

HB

137



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
 committee name  
 committee on HB137 , dated May 10, 1991  
 bill/subject

See Attached (1 p.)

Signed: Glenn Wilber, President  
 Testifier  
AK Underwater Harvesters Assn.  
 Representing (Optional)  
3311 HPR, Sitka AK 99835  
 Address  
 \_\_\_\_\_  
 Phone No.

1.00

Alaska State Legislature  
House of Representatives  
Rep. Cliff Davidson, Chairman  
House Resources Committee

May 10, 1991

Hello:

The arguments for and against HB 137 and SB 241 are well known to all of you I believe, but the new emerging fisheries that this Bill will help to manage more effectively are possibly not as familiar to all of you.

Sea Cucumbers are the most well known dive fishery in S.E., but may soon take a back seat to several other emerging fisheries. Sea Urchins are probably the most promising emerging fishery considering the potential capital, and the quantity of resource, but there are also geoducks, a potential hard-shell clam fishery, and several lesser potential fisheries that could benefit from this legislation.

I know that all of you can see the potential value of being able to manage a fishery prior to a problem rather than manage from a reactionary position.

Thank you,

Glenn Wilber, President  
Alaska Underwater Harvesters Assn.  
3311 HPR Sitka, Alaska 99835

P.S.: The first House Resources telethon was called during the Sea Cucumber opening when most divers were out; the last was the day following the Halibut opening when most of us were trying to off-load, still out of town, or possibly just trying to recuperate. We all realize the necessity for the legislature to schedule committee meetings at their own convenience, but please take these factors into consideration when taking notice of the poor turnout for the telethons.

cc: Rep. Ben Grussendorf  
Sen. Lloyd Jones, Sponsor of SB 241

GW/gj

TESTIMONY ON HB 137

by

Larry Cotler  
Southeast Alaska Dungeness Crab Association

May 10, 1991

Mr Chairman, Members of the House Resources Committee:

I appear today on behalf of the Southeast Alaska Dungeness Crab Association in support of the proposed Committee Substitute for HB 137. The Southeast Alaska Dungeness Crab Association is an organization of dungeness crab fishermen from throughout Southeast who fear for the future of the dungeness crab resource and their ability to derive a living from the commercial harvest of that resource.

The Southeast dungeness crab fishery is a fairly unique fishery in Alaska. The fishery occurs totally in the relatively sheltered inside waters, and is the only crab fishery in Southeast which has not been limited. The fishery is prosecuted predominantly by small boat, resident Alaska fishermen. According to the Commercial Fishery Entry Commission Briefing Report 90-5 (CFEC 90-5), less than 1% of the vessels in the fleet since 1986 have exceeded 60 feet in length. In fact, during the 1988-89 season, "the predominant vessel size class was 29 feet or less (45%), and over 75% of the fleet was smaller than 40 feet". (pg.70, CFEC 90-5) Seven vessels were between 50 and 59 feet, and only 2 were larger than 70 feet. (pg. 88, CFEC 90-5) Ninety percent of the total dungeness catch since 1981-82 was harvested by vessels less than 50 feet.

	<u>1989/80</u>	<u>1988/89</u>	<u>1987/88</u>	<u>1986/87</u>
Less than 50 foot boat:	222	312	373	428
More than 50 ft. boat:	13	16	21	32

The fishery is also one in which new participants have been entering at a rapid pace. 86% of current participants have fished dungeness for less than 5 years. Sixty-six persons entered the fishery for the first time in 1989-90. (CFEC 90-5) Anecdotal information indicates substantial new entrants for 1991, including several large boats from West Coast Dungeness crab fisheries.

In terms of residency, the most recent year for which information is available, the 1988-89 fishing year, showed that 91% of the participants in the Southeast dungeness fishery were Alaskan residents. This is a dramatic shift from the early 1980's when 30% of the participants were non-residents. (pg. 12, CFEC 90-5) The level of resident and non-resident participation appears directly related to the health of West Coast dungeness stocks. According to the CFEC Briefing Report, "[t]he number of non-residents in the... fishery was highest in 1982, historically one of the lowest harvest periods in the Pacific Coast fishery". The high level of non-resident participation continued through 1985/86 when it dramatically dropped. This coincided with substantially increased harvest levels of dungeness off the coast of Washington State.

One of the concerns of Southeast dungeness fishermen is that West Coast Dungeness stocks are once again declining and we will experience a large influx of non-resident fishermen with large vessels entering the Southeast fishery during the next few years. Dungeness crab populations in northern California, Oregon and Washington have exhibited cyclic variations in abundance during the past several decades. The period of the cycle has been fairly regular at about ten years, with very large harvests occurring toward the later part of a decade followed by very low harvests the remainder of the decade. The following table shows West Coast dungeness landings since 1985 (in thousands of pounds):

	<u>1985/86</u>	<u>1986/87</u>	<u>1987/88</u>	<u>1988/89</u>	<u>1989/90</u>
Wash.	5,430	4,806	17,858	23,892	6,700*
Oregon	7,171	4,747	8,685	11,154	N/A
Calif.	5,990	8,597	8,754	9,552	N/A

Source: Pacific Marine States Fishery Commission/Wash. Dept. of Fisheries

\* Does not include Puget Sound landings which were approx. 1 million pounds.

There is little dispute the West Coast dungeness stocks are currently entering their cyclical downturn. Washington State Dept. of Fisheries reports that total landings to date for the 1990/91 dungeness season are 6 million pounds. They do not expect the total harvest to exceed 7 million pounds. Typically, the Washington State harvest occurs during December and January (approx. 55% of total harvest) with most of the remainder taken early in the spring. (personal communication)

Southeast dungeness crab fishermen fear these vessels will move north to Alaska and displace them from their fishery and adversely affect the overall health of the stocks.

A substantial increase in effort may adversely affect the biological health of the stocks as well as cause social and economic harm to participants. The CFEC Briefing Report states: "...Significant changes in effort in the southeast Alaska fishery may affect biological interpretation of population abundance and may mask cycles of abundance". In other words, increases in effort may result in a larger overall harvest which may indicate a large and healthy legal age population. If, however, the amount of effort (or numbers of pots) used in the harvest is inaccurately accounted, the reason for the increased harvest may not be due to a large and healthy population but to increased effort. This could lead to misinterpretation by the managing biologists of the overall health of the stocks.

The CFEC Briefing Report continues: "An additional problem for management... is the overlap of part of the dungeness crab season with the sensitive molting and mating periods of the crab. An intense fishery such as this can inflict substantial handling mortality on newly molted crab". (pg. 87)

Most crab fisheries are scheduled to avoid the molting period in order to minimize adverse impact upon the sensitive crab. Southeast dungeness, however, does overlap the molting period (at least in some areas) due to the positive economic benefit derived from the sale of dungeness during the summer tourist season. Allowing effort to continue increasing in this fishery, particularly if the increased level of effort stems from several large vessels intensely fishing 300 pots, will likely result in increased handling mortality which could adversely affect the overall health of the stocks. An alternate choice would be to close the commercial fishery during the molting period, but this would have severe adverse economic impacts upon the small boat fleet that depends upon the summer trade.

Finally, this is the only crab fishery in Southeast Alaska which is not currently subject to limited entry. As a result, there is no method currently available to control new entry to this fishery. We know that new entrants are increasingly entering the fishery. We fear additional entrants on a scale we haven't seen before. There are legitimate reasons for concern for the resource, and legitimate reasons for concern for the social and economic impact upon existing Dungeness participants. We believe the future of our fishery is at stake, and urge you to provide CFEC with the ability to address our problems in the event the evidence warrants action.

Thank you.

REPRESENTATIVE  
BEN GRUSSENDORF  
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(907) 747-8458

RULES COMMITTEE  
LEGISLATIVE COUNCIL

DISTRICT 3  
ELFIN COVE  
REPUBLICAN  
PORT ALEXANDER  
SITKA  
TENAKEE

# Alaska State Legislature



WHILE IN JUNEAU  
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House of Representatives  
SPEAKER OF THE HOUSE

## MEMORANDUM

TO: Rep. Cliff Davidson  
Chairman  
House Resources Committee

FROM: Rep. Ben Grussendorf

DATE: May 9, 1991

RE: House Bill 137

Since the initial hearing on House Bill 137 by your committee, there have been numerous discussions among the parties interested in this legislation. Various legislators and staff, representatives of the Alaska Department of Fish & Game ("ADF&G"), Commercial Fisheries Entry Commission ("CFEC") members, and commercial fishermen have all offered their views on how this bill could be improved. In addition, the Senate Resources Committee held a hearing on SB 241, a measure similar to HB 137, sponsored by Senator Lloyd Jones.

As a result of these hearings and discussions, I have concluded the following:

1. There appears to be general agreement that the CFEC should be given the authority to impose a moratorium on new participants in those new or "emerging" fisheries that experience unusually high levels of participation and for which accurate biological data is unavailable.

2. There appears to be significant opposition to that portion of the bill which grants the CFEC moratorium authority over fisheries which aren't considered new or "emerging", those fisheries which have been in existence for a long period of time. Much of this opposition stems from the notion that good biological data should already be available for a long time fishery, and that the CFEC should already be in a position to know whether a "limited entry" program would be appropriate for such a fishery.

3. It appears that one fishery that has been in existence for a long time - the Southeast dungeness crab fishery - should be considered for inclusion among those fisheries for which the CFEC would be given moratorium authority. I have come to this conclusion after talking to Southeast dungeness crab fishermen and ADF&G biologists responsible for that fishery. It's my understanding that ADF&G has relatively little biological data on this fishery, due principally to the allocation of the department's research budget to other fisheries. The second problem is the strong indication that the fishery is about to experience a tremendous increase in participation. This increase could seriously impact the continued health of the fishery.

In order to accomplish the purposes for which I sponsored House Bill 137, and at the same time garner the support needed to pass the bill, I would very much appreciate it if the House Resources Committee would consider adopting the attached substitute in place of the original bill.

The major differences between the original HB 137 and the proposed substitute are as follows:

A. FISHERIES ELIGIBLE FOR A MORATORIUM.

As Sec. 5 [page 4, lines 9-15] of the substitute makes clear, only a fishery that has

1) "experienced recent increases in fishing effort that are beyond a low, sporadic level of effort" and

2) "achieved a level of harvest that may be approaching or exceeding the maximum sustainable level"

would be eligible to be considered for a moratorium. This new language was taken from a regulation recently adopted by the Board of Fish. The regulation (a copy of which is attached) deals with "High Impact Emerging Fisheries," the type of fisheries with which my bill is primarily concerned.

I believe this new language will give the Dept. of Fish & Game and the CFEC the necessary authority to deal with a fishery that is threatened by a sudden increase in participation, while at the same time ensuring that the grant of authority is not too broad.

**B. THE MORATORIUM "TRIGGER" MECHANISM.**

The proposed substitute [page 4, lines 16-19] requires the Commissioner of Fish & Game to petition the CFEC to establish a moratorium of the bill requires the Commissioner of Fish & Game to petition the CFEC for review of any fishery for which the Commissioner concludes a moratorium may be needed. The bill as introduced would have left the moratorium process entirely in the hands of the CFEC. This change is supported by the CFEC and the Department of Fish & Game, and should give some assurance to those who are concerned that the original bill granted too much authority to the CFEC. Because a moratorium on entrants is, in practical terms, a management tool, I believe it is appropriate that a moratorium trigger should be initially in the hands of the fishery managers (i.e., the Department of Fish & Game).

As with the original bill, the proposed substitute [page 4, lines 20-26] requires that, prior to the imposition of a moratorium, the CFEC must find that (1) "the fishery has reached a level of participation that may threaten the conservation and sustained yield management of the fishery resource and the economic health and stability of commercial fishing"; and (2) the CFEC does not have enough information to conclude that a full blown limited entry program is appropriate.

**C. THE SOUTHEAST DUNGENESS CRAB FISHERY.**

Although it is not a fishery that has "experienced recent increases in fishing effort that are beyond a low, sporadic level of effort," and would therefore not otherwise be eligible for a

moratorium, the Southeast dungeness crab fishery may very soon need the protection that a moratorium could offer. The proposed substitute [page 5, lines 13-28] specifically authorizes the CFEC to impose a moratorium on new entrants to the Southeast dungeness crab fishery, should the CFEC conclude that such an action is warranted. This is the only "long time" fishery for which a moratorium could be imposed. I believe that the members of the House Resources Committee, once they hear the testimony of the fishermen and biologists involved in the Southeast dungeness crab fishery, will agree that the CFEC should at least have the ability to impose a moratorium on this fishery should it become necessary.

You will also find attached to this memo a copy of a recent ADF&G press release announcing a closure of the dungeness crab fishery in Cook Inlet. I don't think anyone wants to see the same thing happen in Southeast.

I am aware of the fact that designating in statute a particular fishery for special treatment could lead to a court challenge of that statute on constitutional grounds. However, I am advised by our legal services division that such a designation will survive a court challenge if it is supported by legislative history indicating the potential need for special treatment. I believe that the testimony before the House Resources Committee will create such a record and defeat any court challenge. The bill merely authorizes (rather than directs) the CFEC to impose a moratorium if it finds that a moratorium is appropriate for the fishery. I would also note that HB 137 has a Judiciary Committee referral, and any issues regarding future court challenges will be dealt with in that committee.

