

HB

104

WWWP0100-A 99-04-06 State of Alaska -- Commercial Fisheries Entry Commission

1998 Permit Holder List by Fishery and Name
[Report Description]

Fishery: E 91Q - KOREAN HAIR CRAB, POT GEAR VESSEL 60 FT OR OVER, BERING SEA

Name (l,f,m,s) Address	Resi- dency	Permit & Sequence	Vessel ADF&G	Start	Emboss
BLUE BOX 1064 SITKA AK 99835	R	E 91Q 21885K 01	29923	19980825 I	199808
BRADY 25710 NE 39TH WAY REDMOND WA 98053	N	E 91Q 21125M 01	33696	19980902 I	199809
BURLIN 620 213TH ST SW BOTHELL WA 98021	N	E 91Q 26217C 01	06205	19980403 I	199804
HILLSTRAND BOX 1500 HOMER AK 99603	R	E 91Q 11195R 01	65577	19971219 I	199712
HILLSTRAND BOX 3186 HOMER AK 99603	R	E 91Q 30375Z 01	29923	19981005 I	199810
JORGENSON 1108 NW BALLARD WAY SEATTLE WA 98107	N	E 91Q 21891N 01	40917	19980825 I	199808
MATTSEN BOX 2686 POULSBO WA 98370	N	E 91Q 22253E 01	00036	19980825 I	199808
MOREHOUSE 1108 NW BALLARD WAY SEATTLE WA 98107	N	E 91Q 21647L 01	36822	19980826 I	199808
MORRIS 14427 63RD DR SE SNOHOMISH WA 98296	N	E 91Q 30343V 01	62505	19981001 I	199810

MYROLD 3244 NW MARKET ST SEATTLE WA 98107	HAROLD	N	E 91Q 20870B 01 03718	19980930 I	199809
OCHSNER 10214 BELGROVE CT NW SEATTLE WA 98177	KURT	N	E 91Q 29977W 01 25041	19980908 I	199809
POULSEN 1143 NW 45TH SEATTLE WA 98107	ERIK	N	E 91Q 21138M 01 36047	19980806 I	199808
QUASHNICK 790 SE 13TH PL WARRENTON OR 97146	RICHARD S.	N	E 91Q 21268O 01 45706	19980915 I	199809
WABEY 1600 NW 198TH SHORELINE WA 98177	JOSEPH G.	N	E 91Q 21072P 01 61111	19980831 I	199808
WALKER 4311 126TH ST CT NW GIG HARBOR WA 98332	DAVID	N	E 91Q 21954I 01 32282	19981005 I	199810

[Go to

[..Names Index](#)

[..Fisheries Index](#)

[..Species Index](#)

[..Permit Holder List Menu](#)

[..Fishing Statistics, Reports, & Listings](#)

[..CFEC Home Page](#)]

WWWP0100-A 99-04-06 State of Alaska -- Commercial Fisheries Entry Commission

1998 Permit Holder List by Fishery and Name
[Report Description]

Fishery: E 09Q - KOREAN HAIR CRAB, POT GEAR VESSEL UNDER 60 FT, BERING SEA

Name (l,f,m,s) Address	Resi- dency	Permit & Sequence	Vessel ADF&G	Start	Emboss
GALAKTIONOFF NECTARY JR. BOX 101 SAINT PAUL ISLAND AK 99660	R	E 09Q 19532A 01	41866	19980922 I	199809

GUNDERSEN PAUL E. BOX 2 NELSON LAGOON AK 99571	R	E 09Q 11939P 01	06743	19971126 I	199711
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[Go to

..Names Index

..Fisheries Index

..Species Index

..Permit Holder List Menu

..Fishing Statistics, Reports, & Listings

..CFEC Home Page]

WVWP0100-A 99-04-06 State of Alaska -- Commercial Fisheries Entry Commission

1998 Permit Holder List by Fishery and Name
[Report Description]

Fishery: E 91QV - KOREAN HAIR CRAB, POT GEAR, BERING SEA (VESSEL PERMIT)

