

**HB**

**285**

6-0527J  
Utermohle  
2/14/90

BY REP. JACKO, Foster, M.Davis, Menard, Goll, Grussendorf, Hoffman

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 285 ( )

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to qualifications for transferees of  
7 commercial fishery limited entry permits."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 16.10.337(b) is amended to read:

10 (b) If the commission does not exercise its right of first  
11 refusal within 30 days after it receives the offer, or if the permit  
12 is not subject to a buy-back program under AS 16.43.290 - 16.43.330,  
13 the department shall promptly advertise and sell the permit to a  
14 person who qualifies as a transferee for the permit under AS 16.43.170  
15 and the regulations adopted by the commission. If the proceeds of the  
16 sale of a permit exceed the amount necessary to pay the note in full,  
17 plus penalties, costs of administration of the note, and attorney  
18 fees, the excess will be transferred by the commissioner to the  
19 debtor. At any time until the permit has been sold under this subsec-  
20 tion the debtor may repurchase the permit by paying the department the  
21 amount necessary to pay the note in full, plus penalties, costs of  
22 administration of the note, and attorney fees, as determined by the  
23 commissioner.

24 \* Sec. 2. AS 16.43.150(h) is amended to read:

25 (h) Unless an entry permit holder has expressed a contrary  
26 intent in a will that is probated, the commission shall, upon the  
27 death of the permit holder, transfer the permanent permit by right of  
28 survivorship directly to the surviving spouse or, if no spouse sur-  
29 vives, to a natural person designated by the permit holder on a form

1 provided by the commission. If no spouse survives and if the person  
2 designated on the form, if any, does not survive, the permit passes as  
3 part of the permit holder's estate. The transferee of a permit under  
4 this subsection, who is the spouse of the deceased permit holder or  
5 who is related to the deceased permit holder by blood within three  
6 degrees of kinship, does not have to demonstrate a prior history of  
7 active participation in the fishery under AS 16.43.170(b). A desig-  
8 nation under this subsection must be acknowledged before a person  
9 authorized to administer an oath under AS 09.63.010 or must be wit-  
10 nessed by two persons who are qualified under AS 13.11.170 to witness  
11 the will of the permit holder. Except as provided in AS 16.10.333 -  
12 16.10.337, AS 44.81.210, and 44.81.230 - 44.81.250, the permit is  
13 exempt from the claims of creditors of the estate.

14 \* Sec. 3. AS 16.43.170(b) is amended to read:

15 (b) Except as provided in (c) and (e) of this section, the  
16 holder of an entry permit may transfer the permit to another person or  
17 to the commission upon 60 days notice of intent to transfer under  
18 regulations adopted by the commission. No sooner than 60 days nor  
19 later than 12 months from the date of notice to the commission, the  
20 holder of an entry permit may transfer the permit. If the proposed  
21 transferee, other than the commission, can demonstrate to the satis-  
22 faction of the commission a history of active participation in the  
23 fishery during three years and the present ability to participate  
24 actively in the fishery and if the transfer agreement does not violate  
25 any provision of this chapter [AS 16.43] or regulations adopted under  
26 this chapter [THEREUNDER], the commission shall approve the transfer  
27 and reissue the entry permit to the transferee provided that neither  
28 party is prohibited by law from participating in the transfer. In  
29 this subsection "active participation" means physical participation in

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fishing activities under a crewmember fishing license, interim-use permit, or entry permit.

# House of Representatives

While in Session:  
Box V  
Juneau, Alaska 99811  
(907) 465-4942

P.O. Box 47001  
Pedro Bay, Alaska 99647  
(907) 850-2208



Chair  
Special Committee on Foreign Trade  
Vice Chair  
Resources Committee  
Member  
Health, Education &  
Social Services Committee

**Rep. George Jacko, Jr.**

## MEMORANDUM

TO: Resources Committee Members  
FROM: Representative George Jacko Jr.  
DATE: February 15, 1990  
SUBJECT: House Bill 285

House Bill 285 will serve to change the free transferability requirements of limited entry permits. Three years prior experience will be required before a limited entry permit can be purchased. In other words, if one wanted to buy a limited entry permit in a fisheries district he/she must demonstrate three year's active participation in that fisheries.

The primary reason for this legislation is to slow down limited entry permits leaving Alaska. Especially in the rural areas, permits have been declining at a steady rate. The economic impact is felt strongly in the smaller communities where there is no alternative source of employment.

Permit prices have skyrocketed in recent years fueled by speculators who are eager to become involved in Alaska's lucrative fisheries. Prices have risen so high that in many districts local fishermen are not able to obtain financing to purchase limited entry permits and are being effectively excluded from participating in their fisheries.

Safety and enforcement measures will also be addressed as fishermen will need to prove past participation before investing in a fisheries.

In closing, I believe that the problem of limited entry permits being transferred through the market process has served to discriminate against many fishermen in the state. House Bill 285 will allow for those who have demonstrated prior experience to be allowed to continue their livelihood.

Thank you for your consideration on this matter.

### Sectional Analysis of HBCS 285

A definition of "active participation" on the last three lines of the bill; is the sole difference between the committee substitute and the original draft.

Active participation is defined as means of physical participation in fishing activities under crewmember license, interim-use permit, or entry permit.

# The Greatest Salmon Fishery on Earth Bristol Bay, Alaska

BY JOHN F. GERALD

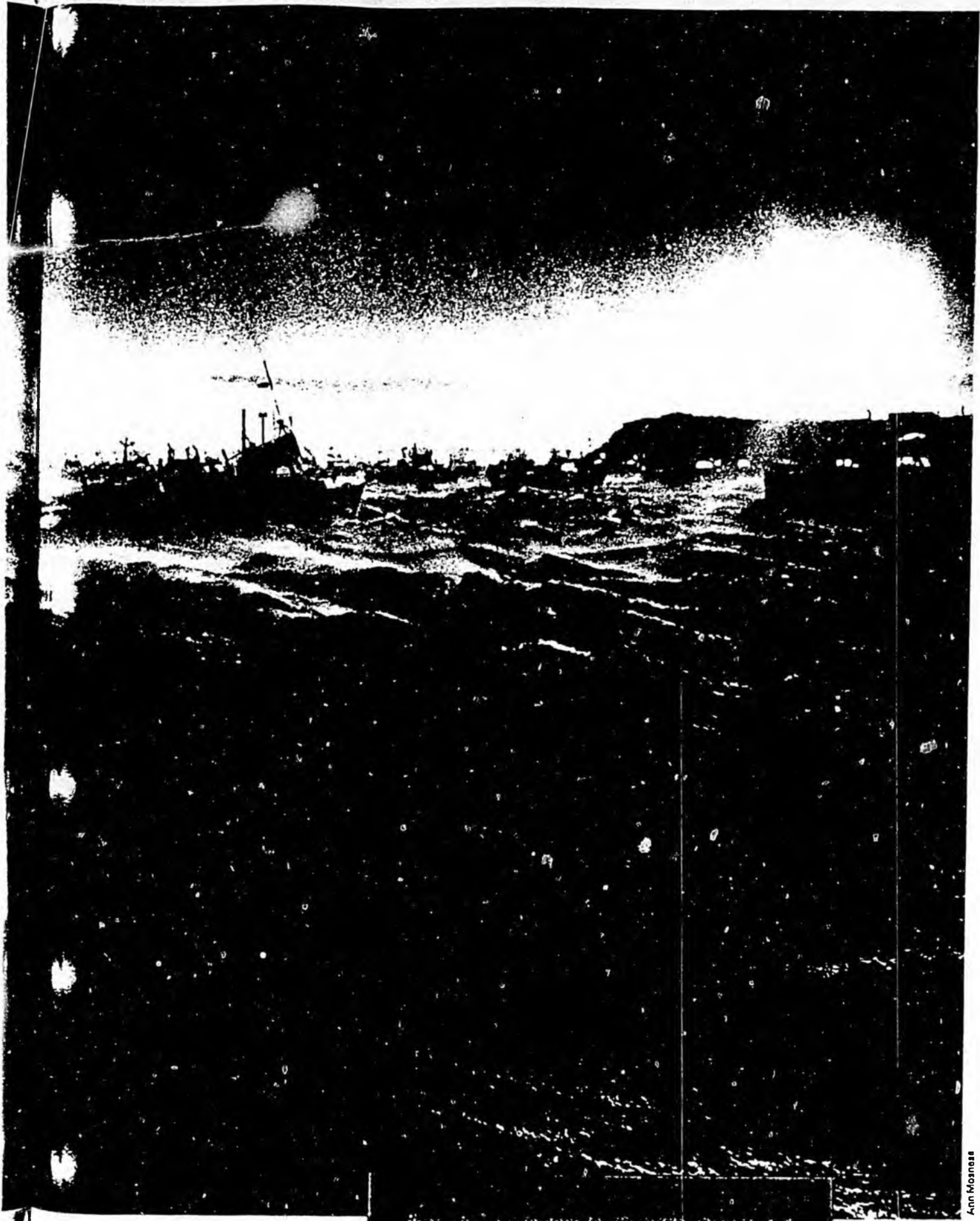
**P**erhaps no single salmon fishery has produced more money or shattered more dreams than Bristol Bay, Alaska. A bad year's catch is two million salmon, an average year is 14 million and a good year can be worth half the value of the entire Alaska salmon harvest: one bay, one week, one species, *Oncorhynchus nerka*. In a great year (such as 1989), enough red salmon enter the bay to stretch end-on-end to the tip of South America.

Located in southwest Alaska in the armpit of the Alaska Peninsula, Bristol Bay is about the size of Ohio, although it's misleading to think of the fishery as conducted over that large an area. Rather, it is conducted in five districts (each district associated with a river system), only one or two of which might be open at a given time. Districts range from 35 to 100 square miles, but actual fishing is gridlocked along the boundary lines in areas more the size of Times Square. (Imagine one-thousand-dollar bills raining down on Times Square at rush hour, and you have an idea of a Bristol Bay opening.)

As each district (or river system) is unique, with its own set of environmental conditions, fishing can vary greatly from one district to another. In recent years, the Egegik District (the other districts are Nushagak, Togiak, Ugashik and Naknek-Kvichak) has been the dominant producer, with a record harvest this year of 8.6 million red salmon (raising a hot interception issue, with as much as one-third of the catch consisting of sockeye bound for other districts).

When escapement is reached (the number





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Ann Mosnare

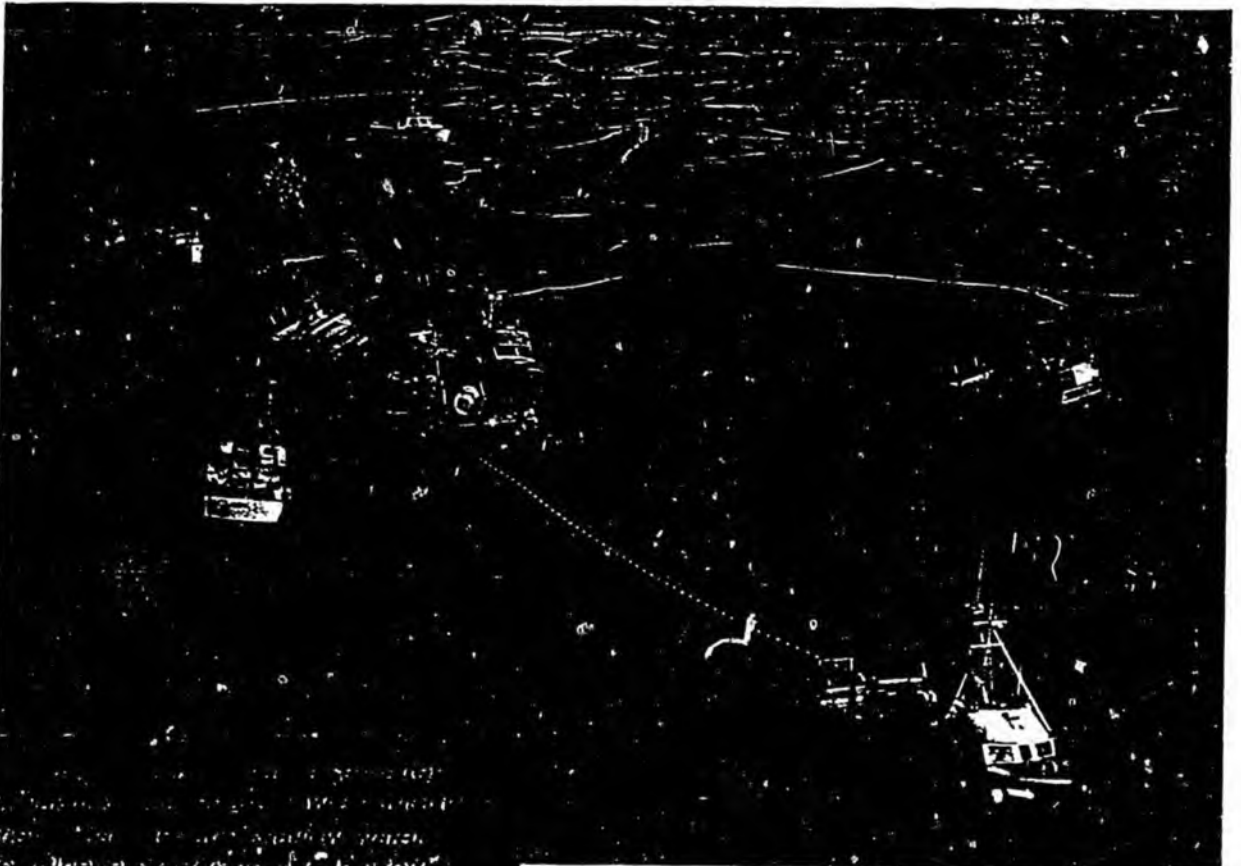
of salmon allowed to swim freely upstream to spawn), the district opens. If the escapement isn't reached, the district doesn't open. Meanwhile, everyone waits.

Waiting, not fishing, is the main activity of Bristol Bay. Thousands of transients—fishermen, cannery workers, mechanics, spotter pilots, enforcement officers; fleets of vessels—trampers, tenders, processors, cash buyers, enforcement boats, fishing boats of every description—all descend on the bay's tiny villages to *wait*. The normal peak is July 4, but you never know when until they arrive, or how many until they hit the river. Meanwhile, the tension builds.

All the instruments of prediction are applied, of course, but the ocean is a murky crystal ball. Returns to Bristol Bay have been hard to forecast and subject to great fluctuations. The projected harvest for 1989, for example, was 16 million reds; the actual harvest was 28 million.

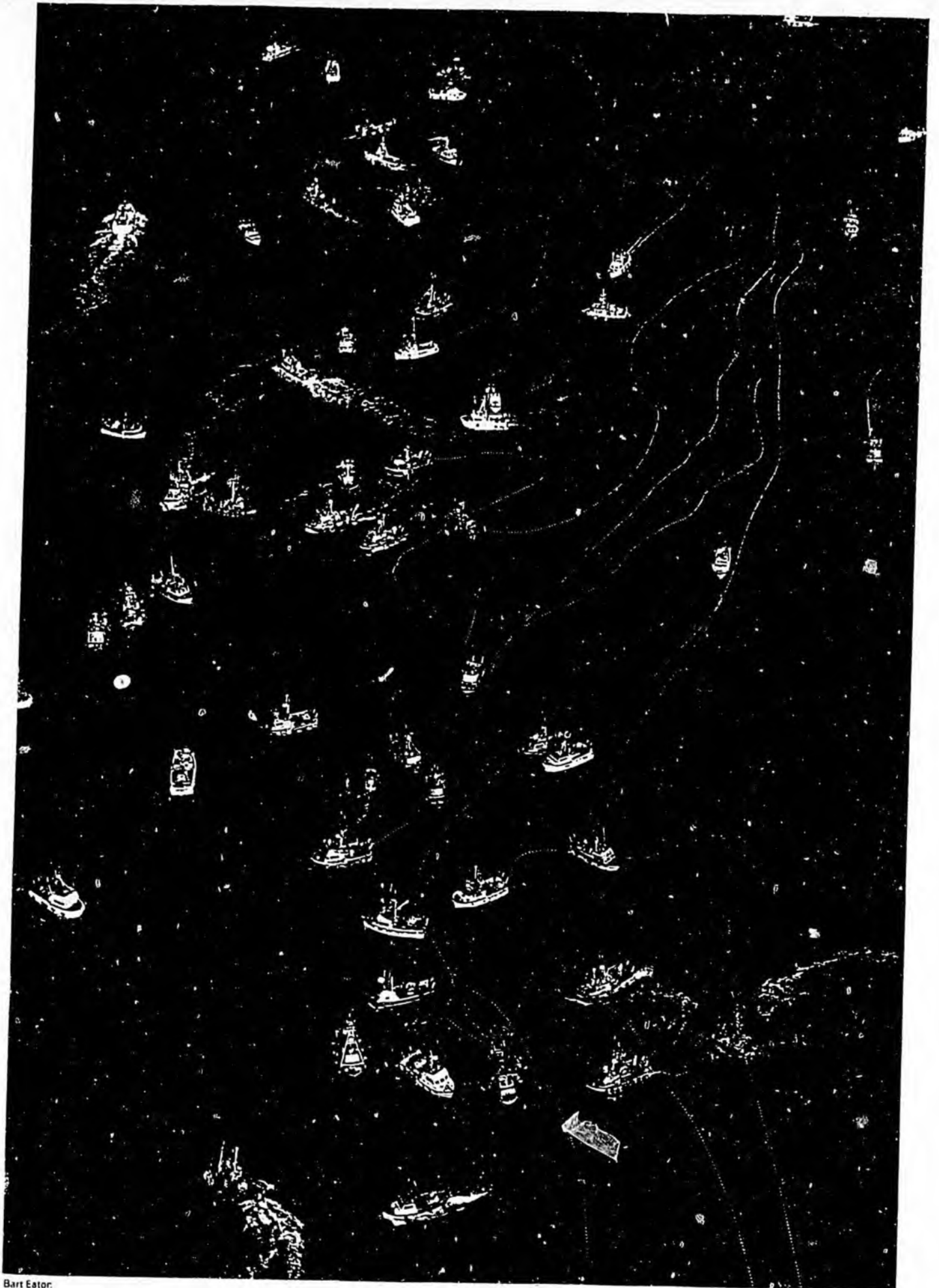


Roger Fitzgerald



Bart Eaton

*...the salmon are ...*



Bart Eator.

## Ups and Downs of Bristol Bay Sockeye

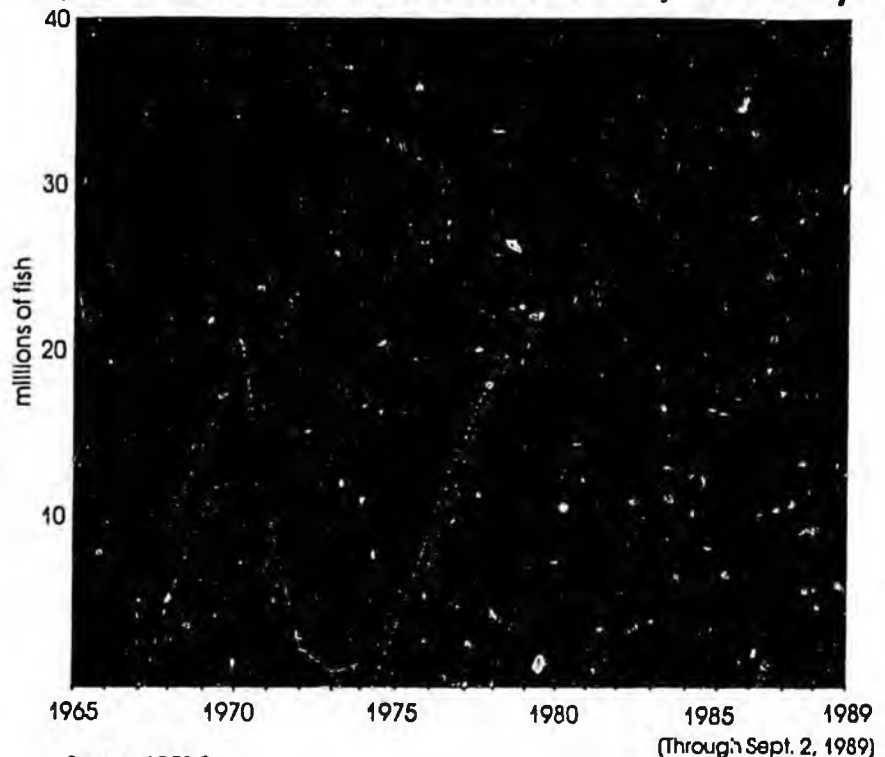
The big surprise this year was the Kvichak River. It was the big surprise last year, too, only this year it came in strong. Once synonymous with Bristol Bay (producing up to 60 percent of the bay's entire red harvest—33 percent of the U.S. harvest and 16 percent of the world catch), the Kvichak has yielded only a trickle of her historical production in recent years. But she made up for it this year: 14 million reds, for half the bay's production. Where were all those salmon last year?

No one really knows, but there are plenty of theories. One of them is that *pirates* got them. The so called high-seas "squid" fishery (conducted by Japan, Taiwan and Korea) intercepts some of the bay's salmon (even a murky crystal ball is clear on that point), but just how many isn't clear. Because Kvichak salmon are smaller, they could be more susceptible to the huge drift-nets. "They use 4-inch mesh, which is just the right size for that salmon," says Mitch Kink, general manager for the Alaska Independent Fishermen's Marketing Association (AIFMA).

Indeed, high-seas salmon interception—called the "AIDS of the North Pacific" by Alaska Senator Ted Stevens—is a shadow hanging over the bay. In the last two years, the National Marine Fisheries Service has seized more than 2 million pounds of "laundered salmon," illegally shipped to the U.S., re-labeled, and shipped to Japan for sale. No doubt some of these salmon were bound for Bristol Bay. What's the magnitude of the problem? No one knows. Jolene Unsoeld (D-Wash.) estimates the salmon booty at 10,000 tons annually—the equivalent of 20 percent of an average Bristol Bay harvest.

*Wait and wait* . . . then it explodes! A million salmon can shoot up the river in a single tide; a fortune can be made (or lost) in a few hours—as in 1983, when 1.6 million salmon were captured on the Kvichak in one 12-hour opening. The bay is not only the biggest sockeye fishery in the world, but the *fastest*.

The nearest metaphor to Bristol Bay is war. An invasionary force lands on the tundra, the sky dotted



with planes and helicopters, the rivers clogged with boats that resemble tanks; armies of processing workers wait on shore on 24-hour alert. Then the salmon charge the river in a wild rush. In 10 days, 90 percent of the catch is in—most of it frozen and on its way to Japan—and fishermen are already heading home.

The annual purse for Bristol Bay is about \$160 million divided among some 1,700 active fishermen. The size of the pie, of course, varies from year to year. This year the price averaged \$1 a pound for a harvest of 165 million pounds; last year it was \$2.10/lb. for a harvest of 80 million.

