

SCOMM

102:17

Alaska State Legislature House of Representatives

Committees

Rules Committee, Chair
Legislative Council
International Trade & Tourism
Military & Veterans Affairs
World Trade & State/Federal Relations



Interim:
10928 Eagle River Rd. Suite 141
Eagle River, AK 99577

Session:
Alaska State Capitol
Juneau, AK 99801

Sponsor Statement HB 489

This bill requires all commercial fishing boats over 25 feet to be equipped with a transponder so that they can be tracked by the appropriate enforcement or safety institution. The purpose of this tracking is to ensure the safety of the individuals on the boat and to better enforce the current fishing boundaries and laws.

This type of tracking is unique in that the signal is constant, rather than being transmitted only during emergency situations. This legislation will result in safer fisheries and will capture revenues that would have been lost without the extra enforcement.



Representative Pete Kott

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Sectional Analysis HB 489

Sec. 1 This section is entirely new. It requires any vessel operating in a commercial fishery that is over 25 feet in length to be equipped with a transponder. The transponder must operate while the vessel is engaged in commercial fishing.

Sec. 2 Establishes an effective date of January 1, 1999.



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A "New" Corridor for the 1998 Fishing Season

An important announcement from the Alaska Department of Fish & Game

The Soldotna office of the Department of Fish & Game would like to inform all Cook Inlet drift gillnetters that the three-mile corridor frequently used as a drift gillnetting boundary along the east side of the Central District will be redefined for the coming fishing season. The new line will consist of a series of points described by latitude and longitude and will closely approximate the old corridor.

Dissatisfaction with the three-mile contour line was evident among drifters, enforcement personnel and fishery managers. Drifters frequently expressed their concern that the inability to precisely determine the line location led to inconsistent and lax enforcement, allowing those who chose to push the boundaries of the line to have a distinct advantage over those fishermen who adhered strictly to the line. Enforcement officers had the same frustration, faced with a boundary that was difficult to determine with precision and the need to make cases strong enough to convince prosecutors and judges that a violation had in fact occurred. The use of radar as the most frequent means to determine line location also required the use of a patrol vessel, an enormous drain on the resources of the local Fish and Wildlife Protection office. Fishery managers had to deal with a line that, because of a need for consistency, included some waters that, in their opinion, frequently produced mixed-stock catches contrary to the intent of the restricted area.

The new line will be precisely defined by a series of described points and both fishermen and enforcement officers can use modern navigational technology to accurately track a vessel's location in relation to the boundary. While there are many ways to determine a latitude and longitude, fishermen who intend to spend time fishing as close as possible to the boundary are strongly urged to acquire a Global Positioning Systems (GPS) unit and equip it with an accuracy-enhancing accessory called a differential. Enforcement vessels and aircraft will be DGPS-equipped. DGPS equipment is capable of determining positions with much greater accuracy than simple GPS systems. DGPS units are readily available from marine electronics dealers. Fishermen should take some time to familiarize themselves with the operation of this equipment prior to the season as the new line will be in place the first time a "corridor" period is announced.

The most significant changes to the line will be in three general areas. Open waters will be reduced off Colliers Dock and Humpy Point and increased between the Kenai and Kaslof Rivers. The reductions are intended to improve the performance of the corridor in catching stocks bound for the Kenai and Kaslof Rivers. Any reduction in the catch of Susitna-bound sockeye salmon will help reduce the need to restrict regular openings out in the district.

The preliminary waypoints that will constitute the line are listed below. These points will likely be adjusted slightly prior to the season. They are listed here to allow fishermen to enter them into their equipment and familiarize themselves with the process. Please note that the waypoints are described in degrees, minutes, and decimal fractions of minutes, **not degrees, minutes and seconds**. Fishermen should also be sure that the datum used in their navigational equipment be based on the **North American Datum of 1983**.

The line will begin at a point on the beach at the base of Colliers Dock at 60 degrees, 40.30 minutes N.lat., 151 degrees, 23.00 minutes W.long. It will then proceed to the following points: 60 degrees, 40.30 minutes N.lat., 151 degrees, 26.33 minutes W.long., to 60 degrees 27.27 minutes N.lat., 151 degrees, 25.0 minutes W.long., to 60 degrees, 12.75 minutes N.lat., 151 degrees, 32.05 minutes W.long., to 60 degrees, 06.08 minutes N.lat., 151 degrees 44.05 W.long., and then returning to the beach at the mouth of the Ninilchik small boat harbor at 60 degrees, 03.258 minutes N.lat., 151 degrees 39.919 minutes W.long.