Name (l,f,m,s) Address	Resi- dency	Permit & Sequence	Vessel ADF&G	Start	Emboss
FV OCEAN CAPE SITUK, INC. BOX 1064 SITKA AK 99835	R	E 91QV512540 01	29923	19980914 I	199809
GARCIA, KALE & KEELING, ANGE L. A 17640 SE 295TH ST KENT WA 98042	R	E 91QV51280N 01	62505	19981001 I	199810
GUNN-WIDING ENTERPRISES 3600 15TH AVE W #202 SEATTLE WA 98119	R	E 91QV51283P 01	32282	19981005 I	199810
KRISTIAN E POULSEN ENT, INC 1143 NW 45TH SEATTLE WA 98107	R	E 91QV51250U 01 E 91QV51252F 01	33696 36047	19980902 I 19980910 I	199809 199809
MATTSEN FISHERIES, INC 4324 NE LOOKOUT LN POULSBO WA 98370	R	E 91QV51248L 01	00036	19980825 I	199808
MGF FISHERIES, INC 1108 NW BALLARD WY SEATTLE WA 98107	R	E 91QV51255H 01	36822	19980914 I	199809
NORTH PACIFIC ENTERPRISES 8005 SE 28TH ST #200 MERCER ISLAND WA 98040	R	E 91QV51090S 01	06205	19980403 I	199804
OZZIE NORDHEIM 6701 24TH NW #203 SEATTLE WA 98117	N	E 91QV51251M 02	25041	19980908	PT
PACESETTER MARINE, INC 3762 S 349TH PL AUBURN WA 98001	R	E 91QV51251M 01	21436	19980908	I

PACIF MAVERICK, INC/R.QUASHNI C. 111 QUEEN ANNE AVE N #202 SEATTLE WA 98109	K R	E 91QV51257Q 01 45706	19980915 I	199809
ROYAL VIKING, INC. 5303 SHILSHOLE AVE NW SEATTLE WA 98107	R	E 91QV51279W 01 03718	19980930 I	199809
TYNES ENT & WABEY ENT, INC. 1212 NW CULBERTSON SEATTLE WA 98177	R	E 91QV51249E 01 61111	19980831 I	199808
ZOLOTOI PARTNERSHIP BOX 1064 SITKA AK 99835	R	E 91QV51256Z 01 40917	19980914 I	199809

[Go to

[..Names Index](#)

[..Fisheries Index](#)

[..Species Index](#)

[..Permit Holder List Menu](#)

[..Fishing Statistics, Reports, & Listings](#)

[..CFEC Home Page](#)]

WWWP0100-A 99-04-06 State of Alaska -- Commercial Fisheries Entry Commission

1998 Permit Holder List by Fishery and Name
[Report Description]

Fishery: W 22B - SCALLOPS, DREDGE, STATEWIDE

Name (l,f,m,s) Address	Resi- dency	Permit & Sequence	Vessel ADF&G	Start	Emboss
ANDREWS MICHAEL R. BOX 1547 KODIAK AK 99615	N	W 22B 19146S 01	58200	19971230 I	199801
ARAIZA JUAN A. 1636 JANKE RD VIRGINIA BEACH VA 23455	N	W 22B 28383G 01	64110	19980527 I	199805
ASP SVEND BOX 905 CORDOVA AK 99574	R	W 22B 20685A 01	22011	19980819 I	199808
BEILE ERNEST E. BOX 36 HOMER AK 99603	R	W 22B 33210U 01	64572	19980520 I	199805
BRANDT BARRY W. 118 KITTY DR GRAFTON VA 23692	N	W 22B 27743A 01	41235	19980505 I	199805
FORD ROBERT L. 501 LONDONSHIRE TER HA PTON VA 23666	N	W 22B 20934U 01	58200	19980701 I	199807
HULSE SCOTT D. BOX 770881 EAGLE RIVER AK 99577	R	W 22B 45439Q 01	60773	19980507 I	199805
JASTAD JAN 3415 166TH PL SW LYNNWOOD WA 98037	N	W 22B 28812W 01	40924	19980617 I	199806
KANDIANIS MARK BOX 1547 KODIAK AK 99615	N	W 22B 26544B 01	58200	19980209 I	199802