In some years as much as 90 percent of the harvest is frozen, almost all of it bound for Japan. No surprise (but interesting) is that so much of this year's production went into the can—upwards of a half-million cases (compared to 200,000 cases last year). "No surprise" because big production means more canned sockeye (and 1989 is the second-biggest production year on record). Certainly, a more diversified market would be welcome to U.S. companies in the bay, notably Trident Seafoods, the bay's single largest buyer (about 20 percent of the pack) and,

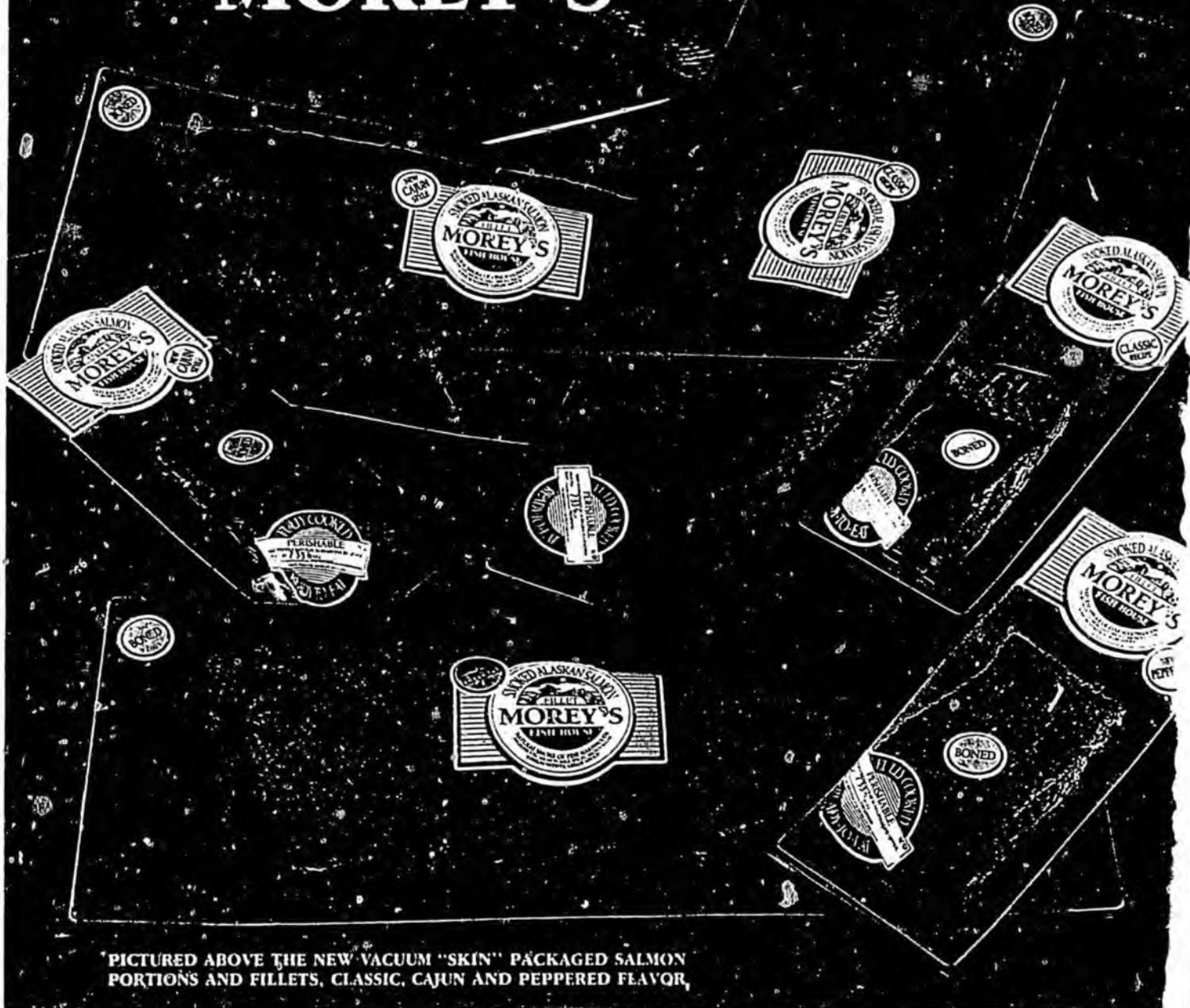
along with Icicle Seafoods, one of the few entirely U.S.-owned companies in the bay.

Everywhere on the bay are Japanese: from the trampers anchored out in the bay that carry the salmon back to Japan (where it's held in cold storage while U.S. companies try to negotiate a final price!), to the technicians on the processing vessels and in the shoreside plants. Plus, a substantial part of the onshore and offshore investment is Japanese (one reliable source estimates it at 40 percent).

So who owns Bristol Bay?

For years the cannery barons did, ruling the bay with a monopolistic fist that gave no quarter to "outside competition" (although they themselves were outsiders from Seattle and San Francisco). From the formation of the Arctic Packing Co. in Nushagak in 1884, to the late 1970s, cannery bosses called the shots on Bristol Bay—or "Brindle's Bay" as it was known by many in the days of Wynn Brindle, boss at Wards Cove Packing Co. The Alaska Packers' Association, which transported thousands of workers from San Francisco to the bay every year on its famous square riggers, put up packs of more than a million cases

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a season.

Fishermen, who never owned the bay, were owned by the canneries. They were told when to fish, where to fish and how to fish. No such thing as an independent white fisherman existed then. When power boats came into existence, the cannery bosses, fearing they would lose their grip on the fishermen, pushed through a law in 1922 banning fishing in the bay in anything but sailboats. (Their concern, they said, was "conservation.")

Thus began the "colorful era" of the Bristol Bay sailing fleet, lasting 30 years. It was more colorful to historians than to those who had to sail the skiffs, as the story of Deadman's Sands clearly illustrates. As the story goes, in 1939, 39 fishermen drowned in 39 minutes as their 32-foot sailboats broke up against a bar in a sudden blow. Unable to tack against the incoming tide, the doomed fishermen waved good bye to their comrades, who watched them

helplessly from outside the breakers.

In 1951, the cannery barons went too far. They started using power boats to tow their sailing fleets to the grounds, and the U.S. Fish & Wildlife Service called an end to the farce, opening the bay to the modern era. Fishermen bought their own boats and organized into marketing groups. The days of the "company store" were over.

By the late 1970s, the market had shifted from canned to frozen, brought on by a strong demand in Japan. Floating processors appeared on the bay in growing numbers, buying from independent fishermen and delivering the product over the rail to Japanese trampers. In 1978, 10.5 million pounds of sockeye were frozen; in 1982, 70 million pounds. The canners were still kicking, but they were no longer "kicking ass."

So who owns Bristol Bay?

The Japanese housewife. The fortunes of the fishery rise and fall

with what she's willing to pay—and, thus, with the rise and fall of the dollar against the yen. Or so goes the moderate view. Other views vary from Japanese cartels to "The Evil Empire." The danger of a one-market fishery, of course, is collusion, but Mitch Kink of AIF-MA thinks the competition is "too heated" for that—"too many players," he says.

If the Japanese housewife "owns" Bristol Bay, chance rules it. The fishery is a roll of the dice, and every year it's a new game. Last year the return was half of what it was this year. What will it be next year? Rattle the dice! A half-million will get you in the game if you're a fisherman, more if you're a processor. You could be a big winner—or a big loser. The difference is almost always a slight twist of chance: You're in the right place at the right time, or you're not—a millionaire or a pauper. So it goes on Bristol Bay: the world's greatest crap shoot.

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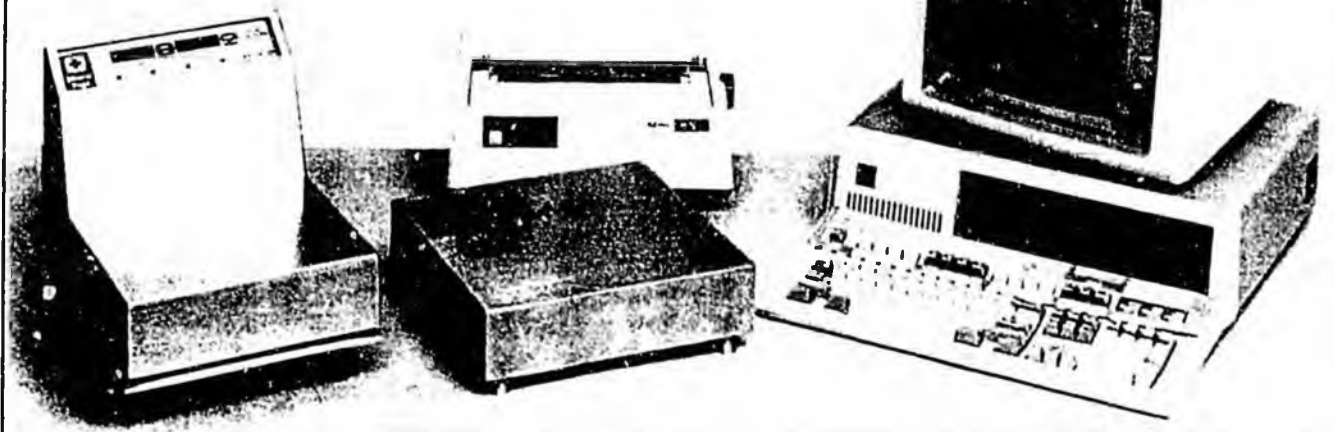
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KOTZEBUE FISHERMANS ASSOCIATION

RESOLUTION NO. 90-01

A RESOLUTION SUPPORTING THE PASSAGE OF HOUSE BILL NO. 285 FOR AN ACT ENTITLED "AN ACT RELATING TO QUALIFICATIONS FOR TRANSFEREES OF COMMERCIAL FISHERY LIMITED ENTRY PERMITS."

WHEREAS, the Kotzebue Fishermans Association is within the Kotzebue Commercial Salmon Fishery; and

WHEREAS, the Kotzebue Sound Commercial Salmon Fishery is a limited entry fishery; and

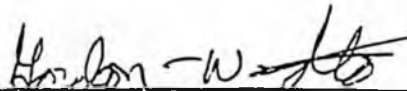
WHEREAS, a qualification period to purchase a permit would allow for a more stable economic base for the fishery and the NANA Region; and

WHEREAS, a qualification period allows for new potential permit holders to gain necessary experience within the Kotzebue Sound fishery before purchase of limited entry permits.

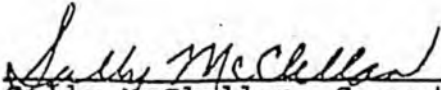
NOW, THEREFORE, BE IT RESOLVED that the Kotzebue Fishermans Association supports the passage of House Bill No. 285 of the Sixteenth Legislature.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY, 1990.

KOTZEBUE FISHERMANS ASSOCIATION:

  
\_\_\_\_\_  
Gordon W. Ito, President

ATTEST:

  
\_\_\_\_\_  
Sally McClellan, Secretary

# Alaska State Legislature

Legislative Research Agency



P.O. Box Y  
Juneau, AK 99811-3100  
Phone: (907) 165-3991  
Fax: (907) 163-3351

JAN 05 1990

December 29, 1989

## MEMORANDUM

TO: Representative George Jacko, Jr.

FROM: Maria Gladziszewski *M. Gladziszewski*  
Legislative Analyst

RE: Experience Requirement for Limited Entry Permits  
Research Request 90.131

You wanted to know if other states require that limited entry fishing permits be transferred only to individuals who can demonstrate experience in the fishery. You had heard that California and Hawaii have implemented experience requirements in their limited entry fisheries programs.

California, Oregon, Washington and Alaska are the only states that operate limited entry programs. The only limited entry programs in federal waters are for the quahog/surf clam fishery off the mid-Atlantic states and the bottomfish fishery in some waters off the Hawaiian Islands. The only limited entry fisheries in the nation that require experience of those receiving transferred permits are in California. California officials have instituted an experience requirement for the recipients of transferred general gill and trammel net permits, drift gill net shark and swordfish permits and herring permits. Federal authorities use experience points to issue new permits for the bottomfish fishery off the Northwestern Hawaiian Islands.

At the beginning of limited entry programs, permits are generally issued to those with previous experience in the fishery. Provisions on transferability of permits, however, vary from state to state and fishery to fishery. This memorandum outlines the permit transferability provisions for the limited entry programs in California, Washington, and Oregon, the federal program in the Northwestern Hawaiian Islands, and the limited entry program in British Columbia.

JOSEPH R. BLUM  
Director



STATE OF WASHINGTON  
DEPARTMENT OF FISHERIES

115 General Administration Building • Olympia, Washington 98504 • (206) 753-6600 • (SCAN) 234-6600  
December 8, 1989

Ms. Maria Gladziszewski  
Legislative Research Agency  
P.O. Box Y  
Juneau, Alaska 99811-3100

Re: Limited Entry

Dear Ms. Gladziszewski,

Enclosed please find a copy of the Washington Fisheries Code. The limited entry fisheries are in Chapter 30. As you can see, there are several quite different limited entry fisheries. The reason why they are different is that we were on a learning curve (and, frankly, still are).

Our first efforts at limited entry involved herring and salmon, with a license limitation but no limitation on transferability. This resulted in a highly spirited trade in licenses, with current market value for a Willapa Harbor-Columbia River gill net license being in excess of \$40,000. This has a destabilizing effect on the fishery, so the next limitation program, Dungeness crab, contained a six-year non-transferability provision. This delayed the problem, but did not solve it. The third try was whiting, in which we prohibit any transfer, except within a family. This attempt is apparently impermissible as it creates an hereditament, unconstitutional under the Washington State Constitution.

Our last limited entry, in 1989, limits the entry into the sea urchin fishery; We are currently in court over this issue. I have enclosed a copy of Chapter 37, Laws of 1989, which created the sea urchin endorsement. The thrust of the petitioner's argument is that there is no rational basis to limit the qualifying period to April 1, 1986 through March 31, 1988, and that fishers who entered the fishery after March 31, 1988 should be allowed to participate. We believe we will prevail in this suit, but the outcome is unclear.

If I can be of any assistance, please give me a call.

Sincerely,

Evan S. Jacoby, Counsel  
Fisheries Legal Services



# Bering Sea Fishermen's Association

725 Christensen Drive  
Anchorage, Alaska 99501  
(907) 279-6519

February 12, 1990

Representative George Jacko, Vice Chairman  
House Resources Committee  
Box V  
Juneau, Alaska 99811

Dear Representative Jacko:

The Bering Sea Fishermen's Association supports the underlying intent of HB 285; to stop the outmigration of limited entry fishing permits from coastal communities and the State. But according to the fishermen we surveyed, the language included in the proposed bill is too vague and possibly restrictive for local fishermen.

I talked with members of WACMA and BBHMC in Dillingham, the Y/K Fisheries Task Force in Bethel, Qaliyaat Fishermen's Association on Nelson Island, Norton Sound fishermen in Unalakleet, and Kotzebue Fishermen's Association in Kotzebue. There was unanimous support for the concept of the bill to implement a system for keeping permits for fishermen within the State and the communities that depend on fishing for a prime source of local income.

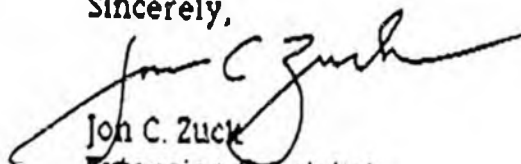
However, the reaction as to whether or not this bill would do that was mixed. Some fishermen think the details can be worked administratively, others feel that this legislation needs to be changed to deal with some specific questions.

Some of the comments I got are as follows: as the bill is now written, a permit holder can transfer a permit to a spouse or blood relative (within three degrees of kinship) without demonstrating three years of active participation only if that permit holder is deceased. What happens if a permit holder is disabled or not able to continue fishing for one reason or another and wants to transfer the permit to his son or relative who does not have the needed three years participation? Can the permit be transferred to family members without proof of participation and without the permit holder being deceased?

Can a local Unalakleet fisherman who has say 20 years of experience gillnetting for salmon in Norton Sound buy a salmon permit on the Yukon or in Bristol Bay without showing three years participation in that fishery? What about a subsistence fisherman from Toksook Bay or Chevak who has never fished on the Kuskokwim but saved enough money to buy a permit there? How is active participation defined? And lastly, there was some concern that the bill would reduce the the value of the permits

I hope this information is useful to you in the structuring of the bill.

Sincerely,



Jon C. Zuck  
Extension Specialist

\*\*\*END\*\*\*

STEVE COWPER, GOVERNOR

**COMMERCIAL FISHERIES ENTRY COMMISSION**

P.O. BOX KB  
JUNEAU, ALASKA 99811-0302  
PHONE: (907) 465-4081

February 13, 1990

Bryce E. Edgmon  
Aide to:  
The Honorable George G. Jacko  
House of Representatives  
P.O. Box V  
Juneau, Ak. 99811

Mail Stop: 3100


Dear Mr. Edgmon:

Enclosed are the line graphs which you requested. For each fishery there are two graphs. The first represents time series data on permit prices in the fishery. The second represents time series data on the percentage of permanent permits in the fishery owned by Alaska residents.

Attached is a memorandum from Al Tingley, who prepared the graphs. Al's memo explains the graphs and data in more detail. Also enclosed is a copy of the 1988 Annual Report of The Commercial Fisheries Entry Commission. Table 1 in the Appendices of this report provide the raw data upon which the graphs are based.

If you have any questions about the graphs or the data, please give me or Al a call.

Sincerely,



Kurt O. Schelle  
Manager of Research  
and Planning

TO: File

DATE: February 12, 1990

FILE NO:

FROM: Al Tingley

TELEPHONE NO:

SUBJECT: Graphics of Table  
1. of 1988 Annual  
ReportGraphical Supplement to CFEC 1988 Annual Report  
Appendix Table 1.

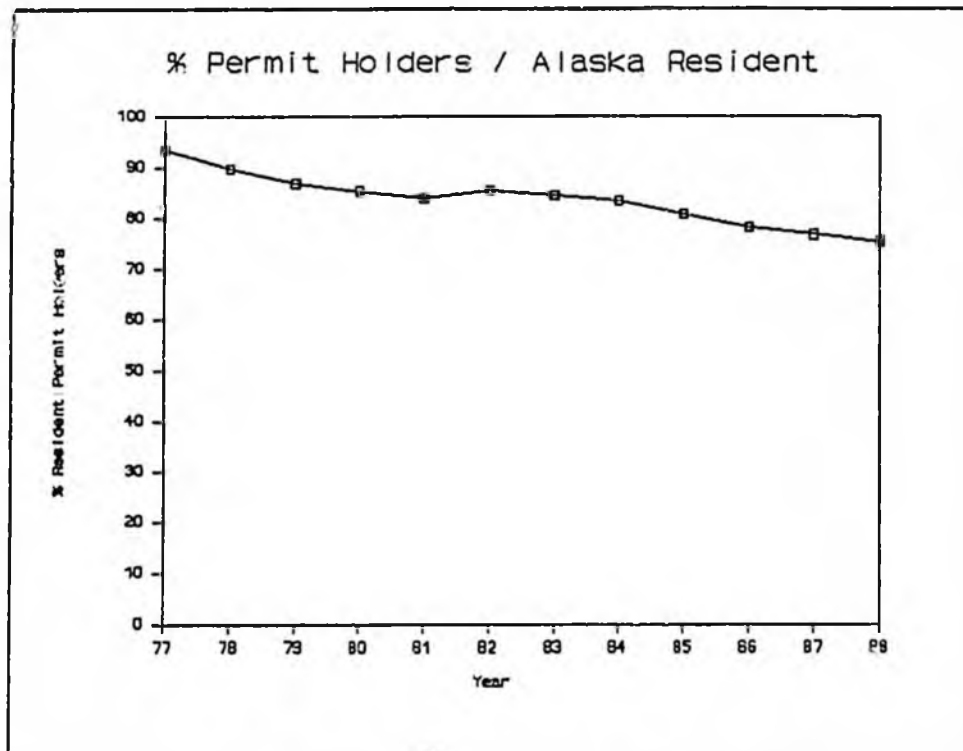
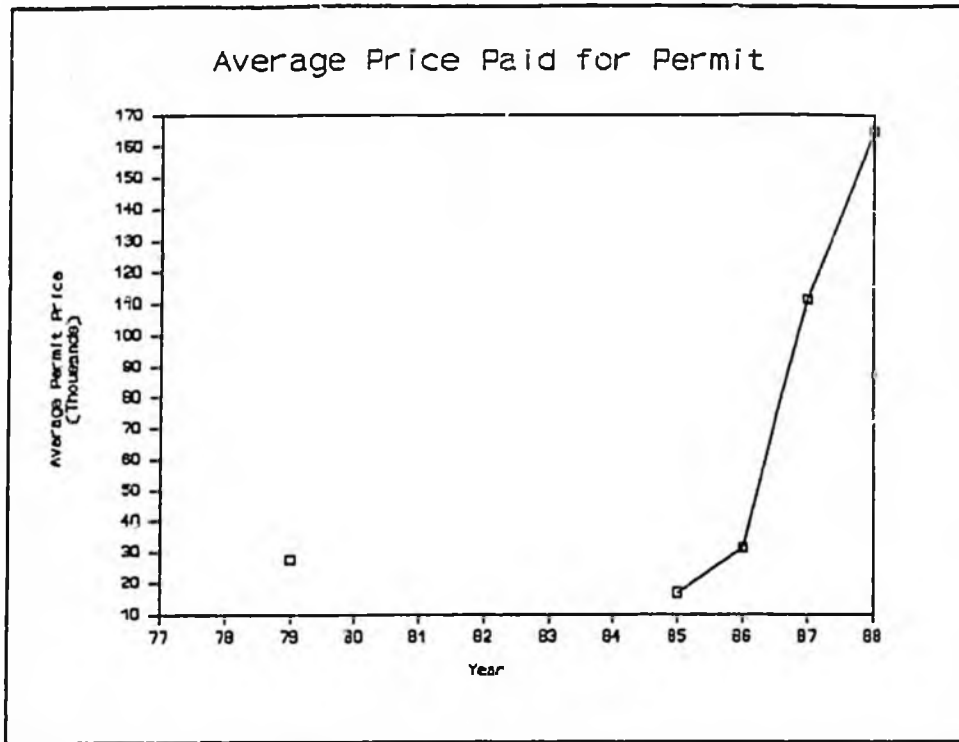
The attached Lotus graphics are a supplement to Table 1 - Permit and Permit Transfer Statistics, 1975-1988 in the Appendix of the CFEC 1988 Annual Report. The user should be aware of "Notes for Table" at the end of the table.

Each fishery is represented on a separate page. Graphics were not generated for the sablefish longline and pot fisheries in Southeast and the herring pound fishery in Prince Wm Sound since information is only available for a single year (1988).