Thank you for your consideration of House Bill 137. I hope the committee concludes, as I did, that this bill, while not a cure for all our fishery management problems, will be of great benefit to those fisheries which become threatened by the dangerous combination of over-participation and lack of adequate biological data.

cc: House Resources Committee members

Attachments

7-LS(0479J  
Utermohle  
5/8/91

CS FOR HOUSE BILL NO. 137 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES GRUSSENDORF, Hudson, Koponen, Ulmer, Gruenberg, B.Davis, Mackie, C.Davis, Kubina, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing the Alaska Commercial Fisheries Entry Commission to establish a  
2 moratorium on new entrants into certain commercial fisheries and relating to qualifications  
3 for entry permits; and providing for an effective date."

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

5 \* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

6 (1) the continuation of a commercial fishery may be threatened by the lack of adequate  
7 biological and resource management information necessary to determine the amount of fishing effort that  
8 a fishery resource can sustain;

9 (2) the continuation of a commercial fishery may be threatened by an increase in fishing  
10 effort that is coupled with a lack of sufficient biological and resource management information necessary  
11 to ascertain, consistent with the principles of sustained yield, whether the fishery can support additional  
12 fishing effort;

13 (3) the provisions of the current commercial fisheries limited entry statutes, developed  
14 for commercial salmon fisheries, may not be appropriate for certain other commercial fisheries in the

1 state;

2 (4) the time consuming process required to consider, adopt, and implement a limited entry  
3 program for a fishery, coupled with public discussion of a proposal for limiting entry into the fishery,  
4 can stimulate a rush of new entrants into the fishery before the limited entry program can be  
5 implemented.

6 (b) It is the purpose of this Act to

7 (1) authorize the Alaska Commercial Fisheries Entry Commission to temporarily prevent  
8 additional participants from entering certain commercial fisheries in order to

9 (A) allow the fisheries to continue in an orderly and controlled manner until  
10 additional data can be gathered from the commercial harvest and from biological research;

11 (B) protect the fisheries and participating fishermen dependent upon the fisheries  
12 by lessening the risk of closure of the fisheries for lack of an effective management plan; and

13 (C) allow control of the development of the fisheries; and

14 (2) avoid potential risk to certain commercial fisheries, as well as a rush to limit entry  
15 into the fisheries, while allowing sufficient time for research and careful consideration and discussion  
16 of all management alternatives for regulating the fisheries and entry into the fisheries among interested  
17 parties, including the public, fishery managers, the Board of Fisheries, the Alaska Commercial Fisheries  
18 Entry Commission, and the legislature.

19 \* Sec. 2. AS 16.43.100(a) is amended to read:

20 (a) To accomplish the purposes set out in AS 16.43.010, the commission shall [:]

21 (1) regulate entry into the commercial fisheries for all fishery resources in the  
22 state;

23 (2) establish priorities for the application of the provisions of this chapter to the  
24 various commercial fisheries of the state;

25 (3) establish administrative areas suitable for regulating and controlling entry into  
26 the commercial fisheries;

27 (4) establish, for all types of gear, the maximum number of entry permits for each  
28 administrative area;

29 (5) designate, when necessary to accomplish the purposes of this chapter,  
30 particular species for which separate interim-use permits or entry permits will be issued;

31 (6) establish qualifications for the issuance of entry permits;

- 1 (7) issue entry permits to qualified applicants;
- 2 (8) issue interim-use permits as provided in AS 16.43.210, [AND] 16.43.220, and
- 3 16.43.225;
- 4 (9) establish, for all types of gear, the optimum number of entry permits for each
- 5 administrative area;
- 6 (10) administer the buy-back program provided for in AS 16.43.310 and 16.43.320
- 7 to reduce the number of outstanding entry permits to the optimum number of entry permits;
- 8 (11) provide for the transfer and reissuance of entry permits to qualified
- 9 transferees;
- 10 (12) provide for the transfer and reissuance of entry permits for alternative types
- 11 of legal gear, in a manner consistent with the purposes of this chapter;
- 12 (13) administer the collection of the annual fees provided for in AS 16.43.160;
- 13 (14) administer the issuance of commercial fishing vessel licenses under
- 14 AS 16.05.490;
- 15 (15) issue educational entry permits to applicants who qualify under the provisions
- 16 of AS 16.43.340 - 16.43.390;
- 17 (16) establish reasonable user fees for services;
- 18 (17) issue landing permits under [IN ACCORDANCE WITH] AS 16.05.675 and
- 19 regulations adopted under that section; [AND]
- 20 (18) establish and collect annual fees for the issuance of landing permits that
- 21 reasonably reflect the costs incurred in the administration and enforcement of provisions of law
- 22 related to landing permits; and
- 23 (19) establish a moratorium on entry into commercial fisheries as provided
- 24 in AS 16.43.225.

25 \* Sec. 3. AS 16.43.180(a) is amended to read:

26 (a) The commission shall adopt regulations providing for the temporary emergency

27 transfer of entry permits and interim-use permits when illness, disability, death, required military

28 or government service, or other unavoidable hardship prevents the permit holder from

29 participating in the fishery. To alleviate hardship pending a final determination of the permit

30 holder's eligibility for an entry permit, the commission shall adopt regulations providing for the

31 temporary emergency transfer of an interim-use permit issued under AS 16.43.210(b) or

1        16.43.225.

2        \* Sec. 4. AS 16.43.210(a) is amended to read:

3                (a) Pending the establishment of the maximum number of entry permits under  
4                AS 16.43.240 and the issuance of entry permits under AS 16.43.270, the commission shall issue  
5                interim-use permits under regulations adopted by the commission for each fishery, not subject  
6                to a moratorium under AS 16.43.225, to all applicants who can establish their present ability  
7                to participate actively in the fishery for which they are making application.

8        \* Sec. 5. AS 16.43 is amended by adding new sections to read:

9                Sec. 16.43.225. MORATORIUM ON NEW ENTRANTS INTO CERTAIN FISHERIES.

10               (a) Subject to (b) of this section, the commission may establish a moratorium on new entrants  
11               into a fishery that has12                        (1) experienced recent increases in fishing effort that are beyond a low, sporadic  
13                        level of effort; and14                        (2) achieved a level of harvest that may be approaching or exceeding the  
15                        maximum sustainable level for the fishery.16               (b) The commission may establish a moratorium on new entrants into a fishery described  
17               in (a) of this section if18                        (1) the commissioner of fish and game petitions the commission under  
19                        AS 44.62.220 to establish a moratorium on new entrants into the fishery; and

20                        (2) the commission finds that

21                                (A) the fishery has reached a level of participation that may threaten the  
22                                conservation and the sustained yield management of the fishery resource and the  
23                                economic health and stability of commercial fishing; and24                                (B) the commission has insufficient information to conclude that the  
25                                establishment of a maximum number of entry permits under AS 16.43.240 would further  
26                                the purposes of this chapter.27               (c) The commission may establish a moratorium under this section for a continuous  
28               period of up to four years. A fishery that has been subject to a moratorium under this section  
29               may not be subjected to a subsequent moratorium under this section unless five years have  
30               elapsed since the previous moratorium expired.

31               (d) While a moratorium is in effect, the commission shall conduct investigations to

1 determine whether a maximum number of entry permits should be established under  
2 AS 16.43.240 by

3 (1) conducting research into conditions in the fishery;

4 (2) consulting with the Department of Fish and Game and the Board of Fisheries;

5 and

6 (3) consulting with participants in the fishery.

7 (e) The commission shall establish by regulation the qualifications for applicants for an  
8 interim-use permit for a fishery subject to a moratorium under this section. The qualifications  
9 must include the minimum requirements for past or present participation and harvest in the  
10 fishery. The commission may not issue an interim-use permit for a fishery subject to a  
11 moratorium under this section unless the applicant can satisfy the qualifications established under  
12 this subsection and establish the present ability and intent to participate actively in the fishery.

13 Sec. 16.43.227. SOUTHEAST ALASKA DUNGENESS CRAB FISHERY. (a) The  
14 commission may establish a moratorium on new entrants into the southeast Alaska dungeness  
15 crab fishery for a continuous period of up to four years. While the moratorium is in effect, the  
16 commission shall

17 (1) conduct the investigation required under AS 16.43.225(d);

18 (2) establish by regulation the qualifications for an interim-use permit for the  
19 fishery, including minimum requirements for past or present participation and harvest in the  
20 fishery; and

21 (3) issue interim-use permits for the fishery to applicants who satisfy the  
22 qualifications established under (2) of this subsection and who establish the present ability and  
23 intent to participate actively in the fishery.

24 (b) Notwithstanding AS 16.43.225, for the purposes of this chapter

25 (1) an interim-use permit issued under this section shall be treated as an interim-  
26 use permit issued under AS 16.43.225;

27 (2) a moratorium established under this section shall be treated as a moratorium  
28 established under AS 16.43.225.

29 \* Sec. 6. AS 16.43.240(b) is amended to read:

30 (b) When the commission finds that a fishery, not designated as a distressed fishery under  
31 AS 16.43.230 or not subject to a moratorium under AS 16.43.225, has reached levels of

1 participation that [WHICH] require the limitation of entry in order to achieve the purposes of  
2 this chapter, the commission shall establish the maximum number of entry permits for that  
3 fishery.

4 \* Sec. 7. AS 16.43.240 is amended by adding a new subsection to read:

5 (c) When the commission finds that a fishery subject to a moratorium under  
6 AS 16.43.225 has reached levels of participation that require the limitation of entry in order to  
7 achieve the purposes of this chapter, the commission shall establish the maximum number of  
8 entry permits for that fishery.

9 \* Sec. 8. AS 16.43.260(a) is amended to read:

10 (a) The commission shall accept applications for entry permits only from applicants who  
11 have harvested fishery resources commercially while participating in the fishery as holders of  
12 gear licenses issued under AS 16.05.536 - 16.05.670 or [AND] interim-use permits under  
13 AS 16.43.210(a) or 16.43.225 before the qualification date established in (d), [OR] (e), or (f) of  
14 this section. The commission may specify by regulation the calendar years of participation that  
15 will be considered for eligibility purposes.

16 \* Sec. 9. AS 16.43.260(d) is amended to read:

17 (d) Except as provided in (e) or (f) of this section, an applicant shall be assigned to a  
18 priority classification based solely upon the applicant's qualifications as of January 1, 1973.

19 \* Sec. 10. AS 16.43.260(e) is amended to read:

20 (e) Except as provided in (f) of this section, when [WHEN] the commission establishes  
21 the maximum number of entry permits for a particular fishery under AS 16.43.240 after  
22 January 1, 1975, an applicant shall be assigned to a priority classification based solely upon the  
23 applicant's qualifications as of January 1 of the year during which the commission establishes  
24 the maximum number of entry permits for the fishery for which application is made.

25 \* Sec. 11. AS 16.43.260 is amended by adding a new subsection to read:

26 (f) When the commission establishes the maximum number of entry permits under  
27 AS 16.43.240 for a fishery that is subject to a moratorium under AS 16.43.225, an applicant for  
28 an entry permit for the fishery shall be assigned to a priority classification based solely upon the  
29 applicant's qualifications as of the effective date of the regulation establishing the moratorium.

30 \* Sec. 12. This Act takes effect immediately under AS 01.10.070(c).

5AAC 39.210. MANAGEMENT PLAN FOR HIGH IMPACT EMERGING FISHERIES.

(a) Many of Alaska's fishery resources are not yet commercially harvested to a significant extent. However, changes in catching and processing technology or in markets, coupled with fisheries that are open-to-entry, can precipitate rapid expansion of a fishery. When new fisheries are small, they can be successfully managed under the department's existing statutory and permitting authorities. However, rapid development of a fishery can proceed faster than the department's ability to manage, protect, and maintain the resource. The consequences include resource depletion, boom-bust development, and de facto reallocation among users. When these circumstances develop, only total closure of the fishery or the implementation of a very conservative management plan, that discourages large effort, can ensure that newly exploited stocks are conserved. This can hinder the orderly development of the state's under utilized resources. Compliance with the department's statutory responsibilities, to manage commercial fisheries, makes it reasonable to differentiate high impact emerging fisheries commercial fisheries from other new or small scale commercial fisheries based upon evaluation of recent growth in participation, purpose of fishery, impact on existing users, conservation concerns, and status of management programs. A plan is needed to guide management of high impact emerging commercial fisheries that ensures resource conservation, minimizes impacts on existing users, and provides orderly development of new fishery resources.

(b) A commercial fishery may be regulated as a high impact emerging fishery if the commissioner determines that any of the following conditions apply to a species or species group in an area or region:

(1) harvesting effort has recently increased beyond a low sporadic level;

(2) interest has been expressed in harvesting the resource by more than a single user group;

(3) the level of harvest may be approaching what may not be sustainable on a local or regional level;

(4) the board has not developed comprehensive regulations to address issues of conservation, allocation, and conduct of an orderly fishery.

(c) The commissioner shall notify the board when a determination is made to manage a fishery as a high impact emerging fishery.

(d) The department shall close a high impact emerging fishery once it is designated as such by the commissioner and may not reopen the fishery until an interim management plan and associated regulations have been developed. If an interim management plan and regulations have been adopted, the commissioner

may allow the fishery to continue.