LEMAR	JOHN D.	N	W 22B 29226L 01 40924	19980723 I	199807
1302 CHAMBERS ST STEILACOOM WA 98388					
MIKKELSEN	GLENN T.	N	W 22B 29962S 01 40924	19980908 I	199809
10801 56TH PL W MUKILTEO WA 98275					
MINIO	TOM	R	W 22B 21872Q 01 40312	19971226 I	199712
BOX 1001 KODIAK AK 99615					
STRICKLER	DEAN V.	N	W 22B 28886B 01 59687	19980623 I	199806
1304 WHITE MARLIN LN VIRGINIA BEACH VA 23464					
WATSON	RODNEY L.	N	W 22B 14648C 01 64111	19980121 I	199801
284 CHAIR RD NEW BERN NC 28560					

[Go to

..Names Index

..Fisheries Index

..Species Index

..Permit Holder List Menu

..Fishing Statistics, Reports, & Listings

..CFEC Home Page]

WWWP0100-A 99-04-06 State of Alaska -- Commercial Fisheries Entry Commission

1998 Permit Holder List by Fishery and Name

[Report Description]

Fishery: W 22BV - WEATHERVANE SCALLOPS, DREDGE, STATEWIDE

Name (l,f,m,s) Address	Resi- dency	Permit & Sequence	Vessel ADF&G	Start	Emboss
CAROLINA BOY INC BOX 600 SEAFORD VA 23696	R	W 22BV51170N 01	64110	19980505 I	199805
CAROLINA GIRL II INC BOX 600 SEAFORD VA 23696	R	W 22BV51171G 01	64111	19980505 I	199805
CAROLINA QUEEN II INC BOX 600 SEAFORD VA 23696	R	W 22BV51172X 01	41235	19980505 I	199805
HIWALL, INC BOX 369 WANCHESE NC 27981	U	W 22BV51199P 01	62968	19980513 I	
OCEANIC RESEARCH SERVICES IN C. BOX 192 ESTER AK 99725	R	W 22BV51238U 01	64572	19980629 I	199806
PROVIDER INC BOX 1547 KODIAK AK 99615	R	W 22BV51125L 01	58200	19980421 I	199804
PURSUIT, INC BOX 1001 KODIAK AK 99615	R	W 22BV51102N 01	40312	19980413 I	199804

[Go to

..Names Index..Fisheries Index..Species Index..Permit Holder List Menu..Fishing Statistics, Reports, & Listings..CFEC Home Page]

WWWP0100-A 99-04-06 State of Alaska -- Commercial Fisheries Entry Commission

1998 Permit Holder List by Fishery and Name
[Report Description]

Fishery: W 22HV - WEATHERVANE SCALLOPS, DREDGE, COOK INLET (VESSEL PERMIT)

Name (l,f,m,s) Address	Resi- dency	Permit & Sequence	Vessel ADF&G	Start	Emboss
ASP, SVEND & MAXINE BOX 905 CORDOVA AK 99574	R	W 22HV51247V 01	22011	19980819 I	199808

[Go to

[..Names Index](#)[..Fisheries Index](#)[..Species Index](#)[..Permit Holder List Menu](#)[..Fishing Statistics, Reports, & Listings](#)[..CFEC Home Page\]](#)

April 20, 1999

TO: Resources Committee Members
FR: Liz Cabrera, Fisheries Committee Aide
RE: Changes to the Current Moratorium Statute under CSHB 104(FSH)

Title 16 - Fish and Game

Sec. 16.43.225. Moratorium on new entrants into certain fisheries.

(a) is repealed
& reenacted
by
Section 1
of HB 104

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

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

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

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

(b) repealed
by
Section 11
Of HB 104

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

(1) the commissioner of fish and game, subject to AS 16.05.251 (g), petitions the commission under AS 44.62.220 to establish a moratorium on new entrants into the fishery; and

(2) the commission finds that

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

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

(c) amended
by Section 2
Of HB 104

(c) The commission may establish a moratorium under this section for a continuous period of up to four years. A fishery that has been subject to a moratorium under this section may not be subjected to a subsequent moratorium

under this section unless five years have elapsed since the previous moratorium expired.