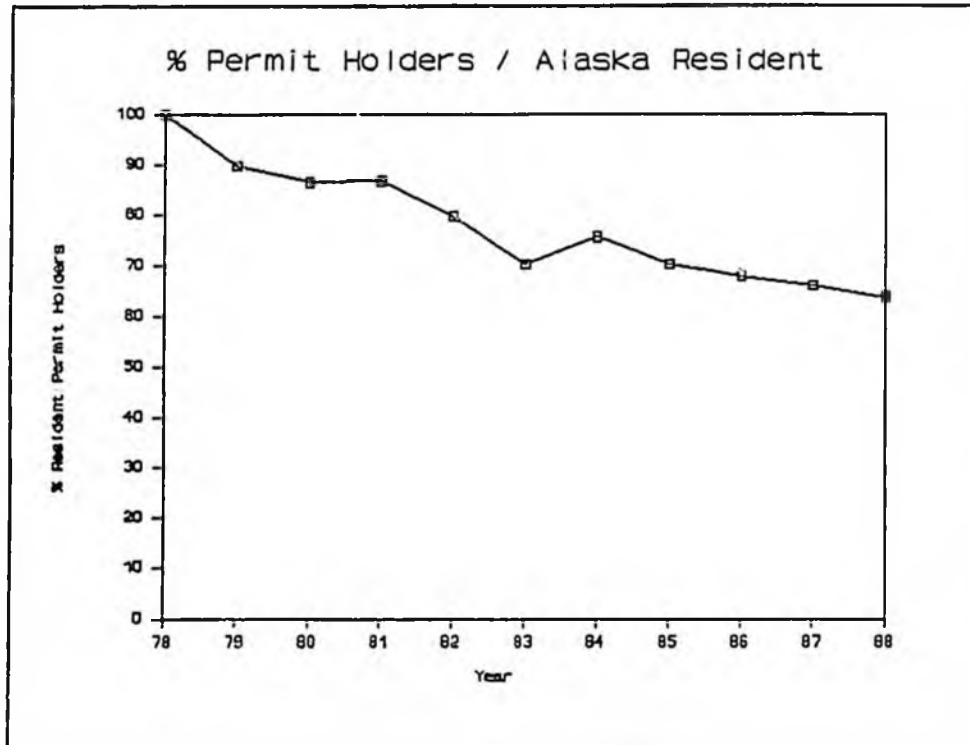
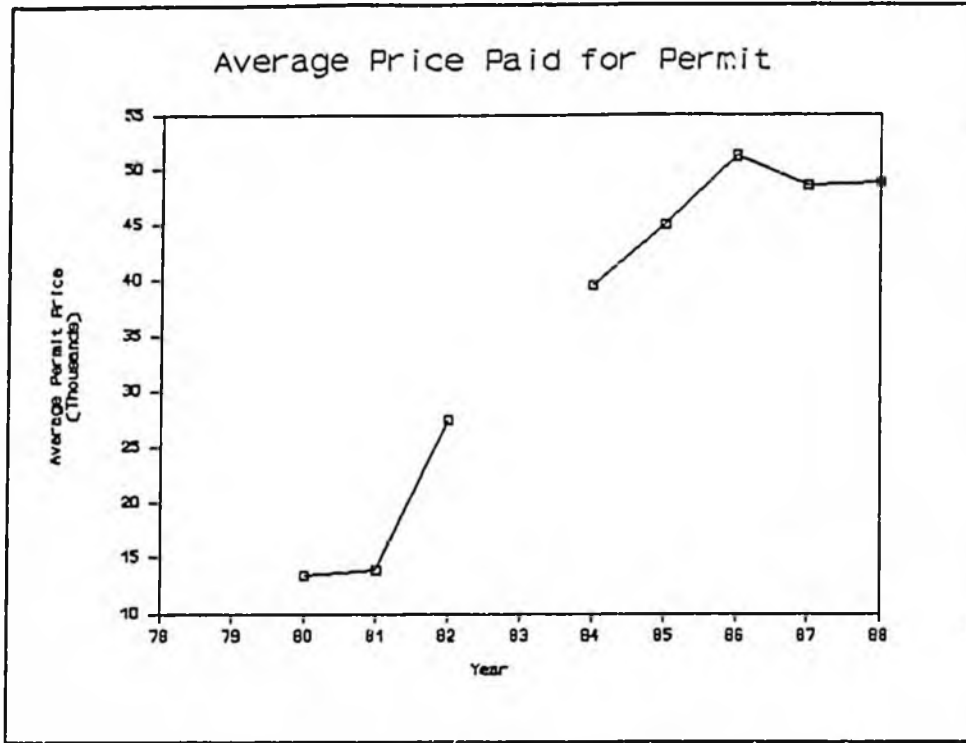
Each page shows two graphs. The first graph illustrates the yearly average price paid for the fishery. The scale for the permit value varies, depending on the value range for each fishery. Where there were no monetary transfers or information is confidential because fewer than four surveys exist there are no points plotted on the graph.

The second graph on each page illustrates the percentage of the permit holders in the fishery who are Alaska residents. The scale remains the same for this graph for all fisheries.

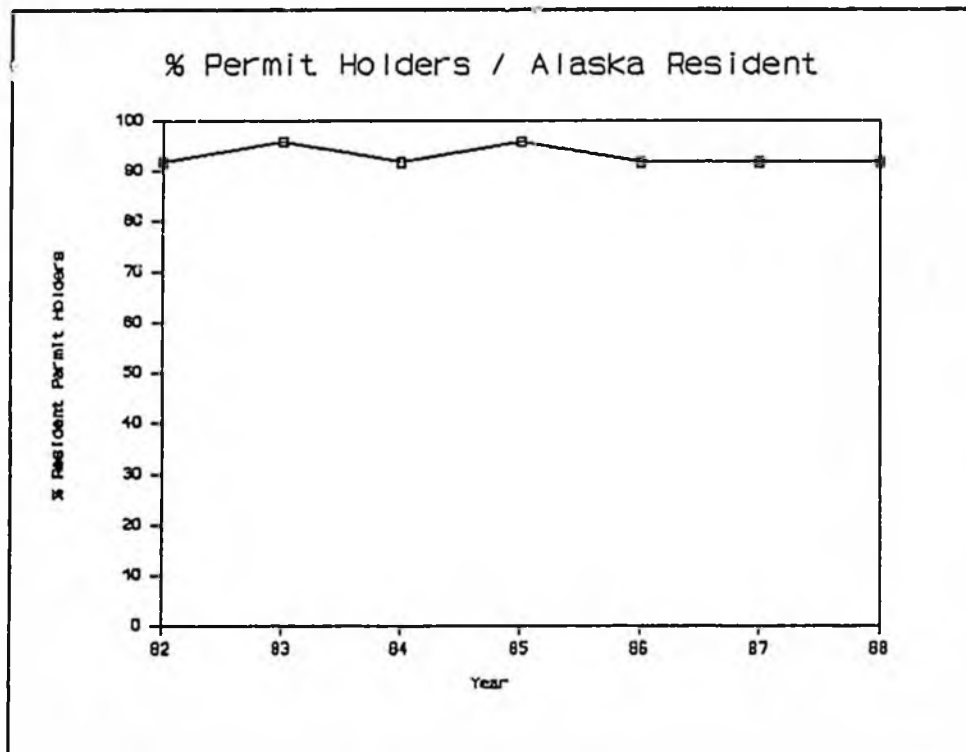
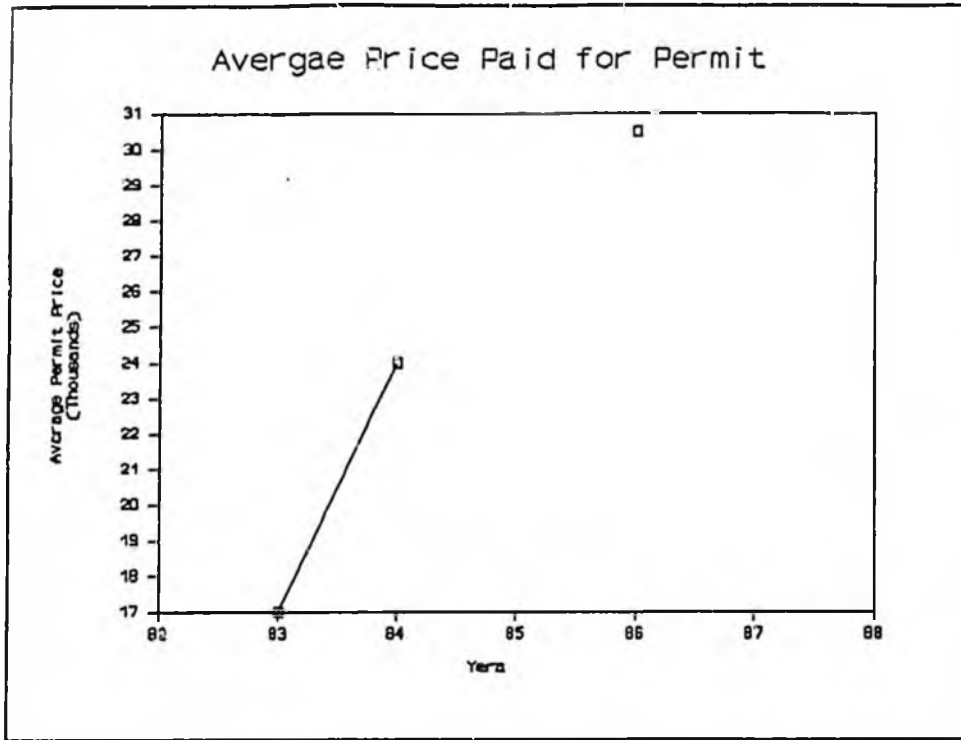
# G01H HERRING PURSE SEINE COOK INLET



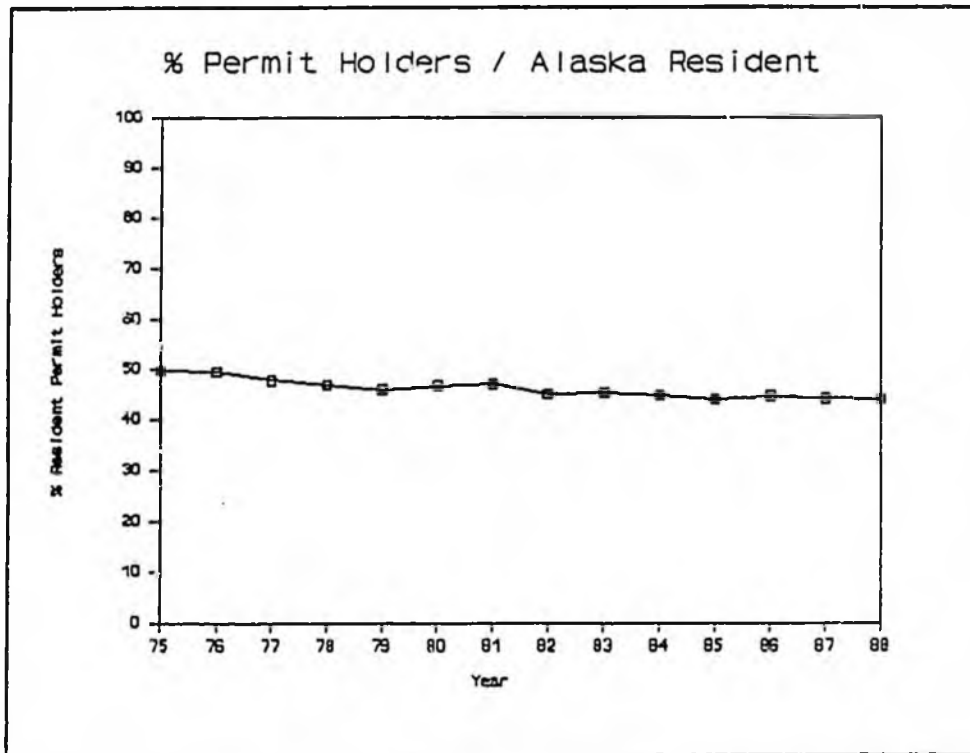
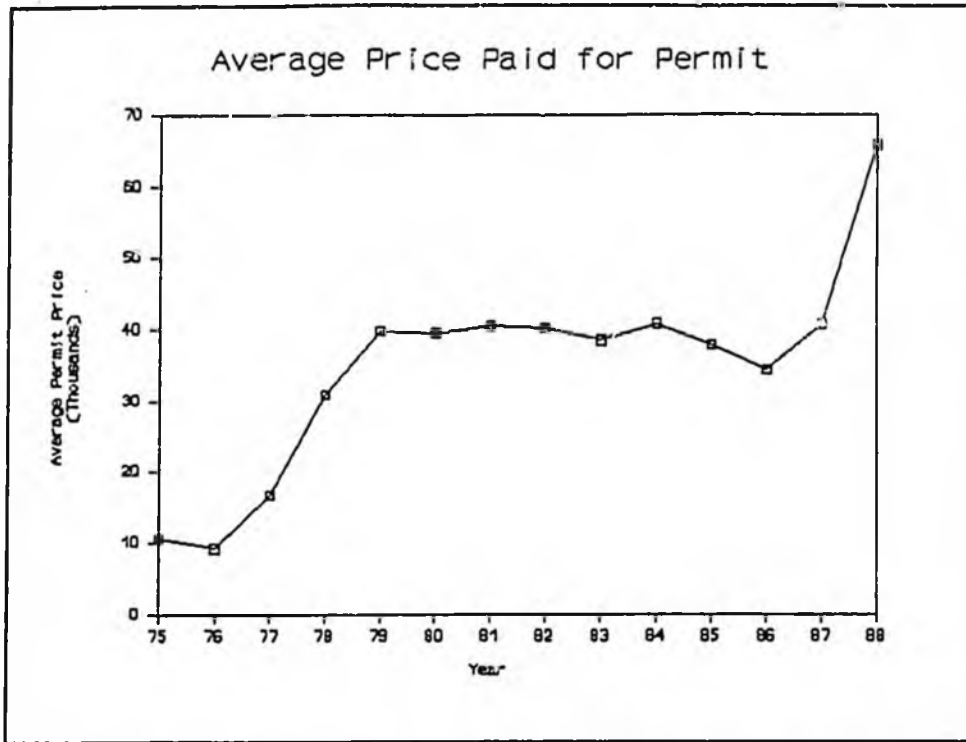
## G34A HERRING GILL NET SOUTHEAST