(e) The department shall develop interim management plans for high impact emerging commercial fisheries. Interim management plans shall contain at least the following information:

(1) a review of the history of commercial exploitation of the species in Alaska and other relevant jurisdictions;

(2) a review of the life history of the organism;

(3) identification of specific management goals and objectives;

(4) an evaluation of potential impacts on existing users;

(5) designation and justification of the preferred management measures;

(6) an evaluation of the conservation impacts of the preferred management approach on non-target species and on non-target individuals of the same species;

(7) a plan for determining the productivity of the species and impact of the fishery;

(8) a listing of proposed interim regulations;

(9) a cost estimate for plan implementation;

(10) analysis of customary and tradition subsistence use patterns.

(f) The commissioner may adopt regulations and open the fishery consistent with measures identified in the plan; the regulations would remain in effect until the board adopts regulations under section (g).

(g) The department, upon completion of a draft interim plan, shall petition the board under 5AAC 96.625 to consider adoption of the management plan and associated regulations at its next regularly scheduled meeting.

(h) The department may require onboard observers aboard fishing vessels, catcher/processor, and floating processors, as specified in 5AAC 39.141 and 5AAC 39.645, that participate in high impact emerging fisheries. (Effective \_\_\_/\_\_\_/91, Register )  
Authority: AS 16.05.251

# COMMERCIAL FISHERIES



## NEWS RELEASE

ALASKA DEPARTMENT  
OF FISH & GAME



State of Alaska  
Department of Fish and Game  
Carl L. Rosier, Commissioner

Central Region  
3298 Douglas Street  
Homer, AK 99603

Denby Lloyd, Director  
Division of Commercial Fisheries

Al Kimker  
Regional Shellfish Biologist

and

Norval Netsch, Director  
Division of Sport Fish

Dave Nelson  
Area Sport Fish Biologist

### NEWS RELEASE

April 1, 1991

#### 1991 COOK INLET SPORT, PERSONAL USE AND COMMERCIAL DUNGENESS CRAB SEASON

Based on the decline of the Dungeness crab stock in the Southern District (Kachemak Bay) of the Cook Inlet Management Area, there is a very limited probability of a sport, personal use or commercial Dungeness crab fishery in 1991. Since full development of the commercial fishery in 1978 the average annual harvest has been one million pounds. The catch however declined severely in 1989 to a level of 178 thousand pounds. The commercial harvest further declined in 1990 to 29,000 pounds.

The goal of the closure will be to re-establish an abundance of adult crabs which will not only enhance the reproductive capabilities of the stock but also once again provide for both quantity and quality in the sport, personal use and commercial fisheries. The department will charter a commercial vessel to conduct test fishing in both the waters east and west of Homer Spit to determine molt timing, female reproductive condition and a relative index of abundance. The test fishing will begin in early June and extend on a monthly basis through early September.

Emergency orders will be issued in late May canceling the openings for all types of Dungeness fisheries that normally open by regulation in June. The department/industry test fishing in part is designed to identify recruitment into both the adult and legal segments of the stock. If an unexpectedly significant number of crabs appear throughout the gear, a limited opening of all fisheries will be evaluated.

SOUTHEAST DUNGENESS CRAB ASSOCIATION  
P.O. BOX 935  
PETERSBURG, ALASKA 99833

April 25, 1991

WHY IS THE DUNGENESS RESOURCE IN TROUBLE?

- \* Over saturation of gear on the fishing grounds.
- \* More efficient gear, and sophisticated electronics.
- \* Ever increasing Non-resident participants.
- \* Greater mobility and experience in the present fleet.

WHY WOULD A MORATORIUM BE MORE APPROPRIATE NOW  
THAN TRADITIONAL LIMITED ENTRY?

\* Limited entry was designed for the salmon fisheries and has been successful. However, CFEC is adamant that this form of Limited Entry is dangerously inappropriate for crab. Therefore, time is needed to develop the appropriate Limited Entry program.

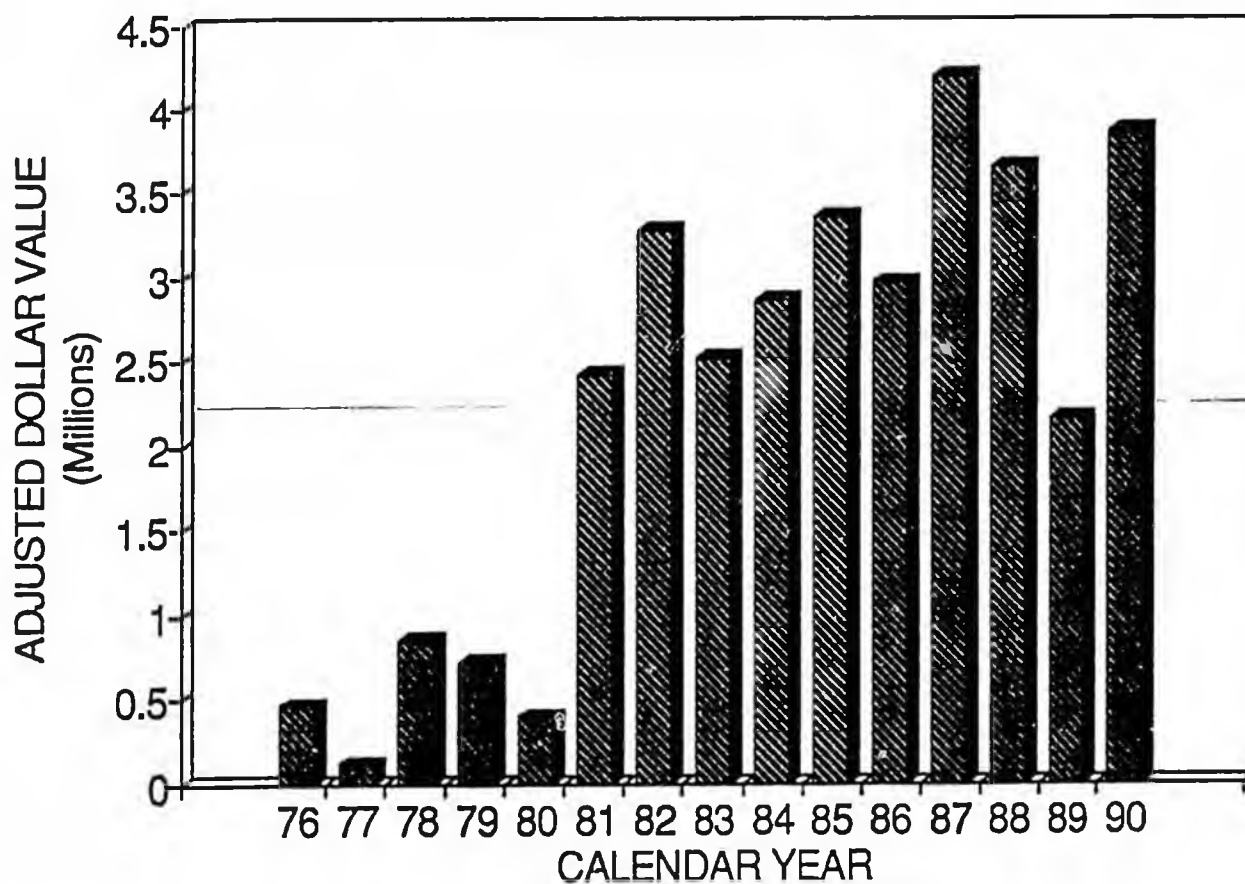
WHY NOT ADDRESS THE THREAT TO THE DUNGENESS FISHERY  
THROUGH THE BOARD OF FISH?

- \* Pot limits: ineffective without first limiting the number of participants.
- \* Quota: At the present there is insufficient data due to lack of funding.
- \* Shorter season: Creates derby mentality which is extremely dangerous to the resource in the name of efficiency and greed, i.e. Halibut and Black Cod.
- \* Present 3 S Management: It provides the Department a simplified management approach to a complex resource - By definition "management by default".

SUMMARY

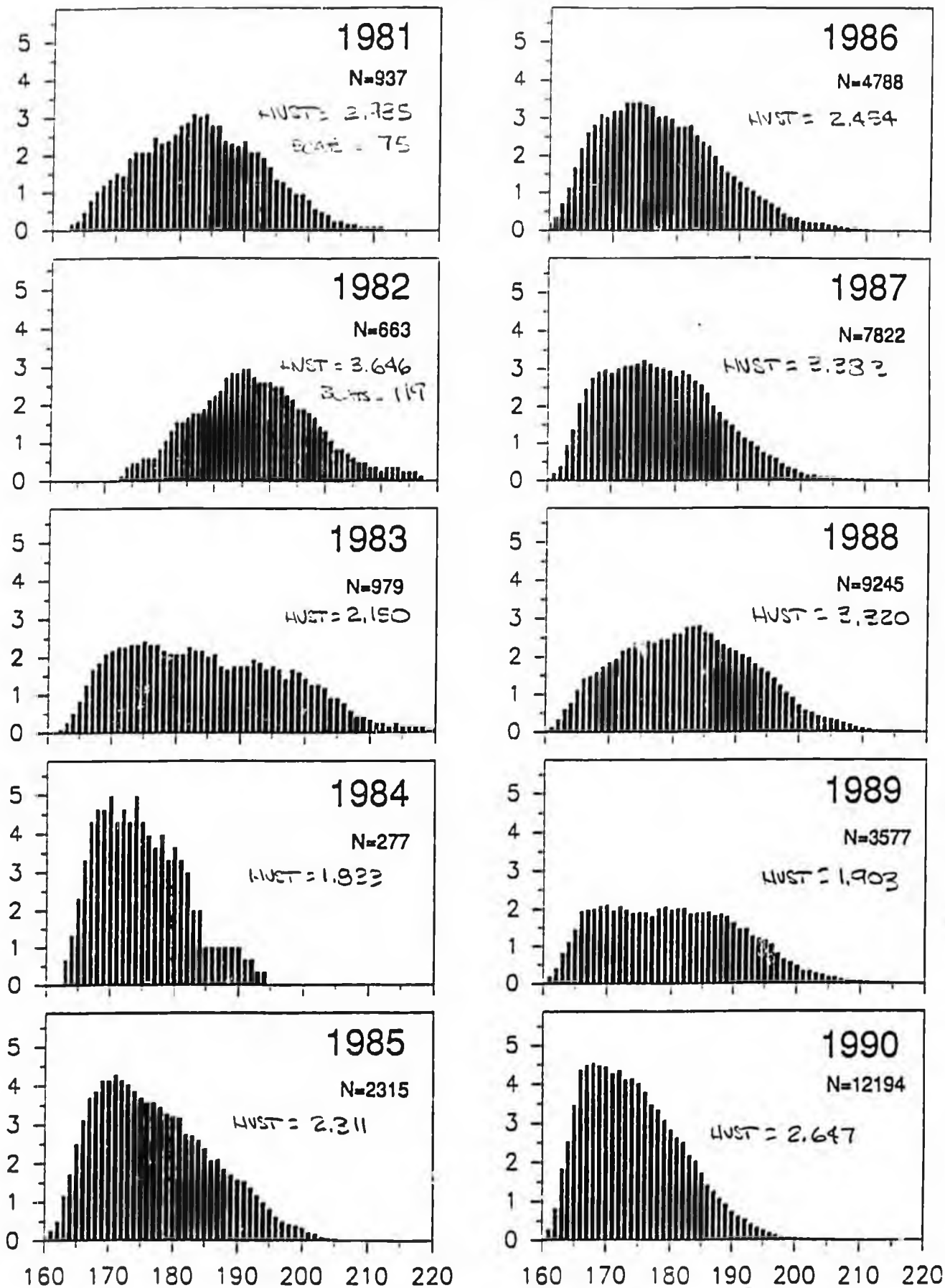
Dungeness is similar to emerging fisheries in their lack of department funding and hence biological data. Pressure from out of state also threatens these resources of our Southeast coastal communities.

# VALUE OF SE ALASKA DUNGENESS FISHERY BASED UPON DOLLARS ADJUSTED TO 1990 CPI



# Size Frequency of Dungeness Crabs (new shell) All of Southeast Alaska

Percent of Crabs



Shoulder Width (mm)

## MEMORANDUM

## STATE OF ALASKA

TO: Doug Rickey

DATE: April 25, 1991

FILE NO:

TELEPHONE NO:

FROM: Susan Shirley  
CFECSUBJECT: Dungeness crab  
permits issued

The following table presents the number of people who purchased permits for the Dungeness crab fisheries in 1990 and 1991, categorized by purchaser's residence, as of April 19 of each year. These data include all permits for Dungeness crab (D09B, D91B, D99B, D12B). NOTE: These are statewide permits; there is no way to determine at this time where in the state these permits will be fished or if the permits will be fished. Please contact me if I can be of further assistance.

<u>Year</u>	<u>Residents</u>	<u>Non-Residents</u>
1990	352	30
1991	348	55

cc: R. Listowski  
K. Schelle

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: BILL FLOR  
 TITLE: PRES. S.E. DUNGENESS CRAB ASSOC.  
 ADDRESS: BOX 262  
 CITY: PETERSBURG  
 PHONE: N/R-

ZIP: 99833

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORITORIUM  
 MESSAGE: MUST INCLUDE ENDANGERED SPECIES IN LEGISLATION. DUNGY CRAB IS SIMILAR  
 TO EMERGING FISHERIES IN LACK OF ADF&G STUDIES. ALSO EXTREME EFFORT BEING  
 APPLIED TO RESOURCE AS IN EMERGING FISHERIES.