Again, these are preliminary numbers that will likely change slightly prior to the season. The Department would like to thank all those who contributed their time to working out this new approach.

1998/04/24

STATE OF ALASKA
COMMERCIAL FISHERIES ENTRY COMMISSION
FREQUENCY ON SELECTED 1998 PERMIT RECORDS
1998 COUNTS OF VESSELS INTENDED TO FISH BY SPECIES & LENGTH CATEGORIES

Vessel Length Categories											Total
Species Category	01-20ft	21-25ft	26-30ft	31-35ft	36-40ft	41-45ft	46-49ft	50-60ft	61-999ft	UNKNOWN	
A	1	0	0	0	0	0	0	0	0	0	1
B	183	148	219	328	349	252	153	299	139	27	2097
C	2	3	9	47	90	99	81	183	106	5	625
D	23	26	37	40	58	41	14	45	14	54	352
E	0	0	0	1	0	0	0	0	2	0	3
F	6	4	2	0	1	2	0	0	0	2	17
G	61	198	230	472	59	75	55	124	3	271	1548
H	1	4	1	0	0	4	9	51	2	2	74
I	5	7	19	29	42	31	25	36	12	26	232
K	1	2	6	9	7	10	10	47	50	5	147
L	47	13	40	38	28	12	16	41	2	56	293
M	40	48	107	188	245	211	125	265	427	10	1687
N	0	0	1	0	0	0	1	1	0	0	3
O	2	2	2	4	5	5	6	19	6	1	52
P	11	15	28	42	66	50	28	49	7	3	299
Q	0	1	1	0	2	2	2	5	0	0	13
R	0	1	2	0	1	1	0	0	0	1	6
S	218	237	685	1463	708	420	254	440	11	2355	6791
T	9	7	17	26	39	20	11	19	233	3	384
U	0	2	1	3	2	2	0	4	0	0	14
W	0	0	0	0	0	0	0	0	3	0	3
Y	6	7	20	34	59	53	45	56	12	0	292
Z	0	0	0	0	0	0	0	1	0	1	2
Total	616	725	1427	2724	1761	1290	835	1706	1029	2822	14935

Species Categories:

A - Abalone	N - Snails
B - Halibut	O - Octopi/Squid
C - Sablefish	P - Shrimp
D - Dungeness Crab	Q - Sea Cucumbers
E - Korean Horsehair Crab	R - Clams
F - Freshwater Fish	S - Salmon
G - Rose Herring	T - Tanner Crab
H - Food/Bait Herring	U - Urchins
J - Gooduck	W - Scallops
K - King Crab	Y - Rockfish
L - Herring Spawn On Kelp	Z - Mussels
M - Misc. Finfish	

* Note: Because vessels may, and frequently do, participate in multiple fisheries, the total number of vessels listed in the table above is larger than the actual number of individually licensed vessels (11,251 Y.T.O.).

YTO = Year to date

P. 02/02

FAX NO. 907 789 6170

CFEC

APR-24-98 FRI 16:45

Table
State of Alaska
Commercial Fisheries Entry Commission
1998 Commercial License Vessel File
Counts of Vessels (Year To Date) By Vessel Length

16:32 Friday, April 24, 19

LENGTH	Frequency	Cumulative Frequency
Missing		1
1-25 ft	4443	4444
26-50 ft	5361	9805
51-75 ft	782	10587
76-150ft	510	11097
151-250ft	124	11221
> 250ft	30	11251

GXPR1405-A 98-04-24

State of Alaska -- Commercial Fisheries Entry Commission
1998 Permit Status Report for All Fisheries

Fishery	Total Permits	Active Permits	Revoked Permits	Active Issued/ Renewed Permits	Active Non- Renewed Permits	Active Resident Permits	Active Non- Resident Permits	Interim Use Permits	Interim Entry* Permits	Permanent Permits	Number of Permanent Transfers	Number of Emergency Transfers
TOTAL	24,287	23,396	891	17,221	6,175	18,456	4,940	8,163	1,484	14,640	273	145

Footnotes:

- * Interim entry permits are interim use permits issued in a fishery which is under limitation. They are issued to qualified applicants while awaiting the final determination of their application.
- All counts for limited fisheries include revoked permanent permits except where 'active permits' is specified.
- A missing value ('.') is used to indicate that this is an unlimited fishery to which the figure does not apply. For example, only interim use permits are issued in unlimited fisheries. They are issued anew every year.
- The counts of transfers above represent the number of transfers, not the number of permits. There can be multiple emergency and permanent transfers of a single permit in a year.
- Residency is based on the residency declared by the permit holder.