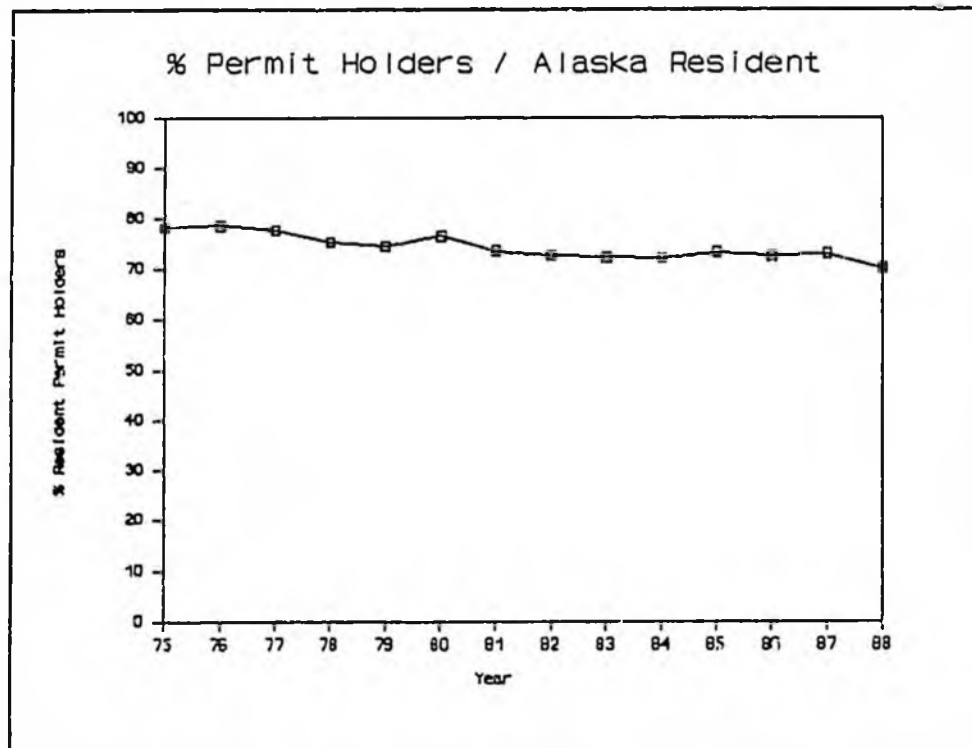
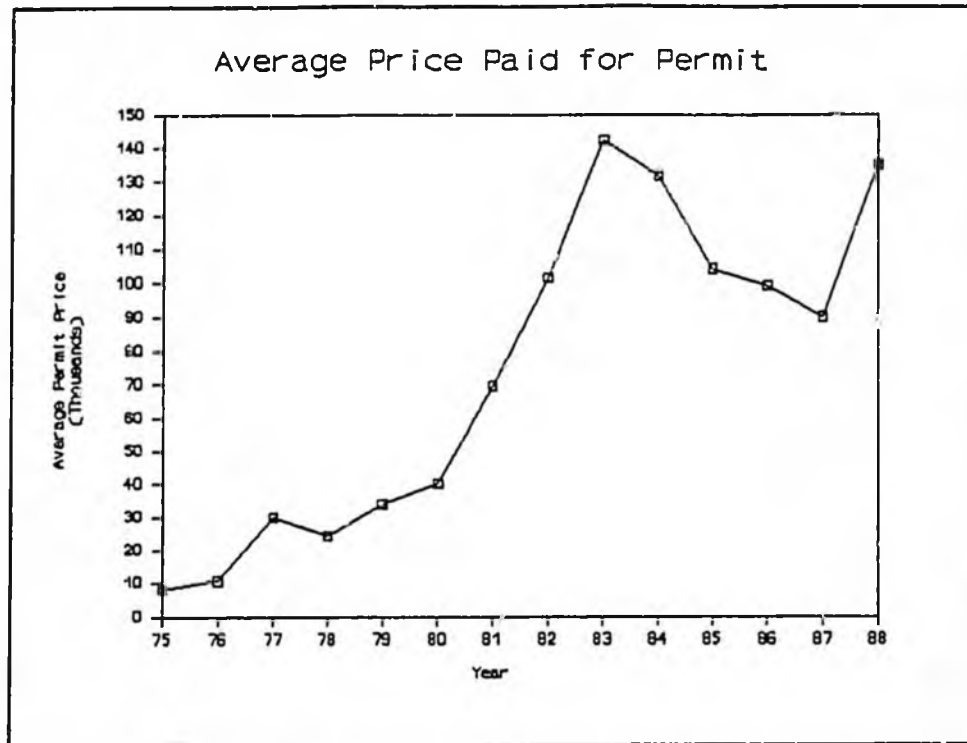
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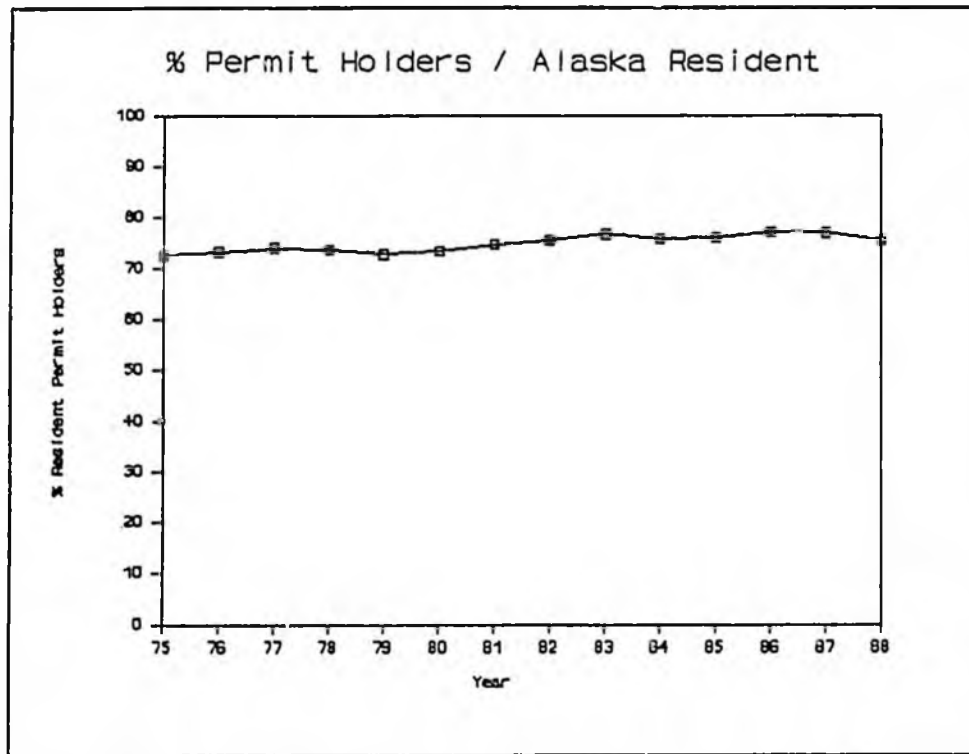
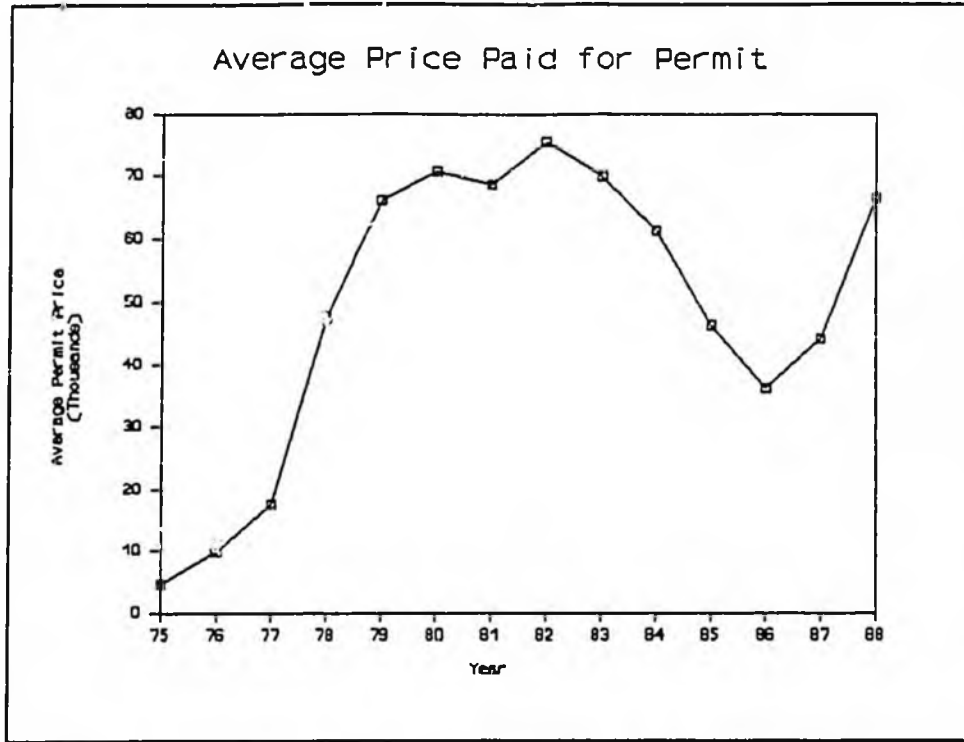
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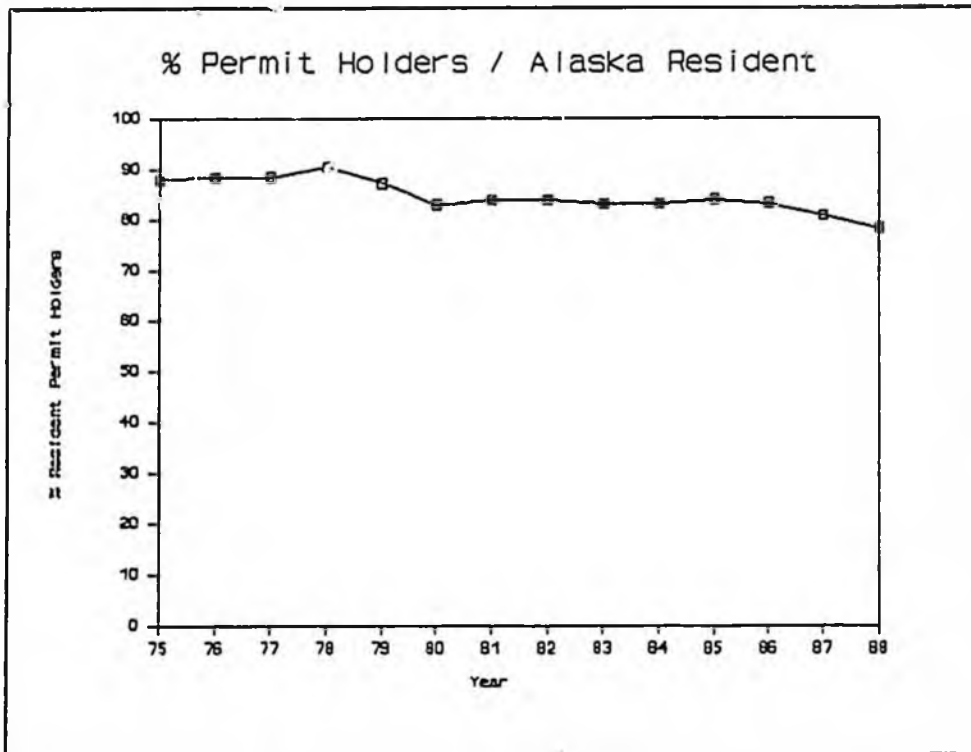
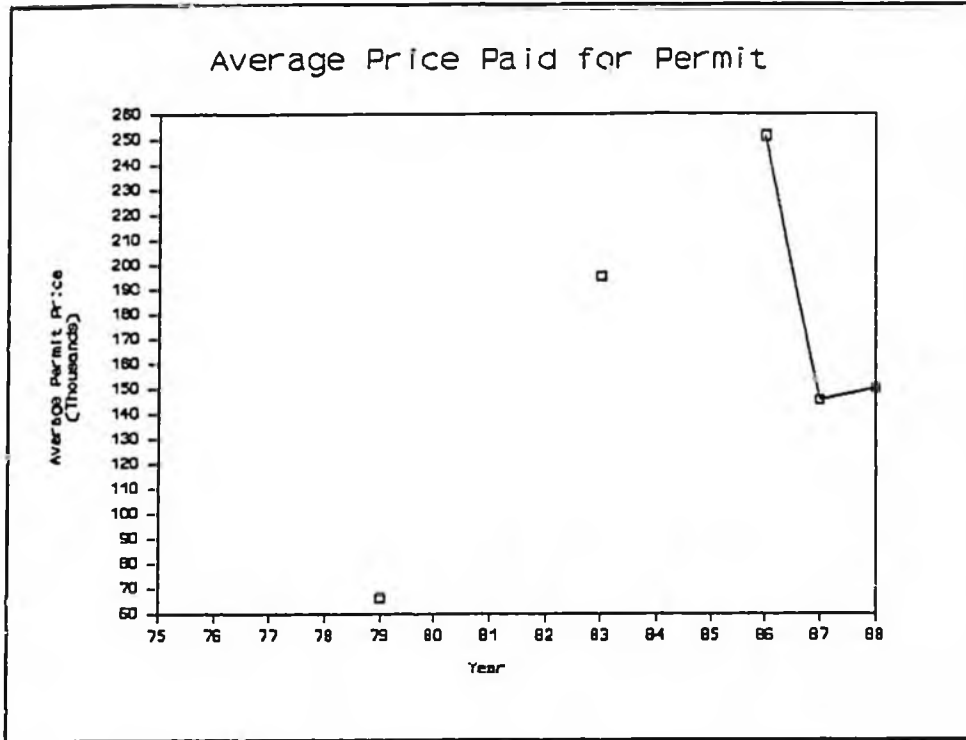
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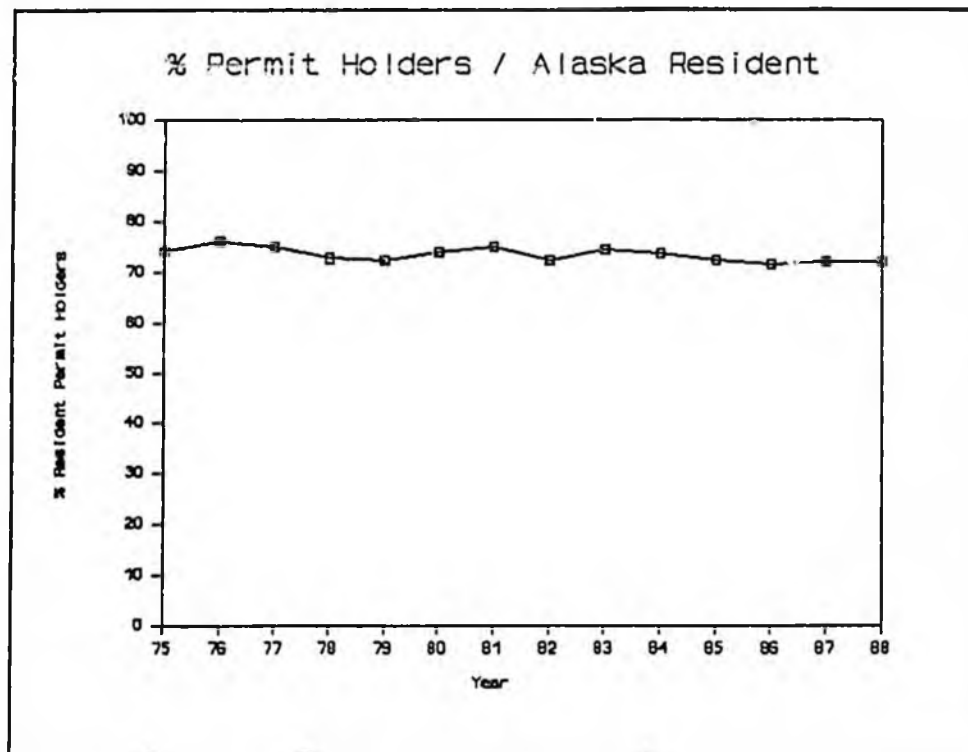
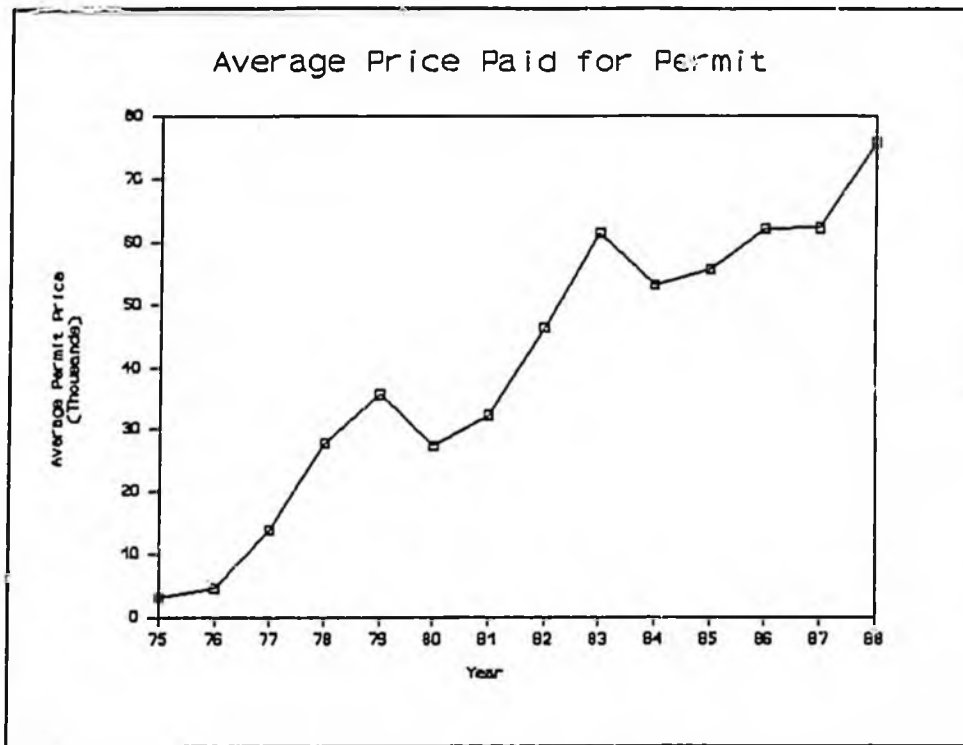
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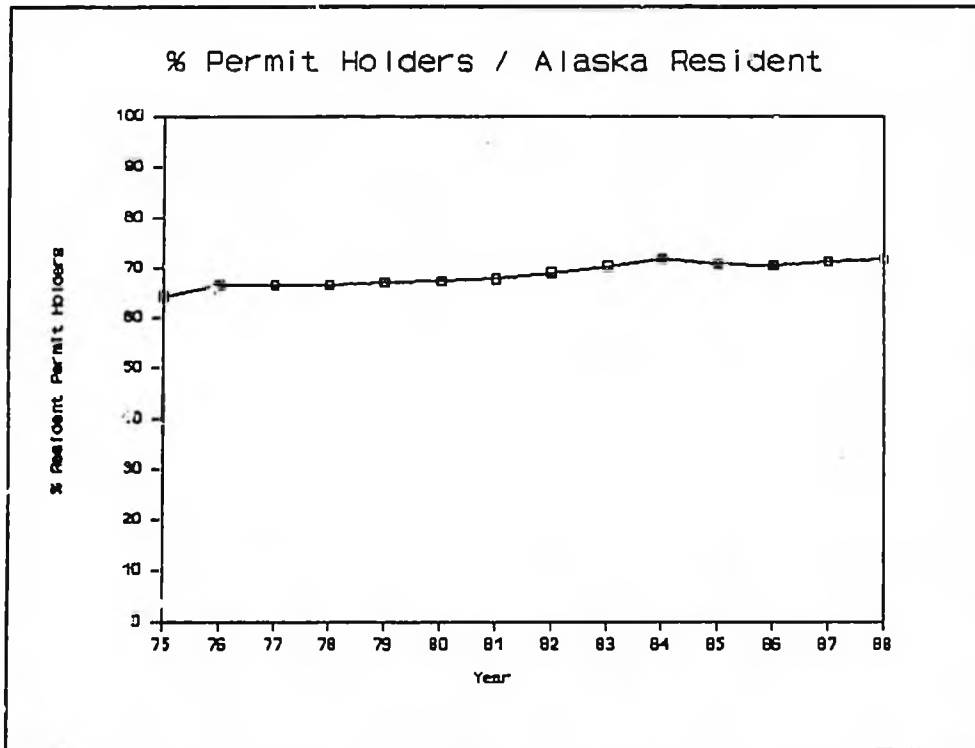
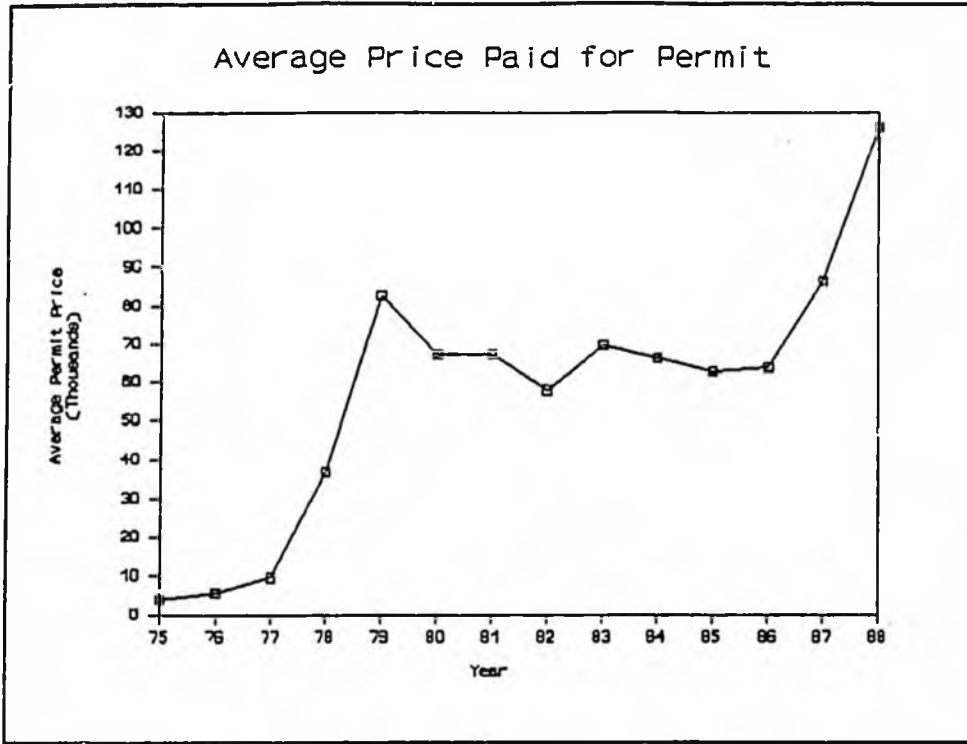
# S01M SALMON PURSE SEINE ALASKA PENINSULA