POMID: 15145916  
 DATE: 91/04/19  
 TIME: 14:59:16  
 LIONAME: PETERSBURG LIO

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C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MEHARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DUFF W. MITCHELL  
 TITLE: S.E. DUNGENESS CRABBER  
 ADDRESS: BOX 21938  
 CITY: JUNEAU  
 PHONE: 789-1697

ZIP: 99802

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORITORIUM  
 MESSAGE: IT IS IMPERATIVE FOR THE LONG TERM HEALTH OF THE SOUTHEAST DUNGEN  
 FISHERY THAT SB 241 PASS WITH NO CHANGES TO ELIMINATE THIS FISHERY FROM THE  
 BILL. YOU CANNOT ALLOW THE DUNGENESS RESOURCE TO BE WIPED OUT BECAUSE OF  
 POLITICS. YOU HAVE THE POWER TO SAVE A RESOURCE, PLEASE USE IT.

POMID: 15151911  
 DATE: 91/04/19  
 TIME: 15:19:11  
 LIONAME: PETERSBURG LIO

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TAYLOR	JONES
C.DAVIS	COTTEN
LINCOLN	MEHARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JEFF ERICKSON  
 TITLE: FISHERMAN  
 ADDRESS: BOX 53  
 CITY: PETERSBURG  
 PHONE: 772-9237  
 ZIP: 99033

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORITORIUM  
 MESSAGE: PLEASE PUT A MORITORIUM ON DUNGENESS CRAB FISHING TO LIMIT THE PARTICIPANTS AND SAVE THE SPECIES FROM CERTIAN OVER FISHING IN THE FUTURE. IT IS A RENEWABLE RESOURCE BUT ONLY IF MANAGED CORRECTLY. THANK YOU

POMID: 15145250  
 DATE: 91/04/19  
 TIME: 14:52:50  
 LIONAME: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

TAYLOR	JONES
C.DAVIS	COTTEN
LINCOLN	MENARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DAN KOWALSKI  
 TITLE:  
 ADDRESS: BOX 477  
 CITY: PETERSBURG  
 PHONE: N/R-  
 ZIP: 99033

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORITORIUM  
 MESSAGE: ENDANGERED FISHERIES MUST BE INCLUDED IN THESE BILLS. ENDANGERED AND EMERGING ARE SIMILAR IN LACK OF RESOURCE STUDIES AS WELL AS HEAVY EFFORT ON RESOURCES.

POMID: 15151134  
 DATE: 91/04/19  
 TIME: 15:11:34  
 LIONAME: PETERSBURG LIO

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C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MENARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: LADD R. NORHEIM  
 TITLE: SKIPPER  
 ADDRESS: P.O. BOX 935  
 CITY: PETERSBURG, ALASKA  
 PHONE: 772-3671

ZIP: 99833

BILL NO:

SUBJECT: HB 137 / SB 241

MESSAGE: I HAVE BEEN A DUNGENESS FISHERMAN FOR 11 YEARS. WHEN I STARTED THERE WERE THREE BOATS IN MY AREA, LAST YEAR THERE WERE SIXTEEN. WE HAVE FISHED ON EVERY CYCLE OF CRAB. FOR THE FIRST EIGHT OR NINE YEARS WE HAD LARGE CRAB. THEY SEEM TO BE GONE FOR THE LAST TWO YEARS. ALL THAT'S LEFT ARE THE RECRUITMENT AB. WHAT IF THEY DISSAPPEAR. I STRONGLY SUPPORT HB137 & SB241.

POMID: 15135638

DATE: 91/04/23

TIME: 13:56:30

LOCATION: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

C. DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	HEARD
IVAN	HALFORD
HOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: LANE OLSEN  
 TITLE: FISHERMAN  
 ADDRESS: BOX 433  
 CITY: PETERSBURG  
 PHONE: 772-3272

ZIP: 99833

BILL NO:

SUBJECT: DUNGENESS CRAB MORATORIUM

MESSAGE: I WOULD LIKE TO SEE SOME FORM OF RESTRICTION ON THE NUMBER OF BOATS AND GEAR BEING BROUGHT INTO ALASKA TO FISH ON DUNGENESS CRAB, BEFORE A STUDY OF THE IMPACT THE GEAR AND BOATS WILL HAVE ON THE FISHERY.

POMID: 15143111

DATE: 91/04/23

TIME: 14:31:11

LOCATION: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

C. DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	HEARD
IVAN	HALFORD
HOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JERRY DAHL  
 TITLE: CAPTAIN  
 ADDRESS: BOX 128  
 CITY: PETERSBURG  
 PHONE: 772-3647  
 ZIP: 99833

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORATORIUM  
 MESSAGE: THIS RESOURCE WILL BE A BIG HURT IF SOMETHING ISN'T DONE QUICKLY.  
 IE WILL END UP LIKE OTHER FISHERIES 1 OR 2 DAYS YEAR. I'VE FISHED CRAB FOR AT  
 LEAST 16 YEARS AND I CAN SEE IT COMING. I SURE HOPE YOU ACT NOW OR WE WILL  
 BE HURTING.

POMID: 15145658  
 DATE: 91/04/23  
 TIME: 14:56:58  
 LICHNAME: PETERSBURG LIO

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C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MENARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: PAUL KORCHAK  
 TITLE: SKIPPER/ F/V SHOOTING STAR  
 ADDRESS: BOX 1256  
 CITY: PETERSBURG  
 PHONE: 772-3647  
 ZIP: 99833

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORATORIUM  
 MESSAGE: REMEMBER KING CRAB? ANOTHER FISHERY IS IN DANGER. FORESIGHT AND  
 ACTION NOW WILL HELP US AVERT GOVERNMENT BY CRISIS LATER. SOCIAL DARWINISM IS  
 NOT THE ANSWER. TOO MANY PARTICIPANTS WILL CAUSE THE FISHERY TO COLLAPSE.  
 DEPRESSED DUNGENESS POPULATIONS MAY NOT REBUILD. IMPOSE A MORATORIUM. THEN  
 PURSUE LIMITED ENTRY FOR DUNGENESS.

POMID: 15150318  
 DATE: 91/04/23  
 TIME: 15:03:18  
 LIONAME: PETERSBURG LIO

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C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MENARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: ROCKY C. LITTLETON  
 TITLE: CONCERNED FISHERMAN  
 ADDRESS: BOX 1373  
 CITY: PETERSBURG  
 PHONE: 772-4521  
 ZIP: 99833

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORATORIUM

MESSAGE: HAVING FISHED DUNGENESS 15 YEARS I FEEL THE MORITORIUM IS THE ONLY CHANCE OF SAVING THAT FISHERY. I DON'T UNDERSTAND WHY LIMITED ENTRY COMMISSION, RECOGNIZING THE PROBLEM REFUSES TO TAKE ACTION BECAUSE THEY DON'T HAVE A SIMPLE SOLUTION. INSTEAD THEY WILL SIT BACK AND LET THE FISHERY GET EVEN MORE CROWDED.

POMID: 15152753  
 DATE: 91/04/23  
 TIME: 15:27:53  
 LIONAME: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MENARD
IVAN	HALFORD
MOYER	ELIASON
FINDELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MICHAEL D. SHELDON  
 TITLE: OWNER / OPERATOR  
 ADDRESS: BOX 1205  
 CITY: PETERSBURG  
 PHONE: 772-3746  
 ZIP: 99833

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORATORIUM

MESSAGE: AS A LONG TIME FISHERMAN I EXPRESS MY CONCERN ON DUNGENESS FISHING. I CAN SEE AN EVER BUILDING FLEET AND THE DEPLETION OF OUR RESOURCES, THROUGH EXTREME PRESSURES. WITH RUMORS GOING AROUND ABOUT LIMITED ENTRY AND HIGHER PRICES FOR DUNGENESS CRAB THE RESOURCE WILL BE CARPET BOMB WITH NEW ENTRIES THAT WILL CAUSE EVER LASTING DESTRUCTION OF THE FISHERY. THANK YOU.

POMID: 15154847  
 DATE: 91/04/23  
 TIME: 15:48:47  
 LIONAME: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

C.OAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MENARD
IVAN	HALFORD
MOYER	ELIASON
FINDELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DAVID M SOMERVILLE  
 TITLE: DUNGENESS FISHERMAN  
 ADDRESS: BOX 163  
 CITY: PETERSBURG  
 PHONE: 772-4557

ZIP: 99033

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORITORIUM

MESSAGE: PLEASE IMPOSE A MORITORIUM ON THE DUNGENESS CRAB FISHERIES. THE SPECIES IS ON THE VERGE OF OVERFISHING. SINCE MOST FISHERIES ARE LIMITED ENTRY PEOPLE ARE GETTING INTO DUNGENESS CRABBING BECAUSE IT IS NOT. WE NEED YOUR HELP TO PROTECT THE RESOURCE AND OUR LIVELIHOODS.

POMID: 15144442

DATE: 91/04/19

TIME: 14:44:42

LIONAME: PETERSBURG LIO

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C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MEHARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DAN KOWALSKI  
 TITLE: OWNER/OPERATOR SUE ANH  
 ADDRESS: BOX 447  
 CITY: PETERSBURG  
 PHONE: N/R-

ZIP: 99033

BILL NO:  
 SUBJECT: DUNGENESS CRAB MORITORIUM

MESSAGE: SB241 AND HB 137 SHOULD INCLUDE ENDANGERED DUNGENESS CRAB FISHERY BECAUSE OF THE LACK OF RESOURCE DATA. THE FISHERY IS CURRENTLY UNDER EXTREME GEAR PRESSURE AND AS A CRABBER OF 10 YEARS I CONITEND THE RESOURCE CANNHOT HOLD UNER SUCH PRESSURE.

POMID: 15113939

DATE: 91/04/22

TIME: 11:39:39

LIONAME: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

TAYLOR	JONES
C.DAVIS	COTTEN
LINCOLN	MEHARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JOE SHORT  
 TITLE: SELF EMPLOYED FISHERMAN (OWNER/OPERATOR)  
 ADDRESS: BOX 1224  
 CITY: PETERSBURG ZIP: 99033  
 PHONE: 772-3585

BILL NO:

SUBJECT: DUNGENESS CRAB MORITORIUM

MESSAGE: I FEEL THE DUNGENESS RESOURCES AND ECONOMIC VIABILITY IS ENDANGERED BY HIGH PARTICIPATION (EFFORT). WE NEED TO MAINTAIN THE 300 POT LIMIT FOR ECONOMICS AND STOP ENTRY FOR BOTH THE RESOURCE & ECONOMICS. I FAVOR LIMITED ENTRY WITH THIS ONE OF THE ONLY UNLIMITED FISHERIES. WE ARE FEELING EXTREME PRESSURE TO RESOURCES & ECONOMIC VIABILITY.

POMID: 15142514

DATE: 91/04/19

TIME: 14:25:14

LIONAME: PETERSBURG LIO

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C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MEHARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

## PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: BOBBIE A ANDERSON  
 TITLE: F/ V AERIE  
 ADDRESS: BOX 1672  
 CITY: PETERSBURG ZIP: 99033  
 PHONE: 772-4845

BILL NO:

SUBJECT: DUNGENESS CRAB MORITORIUM

MESSAGE: NEED MORITORIUM AND LIMITED ENTRY PROGRAM. PUSHED ASIDE LONG ENOUGH A SECOND RATE FISHERY STATE OF ALASKA STAND BEHIND YOUR FISHERMEN. LIMITED ENTRY FOR EVERONE OR THROW OUT ALL LIMITED ENTRY PERMITS STOCK IS GOING DOWN 1000'S OF POTS COMING INTO 91 SEASON WE NEED HELP NOT MORE FISHERMEN IN THE CRAB FISHERIES.

POMID: 15140713

DATE: 91/04/19

TIME: 14:07:13

LIONAME: PETERSBURG LIO

COPIES: REPRESENTATIVES SENATORS

C.DAVIS	JONES
TAYLOR	COTTEN
LINCOLN	MEHARD
IVAN	HALFORD
MOYER	ELIASON
FINKELSTEIN	ZHAROFF
CARNEY	FRANK
HUDSON	
LEMAN	
ZAWACKI	

# Board Agrees to Manage Cukes

by Bob Tkacz

It took more than two full days to put together, and a pending lawsuit didn't seem to slow it down. Alaska's Board of Fisheries wrote a sea-cucumber management plan allowing the lucrative harvest of one of the most unusual creatures in the sea.

The new management plan, which won't take effect until a Department of Law and lieutenant governor's review, will increase both the weekly and the annual duration of the cuke season.

Under the new plan, openings take place for two 48-hour periods per week: Saturday 12:01 a.m. to Sunday 12:59 p.m., and the same times Wednesdays to Thursdays. The season

will run from Oct. 1 through March 31.

The existing "interim" sea-cucumber plan allows only 36-hour fisheries, which vary slightly between northern and southern Southeast. Previously, the season ran from Oct. 14 to March 31.

Hand-picking sea cukes using SCUBA or "hookah" submersion gear or by skin diving are the only legal means of harvesting under the plan. In order to provide refuge for sea cucumbers below 18 meters of water, the plan prohibits the use of mixed gases or saturation diving.