Sec. 16.43.225. Moratorium on new entrants into certain fisheries. Continued...

(d) amended
by
Section 3
Of HB 104

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

- (1) conducting research into conditions in the fishery;
- (2) consulting with the Department of Fish and Game and the Board of Fisheries; and
- (3) consulting with participants in the fishery.

(e)
Repealed &
reenacted
by
Section 4
of HB 104

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

Section 5 of HB 104 adds
new subsections here.

Sec. 16.43.260. Application for initial issue of entry permits.

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

(b) The commission shall establish the opening and closing dates, places and form of application for entry permits for each fishery. The commission may require the submission of specific verified evidence establishing the applicant's qualifications under the regulations adopted under AS 16.43.250 .

(c) When an applicant is unable to establish qualifications for an entry permit by submitting the specific verified evidence required in the application by the commission, the applicant may request and obtain an administrative adjudication of the application according to the procedures established in AS 16.43.110 (b). At

the hearing the applicant may present alternative evidence of qualifications for an entry permit.

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

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

(f) amended by Section 6 of HB 104 to change the qualification dates

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

Sec. 16.43.911. Applicability of other statutes.

(a) In addition to the penalties imposed under AS 16.43.960, the commission may also revoke, suspend, or transfer all vessel permits for violations under AS 16.43.960 (a).

(b) In addition to the penalties imposed under AS 16.43.970 (a), upon a first or second conviction under AS 16.43.970, the court may in its discretion order a forfeiture of vessel permits, as well as a loss of eligibility for future issuance of vessel permits, or order a suspension of fishing rights under vessel permits held or to be held for a period of not more than three years. Upon a third conviction under AS 16.43.970, all vessel permits held are forfeited, and the vessels for which the permits are issued lose eligibility for future issuance of vessel permits for a period of three years.

(c) Notwithstanding AS 16.05.815 and AS 16.43.975, the commission may release to the owner of a vessel information on the vessel's history of harvests in a fishery that is necessary to apply for a vessel permit under AS 16.43.901 - 16.43.906.

(d) AS 16.43.901 - 16.43.911 do not alter the requirement for an interim-use permit or entry permit under AS 16.43.140 or a vessel license under AS 16.05.490 - 16.05.530.

Section 7 of HB 104 adds a section (f) here.

(e) Nothing in AS 16.43.901 - 16.43.911 limits the powers of the Board of Fisheries or the Alaska Department of Fish and Game.

Section 8 of
HB 104
repeals
Section 5.

Section 5, ch. 126, SLA 1996.

AS 16.43.901 (Korean Hair Crab Moratorium) is repealed July 1, 2000.

Section 9 of
HB 104
repeals
Section 6.

Section 6, ch. 97 SLA 1997.

AS 16.43.906 (Weathervane Scallop Moratorium) and AS 16.43.911 is repealed July 1, 2001.

Section 10 of
HB 104
repeals
AS 16.43.911

Sec. 16.43.911. Applicability of other statutes.

(a) In addition to the penalties imposed under AS 16.43.960 , the commission may also revoke, suspend, or transfer all vessel permits for violations under AS 16.43.960 (a).

(b) In addition to the penalties imposed under AS 16.43.970 (a), upon a first or second conviction under AS 16.43.970 , the court may in its discretion order a forfeiture of vessel permits, as well as a loss of eligibility for future issuance of vessel permits, or order a suspension of fishing rights under vessel permits held or to be held for a period of not more than three years. Upon a third conviction under AS 16.43.970 , all vessel permits held are forfeited, and the vessels for which the permits are issued lose eligibility for future issuance of vessel permits for a period of three years.

(c) Notwithstanding AS 16.05.815 and AS 16.43.975 , the commission may release to the owner of a vessel information on the vessel's history of harvests in a fishery that is necessary to apply for a vessel permit under AS 16.43.901 - 16.43.906.

(d) AS 16.43.901 - 16.43.911 do not alter the requirement for an interim-use permit or entry permit under AS 16.43.140 or a vessel license under AS 16.05.490 - 16.05.530.