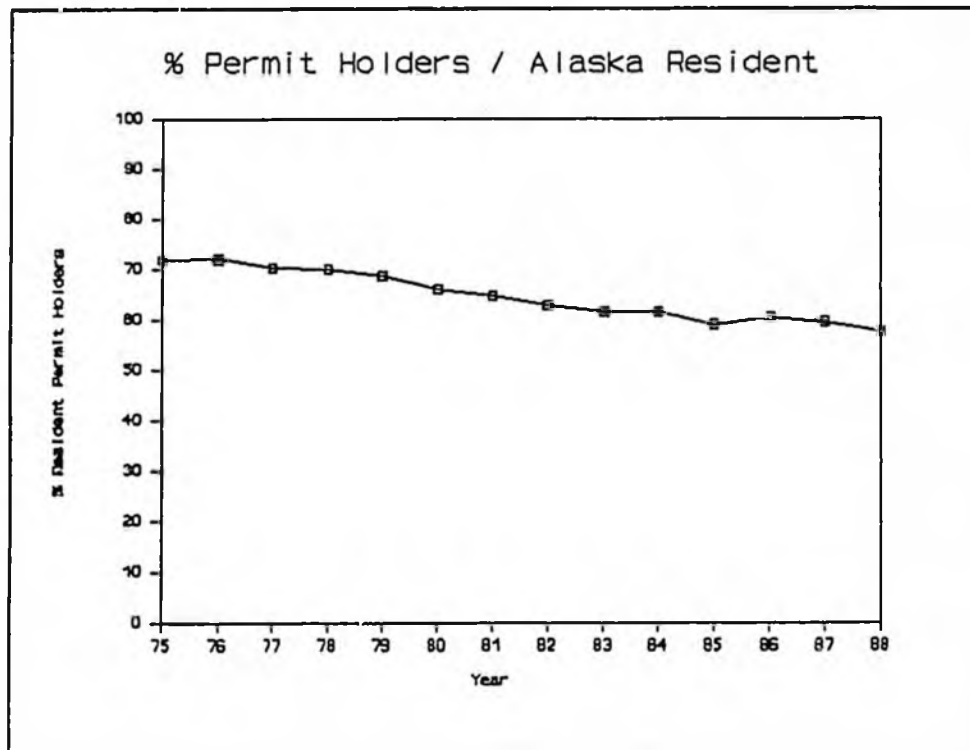
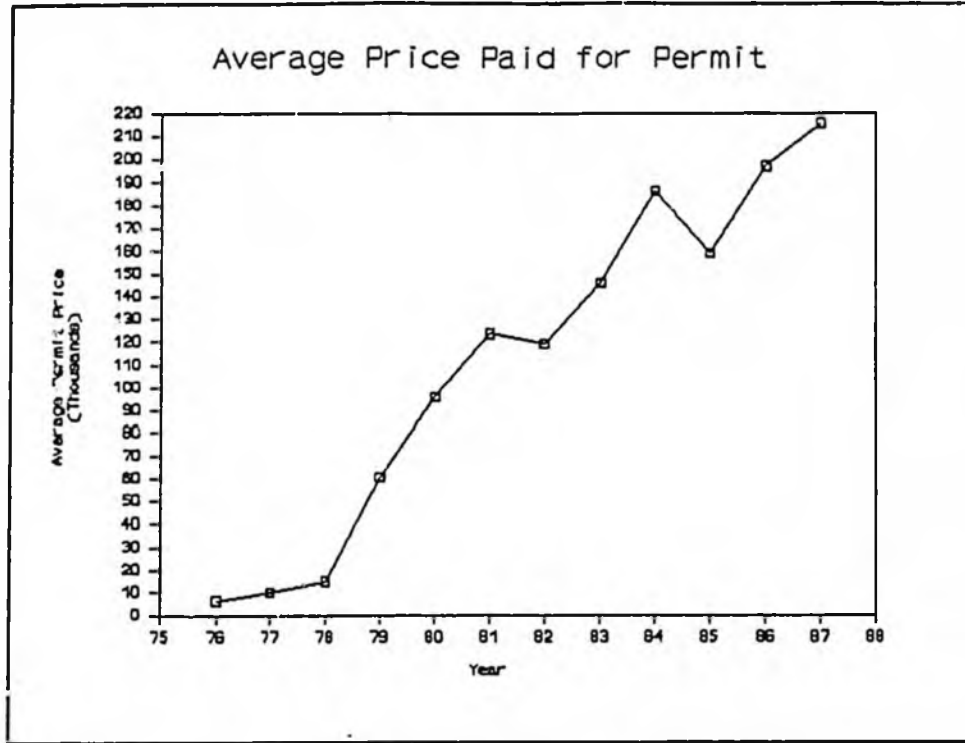
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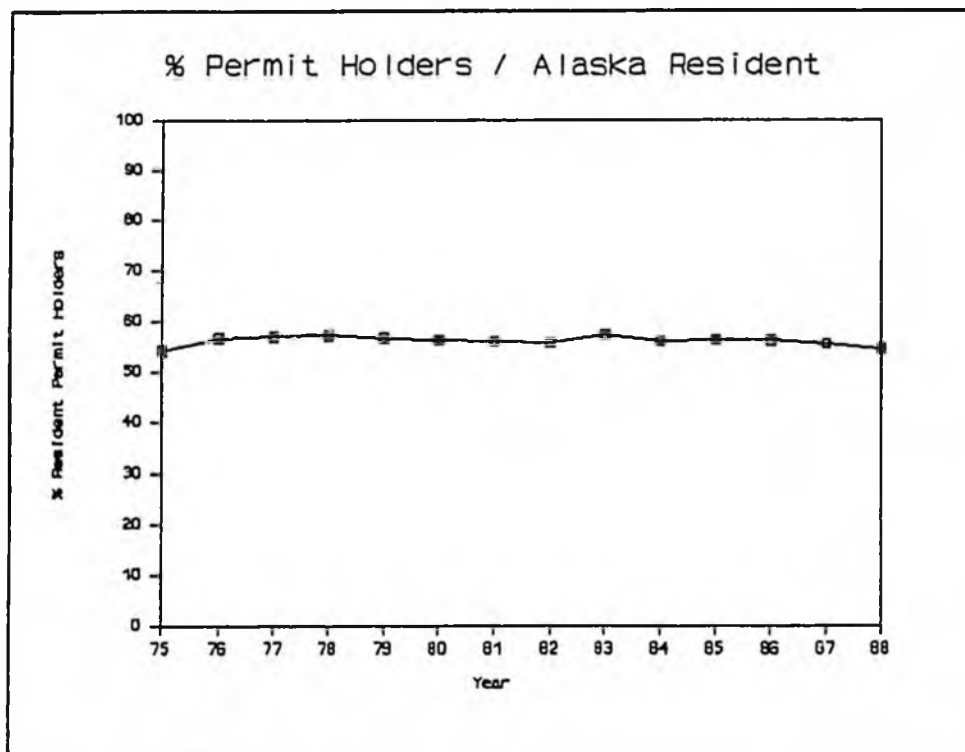
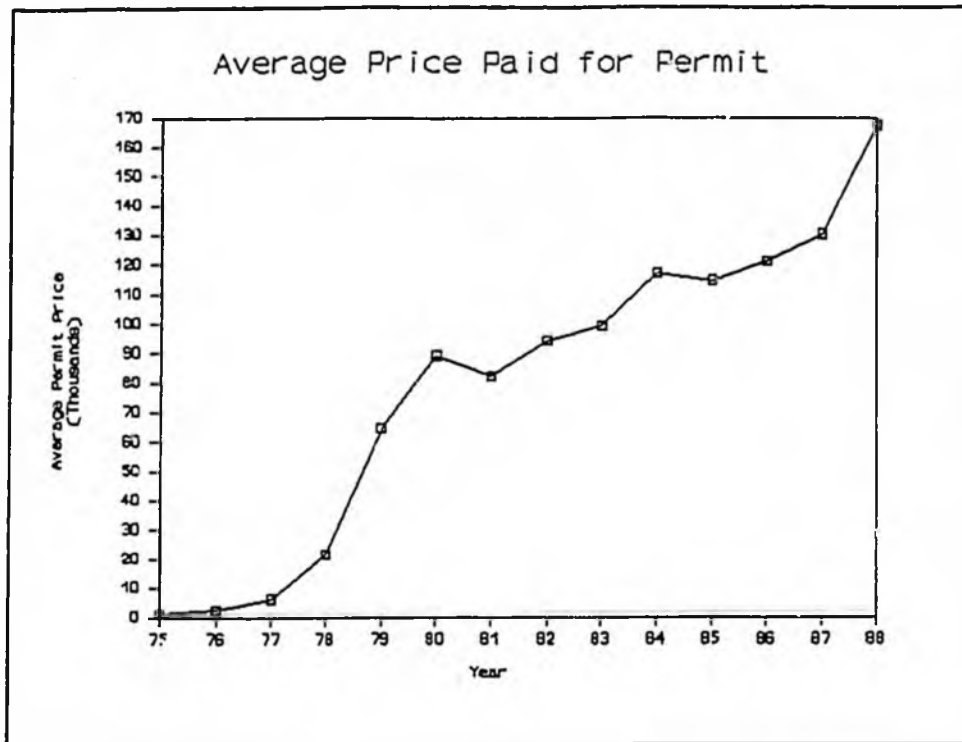
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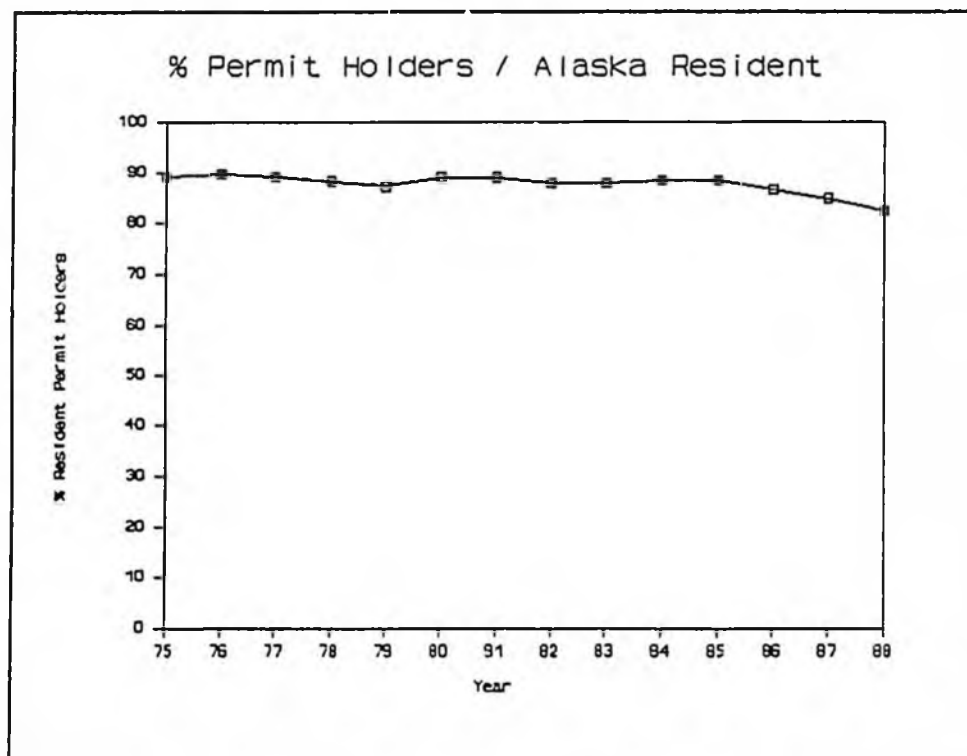
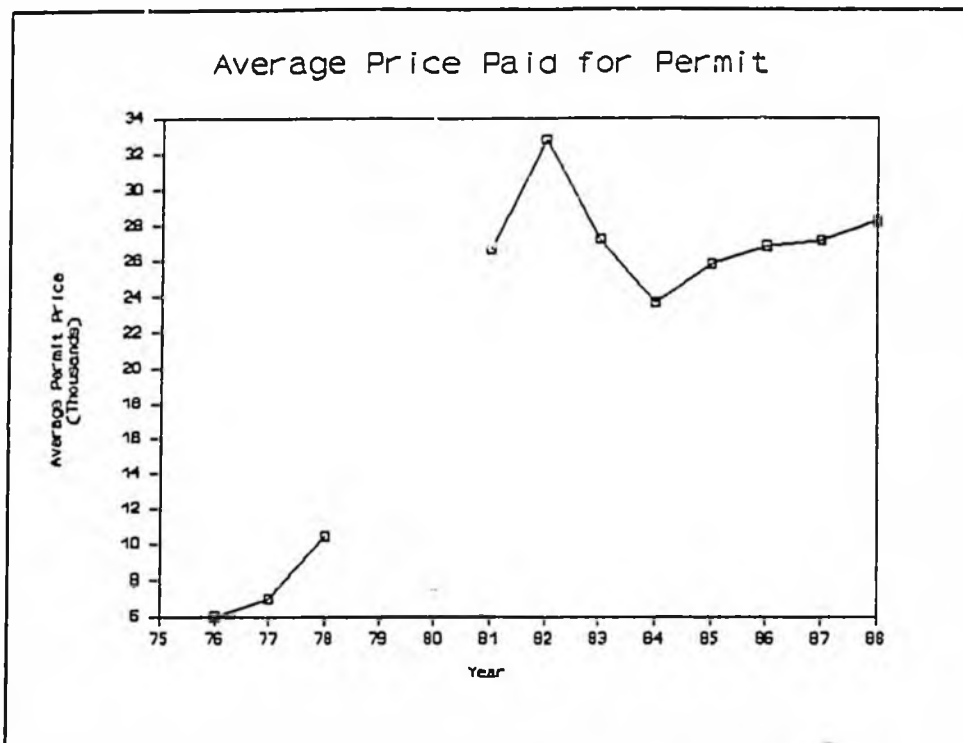
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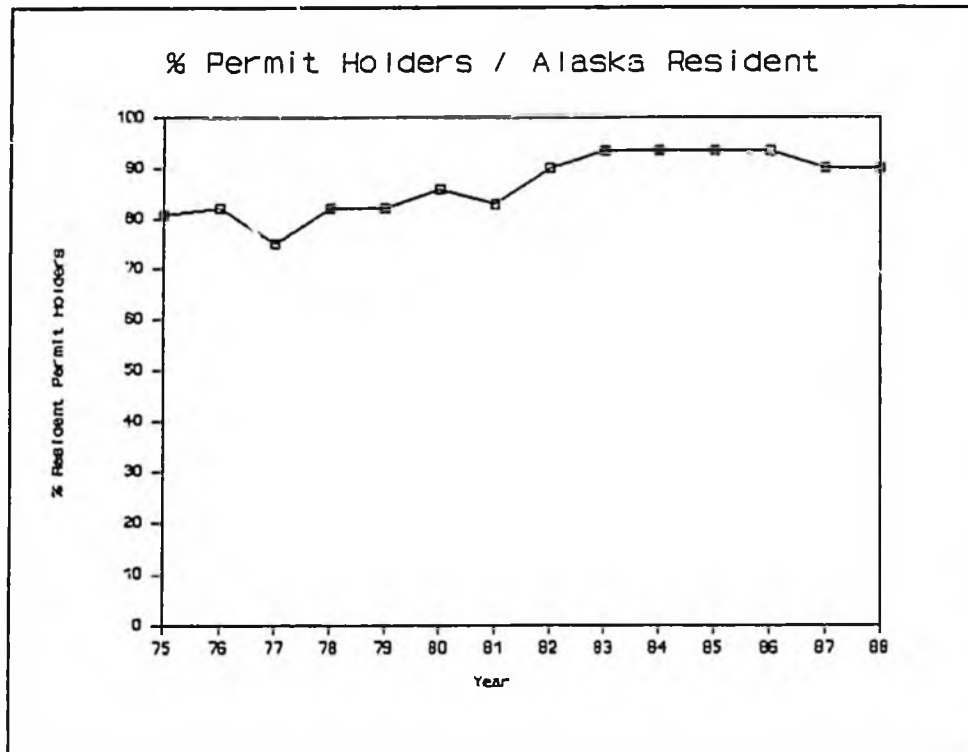
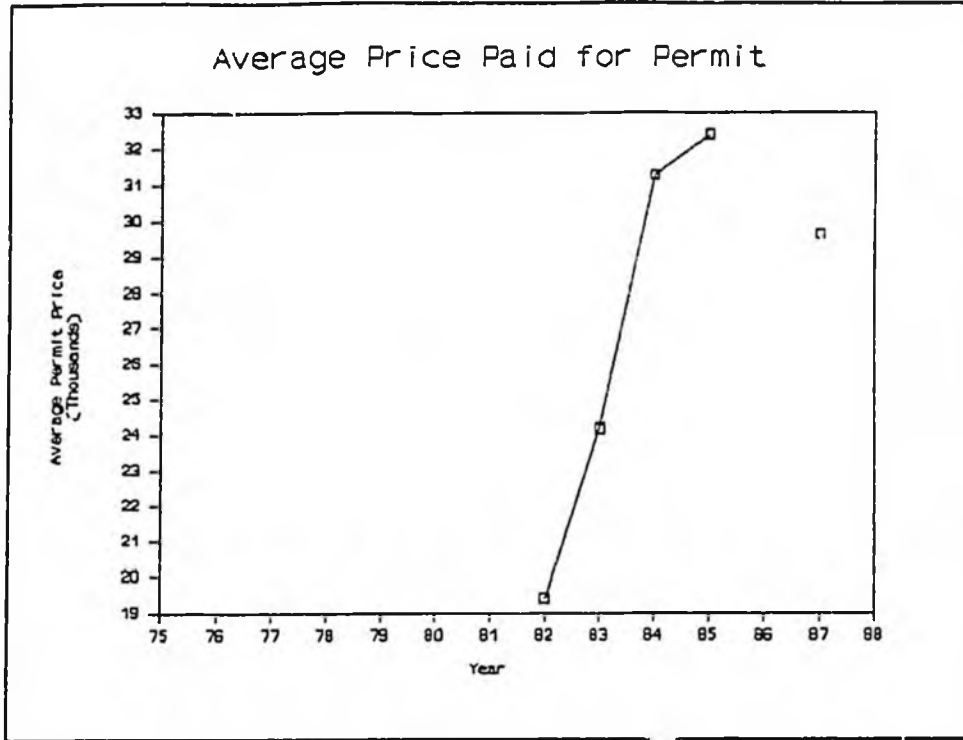
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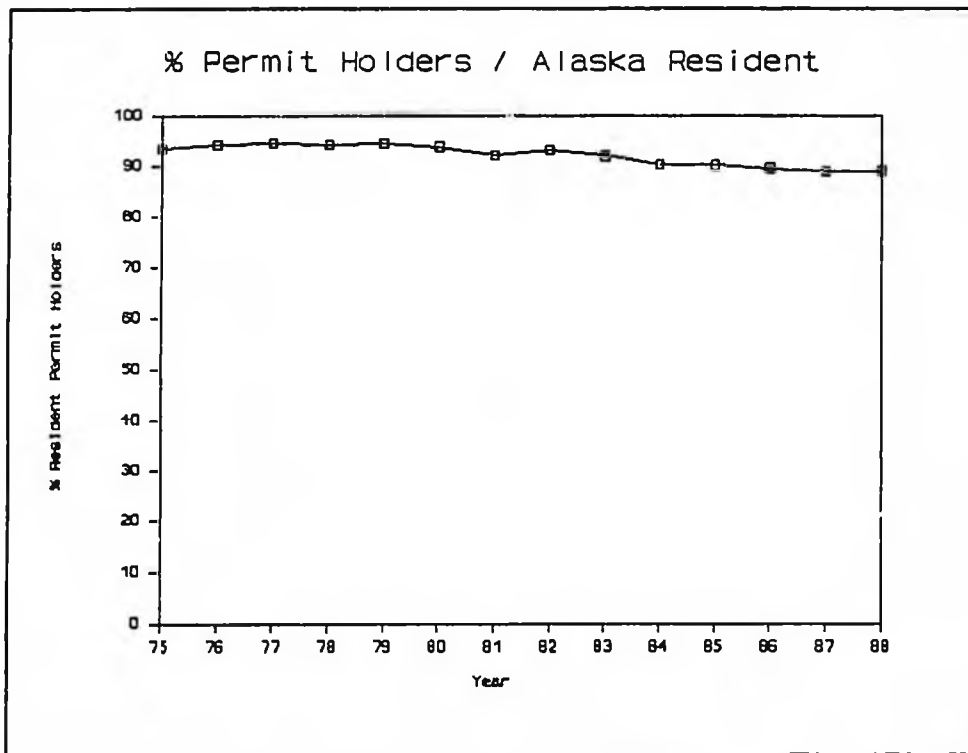
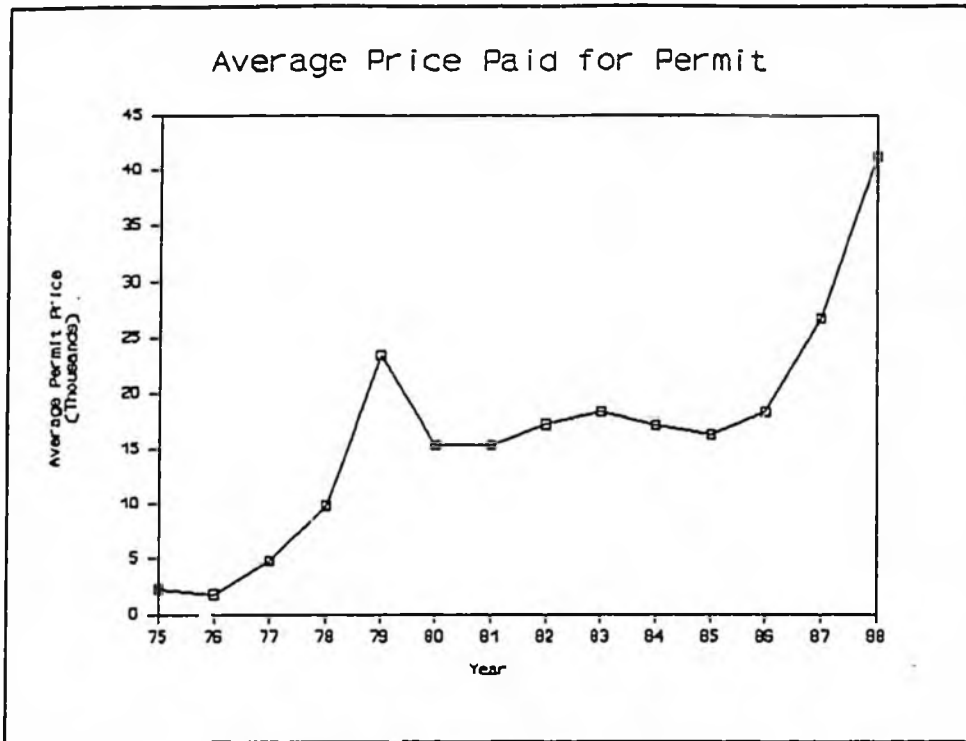
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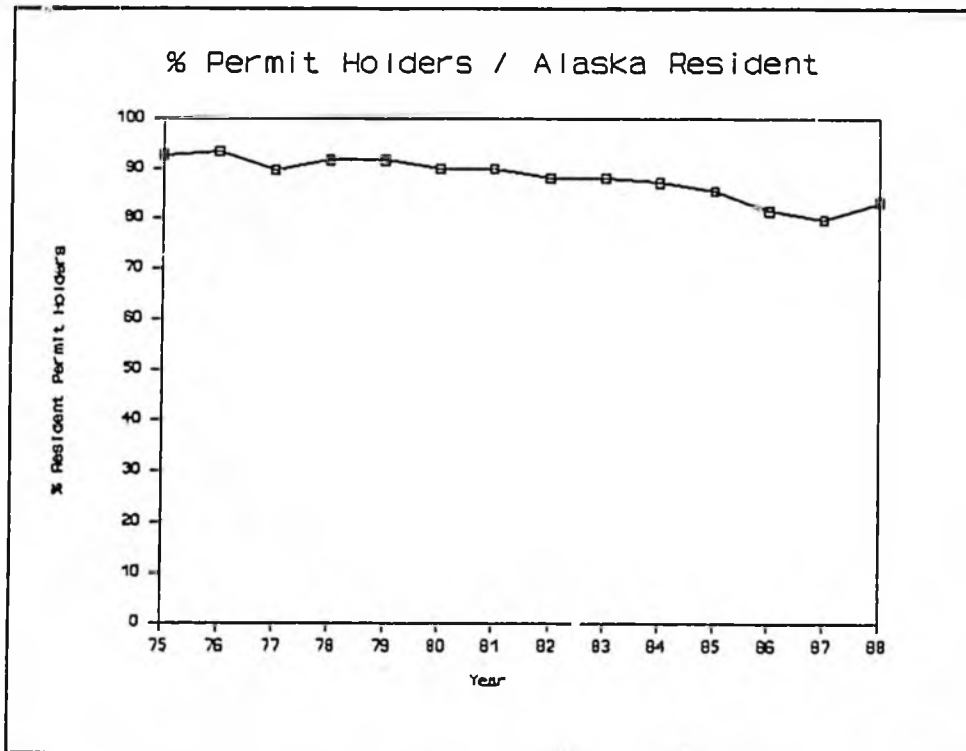
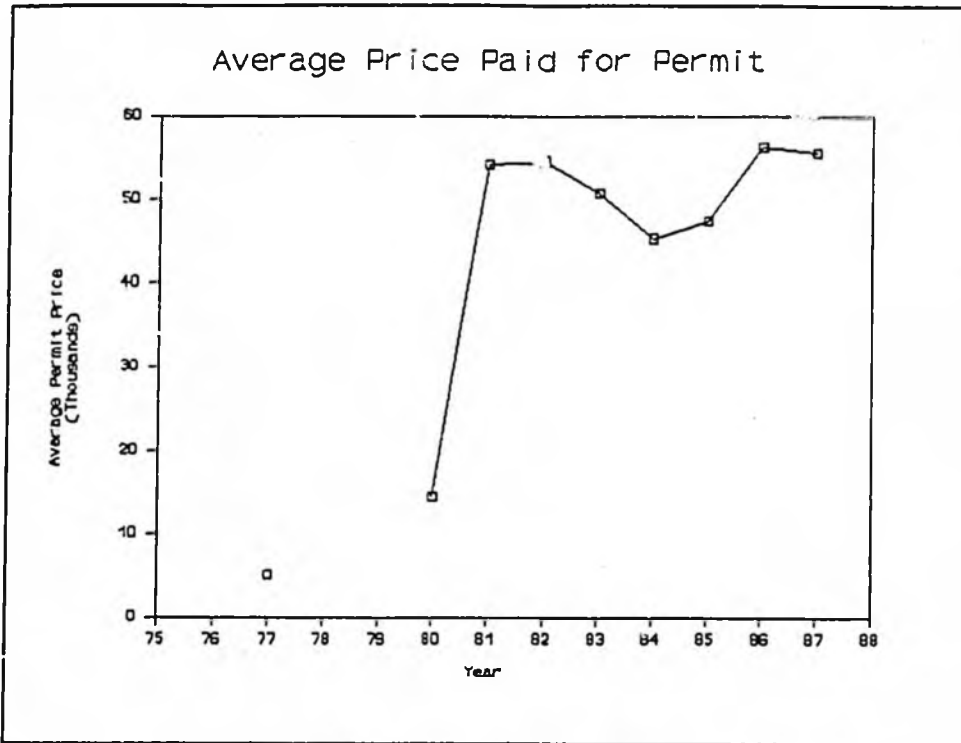
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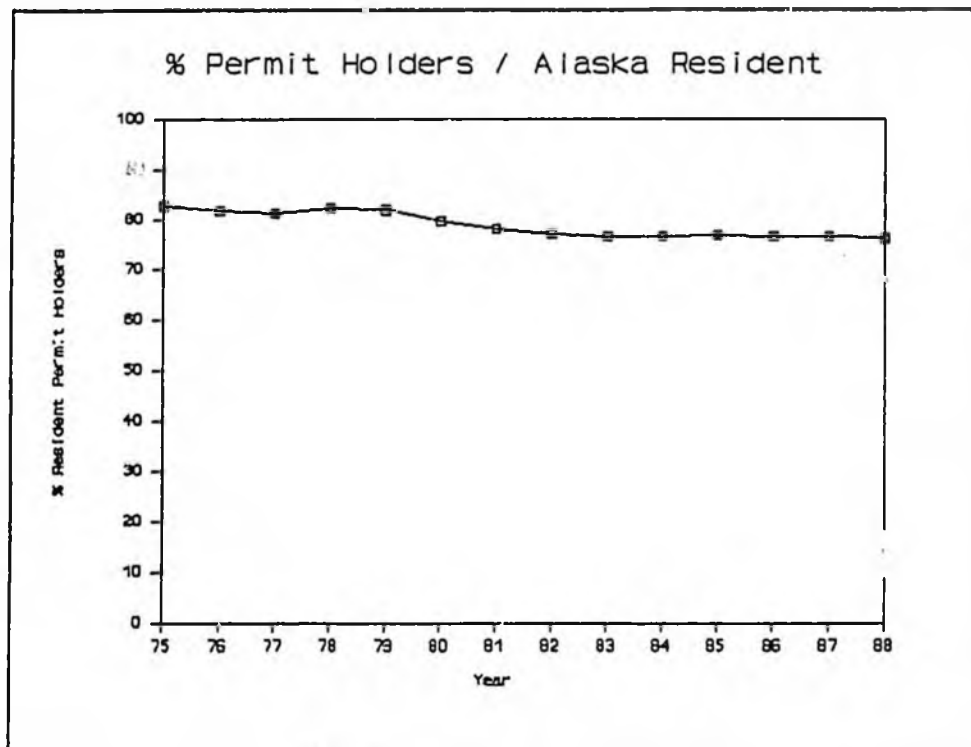
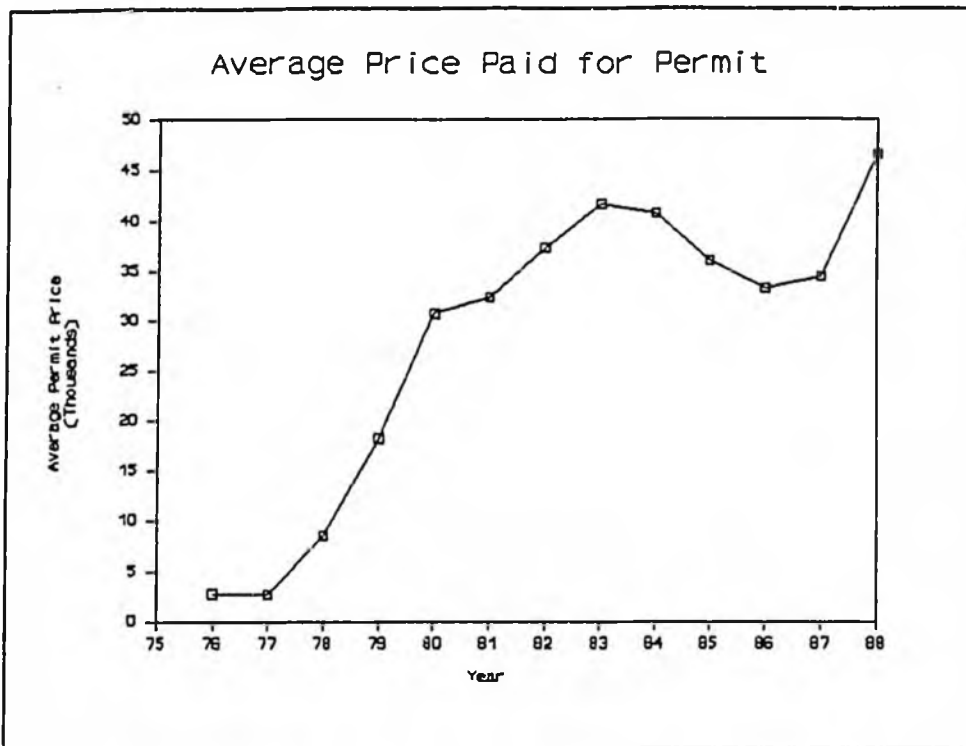
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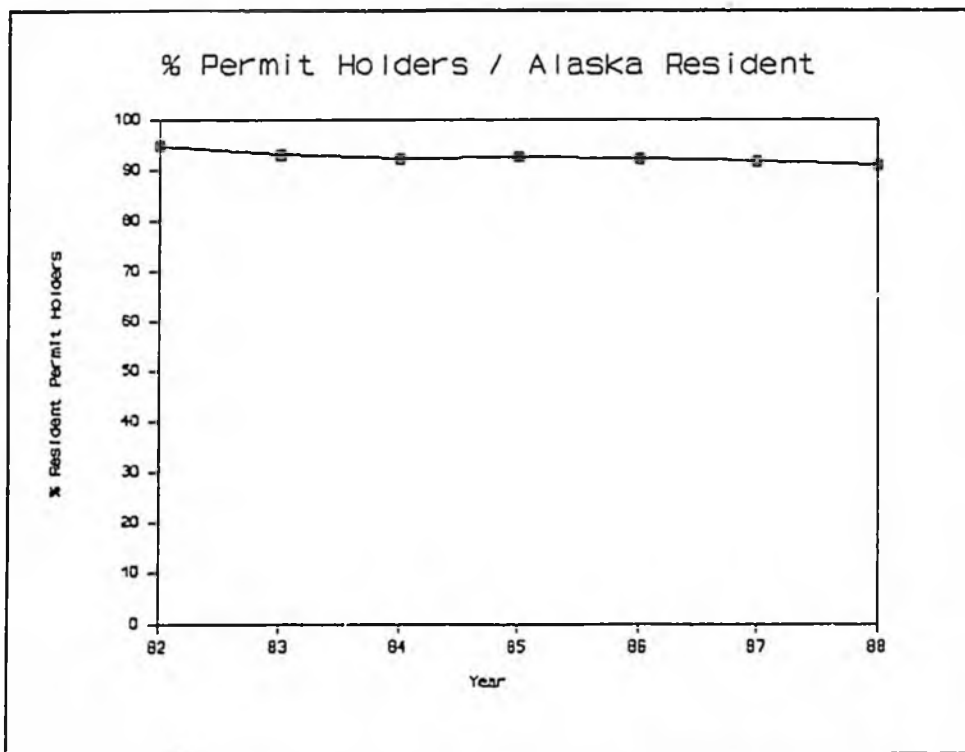