As with other fisheries and ADF&G activities in general, the state budget

will plan an influential role in sea cucumber management.

The Board requires a biomass assessment to be conducted before any area can be opened for commercial harvest.

Robert Larson, developing fisheries project leader for the Department, told the Board that without a budget increase, few harvest areas would probably be opened in the next budget year.

"It will depend entirely upon funding," Larson explained.

In the past year the Department surveyed 13 areas at a cost of about \$50,000. Dives on the more than 100 harvest areas will cost an estimated

\$160,000 that the Department is not scheduled to receive under the fiscal 1992 budget submitted by Gov. Walter J. Hickel.

Potential fishing areas are spread throughout Southeast from the Koy Strait to Lower Clarence Strait. Large sectors in another 14 legal descriptions are designated as sea-cucumber refuge areas and closed to commercial harvest.

Some of the refuge areas will never be open to any harvest and will be used to study sea cucumbers. Others will be used in a three-year cycle outlined by the plan. Each fishing area opened for a year will be closed for the next two.

**One local diver became upset when some of the visitors dove the same area he was harvesting. The unnamed diver surfaced, returned to his boat and began lobbing seal bombs into the water, Dennis said.**

The plan also provides for emergency order closures as the Department finds necessary.

Those precautions may not have been enough for the Central Council of the Tlingit and Haida Indian Tribes. The Council in April sued the state and ADF&G in state Superior Court seeking to have the fishery closed until the sea-cucumber stock can be assessed.

Department biologists admitted during the Board meeting that they have little general knowledge about sea cucumbers in Southeast Alaska, and not much reliable data on their life cycle.

Most controversial, according to David Crosby, the attorney representing the Central Council, is the so-called surplus production computer model used to compute catch quotas.

Before and after the Board meetings Crosby called the model "a formula for disaster."

The actual formula says the harvest quota is equal to  $3 \times CF \times GF \times M \times P_0$ . CF is equal to the scaling factor relating to maximum sustainable fishing mortality to unexploited population. GF is a correction factor to allow for errors in assumptions the model is based upon. M is the estimated instantaneous mortality rate for sea cucumbers using specified methods.  $P_0$  is, of course, "the virgin population size taken as the lower bound of the one-sided 90 percent

confidence-interval."

Clear as a sea cucumber in a mud bath to some, perhaps, but even the Department's own report to the Board said, "The model structure is overly simplistic, the parameters required are sometimes difficult to estimate accurately and there is an attendant risk of fishery collapse."

"This is not a model for sustained yield. This is a smoke screen for a return to the gold rush," Crosby told the Fish Board. Fisheries in British Columbia and the Lower 48 came near to collapse using the same formula, he charged.

The attorney explained, after his testimony, that the Central Council suit was on hold, pending the Board's action. He also noted that the Department had been cooperating with the Council to that point.

Other proposals seeking a shut-down of the fishery around Prince of Wales Island and throughout Section 3B received no action from the Board.

The week after the meeting, Crosby hadn't yet decided on his plan of action, but indicated there was room for resolution.

"If we were a conservation organization as opposed to folks who are concerned with subsistence, we might be concerned with any fishery. We just wanted to make sure they don't experiment in the areas that are critical for subsistence use," Crosby said.

However, he remained critical of

the quota formula. "They will soon enough find that the sustained production model could very well lead to the same kind of crash they experienced with abalone, and we want to make sure they don't."

Chairman Bud Hodson indicated the suit played no part in Board deliberations. "We get sued all the time," he said, explaining that the Board just follows the laws as they exist on the state's books at present.

Crosby also noted that dive fisheries are difficult to enforce. Testimony from a diver who worked the past season suggested they could be difficult to survive as well.

Jim Dennis, from Craig, described a meeting of local divers and others from elsewhere in Southeast and from Outside.

"There were some fireworks, literally," Dennis said. One local diver became upset when some of the visitors dove the same area he was harvesting. The unnamed diver surfaced, returned to his boat and began lobbing seal bombs into the water, Dennis said.

In another incident, a second local diver "punched the guy out under water," Dennis said.

Asked what regulations the Board could enact to bring order to the fishery, Dennis said they couldn't do much. He said the young fishery would develop its traditions and courtesies over time as others have before it. □

WESTPAC

# Entry Commission Scuttles Dungeness

## Cotter Fears More Outside Effort

Alaska  
Fishermen Journal  
3-91

by Bob Tkacz



For the third time in six years, the Alaska Commercial Fisheries Entry Commission (CFEC) is telling Southeast fishermen it won't order limited-entry rules for the Dungeness crab fishery.

While the latest effort to shut the entry door has not yet been presented as a formal petition, the relatively new Southeast Alaska Dungeness Crabbers Association (SADCA) has retained an attorney and a consultant to help their cause succeed.

"Our initial response to the petition was to say no," said Bruce Twomley, chairman of the Commission.

A CFEC representative told the state Board of Fisheries the same thing at its Juneau meeting and was scheduled to visit Petersburg, home of the limited-entry movement, to deliver the same message Jan. 30.

"The problem for us at the outset is that we can't rationalize the initial decision that we have to make to go forward with this limited-entry system," Twomley said.

To order a limited-entry regime, Alaska law requires the CFEC to find that a limitation system would promote better management and the economic health of the fishery, he explained.

The current status of the fishery, and regulations controlling it, could result in "a tremendous opportunity for expansion of effort even after limitation," he added.

Dungeness fishermen now are limited to no more than 300 crab pots, but very few of the more than 200 fishermen now participating in the fishery run that much gear. And only an estimated five to 10 percent of those fishermen work Dungeness any

where close to full time, according to Larry Cotter, SADCA's consultant and a member of the North Pacific Fishery Management Council.

The Commission's concern is that limited-entry systems would result in more of the participating fishermen putting more effort into the fishery and using more of the 300 allowable pots.

"What we face there is if we limit the number of participants, we really haven't constrained the fishery," said Kurt Schelle, CFEC manager of research and planning.

That sounds logical, but actually kind of "begs the question," responded Cotter.

"As long as that 300-pot limit is in effect and they don't impose limited access, what's to stop the [participating] fishermen or new ones that are going to come up from increasing effort and having the same detrimental effect?" Cotter asked.

Cotter also complained that the Commission is talking out of two sides of the argument it used in 1984 to reject a limited-entry request.

In 1984 the CFEC did get a formal petition.

In its 1985 response, the Commission wrote, "Limiting participation at these historically unprecedented levels would convey no relief or benefits, particularly if effort by the transient [Lower 48] fishermen is expected to decline in the near future."

At the time, the "unprecedented level" numbered about 140 fishermen, with an estimated 60 percent coming from Alaska. But Dungeness stocks in Lower 48 waters were believed to be rising then.

Commissioners don't believe a limited-entry system would promote better management and the economic health of the Dungeness fishery.

Continued on page 14

The Commission expected Dungeness effort to drop. As fishermen chased more bountiful waters down south, the need for limited entry as a conservation measure would be removed.

By 1989, however, the number of fishermen participating in the fishery had risen to 255, from 35 or less in the 1980-81 season, according to a CFEC report.

At the same time the number of Alaska residents in the fishery has risen to about 80 percent. But now Dungeness stocks off the Lower 48 are apparently declining.

The SADCA, Cotter said, "is afraid that we're going to see an increased nonresident effort" resulting in more

competition and less income per boat.

Unlike the North Pacific Fishery Management Council, the CFEC can, under its enabling statute, consider economic impact to involved fishermen in addition to conservation questions.

SADCA members "are concerned about the future of their fishery. They've worked hard to develop it, and the Dungeness fishery has become viable," Cotter said.

And while he conceded the group is concerned with its pocketbooks, it isn't trying to stop anyone who has been crabbing from continuing.

"They're approaching this from an inclusive perspective as opposed to exclusive. When it comes to those who

have participated in the fishery in the past four years, the approach of this group is, 'Heck, give a license to everybody who's fished in the last four years,'" Cotter said.

These arguments haven't put any ice with the CFEC. Twomley said that imposition of a limitation system would require identification of a maximum number of permits based on the highest level of participation in the three years before a decision to impose limitations.

That requirement and the possible increase in pots per fisherman combine to dissuade the CFEC that limited entry would be beneficial.

"It would be so open to further effort that we can't see a control on

this basis would be of much merit," Twomley said.

But Cotter said SADCA is open to other approaches such as a decrease in the number of pots per fisherman if it could grandfather those members of the fleet who do run 300 pots.

Rumors in the fishery suggest a possible legislative solution may be in the works.

Twomley also said the CFEC is closed to new suggestions.

"It's still open to people to persuade us that there are facts and trends to support limitations," he said, adding, "That's not what we see."

# Commission studies moratorium for emerging fisheries

By SUZANNE HANCOCK  
Staff Writer

Every action has a reaction. Especially in fishing. Once any species is fished, regulating that fishery is not far behind.

Commissioner Richard Listowski of Commercial Fisheries Entry Commission was in Kodiak during ComFish.

One of the topics he was discussing with members of the local fishing industry is House Bill 137 which is an act authorizing the CFEC to establish a moratorium on new entrants into certain commercial fisheries and relating to qualifications for entry permits.

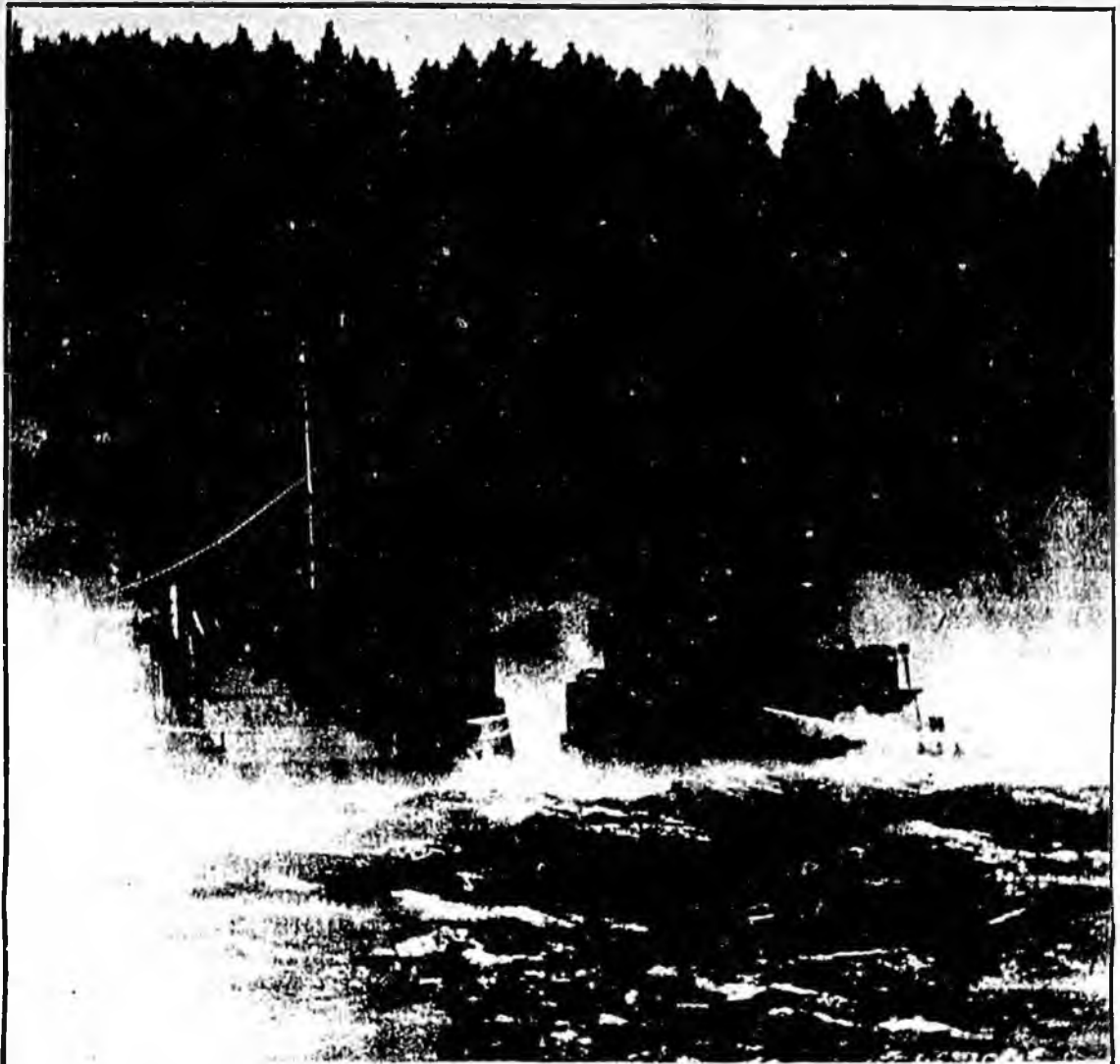
Rep. Ben Grussendorf, Speaker of the Alaska House of Representatives, has introduced

legislation that would authorize the CFEC to establish a moratorium in certain commercial fisheries. Since the proposal was introduced, a number of questions have been asked.

Listowski said merging fisheries and established fisheries create some of the problem. Until the addition of established fisheries such as Dungeness crab, no one had much problem with new fisheries such as sea cucumbers or sea urchins.