(e) Nothing in AS 16.43.901 - 16.43.911 limits the powers of the Board of Fisheries or the Alaska Department of Fish and Game.

Section 11 of
HB 104
repeals
the following
sections

AS 16.05.050 (a) The commissioner has, but not by way of limitation, the following powers and duties:

(19) to petition the Alaska Commercial Fisheries Entry Commission, unless the Board of Fisheries disapproves the petition under AS 16.05.251(g), to establish a moratorium on new entrants into commercial fisheries

(A) that have experienced recent increases in fishing effort that are beyond a low, sporadic level of effort;

(B) that have achieved a level of harvest that may be approaching or exceeding the maximum sustainable level for the fishery; and

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

AS 16.05.251(g):

(g) The Board of Fisheries shall consider a request of the commissioner for approval of a petition to the Alaska Commercial Fisheries Entry Commission to establish a moratorium on new entrants into a commercial fishery under AS 16.43.225 at the board's next regular or special meeting that follows the receipt by the board of the request for approval of the petition and that allows time for the notice required under this subsection. The board may consider the request of the commissioner for approval of the petition only after 15 days' public notice of the board's intention to consider approval of the petition. The board shall consider whether the commissioner, in support of the request for approval of the petition, has adequately shown that the fishery meets requirements for a moratorium on new entrants under AS 16.05.050. The board by a majority vote of its members at the meeting when the petition must be considered shall approve or disapprove the petition.

FISCAL NOTE

No: 1

STATE OF ALASKA
1999 LEGISLATIVE SESSION

I Version: CSHB 104(FSH)
(H) Publish Date: 3/10/99

Revision Date/Time (Note if correction) _____ Dept. Affected: Fish and Game
 Title An Act revising the procedures and authority of the Alaska Commercial Fisheries Entry Commission, the Board of Fisheries, and ... BRU: Commercial Fisheries (Limited) Entry Commission
 Component: Limited Entry Program Administration
 Sponsor Rep. Hudson
 Requester Rep. Hudson - House Fisheries Committee COMPONENT SERIAL NO. 0471

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

EXPENDITURES/REVENUES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
OPERATING EXPENDITURES						
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

(Thousands of Dollars)

FUND SOURCE	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: \$ 0.0

POSITIONS

POSITIONS	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact

Prepared by Roger Kolden Phone 790-6950
 Agency Commercial Fisheries (Limited) Entry Commission Date/Time 02/19/99

Approved by Commissioner Bruce Twomley Date: 02/22/99
 Agency Commercial Fisheries (Limited) Entry Commission

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(Rev 10/98) 009form.1a/CMB Page 1 of 1

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Transportation Committee

Sponsor Statement

CSHB 104 (FSH)

Entry Moratorium on Participants and Vessels

HB 104 amends the existing moratorium law to provide for a streamlined and effective process to better manage Alaska's fisheries resources. The current moratorium statute has proven cumbersome and unworkable.

The current process involves multiple steps whereby a fisherman seeking a moratorium must first go to the Commissioner of Fish and Game, who, in turn, must seek authorization from the Board of Fisheries. If the Fish Board authorizes the Commissioner to go forward, the Commissioner may then petition the Commercial Fisheries Entry Commission (CFEC) to provide a moratorium. The CFEC is then authorized to go forward if it can make findings as required by statute. Unfortunately, the standards set forth in statute are difficult to understand and mutually inconsistent.

This cumbersome and confusing process prevents quick response in fisheries that are growing too rapidly to ensure effective management. As a result, both the resource and the economic livelihood of the participants could be jeopardized. In some situations, ADF&G's only recourse is to close the fishery or refuse to open a new fishery if effort cannot be controlled.

HB 104 allows petitioners to request a moratorium directly from the CFEC. A moratorium would be established if the CFEC found that it was necessary "to promote the conservation and sustained yield management of the resource and the economic health and stability of commercial fishing in the state."

HB 104 authorizes the CFEC to implement a moratorium on entry of new vessels into a fishery as well as participants. This new authority provides an additional management tool for fisheries when a number of different skippers are used on one vessel.