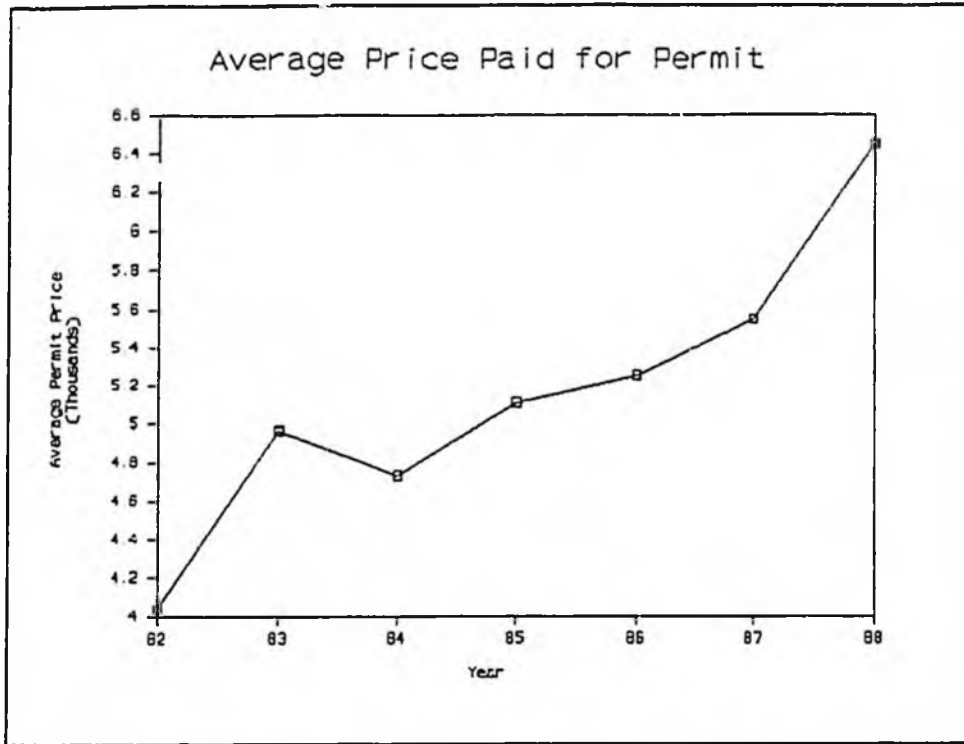
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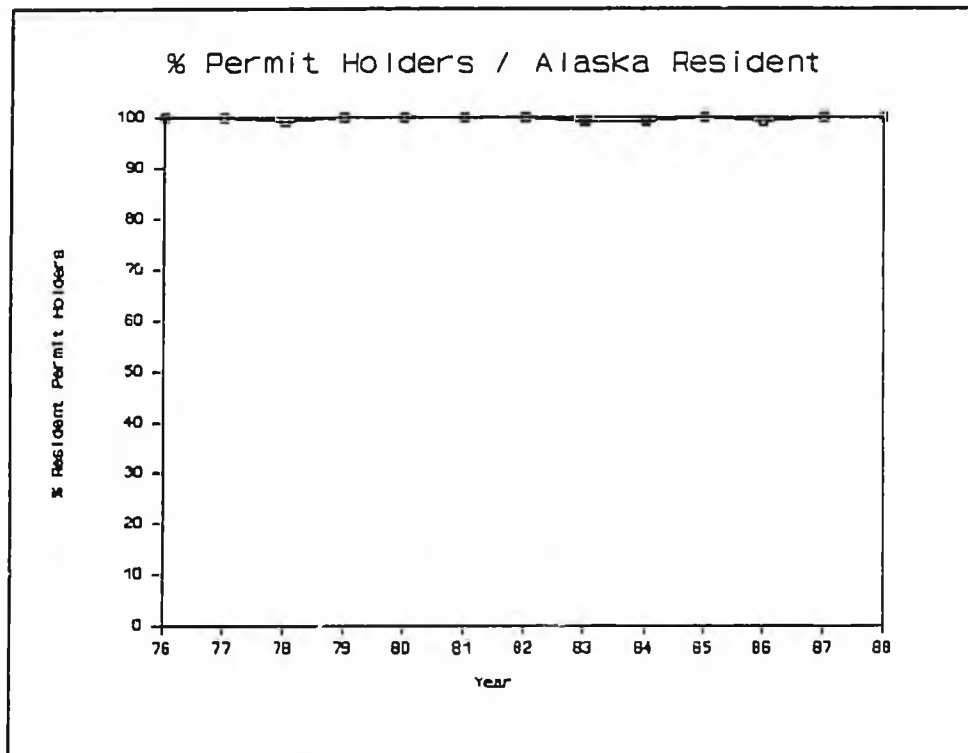
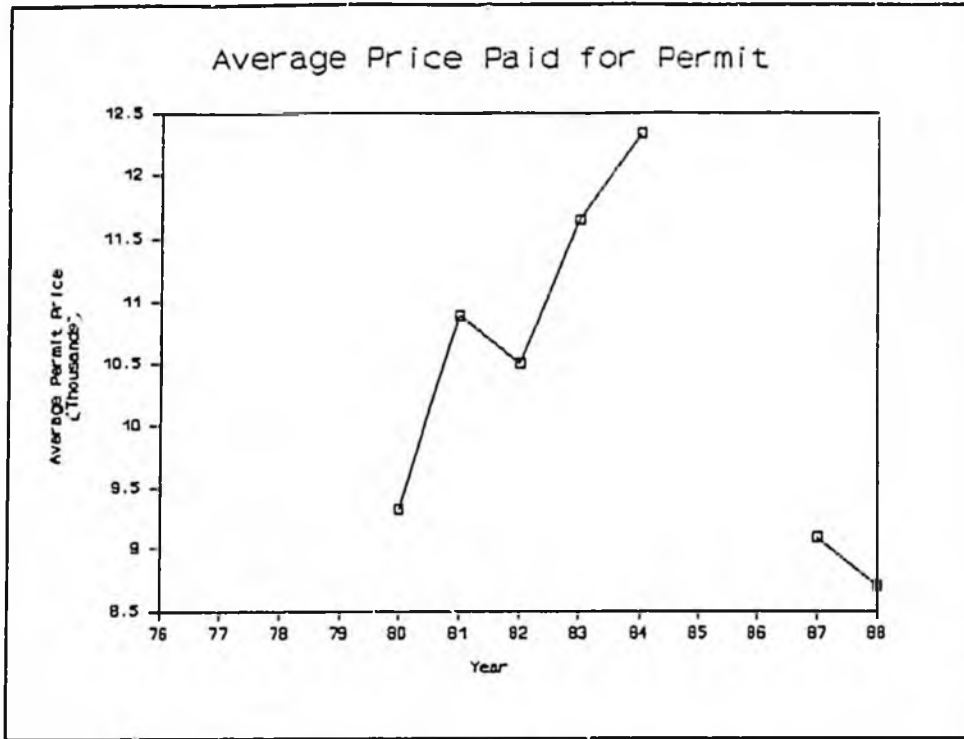
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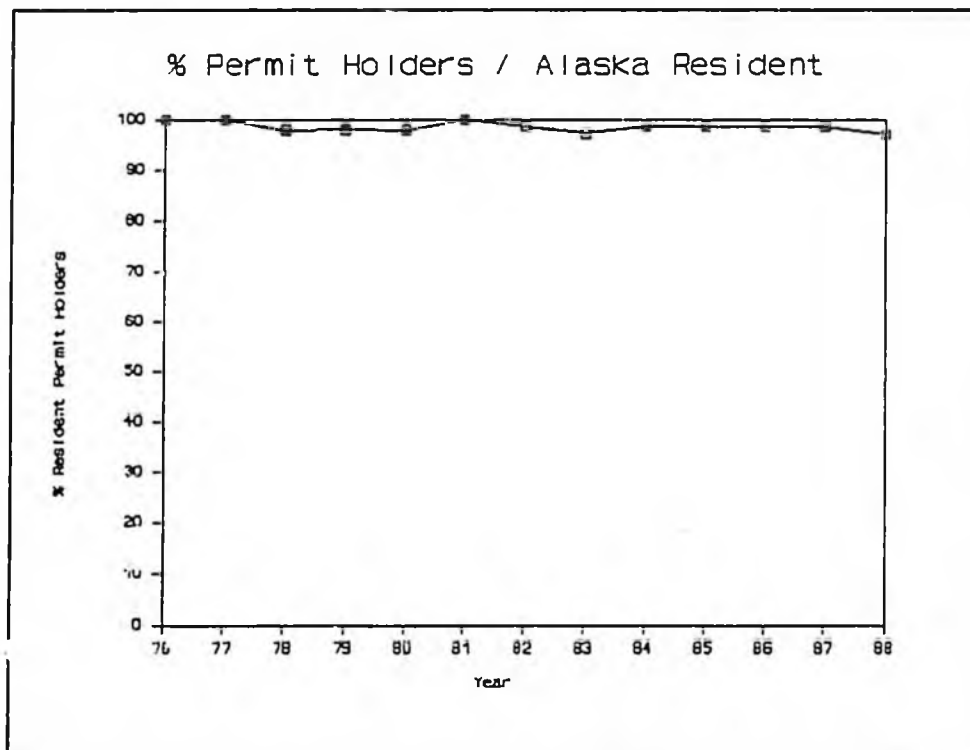
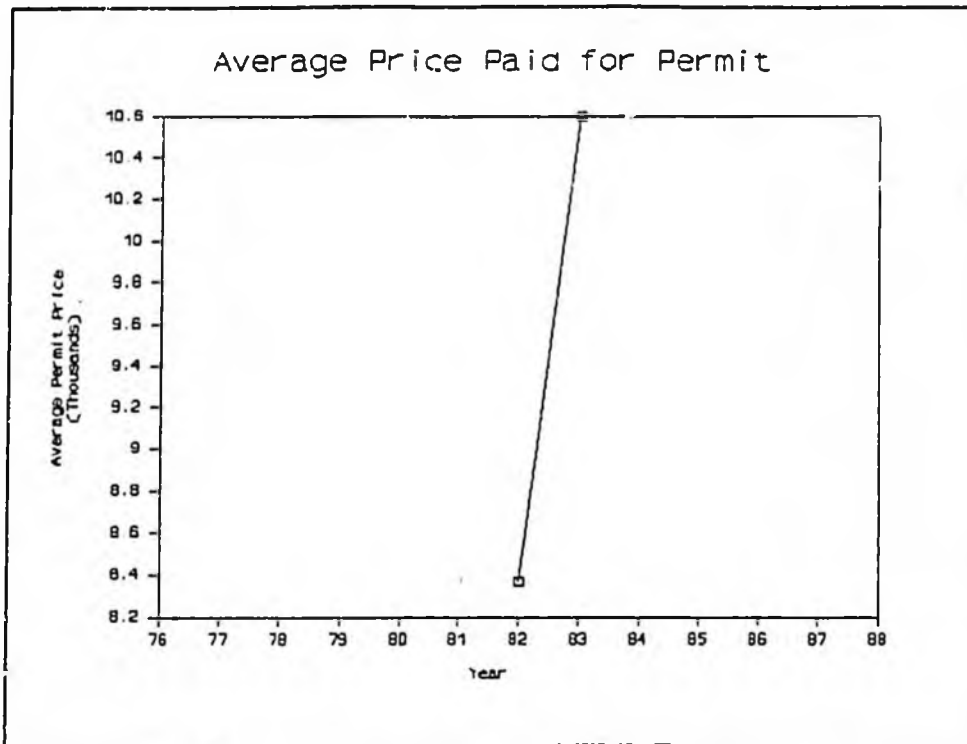
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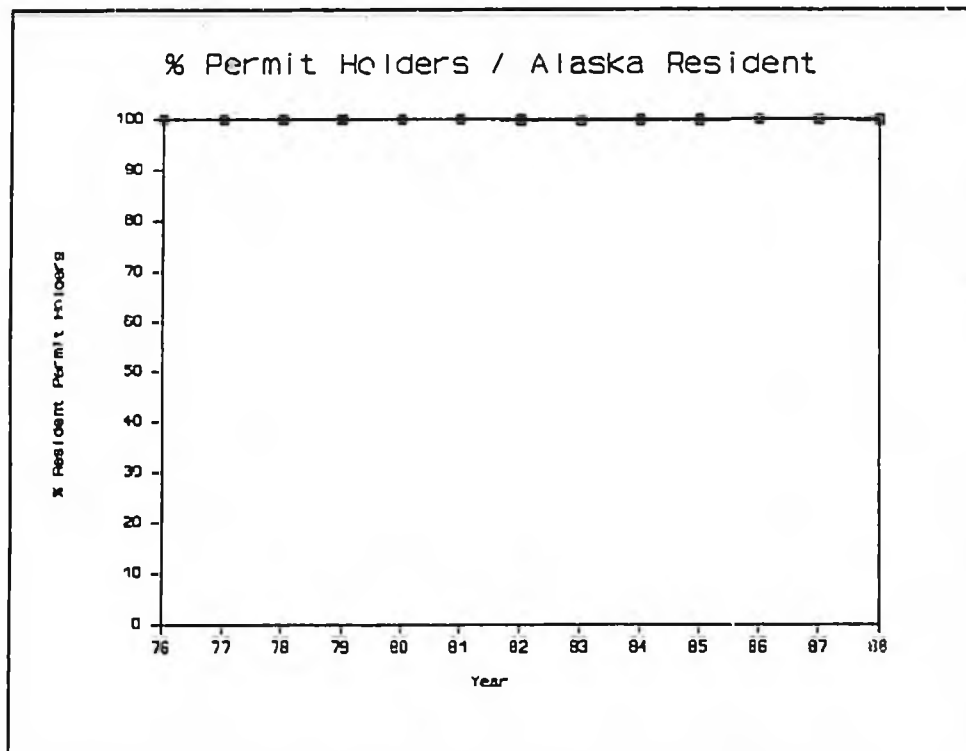
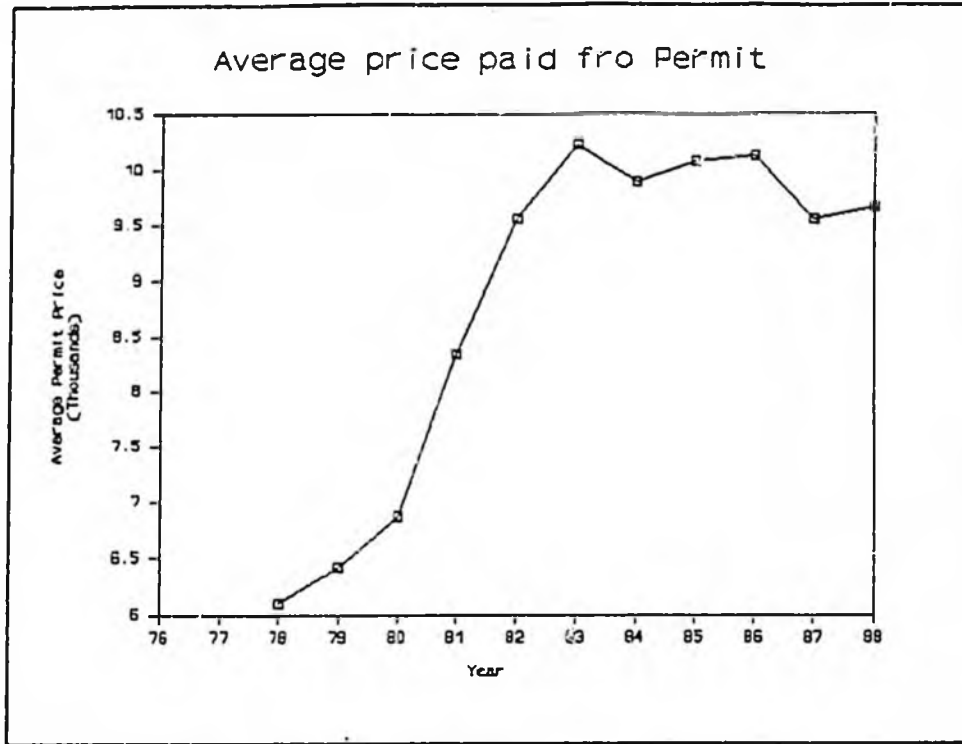
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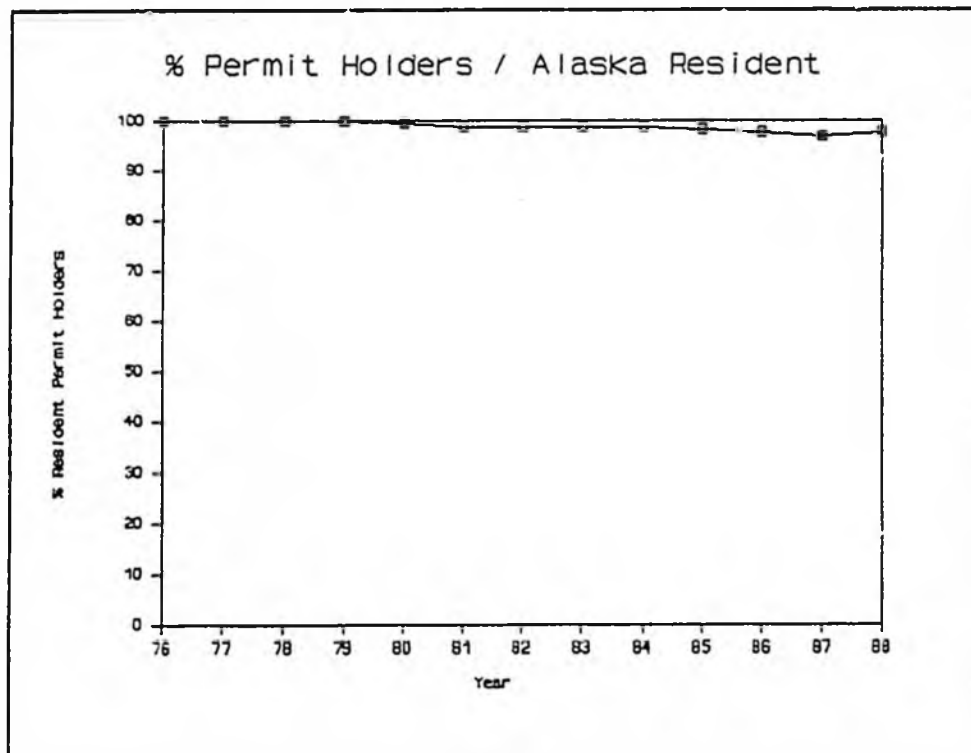
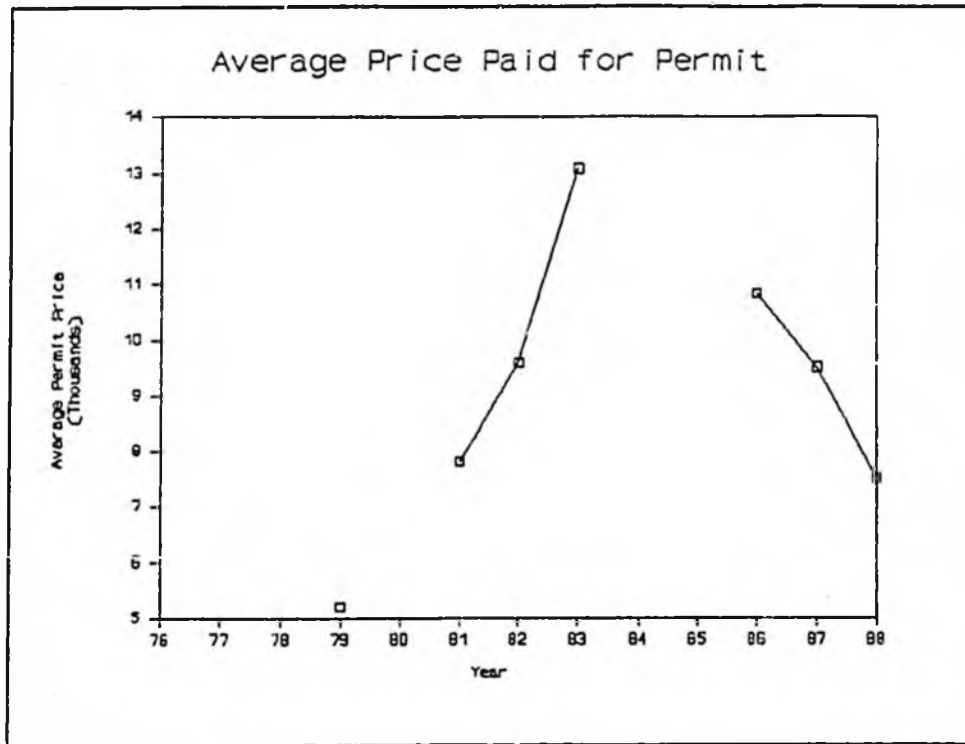
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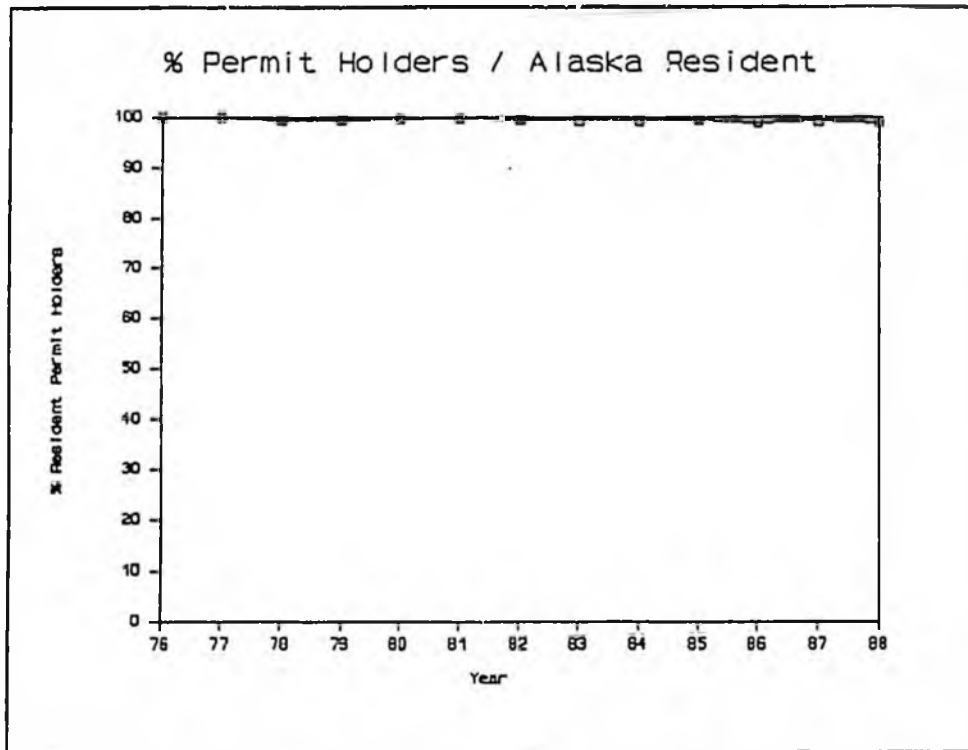
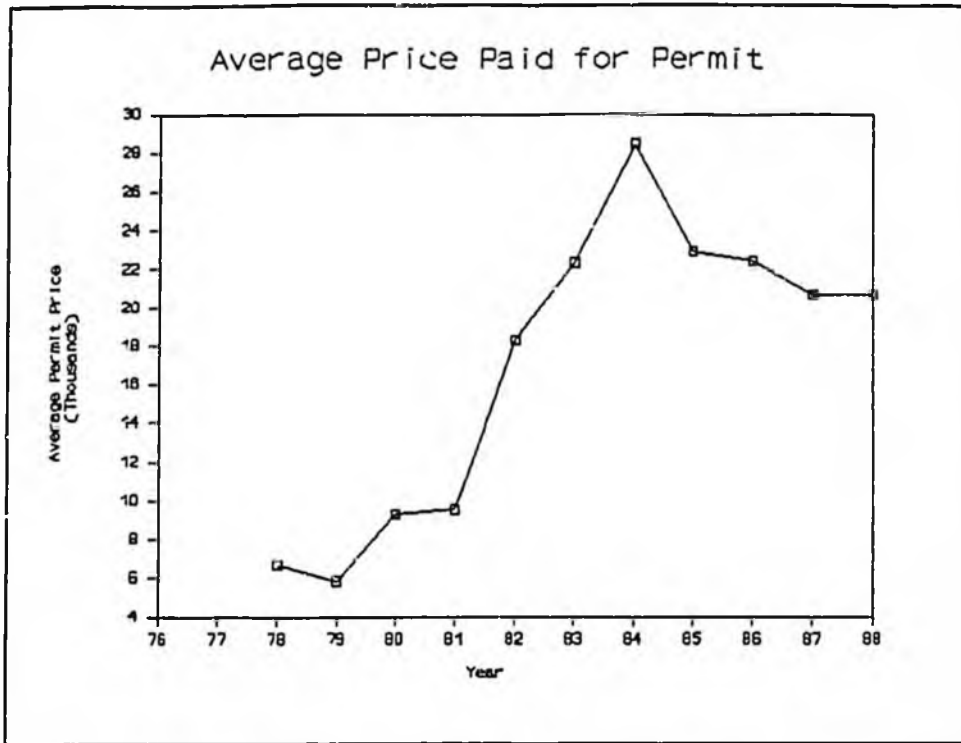
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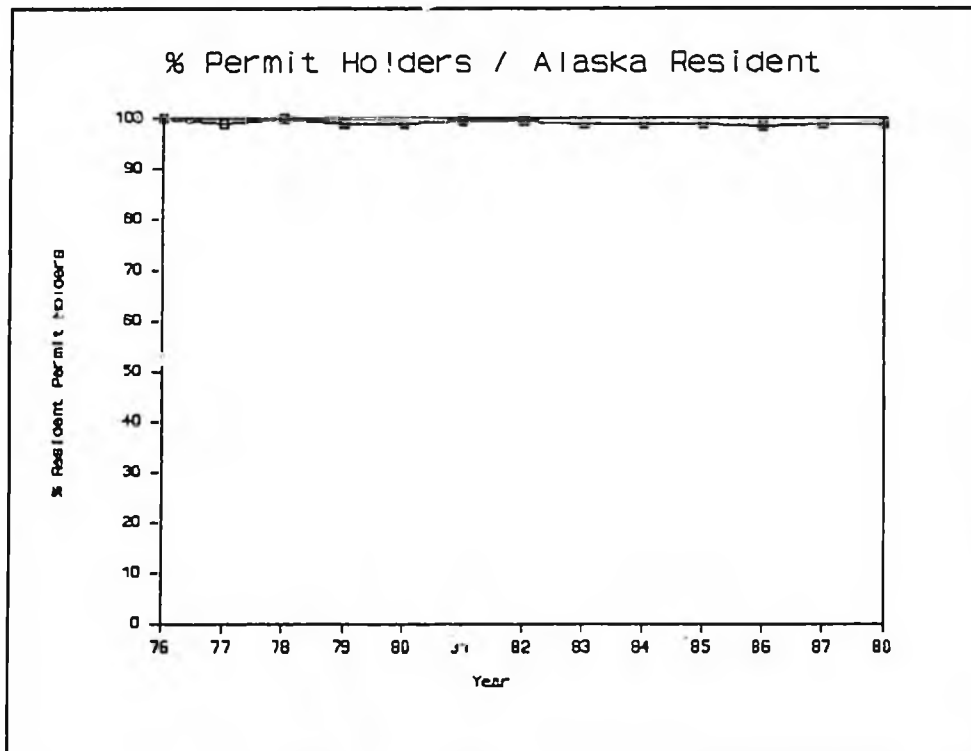
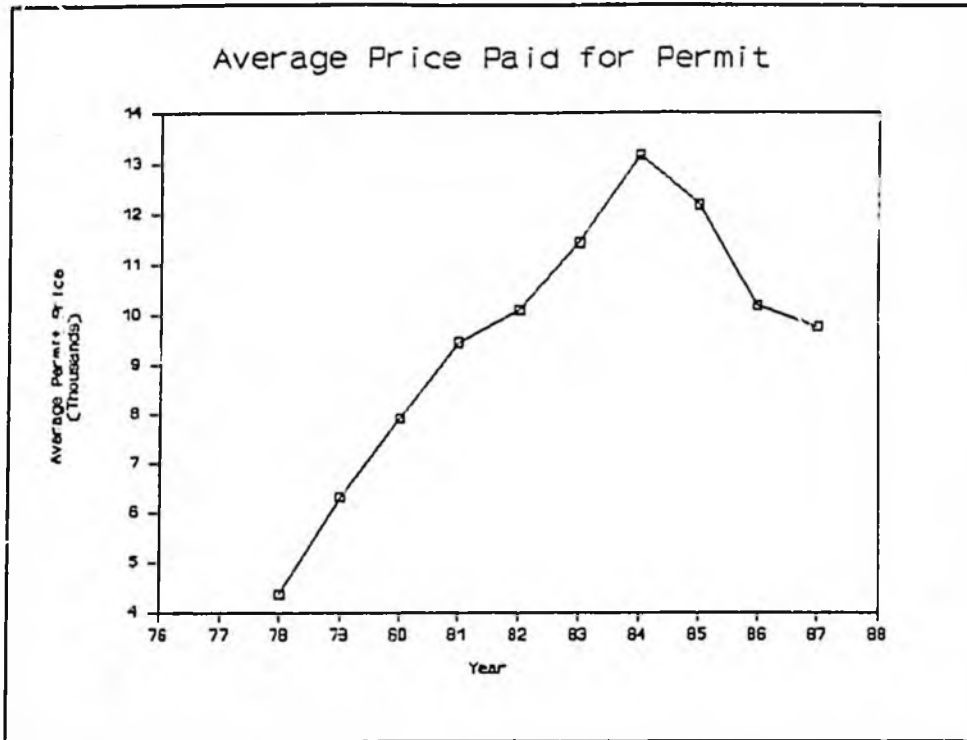
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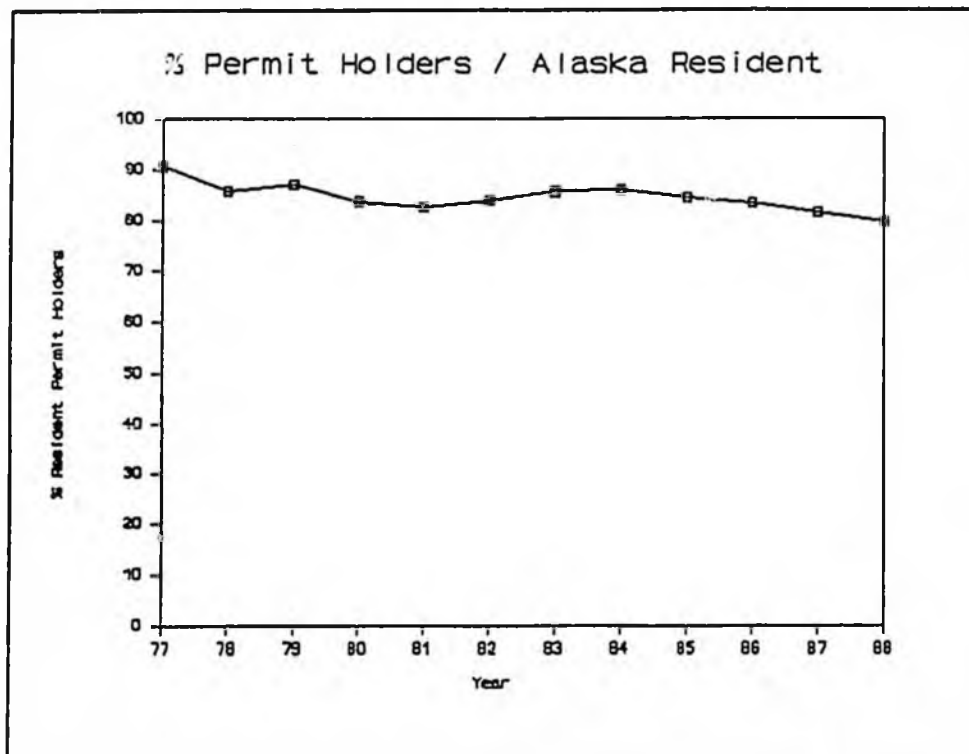
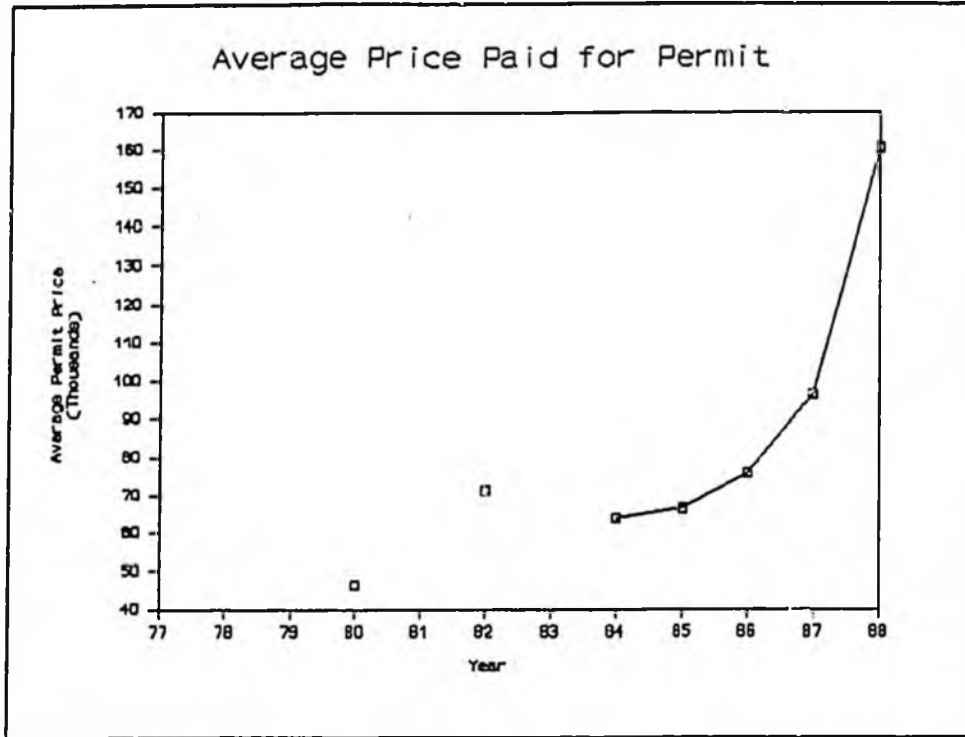
# S04Y SALMON GILL NET LOWER YUKON