The Dungeness issue was brought forward by southeast fishermen who have twice petitioned the entry commission to limit that fishery.

With a 300-pot limit, 272 permits, and 464 vessels involved  
See Limited entry, Page 3



## High winds

Wind gusts as high as 110 mph were recorded Friday afternoon about the time the 140-foot FV Lady Patricia broke loose from the mooring buoy in the channel and was blown against the small boat harbor breakwater. Here the tug Kodlak King takes the vessel in tow to assist it back to a safe moorage. (Photo by Cat Klinkert)

Kodlak  
M.P.K.  
3-15-71



**FAX COVER SHEET**

**FROM:** Glenn Wilber, President  
Alaska Underwater Harvesters' Association  
Sitka, Alaska 99835

**TO:** House Resources Committee Members  
c/o Rep. Davidson, Chairman  
Alaska State Legislature  
Seventeenth Legislature - First Session

**DATE:** March 5, 1991

**MESSAGE:** Please kindly see that each member of the House Resources Committee receives a copy of this letter for their prompt attention. Thank you very much.

Glenn A. Wilber, President  
Ak Underwater Harvesters' Assoc.

Glenn Wilber, President  
Alaska Underwater Harvesters' Association  
3311 Halibut Point Road  
Sitka, Alaska 99835

Alaska State Legislature  
Seventeenth Legislature - First Session  
House Resources Committee Members  
Rep. Davidson, Chairman

March 5, 1991

Dear Distinguished Representatives:

There are always lags in the profitability of any fishery between California, Washington, Oregon, British Columbia, and Alaska. This period of time makes it possible for the Southerly fleets to capitalize into boats and equipment while it is still not profitable to target the same fishery in Alaska. Then, when the resource becomes scarce or the entry into Southern fleets is limited, the boats displaced by entry restrictions or the ones that feel the pressure due to reduction of the resource available for harvest move North to their only logical alternative, Alaska.

The scarcity of product in the southern states usually directly correlates with a rise in price. This situation makes a fishery in Alaska viable at the same time the fishermen are looking for alternative areas for harvest. When this scenario takes place as I have outlined, we have well equipped professionally manned vessels from Washington in direct competition with our under-capitalized and newly emerging fleet of local boats. It doesn't sound like such a bad problem. One might just say "We'll learn", but the truth is over quotas and areas are filled and seasons closed before local boats are able to profit sufficiently to capitalize back into the fishery. Our local boats are delegated to a permanent 2<sup>nd</sup> Class Status, while the vessels that were able to participate in the Southern fisheries have had the time to develop their systems. They gain investment, train personnel and thus, keep growing larger and more efficient.

House Bill #137 is an idea, and an attempt to slow entry into emerging fisheries to give our local fleets time to gain the expertise and the investment to at least give us a fighting chance. It may not be perfect, but if there is a better way, I and the Alaska Underwater Harvesters' Association are willing to listen.

The biological advantages of House Bill #137 are very apparent. I believe you all have no problem visualizing the benefits gained from managing prior to a problem, rather than waiting until the biomass becomes depleted and regulating through emotion rather than planning. It may also work out to be much more politically acceptable to restrain entry from the beginning, rather than to take away the right with Limited Entry after investments in boats and gear have been made.

In our hearts and souls as well as our minds, we know this is a very necessary Bill. If someone has a better idea that would alleviate the problems which make this Bill necessary, we're ready to listen.

Sincerely,



Glenn A. Wilber, President  
Alaska Underwater Harvesters' Association

FAX cc: House Judiciary Committee Members,  
c/o Representative Halford, Chair

cc: Rep. Ben Grussendorf  
Commissioner Rozier, Ak Dept. of Fish & Game  
Governor Walter Hickel  
Senator Eliason

GAW/gj



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
 committee name  
Monatorium on Fisheries  
 committee on HB 137, dated 2-28-91 teleconference 3:30-5:30pm  
 bill/subject

Please Attached (4) four  
 pages of Testimony

Signed: Duff W. Mitchell  
 Testifier

Tuneau Dungeness Crabber  
 Representing (Optional)

Box 214.38, Tuneau, AK 99802  
 Address

907-789-1697  
 Phone No.

TO THE HONORABLE MEMBERS OF THE 1991 ALASKA LEGISLATURE

I AM A SMALL SOUTHEAST ALASKA DUNGEON CRAB FISHERMAN. I AM WRITING TO YOU TO SO THAT YOU WILL VOTE ON AND PASS H.B. 137 AS IT HAS BEEN INTRODUCED.

CURRENTLY OUR FISHERY RESOURCES ARE MANAGED AND ACCESS IS LIMITED THROUGH THE LIMITED ENTRY PROVISIONS OF THE STATE CONSTITUTION. THE DECISION TO PLACE A FISHERY UNDER LIMITED ENTRY IS BASED ON THE PURPOSES OF RESOURCE CONSERVATION, AND TO PREVENT ECONOMIC DISTRESS AMONG FISHERMEN AND THOSE DEPENDENT UPON THEM FOR A LIVELIHOOD.

IN MANY NEW AND UNRECOGNIZED FISHERIES THERE IS LIMITED OR NO DATA ON THE RESOURCE TO ADEQUATELY DETERMINE WHAT THE PROPER SUSTAINED YIELD CAPABILITY OF THE RESOURCE IS. IT IS UNKNOWN WHAT THE CURRENT STOCK SIZE IS, WHAT THE OPTIMUM SUSTAIN YIELD IS, WHAT THE REPRODUCTIVE CYCLES AND CAPABILITIES ARE, AND WHAT THE ENVIRONMENTAL AND BIOLOGICAL FACTORS AND PATTERNS ARE THAT AFFECT THE RESOURCE. HOWEVER, IN MANY FISHERIES THE EFFORT IS EXPANDING AND IN SOME CASES EXPLODING EXPONENTIALLY. THE FISHERY BECOMES POTENTIALLY ENDANGERED AS RECRUITMENT STOCKS MIGHT BE UNKNOWINGLY FISHED AND THE LONG TERM HEALTH OF THE FISHERY IS CONCEIVABLY IMPAIRED. HOWEVER, THE SAME FISHERY FOR THE MANAGEMENT AREA MAY IN FACT ONLY HAVE BURST OUT BONDS DUE TO INCREASED EFFORT IN REGIONAL AREAS. WHEN CONSIDERED IN THE WHOLE, THE FISHERY MAY ACTUALLY BE ABLE TO SUSTAIN INCREASED PARTICIPATION. IN THESE CASES WHERE THE RESOURCE DATA IS UNKNOWN IT IS PREMATURE TO IMPOSE LIMITED ENTRY UPON THE FISHERY.

A TEMPORARY MORATORIUM ON ACCESS ON THESE UNKNOWN FISHERIES WOULD PRECLUDE FURTHER DAMAGE OF THE RESOURCE WHILE AT THE SAME TIME ALLOW THE RESOURCE TO BE STUDIED TO DETERMINE WHAT ITS SUSTAINABLE YIELD IS. FURTHERMORE, NO CURRENT PARTICIPANT WOULD BE DENIALIZED AS WOULD BE THE CASE IN A PREMATURE OR UNWARRANTED LIMITED ENTRY IMPOSITION. THIS MANAGEMENT TOOL WOULD INCREASE THE STATES ABILITY TO RESPONSIBLY CARRY OUT ITS CONSTITUTIONAL MANDATE:

- 1) THE NATURAL RESOURCES OF ALASKA ARE TO BE MANAGED AS A PUBLIC TRUST.
- 2) THE PUBLIC SHOULD HAVE THE BROADEST POSSIBLE ACCESS TO AND USE OF THE STATES NATURAL RESOURCES.
- 3) MANAGEMENT OF RENEWABLE RESOURCES MUST BE ON THE BASIS OF SUSTAINABLE YIELD.

IT IS IMPERATIVE FOR OUR FISHERY RESOURCES THAT ACTION BE TAKEN, BUT IT MAY BE PREMATURE TO IMPOSE LIMITED ENTRY UNTIL MORE IS KNOWN. THIS MORATORIUM WOULD OFFER FOR THE FIRST TIME A REASONED AND RESPONSIBLE APPROACH TO MANAGE THE RESOURCE IN A MANNER WHERE LIMITED ENTRY OF THE FISHERY WILL BE DETERMINED ON THE BASIS OF ALLOWING THE RESOURCE A SUSTAINABLE YIELD PERPETUALLY.

I PERSONALLY CANNOT BELIEVE THAT THERE WOULD EVEN BE ONE LEGISLATOR OR SENATOR THAT WOULD BE AGAINST THIS BILL. FISHERMEN DEPEND ON THE RENEWABILITY OF THE RESOURCE TO PRODUCE A LIVELIHOOD EVERY YEAR. THIS MORATORIUM WILL OFFER PROTECTION FOR THE RESOURCE AND FOR THE FISHERMAN'S LIVELIHOOD. THE ONLY PEOPLE WHO WOULD LOSE OR BE AGAINST THIS BILL ARE RESOURCE RABBITERS OR CARPETBAGGERS OUTSIDE FISHERMEN WHOSE ALLEGIANCE IS TO THEIR SEATTLE BANK WHO HOLDS THEIR CREDIT LINE. ALASKANS MUST GAIN CONTROL OVER OUR FISHERY RESOURCES TO PROTECT SMALL LOCAL FISHERMEN WHO ARE TRYING TO MAKE A MARKET ON NEW, NEGLECTED AND DEVELOPING FISHERIES.

JAPANESE CONTROLLED PROCESSERS AND LARGE OPERATORS WHO OWE NO ALLEGIANCE TO ALASKA OR TO THE UNDERSTANDING OF THE RESOURCE ARE MOTIVATED BY GREED. THEIR LARGE DOLLAR WAR CHESTS ARE WILLING AND WAITING FOR THE LITTLE GUYS TO DEVELOP A FISHERY BECAUSE THEY MOVE IN AND WIPE OUT THE FISHERY. THEY ARE WILLING TO RAPE A RESOURCE AND PERMANENTLY DAMAGE ITS RENEWABILITY SO THAT THEY CAN BUILD THEIR HOUSES IN SEATTLE AND SPEND THEIR WINTERS IN HAWAII. THIS MORATORIUM BILL IS IN THE LONG-TERM INTEREST OF SMALL LOCAL FISHERIES WHO DO NOT WANT TO WAKE UP ONE DAY TO SEE ALL THEIR GRAB AND SEA CUCUMBERS BEING HAULED OFF BY A SEATTLE BOAT. LOCAL FISHERMEN WILL BE LEFT WITH A DESTROYED RESOURCE FOREVER RUINED.

ALASKAN RESOURCES SHOULD BE DEVELOPED BY RISK TAKING AND INGENIOUS ALASKANS WHO SLOWLY AND METHODICALLY DEVELOP FISHERIES WITH CONCERN FOR THEIR LOCAL RESOURCES. IT IS HIGH TIME THAT PROTECTION BE GRANTED TO SMALL ALASKAN FISHERMEN WHO SPEND YEARS DEVELOPING THEIR FISHERY IN THE EARLY YEARS.

I AM CONFUSED, PERPLEXED AND QUITE CONCEIVABLY POLITICALLY NERVE TO UNDERSTAND WHAT ALASKANS WOULD BE OPPOSED TO THIS LEGISLATION. OUR UNDERDEVELOPED RESOURCES ARE VERY VALUABLE TO OUTSIDE DOMINATION AND EXPLOITATION. UNLESS <sup>ALWAYS</sup> OUR GRAB AND SEA CUCUMBER RESOURCES ARE DEPLETED THE OUTSIDERS WILL MOVE ON TO OTHER FISHERIES. ALL OF US WHO HAVE INVESTED OUR ALASKAN BLOOD, SWEAT, AND TEARS WILL BE LEFT WITH THE RESOURCE DEPLETED AFTERMATH.

THIS BILL FOR THE FIRST TIME WILL ALLOW A "TIME OUT" ON A FISHERY IN ORDER TO DETERMINE WHAT IS EXACTLY KNOWN ABOUT A RESOURCE. IT WILL ALLOW TIME TO STUDY THE RESOURCE SO THAT IT CAN BE MANAGED ON A SUSTAINABLE YIELD SO THAT FUTURE ALASKANS WILL BE ABLE TO FISH THIS RESOURCE YEARS FROM NOW.

THE WRITING IS ON THE WALL. THERE ARE NO COMMERCIALLY HARVESTABLE KINGNESS CRAB STOCKS LEFT IN COOK INLET. WE WOKED UP LAST YEAR AND FOUND OUT THAT WE HAVE DESTROYED A RESOURCE THAT MAY TAKE YEARS TO COME BACK. IT IS ALLOW TO PROACTIVELY MANAGE A RESOURCE RATHER THAN TELL OUR CITIZEN THAT WE ACCIDENTLY FAIL TO PROTECT A RESOURCE AND A WAY OF LIFE. IT IS TIME FOR THIS ELECTED BODY TO GRAPPLE WITH THIS ISSUE SO THAT WE CAN TOGETHER TACKLE THE PROBLEMS FACING OUR FISHERY DEVELOPMENT. YOU ELEGANT ALASKANS ARE AT THE HELM OF THIS GREAT SHIP OF OURS. FOR THE SAKE OF ALL THE PASSENGERS, PLEASE DO NOT NEGLECT YOUR RESPONSIBILITY AND ALLOW OUR SHIP TO RUN UNTO THE ROCKS.