Author: Amy Daugherty at LAA_CAP
Date: 4/24/98 2:02 PM
Priority: Normal
TO: Steven.Springer@NOAA.gov at CC2MHS1
Subject:

Steve,

Since I am less than certain this will get to you, I will fax this as well.

HB 489 requires all vessels over 25 feet to have a transponder in order to commercially fish in state waters 0 - 3 miles.

Therefore, some setnet vessels in our setnet fisheries will not be impacted. FYI The vast majority of vessels that fish in state waters are less than 58 feet.

I would appreciate the following information from you:

Can you describe a transponder and how it can be effectively used?

Do you have an idea of what the cost would be to the individual vessels, for them to acquire transponders, and what costs would be incurred beyond the individual vessel transponder purchase in order to make them work within an enforcement or safety system? I believe the sponsor introduced this for the purpose of assisting enforcement. I believe agency support at this time is based on increased safety.

Most fisheries take place away significant distances from coastal towns and villages. Are you aware of other means which would accomplish either of the two goals mentioned above.

Thank you for providing whatever information you can to me. I appreciate the help. (I may also be faxing you some additional info on commercially registered vessels within the state.) Amy Daugherty



United Southeast Alaska Gillnetters

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April 28, 1998

Rep. Alan Austerman, Chairman
Special House Committee on Fisheries
Alaska State Capitol
Juneau, AK 99801

RE: Opposition to HB 489.

United Southeast Alaska Gillnetters Association (USAG) is celebrating our 20 year as an organization representing SE AK salmon drift gillnet permit holders. Our membership is 160-200+ members out of 480 limited entry permit holders. 72% of the permit holders are Alaskan residents.

Our organization is firmly opposed to HB 489 requiring transponders on all commercial fishing vessels over 25 feet in length. This would be a very expensive and impracticable solution for what purpose. The safety regulations the Coast Guard has developed and enforces more than adequately deals with any safety issues and needs of the commercial fishermen.

USAG called a commercial gear dealer. They have provided our organization with the following information. The approximate cost of a transponder would be \$4,000-\$5,000 dollars each. The supply of transponders might catch up with the demand in 5 years or more if all commercial fishing boats over 25 feet in length were required to have one on board.

The legislation requiring a transponder lacks certain information. What frequency will the transponder be required to operate on? How will having thousands and thousands of these transponders turned on at the same time effect an emergency signal from an EPIRB? Who will monitor the transponders and at what cost?

Since we discussed already that safety is dealt with by the Coast Guard, the requirement for a transponder must be motivated by enforcement purposes. The idea that the information from a transponder could be successfully used is ludicrous. For an example: You are fishing close to a line between open and closed waters to salmon fishing. You get done picking the net and it is all in the boat before reaching the line, but by the time you get off deck and into the cabin to turn the transponder off you are in closed waters. Everything was done legally but if enforcement was only monitoring by transponder locations you could be cited for fishing in closed waters. Who's responsibility is it to prove that your net was in the water at the point you went over the line? If it is the

protection officers responsibility and he could see that your net was still in the water at the time you drifted over the line, then what need or role did the transponder play in the violation and prosecution of the vessel skipper. If you are monitoring transponders from a central location what is to prevent the person turning off the transponder before drifting into closed waters, if he is still fishing.

In the membership of USAG we have a lot of permit holders who are also boat and permit holders in the herring fisheries. The need and cost of having to purchase two transponders at the same time would be crippling to an industry that is currently suffering from low prices of fish. This is not the time to be requesting fishermen to purchase such an expensive piece of equipment without addressing how this can help the commercial fishermen or why this is needed.

Please let this piece of legislation die in this committee. Thank you for considering and listening to our opposition to this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathy Hansen", followed by a horizontal flourish.

Kathy Hansen
Executive Director