# S04Z SALMON GILL NET NORTON SOUND



# G01E HERRING PURSE SEINE PRINCE WM SOUND



# the herring fishery

## *management of a resource is not easy*

By Al Petrovich, Jr.

DFC photos by Jack White

Angry fishermen struggled to retrieve torn, drifting nets in the pale light of a chill January dawn. In nearby seiners and lampara boats, others shouted imprecations. Gulls swooped and shrieked around them, and possible violence was in the air.

A page from Jack London's "Tales of the Fish Patrol"? Not at all; just a busy morning at the height of the 1978 spawning herring season in San Francisco Bay. The near-donnybrook was only an incident in a herring roe harvest already beset by philosophical and sociological differences.

Most of the fishermen who lost their gill nets had little or no previous experience with the tricky tidal currents in San Francisco Bay. Coupled with the limited area in which gill nets could be fished, this unfamiliarity with the waters caused some nets to become tangled in boat propellers, break loose and foul other nets. Predictably, there were lost tempers, loud voices and, reportedly, a few tiffs at waterfront taverns.

Statewide publicity about the 1977-78 herring fishery, and protests of commercial fishermen who had won permits to set nets during the brief winter spawning season prompted the state to take emergency action. The Fish and Game Commission required weights to be placed on the gill nets and fishermen had to light the nets at either end at night.

*Al Petrovich, Jr., is a marine biologist with the Marine Resources Branch at headquarters in Sacramento.*



Why all the fuss about the herring, hardly a profitable fishery prior to 1973?

The herring's roe, rather than its intrinsic worth, is what attracted Pacific Coast fish dealers to San Francisco and Tomales Bays in the early 1970s. Eggs from the female herring brought big prices in Japan as a caviar-like delicacy which the affluent apparently could afford the year round.

The old-time herring fishermen have a quick and effective way of stripping fish from their gill nets—grasp the fish's head in the teeth, push the net away with both hands, then give a quick twist of the head to deposit the fish on the deck. The photo also shows one of the problems of the herring fishermen: deposits of herring roe in the net (foreground). Unless this is washed out right away, it hardens into a solid mass, ruining sections of the net. No solvent yet tried will dissolve it.

### profitable, but not an easy job

By Jack White  
Associate Editor

*It's generally pretty profitable, but it isn't an easy job, this fishing for herring to satisfy the Japanese taste for a very special kind of caviar.*

*Very early mornings and long hours of dirty, stinky, dangerous back-bending labor on the oscillating deck of a small boat go into the gathering of tons of the small silver fish in order to put small quantities of their roe on Japanese tables during special holidays. Even with a motor driven reel to haul in the nets, picking a ton or more of fish from the gill nets as they come aboard is hard labor. Not that the fisherman minds this work—it beats the much more frequent occasions when he hauls in and finds nothing for his efforts. Or when he hauls*

*in a net and finds that larger fish have eaten the catch and ripped big holes in the net.*

*But, when he is lucky, a fisherman may come in with several tons of herring piled high on his deck, his boat riding low in the water. At \$1,000 or more per ton, his labor is well rewarded, and his characteristic optimism is reinforced.*

*The fishermen and the American buyers don't understand the Japanese delight in a material which tastes like salty chewing gum, but they are happy to have this new market which helps keep their equipment and crews gainfully employed. In other seasons, the fishermen may be netting salmon off Alaska or fishing for other species up and down the coast. #*

In California, herring roe—"kazunoko"—generally was found in Japanese-American homes only at New Year celebrations. It was a traditional item for the holiday table and could be ordered in advance at markets selling Japanese foods. According to *Outdoor California's* sources, kazunoko may be soaked in soy sauce and served plain or with seaweed.

Herring are either processed in the United States or shipped frozen whole to Japan. It is strictly a matter of economics. When herring are processed in the United States, the by-products are usually reduced into fish meal to be used as a supplement in animal food.

Herring fishing in California dates from at least the mid-1800s, when most of the catches were sold as fresh fish. Later, from 1916 to 1919, herring was canned or reduced into oil and meal. However, the Reduction Act of 1919 prohibited reduction of whole herring into fish meal, ending the largest component of the fishery.

Annual landings remained low until the late 1940s and early 1950s, when herring were canned as a replacement for the vanishing sardines. Canned herring was not well accepted by the public and by 1954 landings again declined. From 1954 to 1972, the herring fishery played a minor role, its principal uses being human consumption—fresh and pickled herring—dead bait and animal food.

In 1971 a series of events began that were to culminate in the establishment of California's present herring

roe fishery. In the spring of 1971, the Soviet Union banned Japanese herring fishermen from the Sea of Okhotsk. This reduced Japan's catch of roe-bearing fish and they began importing frozen herring from Canada. Prior to then, Japanese herring imports were mostly from the U.S.S.R. and China.

The demand for herring roe continued and failure of the 1972 Japanese winter herring fishery in the Bering Sea set the stage for entrance of California into the lucrative market. The current roe fishery began in January 1973.

There were no regulations governing the commercial harvest of herring as the initial season approached. However, the rush to harvest spawning herring brought attention from local citizens, sportsmen, the Department of Fish and Game, and legislators. Their combined efforts resulted in emergency legislation being passed in January 1973, which gave the Department of Fish and Game responsibility for regulating the herring fishery in San Francisco and Tomales Bays. Catch quotas for both bays were imposed.

During the 1973 season, five boats participated in the Tomales Bay fishery and 12 boats in San Francisco Bay. The price paid to fishermen was \$50 per ton during most of the season but it reached \$100 per ton at season's end.

Before DFG could get legislation introduced for the 1974 season, another bill was introduced which

would have prohibited the commercial take of herring in San Francisco and Tomales Bays, except for bait purposes. DFG opposed the bill by Sen. Peter Behr of Marin County because it believed a controlled fishery would not injure the herring resource.

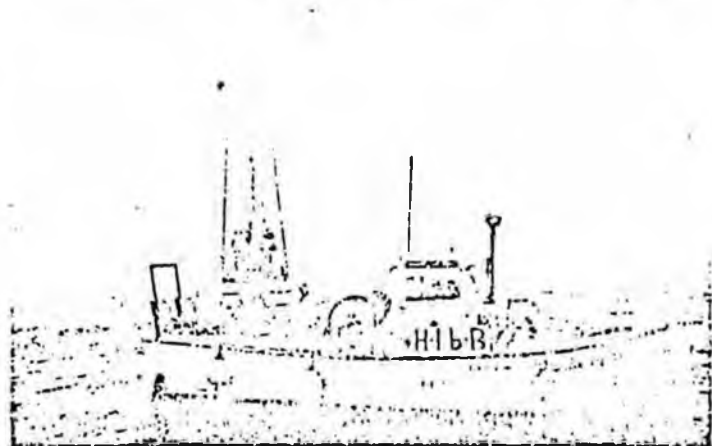
Negotiations with Sen. Behr eventually gave control of the herring fishery in San Francisco and Tomales Bays to the Fish and Game Commission under a revocable, nontransferable permit system. The Legislature still retained control over the quota, limiting the take of herring to 500 tons annually in San Francisco Bay, and to 450 tons in Tomales Bay, except for bait purposes, for a two-year period beginning with the 1974 season.

Herring for bait purposes was not included in the quotas because of an apparently limited market demand. The legislation also required that, during the two-year period the quotas were fixed, the DFG conduct a study in both Tomales and San Francisco Bays to assess the herring spawning population and to prepare a management plan for submission to the Fish and Game Commission.

Under the new legislation, the DFG's responsibility was to draft proposed herring fishery regulations for the Commission's consideration. By meeting with concerned parties, DFG was able to develop regulations which were generally acceptable. And DFG had to take some new management approaches. Probably the



Roe is being stripped from female herring on the dock at Bodega Bay. Ten pounds of herring are taken from each lot of fish to determine the percentage of roe they contain. The price paid to the fishermen is based upon this percentage. This lot contained 12 percent and the fisherman was paid \$1200 per ton.



The small boat in the foreground is a typical herring boat. The motor-driven reel hauls the gill nets over rollers at the stern. The larger boat also is fishing for herring, but is used for other species, too.

most significant one was limiting the number of boats which could fish in either bay—five in Tomales Bay and 12 in San Francisco Bay, the same as the 1973 fishery. Boats were selected by drawing, and limiting the number caused quite a stir among commercial interests. All of the fishermen agreed that the number of boats should be limited, provided *they* were not one of those excluded.

The five permittees in Tomales Bay landed 45 tons of the 450-ton quota in 1974. An additional individual fished for "bait" herring and landed almost 80 tons. Bait fishing in Tomales Bay was stopped voluntarily by this fisherman when the intent of the regulations was explained.

In San Francisco Bay the 12 permittees chosen by lottery landed over 450 tons of the 500-ton quota. However, 11 additional boats selling their catch as "bait" landed nearly 1,500 tons of herring. It soon became apparent that herring landings in San Francisco Bay would be excessive and emergency legislation was, once again, introduced to include "bait" under the quota. How the "bait" herring was processed was obviously questionable, since everyone knew the DFG lost jurisdiction once the herring was shipped out of the state.