LET US OUVY OUR PARTY DIFFERENCES SO THAT WE CAN MOVE FORWARD INTO THE FUTURE WITH ALASKANS DETERMINING HOW OUR FISHERY RESOURCES ARE MANAGED. IF WE FAIL TO CONTROL OUR OWN DESTINY THEN WE ALLOW OUTSIDE INTERESTS TO CONTROL OUR DESTINY BY REGREITABLE DEFAULT.

SINCERELY  


DUFF W. MITCHELL

JUNEAU KINGNESS CRABBER

BOX 21438

JUNEAU, ALASKA 99802

(907) 784-1697

# DEPARTMENT OF FISH AND GAME

## POSITION PAPER

Bill No: H.B. 137

Sponsor: Rep. Grussendorf

Division: Commercial Fisheries

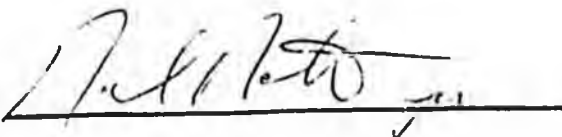
Bill Title: Moratorium on Commercial Fisheries Entry

Department Position: Support

The ability of CFEC to place a moratorium on new entrants to a fishery will be of benefit to the Division of Commercial Fisheries management programs. It will be of particular benefit when applied to new developing fisheries for which the division has little or no biological resource data, effort is growing rapidly, and funds for management of the fishery are lacking or inadequate.

The institution of a moratorium would stop the growth of effort in a fishery at a level that would most likely allow a continuance of the fishery at some harvest level which would provide an economic return to the industry and the state. The moratorium would provide an opportunity for the department to work with the public in development of a management plan for the fishery. That plan would then be presented to the Board of Fisheries for their consideration. The moratorium would also provide a time period during which the department and the industry could seek the funds needed for management of the fishery.

Commissioner's Signature



Date

2/26/91

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HB 137

Revision Date: 2-26-91 Department Affected: Fish and Game  
 Title: Moratorium on Commercial Fisheries Entry BRU: Commercial Fisheries  
 Component: Commercial Fisheries  
 Sponsor: Rep. Gussendorf  
 Requestor: Governor COMPONENT SERIAL NO. 

	4	5	9
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0					
FEDERAL FUNDS	0					
OTHER	0					
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Bob Clasby Phone: 465-4210  
 Division: Commercial Fisheries Date: 2/25/91  
 Approved by Commissioner: [Signature]  
 Agency: \_\_\_\_\_ Date: 2/26/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

CS FOR HOUSE BILL NO. 137 (RESOURCES)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES GRUSSENDORF, Hudson, Koponen, Ulmer, Gruenberg, B.Davis, Mackie, C.Davis, Kubina, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing the Alaska Commercial Fisheries Entry Commission to establish a  
2 moratorium on new entrants into the Southeast Alaska dungeness crab fishery and certain  
3 other commercial fisheries, relating to petitions by the commissioner of fish and game for  
4 the establishment of a moratorium, and relating to qualifications for entry permits; and  
5 providing for an effective date."

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

7 \* Section 1. FINDINGS. The legislature finds that

8 (1) the continuation of a new and emerging commercial fishery may be threatened by the  
9 lack of adequate biological and resource management information necessary to determine the amount  
10 of fishing effort that a fishery resource can sustain;

11 (2) the continuation of a new and emerging commercial fishery may be threatened by an  
12 increase in fishing effort that is coupled with a lack of sufficient biological and resource management  
13 information necessary to ascertain, consistent with the principles of sustained yield, whether the fishery

1 can support additional fishing effort;

2 (3) the provisions of the current commercial fisheries limited entry statutes, developed  
3 for commercial salmon fisheries, may not be appropriate for certain new and emerging commercial  
4 fisheries in the state;

5 (4) the time consuming process required to consider, adopt, and implement a limited entry  
6 program for a fishery, coupled with public discussion of a proposal for limiting entry into the fishery,  
7 can stimulate a rush of new entrants into the fishery before the limited entry program can be  
8 implemented.

9 \* Sec. 2. AS 16.05.050 is amended by adding a new paragraph to read:

10 (20) to petition the Alaska Commercial Fisheries Entry Commission to establish  
11 a moratorium on new entrants into certain commercial fisheries as provided in AS 16.43.225 if  
12 the commissioner has requested and received approval of the petition from the Board of Fisheries  
13 under AS 16.05.251(g).

14 \* Sec. 3. AS 16.05.251 is amended by adding a new subsection to read:

15 (g) The Board of Fisheries shall consider a request of the commissioner for approval of  
16 a petition to the Alaska Commercial Fisheries Entry Commission to establish a moratorium on  
17 new entrants into a commercial fishery under AS 16.43.225 at the board's next regular meeting  
18 that follows the receipt by the board of the request for approval of the petition and that allows  
19 time for the notice required under this subsection. The board may consider the request of the  
20 commissioner for approval of the petition only after 15 days' public notice of the board's  
21 intention to consider approval of the petition. The board shall approve a petition of the  
22 commissioner to the Alaska Commercial Fisheries Entry Commission for the establishment of  
23 a moratorium on new entrants into a commercial fishery under AS 16.43.225 if the board finds  
24 that

25 (1) the fishery that is the subject of the petition has experienced recent increases  
26 in fishing effort that are beyond a low, sporadic level of effort and has achieved a level of  
27 harvest that may be approaching or exceeding the maximum sustainable level for the fishery; and

28 (2) there is insufficient biological and resource management information that is  
29 necessary to promote conservation and sustained yield management of the fishery.

30 \* Sec. 4. AS 16.43.100(a) is amended to read:

31 (a) To accomplish the purposes set out in AS 16.43.010, the commission shall [:]

- 1 (1) regulate entry into the commercial fisheries for all fishery resources in the  
2 state;
- 3 (2) establish priorities for the application of the provisions of this chapter to the  
4 various commercial fisheries of the state;
- 5 (3) establish administrative areas suitable for regulating and controlling entry into  
6 the commercial fisheries;
- 7 (4) establish, for all types of gear, the maximum number of entry permits for each  
8 administrative area;
- 9 (5) designate, when necessary to accomplish the purposes of this chapter,  
10 particular species for which separate interim-use permits or entry permits will be issued;
- 11 (6) establish qualifications for the issuance of entry permits;
- 12 (7) issue entry permits to qualified applicants;
- 13 (8) issue interim-use permits as provided in AS 16.43.210, [AND] 16.43.220, and  
14 16.43.225;
- 15 (9) establish, for all types of gear, the optimum number of entry permits for each  
16 administrative area;
- 17 (10) administer the buy-back program provided for in AS 16.43.310 and 16.43.320  
18 to reduce the number of outstanding entry permits to the optimum number of entry permits;
- 19 (11) provide for the transfer and reissuance of entry permits to qualified  
20 transferees;
- 21 (12) provide for the transfer and reissuance of entry permits for alternative types  
22 of legal gear, in a manner consistent with the purposes of this chapter;
- 23 (13) administer the collection of the annual fees provided for in AS 16.43.160;
- 24 (14) administer the issuance of commercial fishing vessel licenses under  
25 AS 16.05.490;
- 26 (15) issue educational entry permits to applicants who qualify under the provisions  
27 of AS 16.43.340 - 16.43.390;
- 28 (16) establish reasonable user fees for services;
- 29 (17) issue landing permits under [IN ACCORDANCE WITH] AS 16.05.675 and  
30 regulations adopted under that section; [AND]
- 31 (18) establish and collect annual fees for the issuance of landing permits that

1 reasonably reflect the costs incurred in the administration and enforcement of provisions of law  
2 related to landing permits; and

3 (19) establish a moratorium on entry into commercial fisheries as provided  
4 in AS 16.43.225.

5 \* Sec. 5. AS 16.43.180(a) is amended to read:

6 (a) The commission shall adopt regulations providing for the temporary emergency  
7 transfer of entry permits and interim-use permits when illness, disability, death, required military  
8 or government service, or other unavoidable hardship prevents the permit holder from  
9 participating in the fishery. To alleviate hardship pending a final determination of the permit  
10 holder's eligibility for an entry permit, the commission shall adopt regulations providing for the  
11 temporary emergency transfer of an interim-use permit issued under AS 16.43.210(b) or  
12 16.43.225.

13 \* Sec. 6. AS 16.43.210(a) is amended to read:

14 (a) Pending the establishment of the maximum number of entry permits under  
15 AS 16.43.240 and the issuance of entry permits under AS 16.43.270, the commission shall issue  
16 interim-use permits under regulations adopted by the commission for each fishery, not subject  
17 to a moratorium under AS 16.43.225, to all applicants who can establish their present ability  
18 to participate actively in the fishery for which they are making application.

19 \* Sec. 7. AS 16.43 is amended by adding new sections to read:

20 Sec. 16.43.225. MORATORIUM ON NEW ENTRANTS INTO CERTAIN FISHERIES.

21 (a) Subject to (b) of this section, the commission may establish a moratorium on new entrants  
22 into a fishery

23 (1) that has experienced recent increases in fishing effort that are beyond a low,  
24 sporadic level of effort;

25 (2) that has achieved a level of harvest that may be approaching or exceeding the  
26 maximum sustainable level for the fishery; and

27 (3) for which there is insufficient biological and resource management information  
28 necessary to promote the conservation and sustained yield management of the fishery.

29 (b) The commission may establish a moratorium on new entrants into a fishery described  
30 in (a) of this section if

31 (1) the commissioner of fish and game, with the approval of the Board of

1 Fisheries, petitions the commission under AS 44.62.220 to establish a moratorium on new  
2 entrants into the fishery; and

3 (2) the commission finds that

4 (A) the fishery has reached a level of participation that may threaten the  
5 conservation and the sustained yield management of the fishery resource and the  
6 economic health and stability of commercial fishing; and

7 (B) the commission has insufficient information to conclude that the  
8 establishment of a maximum number of entry permits under AS 16.43.240 would further  
9 the purposes of this chapter.

10 (c) The commission may establish a moratorium under this section for a continuous  
11 period of up to four years. A fishery that has been subject to a moratorium under this section  
12 may not be subjected to a subsequent moratorium under this section unless five years have  
13 elapsed since the previous moratorium expired.

14 (d) While a moratorium is in effect, the commission shall conduct investigations to  
15 determine whether a maximum number of entry permits should be established under  
16 AS 16.43.240 by

17 (1) conducting research into conditions in the fishery;

18 (2) consulting with the Department of Fish and Game and the Board of Fisheries;

19 and

20 (3) consulting with participants in the fishery.

21 (e) The commission shall establish by regulation the qualifications for applicants for an  
22 interim-use permit for a fishery subject to a moratorium under this section. The qualifications  
23 must include the minimum requirements for past or present participation and harvest in the  
24 fishery. The commission may not issue an interim-use permit for a fishery subject to a  
25 moratorium under this section unless the applicant can satisfy the qualifications established under  
26 this subsection and establish the present ability and intent to participate actively in the fishery.

27 Sec. 16.43.227. SOUTHEAST ALASKA DUNGENESS CRAB FISHERY. (a) The  
28 commission may establish a moratorium on new entrants into the southeast Alaska dungeness  
29 crab fishery for a continuous period of up to four years without complying with  
30 AS 16.43.225(a) - (c). While the moratorium is in effect, the commission shall

31 (1) conduct the investigation required under AS 16.43.225(d);

1 (2) establish by regulation the qualifications for an interim-use permit for the  
2 fishery, including minimum requirements for past or present participation and harvest in the  
3 fishery; and

4 (3) issue interim-use permits for the fishery to applicants who satisfy the  
5 qualifications established under (2) of this subsection and who establish the present ability and  
6 intent to participate actively in the fishery.

7 (b) Notwithstanding AS 16.43.225, for the purposes of this chapter

8 (1) an interim-use permit issued under this section shall be treated as an interim-  
9 use permit issued under AS 16.43.225;

10 (2) a moratorium established under this section shall be treated as a moratorium  
11 established under AS 16.43.225.

12 \* Sec. 8. AS 16.43.240(b) is amended to read:

13 (b) When the commission finds that a fishery, not designated as a distressed fishery under  
14 AS 16.43.230 or not subject to a moratorium under AS 16.43.225, has reached levels of  
15 participation that [WHICH] require the limitation of entry in order to achieve the purposes of  
16 this chapter, the commission shall establish the maximum number of entry permits for that  
17 fishery.

18 \* Sec. 9. AS 16.43.240 is amended by adding a new subsection to read:

19 (c) When the commission finds that a fishery subject to a moratorium under  
20 AS 16.43.225 has reached levels of participation that require the limitation of entry in order to  
21 achieve the purposes of this chapter, the commission shall establish the maximum number of  
22 entry permits for that fishery.

23 \* Sec. 10. AS 16.43.260(a) is amended to read:

24 (a) The commission shall accept applications for entry permits only from applicants who  
25 have harvested fishery resources commercially while participating in the fishery as holders of  
26 gear licenses issued under AS 16.05.536 - 16.05.670 or [AND] interim-use permits under  
27 AS 16.43.210(a) or 16.43.225 before the qualification date established in (d), [OR] (e), or (f) of  
28 this section. The commission may specify by regulation the calendar years of participation that  
29 will be considered for eligibility purposes.

