governmental attempt to solve the problem of too many boats by creating a new bureaucracy instead of trying to find the real roots of the problem, which on closer examination turns out to be the failure of other government bureaucracies.

Last year was the first time in my working life that I didn't pay income taxes, because Uncle Sam and Alaska said, Dave, you are doing the country a favor by buying a boat. I used the Investment Credit and took 7% of the value of my shrimp boat and deducted it directly off my tax bill. If I should have good seasons the next two years I could put all profits into a Capital Construction Fund set up by the NMFS, promise to build a new boat or make major improvements in my old boat, and for two years continue to pay no income taxes. The fourth year I could buy a new boat using a low interest, low down, long term federal loan, and not even have to sell my first boat since I could have a substantial down payment in my Capital Construction Fund. Also, since Congress has just raised the investment credit to 10% I would have a new big tax break with my second boat, and continue to pay no taxes.

These are some of the ways that processors and fleet builders have over-capitalized our fleets. I'm an independent Alaskan fisherman--I like my boat and don't want another, so this and future years I'll be paying taxes and subsidizing the fleet builders I'm competing with.

This is the problem of our way of promoting growth--particularly when applied to our fishing industry. I imagine MacDonalds avoids paying taxes as long as he keeps building more hamburger stands, and the hamburger-eaters might keep growing in number, but we only have a limited number of fish, at the present.

Fishermen are out there catching not just fish, but dollars. Most fishermen's minds are like a cash register--they know the payday before they hit the dock. Instead of the government's handing fishermen dollars with tax subsidies and write-offs, it should eliminate the subsidies and let our industry get back on an even keel, and then maybe in the future take away a few dollars in taxes and plow that money back into more fish. That would be a natural form of limiting entry that would help the fish and the fishermen and cut down government costs instead of this present uncoordinated, multi-headed monster that is driving us crazy, wasting our money, doing nothing for the fish, and pitting brother against brother. Let's repeal Limited Entry, work to eliminate the tax gimmicks, and get on with some positive programs to help the fish. Limited Entry is an attempt to hold down the lid on a pressure cooker with force instead of simply turning off the fire.



Dave Herrnsteen
Box 1704
Kodiak, Alaska 99615

April 29, 1975

(14-years an Alaskan; 9 years full-time commercial fisherman; owner/operator F/V BONANZA; B.A. in Economics, 1964)