Regulations for the 1975 herring season were similar to those for 1974, except that the bait loophole was closed. A lottery again was conducted to select five permittees for Tomales Bay and 12 for San Francisco Bay. In

Tomales Bay, the quota was taken in only two and one-half days of fishing. Fishing was also excellent in San Francisco Bay and the quota was filled.

With the beginning of the 1976 season, control over the quotas in San Francisco and Tomales Bays reverted to the Fish and Game Commission. In addition, new legislation became effective which extended Fish and Game Commission control over the commercial harvest of herring to all ocean waters, if the catches were landed at a California port.

New regulations were adopted by the Commission, which continued the lottery, increased catch quotas and added to the number of permittees. Quotas were increased based on the findings from DFG spawning population surveys conducted in the two previous years. Individual boat quotas were also instituted for the first time in an attempt to distribute the catch among the participants.

Forty-eight permittees were selected in the lottery in San Francisco Bay, a considerable increase over the 12 permittees of the two previous seasons. Nine permittees were selected in Tomales Bay, up from the five in each of the two previous seasons.

The legislation giving the Commission authority to regulate the commercial harvest of herring in all ocean waters did not become effective until March 30, 1976. Through this technicality, Bodega Bay was not included in the regulations for the 1976 season

and herring were taken from there for the first time. Bodega Bay lies north of, and is contiguous to, the mouth of Tomales Bay. Herring on their way to Tomales Bay must pass through Bodega Bay. Fishing was successful in Bodega Bay because of the mild winter weather which arrived with the onset of a two-year drought. Fishermen were probably catching herring destined to spawn in Tomales Bay.

The 1977 season began amidst repeated criticism by the fishing industry regarding the lottery and boat limits. The DFG decided to try an experiment in San Francisco Bay, discontinuing the lottery and issuing permits to all qualified applicants. A total of 230 permits were issued. The total herring quota was increased and separate quotas were established for each gear type, which included purse seine, lampara and gill net.

This was the DFG's first effort at allocating the quota by gear type. The increase in the quota was again predicated on the continuing spawning population estimates.

In Tomales Bay the lottery was retained and 92 applications were received. There were 12 permits issued, an increase of three over the previous season. The increase came in gill net permittees. The quota was also increased and allocated by gear type.

In Bodega Bay a quota was established for gill nets only and 24 permits were issued.

Set gill nets were legalized for the



The little wooden herring boot cabins are crowded with electronic equipment including radar, depth finders and two-way radio. This fisherman is traveling two miles out to where he left his nets the night before. By using radar bearings and depth soundings he traveled directly to the net buoy in heavy fog.

Gill net being hauled aboard on this occasion held only a few herring. This year's catch from Tomales and Bodega Bays was far below normal.



1977 season and resulted in much better catches than were made by using the traditional drift gill nets. Until then, only drift gill nets could be used. Gill nets now became competitive and the fishery began shifting from a purse seine, lampara-dominated fishery, to a gill net-dominated fishery. The reason for the shift stemmed from the preference of buyers for larger fish and the fact that higher percentages of females were taken by gill nets.

It became apparent after the 1977 season, with the great increase in the number of applicants, that a true limited-entry fishery would have to be implemented beginning with the 1978 season: The problems were where to draw the line and what criteria to use to exclude an individual from the fishery. A compromise was reached after public hearings held by both the Department of Fish and Game and the Fish and Game Commission. It involved "grandfathering" into the fishery all permittees who had participated in the herring roe fishery in San Francisco, Tomales or Bodega Bays during the 1977 season. In addition, 155 new permittees were allowed into the fishery. The new permittees were selected through a "point system," based on the number of years an individual held a valid California commercial fishing license. Points were also given for having participated in prior herring fisheries.

The maximum number of points was 20, and this is where DFG started issuing permits. When the number of qualified applicants exceeded the number of permits available, a drawing was held to fill the remaining permits.

Tomales Bay was made a gill net and beach seine only fishery and Bodega Bay remained gill net only. This left San Francisco Bay as the only permit area where fishermen could still use purse seine and lampara nets to take herring. After the various permittees were determined, they were given the option of designating the bay in which they wanted to fish and the type of gear they wished to use. This was to be a one-time option to help ease the trauma of the limited entry.

The final permit total was 353 divided as follows: Bodega Bay—30, San Francisco Bay—285, and Tomales Bay—38. The quotas in San Francisco Bay were once again allocated by gear type and the quota was increased, with the increase going entirely to the gill net permittees.

Prices paid to the fishermen soared, with \$1,000/ton not uncommon. Prices averaged between \$700-\$800/ton for the season. Quotas were met in all permit areas with the exception of Bodega Bay where the end of the drought brought about more normal weather patterns, which hampered fishing activity.

The 1979 season also involved a limited entry fishery. Only those permittees who participated in the 1978 fishery were eligible to participate in 1979. Again, the system created controversy since the price of herring roe had again increased. Fishermen were receiving a reported \$1,200/ton as a base price and some herring reportedly sold for \$2,000 a ton. Consequently, everyone wanted to participate in a fishery with limited space to maneuver fishing boats and gear during a season of not more than three months.

This article could only skim the surface in describing the difficulties involved in the development of a herring roe fishery and its concomitant legislation and regulations. The Department of Fish and Game tried innovative resource management approaches in attempts to satisfy the divergent interests of various groups while protecting the herring resource and providing a viable fishery.

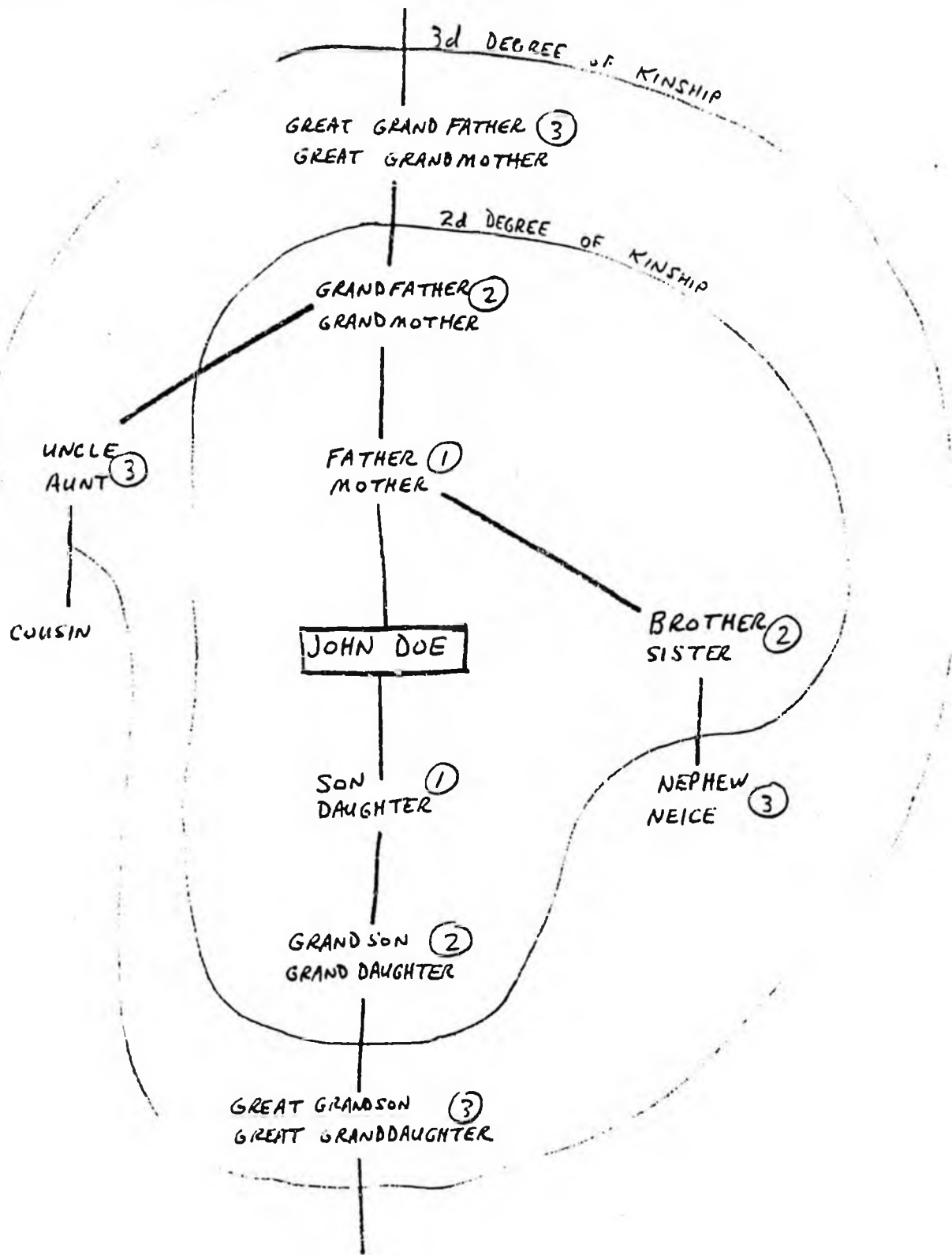
The DFG has learned since 1973, that, in addition to the obvious biological and economic considerations involved in establishing a new kind of herring fishery in California, more subtle sociological and philosophical factors can complicate and frustrate well-intentioned management efforts. Managing a marine resource never is easy. It becomes downright difficult when consumer demand threatens to turn established fishing practices into a seagoing horse race. #



Fishermen shovel herring into a transfer basket at Bodega Harbor. The fish are then placed in boxes, weighed and shipped to Watsonville where they are frozen before shipping to Japan.



Herring fishermen repairing net at Bodega Harbor.



HOUSE BILL 285.

THANK YOU MR. CHAIRMAN FOR SCHEDULING THIS BILL TODAY. YOU HAVE IN FRONT OF YOU HOUSE BILL 285, WHICH CALLS FOR A CHANGE IN THE TRANSFERABILITY REQUIREMENTS FOR COMMERCIAL FISHING LIMITED ENTRY PERMITS. THIS LEGISLATION WOULD REQUIRE A PERSON TO HAVE THREE YEARS EXPERIENCE IN A FISHERY PRIOR TO BEING ELEGIBLE FOR A PERMIT TO BE TRANSFERED INTO SAID PERSONS NAME.

*occupation*

MR. CHAIRMAN IN MY OTHER LIFE I AM A COMMERCIAL FISHERMAN, THAT IS HOW I MAKE MY LIVING. THOSE WHO ARE NOT FISHERMEN OFTEN HEAR OF THE GLAMOR OF COMMERCIAL FISHING IM SURE, BUT THERE ARE SOME MAJOR PROBLEMS IN THE INDUSTRY, DIFFICULT PROBLEMS THAT NEED TO BE ADDRESSED. I HAVE OFTEN HEARD THE FISHERY CHARACTERIZED BY FELLOW FISHERMEN AS A "RAT RACE" A FISHERY THAT IS BECOMING OVERRUN WITH OUTSIDE FISHERMEN, A FISHERY IN WHICH VIOLATIONS ARE THE ORDER OF THE DAY, A FISHERY THAT IS EXTREMELY DANGEROUS DUE TO INEXPERIENCED PARTICIPANTS, YOUNG GREEN HORNS, MR. CHAIRMAN BANK-ROLLED BY A WEALTHY DOCTOR OR LAWYER FROM FLORIDA, CALIFORNIA OR SOME OTHER COUNTRY. PEOPLE WHO VIEW THIS FISHERY AS NOT A MEANS OF EARNING A LIVING PER SAY, BUT RATHER AS A TAX WRITE-OFF, AN

INVESTMENT TO BUILD THEIR PORTFOLIO, OR SIMPLY AS A GAME FOR THEIR CHILDREN TO PLAY DURING THE SUMMER MONTHS. FURTHER MORE MR. CHAIRMAN A FISHERY WHICH IS BECOMING FAR TO EXPENSIVE FOR LOCALS TO GAIN ENTRY INTO.

THESE PROBLEMS MR. CHAIRMAN CAN BE SUMMARIZED AS EXCESSIVE OUTMIGRATION OF THE FISHING PERMITS, AND OVER CAPITALIZATION OF THE INDUSTRY.

PRESENTLY A LIMITED ENTRY PERMIT IS ALLOCATED THROUGH THE OPEN MARKET PROCESS. WHOMEVER CAN DEMONSTRATED THE FINANCIAL MEANS, DICTATED BY THE SELLER OF THE LIMITED ENTRY PERMIT, CAN INVEST ON A PERMIT ANY WHERE IN THE STATE OF ALASKA. THERE ARE NO PRIOR QUALIFICATIONS NECESSARY.

THIS IDEA OF PRIOR EXPERIENCE IS NOT NEW. IN FACT IN 1968 BEFORE LIMITED ENTRY, THE LEGISLATURE APPROVED OF A THREE YEAR APPRENTICESHIP PROGRAM. BUT ULTIMATELY IT PROVED TO BE UNCONSTITUTIONAL. THE LEGAL CLIMATE HAS CHANGED SINCE THEN.

IT IS MY UNDERSTANDING THAT THIS CONCEPT MAY BE DEFENSIBLE AND  
IT MAY NOT BE. THERE IS <sup>are</sup> HOWEVER, LEGAL GROUNDS FOR ITS DEFENSE.

LET ME SUBMIT TO YOU MEMBERS OF THE COMMITTEE, THAT BECAUSE OF  
THE UNIQUE CONDITIONS THAT EXIST IN OUR STATE, PRIMARILY IN THE  
RURAL AREA'S WHERE UNEMPLOYMENT IS HIGH, WHERE JOBS ARE  
SEASONAL AND PART TIME , IF THERE ARE ANY AT ALL, AND WHERE  
THERE IS LITTLE OR NO INDUSTRY, THAT IT IS IMPORTANT TO DO WHAT  
WE CAN TO ENSURE THAT FISHERMEN ARE ABLE TO MAINTAIN THEIR  
LIVELIHOODS.

THE LOSS OF ONE PERMIT IN A SMALL VILLAGE CAN HAVE A  
SUBSTANTIAL ECONOMIC IMPACT ON THE ENTIRE COMMUNITY AND THE  
ECONOMIC MULTIPLIER AFFECT CANNOT BE EMPHASIZED IN MERE  
NUMBERS A LIVELIHOOD THAT PROVIDES A WAY OF LIFE, A JOB, AND  
MONEY THAT THE COMMUNITY DEPENDS ON IS LOST WHEN SOMEONE IN  
RURAL ALASKA TRANSFERS A LIMITED ENTRY PERMIT OUTSIDE THE  
COMMUNITY.

HOUSE BILL 285, WHICH WILL REQUIRE THREE YEARS PRIOR PARTICIPATION BEFORE A LIMITED ENTRY PERMIT CAN BE TRANSFERRED, WILL ADDRESS THIS DILEMMA BY ALLOWING THOSE WHO HAVE DEMONSTRATED A PRIOR HISTORY IN A FISHERY TO HAVE A CHANCE TO INVEST IN A PERMIT.

AS OPPOSED TO SOMEONE WHO HAS THE FINANCIAL WHEREWITHALL TO INVEST IN A PERMIT WITHOUT CONSIDERATION TO THOSE WHO HAVE SPENT YEARS IN A FISHERIES.

THE ESCALATION OF LIMITED ENTRY PERMITS HAS BEEN WELL DOCUMENTED. PRICES WHICH HAVE BEEN DRIVEN SKY HIGH BECAUSE OF THE MARKET PROCESS. PRICES WHICH ARE FAR AND AWAY BEYOND THE MEANS OF THE LOCAL FISHERMEN. FISHERMEN WHO KNOW THE AREA, WHO KNOW THE PEOPLE, AND WHO ARE CONCERNED ABOUT THE FUTURE OF THE RESOURCE. IN OTHER WORDS, FISHERMEN WHO ARE NOT IN THE BUSINESS TO MAKE A PROFIT AND RUN.

BEYOND THE ECONOMIC CONSIDERATIONS THERE ARE ALSO CONCERNS OF SAFETY AND ENFORCEMENT. IN MANY FISHING DISTRICTS STATEWIDE, SEASONS IN THE PAST HAVE BEEN MONTHS, BUT BECAUSE OF FASTER BOATS AND ADVANCED TECHNOLOGY, MANAGEMENT HAS HAD TO REDUCE FISHING PERIODS IN MANY DISTRICTS TO HOURS, IN ORDER FOR TO CONSERVE THE RESOURCE. IN THESE FAST PACED FISHERIES, WHERE A DERBY ATMOSPHERE PREVAILS, WHERE VESSELS ARE ROARING AROUND AT MAXIMUM SPEED, IT IS IMPORTANT THAT ONE KNOW WHAT IS GOING ON. THERE ARE MORE THAN JUST MACHINERY AT STAKE. HUMAN LIVES ARE ON THE LINE.

I AM NOT CLAIMING THAT THIS LEGISLATION WILL BE A CURE ALL FOR SAFETY AND ENFORCEMENT PROBLEMS, BUT IT WILL HELP REDUCE THE ABSORPTION OF INEXPERIENCED FISHERMEN AND WILL ALLOW FOR THOSE WHO HAVE PRIOR EXPERIENCE AN EQUAL OPPORTUNITY TO INVEST IN THE FUTURE OF OUR FISHERIES. ~~INTO OUR FISHERIES DISTRICTS~~ WITH THAT I WOULD BE HAPPY TO ANSWER ANY QUESTIONS.

*The difference in CS in separation & active participation.*

## MEMORANDUM STATE OF ALASKA

TO: John Walsh  
Legislative Assistant  
to Rep. Richard Foster  
M/S 3100

DATE: February 21, 1989

FILE NO.:

SUBJECT: Restrictions upon  
transfers of entry  
permits to  
legislation

FROM: Commercial Fisheries Entry Commission  
Bruce Twomley, Chairman  
Ron Listowski, Commissioner  
Phil Smith, Commissioner  
M/S 0302

CONFIDENTIAL

At your request, we and various members of our staff have reviewed the draft legislation you transmitted to the Commission. In addition to the issues raised by Legislative Counsel, George Utermohle, we would like to pass on the following comments.

Purposes/Functions

Our staff discerned two likely purposes for this proposed legislation:

- (1) Reduce transfers of entry permits out of rural Alaska areas by limiting the pool of eligible transferees; and
- (2) cut down speculative purchases of entry permits by individuals who are not "active" fishermen.

Additionally, one could argue that the restrictions you propose would serve a safety function and might serve to aid in securing compliance with the regulatory scheme in a given fishery.

Costs

The expense of such a measure would vary according to how serious the State would be about ensuring compliance with the requirement. Our staff raised the following issues which bear on the costs of administering such a requirement:

- (1) What kind and how much active participation is to be required: one hour, one day, two days, one or more openings?
- (2) What evidence of participation will be required? Copies of crew licenses would be of no value. Fish...

would be useful, only if signed by the proposed transferee. We have found affidavits to be notoriously unreliable. Perhaps some form of registration on the grounds upon entering and leaving a given fishery in a given season. Such a procedure would require the cooperation of agencies beyond the Entry Commission.

(3) A procedure like that of the State Loan Program allowing a proposed transferee to "pre-qualify", would be beneficial so that completion of a transfer would not be unduly delayed.

Generally, for CFEC, we would anticipate the following costs:

- (1) Revising existing or developing new transfer forms, approximately \$1,200;
- (2) publishing new regulations, \$500;
- (3) hiring an additional staff member to assist in the transfer review process (CFEC's resources in this area are already overburdened); A Transfer Technician at salary range 12, about \$2,082/month; and
- (4) conducting the additional hearings which would result from challenges to denials of eligibility (this cost is very difficult to anticipate; existing hearing officers may be able to absorb the additional hearings but at the cost of further delay to pending claimants).

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6000  
Hand

Issues

The proposal may be unconstitutional. See, Bozanic v. Reetz, 297 F. Supp. 300 (D.Ak 1969); vacated on grounds of abstention, 367 U.S. 82, 90 S.Ct. 788 (1970). Additionally, purpose no. 1, as noted above, may be legally indefensible.

To the extent that the proposal is premised upon safety or demonstrated ability, it would create an irrebuttable presumption and thereby may be legally vulnerable. At least two examples come to mind of otherwise qualified individuals who would be precluded from purchasing an entry permit under the proposal: (1) a family member present for a number of years in a fishing operation (perhaps a set net site) but not having actively participated; and (2) a longstanding Bristol Bay drift gill net fisherman who wished to purchase a drift permit for Cook Inlet.

Finally, you have undoubtedly heard professional Alaskan fishermen express the importance to them of flexibility; that is, the ability to move from one fishery to another or to participate in more than one fishery. The proposal is likely to be extremely unpopular with these individuals.

Conclusion

We believe this covers the thoughts that have been expressed about your proposal here at the Commission. We would be happy to meet to discuss the matter further with you and Representative Foster.

# MEMORANDUM STATE OF WYOMING

TO: Mr. [Name]
Mr. [Name]
Mr. [Name]

DATE: February 19, 1959

1959 001

Subject: [Faint text]

FROM: Mr. [Name]
Mr. [Name]
Mr. [Name]

[Handwritten initials]

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STATION 12

WATER TEMPERATURE 52.0 F

WIND DIRECTION 000

WIND VELOCITY 0

SEA STATE 0

MOON PHASE 000

MOON AGE 0.0

MOON SET 000

MOON RISE 000

MOON SET 000

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February 15, 1990

Representative Davidson & Menard,  
House Resources Co-Chairman  
Capitol Building  
Juneau, Alaska

RE: House Resources Hearing on HB 285 Dealing With  
Transferability of Limited Entry Permits

Dear Co-Chairmen:

I have been a salmon fisherman since 1965, and currently own a Bristol Bay Limited Entry Permit. I have lived in Dillingham all my life.

Also, I feel I have an economic perspective into the importance of the fisheries in our area as I have served as President of the Bristol Bay Herring Marketing Cooperative since 1979.

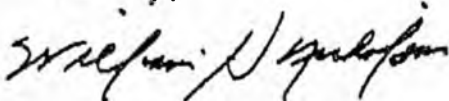
I have spoken with several fishermen in the area, and it is our feeling that your bill is something which is sorely needed. Too many permits are being purchased by outside interests. Also, money generated in the region is spent elsewhere.

The only concern I have is that permits be made available to relatives without the criteria of prior fishing experience. Transfers to relatives should be made possible not only after death, but also during ones illness. A case in point in our area is a man who has terminal cancer. Under the present language of the bill, it is not clear if he can transfer the permit to his young son.

I do not think that our limited entry permits will lessen in value because one must have prior experience before he can purchase a permit. Also I do not think anyone in the state will be excluded from buying into the Bristol Bay salmon fisheries. What the bill will tend to do, in my own estimation is to slow down the transfer of permits to "outside" residents, yet allow for transferability among relatives who live in the Bristol Bay area.

This is a good bill and should be allowed to pass as long as the relative's transferability question is addressed. It is my hope this bill is supported by your committee members.

Sincerely,

  
William H. Nicholson,  
Commercial Fisherman