30 \* Sec. 11. AS 16.43.260(d) is amended to read:

31 (d) Except as provided in (e) or (f) of this section, an applicant shall be assigned to a

1 priority classification based solely upon the applicant's qualifications as of January 1, 1973.

2 \* Sec. 12. AS 16.43.260(e) is amended to read:

3 (e) Except as provided in (f) of this section, when [WHEN] the commission establishes  
4 the maximum number of entry permits for a particular fishery under AS 16.43.240 after  
5 January 1, 1975, an applicant shall be assigned to a priority classification based solely upon the  
6 applicant's qualifications as of January 1 of the year during which the commission establishes  
7 the maximum number of entry permits for the fishery for which application is made.

8 \* Sec. 13. AS 16.43.260 is amended by adding a new subsection to read:

9 (f) When the commission establishes the maximum number of entry permits under  
10 AS 16.43.240 for a fishery that is subject to a moratorium under AS 16.43.225, an applicant for  
11 an entry permit for the fishery shall be assigned to a priority classification based solely upon the  
12 applicant's qualifications as of the effective date of the regulation establishing the moratorium.

13 \* Sec. 14. This Act takes effect immediately under AS 01.10.070(c).

STEVE COWPER, GOVERNOR

**COMMERCIAL FISHERIES ENTRY COMMISSION**

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

October 29, 1990

Glen A. Wilber  
Vice-President  
Alaska Underwater Harvesters Association  
3311 Halibut Point Rd.  
Sitka, Ak. 99835

Dear Mr. Wilber:

Thank you for your letter of Sept. 25, 1990, and the petition from concerned citizens and members of the Alaska Underwater Harvesters Association. Your petition asks us to "to issue an immediate "moratorium" on the issuance of any new permits for the harvest of sea cucumbers in Alaska and that a study be conducted into the possibility of future "limited entry".

We must deny your request for the moratorium as we lack the statutory authority to implement a simple moratorium. Under the existing limited entry statutes, the only way we can restrict the number of participants in a fishery is by committing to a full-scale, salmon-type limited entry program.

As the State's limited entry program can be relatively expensive to implement (due to the initial allocation process), we must necessarily be conservative in using the program. We usually do not undertake a limitation unless we are convinced that the program is appropriate, will serve the purposes of the statute, and will produce substantial benefits. At this point, we do not feel that we can draw such conclusions in this fishery.

As you may be aware, we recently directed our research staff to conduct a study into the possibility of using the existing limited entry program in the Southeastern Alaska diving fisheries. There are many issues to consider. We would like to see the results of our staff's study and hear the thoughts of the Board of Fisheries on appropriate management measures before we contemplate any full-scale limitation proposals.

In the meantime, we are hopeful that the interim management measures in the sea cucumber fishery will be adequate and will discourage those who might seek to enter the fishery on a speculative basis. Hopefully, the new plan will "buy time" so that other potential management measures can be considered more carefully.

Even though we lack the power to act, we are sympathetic toward your request for a moratorium on new entrants and we might consider using such authority if we had it. Representative Ben Grussendorf has indicated that he wants to explore the need for new legislation to provide the Commission with the authority to implement a simple moratorium in such situations. We plan to work with Representative Grussendorf to help in every way that we can.

Again, thank you for your letter and petition. We share your concerns about the fishery. Your continued help as we investigate these issues will be greatly appreciated. If you have further questions or thoughts on these matters, please do not hesitate to contact us.

By Direction of the

COMMERCIAL FISHERIES ENTRY COMMISSION

Bruce Twomley, Chairman  
Phil Smith, Commissioner  
Rich Listowski, Commissioner

By: 

cc: All Petitioners  
The Honorable Ben Grussendorf  
State House of Representatives  
✓ Doug Rickey, Aide to Rep. Grussendorf  
Eric Jordan, Chair - Sitka Advisory Committee

*KURT*

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SEP 27 1990

COMMERCIAL FISHERIES  
ENTRY COMMISSION

September 25, 1990

Entry Commission  
Alaska Commercial Fisheries  
8800-109 Glacier Highway  
Juneau, Alaska 99801

Dear Sirs:

Please accept the enclosed petition from concerned citizens and members of the Alaska Underwater Harvesters Associated based in Sitka, Alaska. In this petition we ask that the commission issue an immediate "moratorium" on the issuance of any new permits for the harvest of sea cucumbers in Alaska and that a study be conducted into the possibility of future "limited entry".

If you have any questions, please feel free to contact me by correspondence (3311 Halibut Point Rd., Sitka, AK 99835) or phone (907-747-3177). Thank you for your assistance.

Sincerely,

Glenn A. Wilber  
Vice President  
Alaska Underwater Harvesters Association

Enclosure: Petition With 75 Signatures

*147-324-5*

*Response  
Deadline  
10/29/90*



WE THE UNDERSIGNED PETITION THE STATE OF ALASKA LIMITED ENTRY COMMISSION AS CONCERNED CITIZENS AND MEMBERS OF THE ALASKA UNDERWATER HARVESTERS ASSOCIATION. IN THIS PETITION WE ASK THAT THE COMMISSION ISSUE AN IMMEDIATE "MORATORIUM" ON THE ISSUANCE OF ANY NEW PERMITS FOR THE HARVEST OF SEA CUCUMBERS IN ALASKA AND THAT A STUDY BE CONDUCTED INTO THE POSSIBILITY OF FUTURE "LIMITED ENTRY".

PRINTED NAME	SIGNATURE	ADDRESS	DATE
Larry Pearson	Larry Pearson	Box 1143	5-9-90
Jim Cushing	Jim Cushing	404 Lake St.	5/9/90
Terry Lindvall	Terry Lindvall	313 Lake	5/9/90
DIANNE LINDVALL	Dianne Lindvall	313 Lake	5/9/90
Thomas A Summers	Thomas A Summers	P.O. Box 21	5-14/90
Jim Giddard	Jim Giddard	Box 1362	5/9/90
Jim Stewart	Jim Stewart	717 Kattikan	5/9/90
Les Richardson	Les Richardson	214 Brady	5/9/90
STEPHEN C. SHAFER	Stephen C. Shafer	315 Seward St.	5-9-90
Carl R Sangster	Carl R Sangster	101 Kubale dr	5-10-90
Ron Heathman	Ron Heathman	1511-3 SMC	5/10/90
Ross R. Brigham	Ross R. Brigham	3106 HPR	5/10/90
William Frost	William Frost	3109 HPR.	5/10/90
Larry S. How	Larry S. How	4014 HPR.	5/11/90
FRON'S LOUCKS	FRON'S LOUCKS	Box 3154 SITKA	5/11/90
BRITAN OMAN	BRITAN OMAN	Box 2991 SITKA	5/11/90
George Kubik	George Kubik	1752 HPR Sitka	5/11/90
Jan Kubik	Jan Kubik	713 Kattikan SITKA	
Pat Miller	PAT MILLER	Box 1354 SITKA	
Byron J Paul	Byron J Paul	1022 ANCE DR #2	5/11/90

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WE THE UNDERSIGNED PETITION THE STATE OF ALASKA LIMITED ENTRY COMMISSION AS CONCERNED CITIZENS AND MEMBERS OF THE ALASKA UNDERWATER HARVESTERS ASSOCIATION. IN THIS PETITION WE ASK THAT THE COMMISSION ISSUE AN IMMEDIATE "MORATORIUM" ON THE ISSUANCE OF ANY NEW PERMITS FOR THE HARVEST OF SEA CUCUMBERS IN ALASKA AND THAT A STUDY BE CONDUCTED INTO THE POSSIBILITY OF FUTURE "LIMITED ENTRY".

PRINTED NAME	SIGNATURE	ADDRESS	DATE
Eric Quintin	Eric Quintin	3914 HPR	5-11-90
C-J MURKEY	C.J. Mulky	P.O. Box 1649	5-11-90
Ben Taylor	Ben Taylor	Box 965	5-10-90
MILTON HUNT	Milton Hunt	Box 2355	5-11-90
SANDRA HUNT	Sandra H. Hunt	Box 2355	5-11-90
Bradley F. Scougale	Bradley F. Scougale	Box 6276	5-11-90
David M. Owens	DAVID OWENS	617 KAZIAN STR. D.	5-11-90
MIKE ANGUS	Mike Angus	Box 3209 SITKA	5-11-90
LAUREN ROGERS	Lauren Rogers	Box 6102 SITKA	5-11-90
TONI DEPUE	Toni E. DePue	Box 6102 SITKA	5-11-90
Kirk Van Winkle	Kirk Van Winkle	P.O. 842 SITKA	5-11-90
Steve Branch	Steve Branch	Schaefer #23 SITKA	5-11-90
Jerome Brown	Jerome Brown	Box 1947 SITKA	5-11-90
Stuart Denslow	Stuart Denslow	Box 6191 SITKA	5-11-90
Carrell Campbell	Carrell Campbell	2604 Sawmill Creek SITKA	5-11-90
Kelly L. White	Kelly L. White	P.O. Box 2402 SITKA	5/11/90
Beverly S. Brill	Beverly S. Brill	Box 1439 SITKA	5/11/90
JEFF D. BAUMANN	Jeff D. Baumann	210 Marine Blvd	5/11/90
EARL B. SHAPIRO	Earl B. Shapiro	Box 1421 SITKA	5/11/90
ED CAITY	Ed Caity	Box 423 Nestevia, Alaska	SITKA

WE THE UNDERSIGNED PETITION THE STATE OF ALASKA LIMITED ENTRY COMMISSION AS CONCERNED CITIZENS AND MEMBERS OF THE ALASKA UNDERWATER HARVESTERS ASSOCIATION. IN THIS PETITION WE ASK THAT THE COMMISSION ISSUE AN IMMEDIATE "MORATORIUM" ON THE ISSUANCE OF ANY NEW PERMITS FOR THE HARVEST OF SEA CUCUMBERS IN ALASKA AND THAT A STUDY BE CONDUCTED INTO THE POSSIBILITY OF FUTURE "LIMITED ENTRY".

PRINTED NAME SIGNATURE ADDRESS DATE

JAMES A. WEIS James A. Weis Box 6042 SITKA AK. 5-10-  
 Kayla Perala Kayla Perala 405 Dearmond<sup>SITKA</sup> 5-  
 Michael S. Wolf Michael S. Wolf Box 6226 SITKA 5-  
 David Phillipin David Phillipin General Delivery<sup>SITKA</sup> 5-  
 Jennifer Carlson Jennifer Carlson 914 Dearmond St. SITKA  
 WAYNE CARLSON Wayne Carlson 414 DEARMOND SE SITKA 5-4  
 Susan C. Weis Susan C. Weis 410 Andrews AK 998  
 Duane Leebut Duane Leebut 410 Andrews AK 998  
 Gary Wolf GARY WOLF P.O. Box 6266 SITKA  
 Florence L. Smith Florence L. Smith 101 Sharon Dr. SITKA

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WE THE UNDERSIGNED PETITION THE STATE OF ALASKA LIMITED ENTRY COMMISSION AS CONCERNED CITIZENS AND MEMBERS OF THE ALASKA UNDERWATER HARVESTERS ASSOCIATION. IN THIS PETITION WE ASK THAT THE COMMISSION ISSUE AN IMMEDIATE "MORATORIUM" ON THE ISSUANCE OF ANY NEW PERMITS FOR THE HARVEST OF SEA CUCUMBERS IN ALASKA AND THAT A STUDY BE CONDUCTED INTO THE POSSIBILITY OF FUTURE "LIMITED ENTRY".

PRINTED NAME	SIGNATURE	ADDRESS	DATE
JACK WEDDEL	Jack Weddel	Box 920	5/8/9
RANDY SPRIGGS	Randy Spriggs	110 EAGLE WAY	5/8-
Greta L Eliason	Greta Eliason	207 Cedar Hts	5-8-
MITCH COWAN	Mitch Cowan	Box 6349	5-8
MARCO KUPRA	Marco Kupra	408 LACE ST	5-8-90
Boquslaw Fryze	Fryze	806 Lake St	5-8-7
Glenn A Wilber	Glenn Wilber	3311 HPR	
Joan N. Roehen	Joan N. Roehen	3311-HPR	5-8-
Greg Myers	Greg Myers	P.O. - Box 604	5-8-
Clyde COURSEY	Clyde Coursey	230 KOGWANTON	9 MAY 90
KRIS HOFFMANN	Kris Hoffmann	10 1/2 WAKSOUTOFF	5-9-9
D. FORD	D. Ford	Box 2351 SITKA AK.	5/9/90
PAUL L DRAKE	Paul L Drake	1812 Sawmill Creek	5/9/90
Ch. Keener	Ch. Keener	470 KATHIAN SITKA	5/9/90
L.T. Smotherman	L.T. Smotherman	Box 6270 SITKA AK	
Paul B. Maren	PAUL B MARENO	Box 295 SITKA AK	5-
J.C. Lock	J.C. Lock	617 KATHIAN M-	
DEBBAN M. REEDER	Debban M. Reeder	107 SHELKOFF DR	
DRIAN G. BERGMAN	Brian G. Bergman	212 LAKEVIEW DR SITKA, I	
GARY ATKINSON	Gary Atkinson	P.O. Box 1953 Sitka, AK	5-9-90

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