Under the current statute, eligibility to participate during a moratorium is based solely on past participation. This requirement precludes the use of a moratorium in new

fisheries or closed fisheries. HB 104 allows the CFEC to implement a moratorium on a new or closed fishery if a fishery could not be opened because the participation levels may be sufficiently large to cause a conservation concern. Eligibility for the moratorium would be based on other reasonable standards such as participation in similar fisheries.

Additionally, HB 104 allows the state to extend its moratorium authority to offshore fisheries adjacent to state waters when consistent with federal law. The bill also includes provisions authorizing the CFEC to extend the current moratoria on the Korean Hair Crab and Weathervane Scallop fisheries for an additional two years if necessary.

Improving the moratorium law is consistent with our concern for developing and protecting jobs as well as streamlining government and resource protection.

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

TONY KNOWLES, GOVERNOR

8800 GLACIER HWY, #109
JUNEAU, AK 99801

(907) 789-6150 Licensing Calls
(907) 789-6160 Other Business
(907) 789-6170 FAX
(907) 789-6180 BBS

INTERNET: www.cfec.state.ak.us

March 17, 1999

The Honorable Scott Ogan, Co-chairman
The Honorable Jerry Sanders, Co-chairman
House Resources Committee
State Capitol
Juneau, AK 99801

Dear Representatives Ogan and Sanders:

The Commercial Fisheries Entry Commission (CFEC) respectfully requests the scheduling of House Bill 104, relating to fisheries moratoria, for a hearing by the House Resources Committee. The bill was recently passed by the House Fisheries Committee with all "do pass" recommendations. A similar measure passed the House unanimously during the last legislative session, but died in the Senate Rules committee awaiting calendaring at the end of last year.

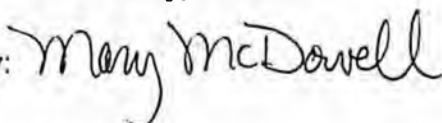
While current state law does contain a provision authorizing CFEC to enact fisheries moratoria, the statute provides for such a cumbersome and unworkable process that it has never been used. By improving the moratorium law, HB104 would provide an important fisheries management tool. It would allow the temporary capping of participation levels in a quickly growing commercial fishery to prevent over-fishing or over-capitalization, and provide a window of time for researching the resource, the fishery, and options for ensuring sound future management. The legislature has embraced the moratorium as a useful approach to getting a handle on a growing fishery, as evidenced by the three moratoria which the legislature has adopted by statute in the last couple of years. HB104 would not impair the legislature's ability to impose moratoria by statute.

We would very much appreciate your scheduling HB 104 for a Resources Committee hearing. We would be happy to provide you with additional information and to testify before your committee on this important legislation. Thank you for your consideration.

Sincerely,

COMMERCIAL FISHERIES ENTRY COMMISSION

Marlene Johnson, Commissioner
Mary McDowell, Commissioner
Bruce Twomley, Chairman

by: 

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

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July 3, 1996

The Honorable Drue Pearce
President of the Senate
716 W. 4th Avenue, Suite 500
Anchorage, AK 99501-2133

The Honorable Gail Phillips
Speaker of the House
716 W. 4th Avenue, Suite 620
Anchorage, AK 99501-2133

RECEIVED

JUL - 5 1996

GOVERNOR'S OFFICE

Dear President Pearce and Speaker Phillips:

Today I am signing House Bill 547, establishing a four-year moratorium on entry into the Southeast Alaska dive fisheries, and House Bill 538, establishing a four-year moratorium for the Bering Sea Korean hair crab fishery and providing for a vessel permit limited entry system. While there are important pragmatic reasons to implement provisions of these bills, I am concerned about the legislation from a public policy and resource management standpoint.

Addressing management of specific fisheries through legislation is not the ideal approach. Alaska's fisheries management system has proven highly effective in maintaining healthy and sustainable resources because it is run by scientists, professional fisheries administrators, and boards and commissions, rather than through the legislative process.

However, over the last few years, situations in several developing fisheries have pointed out that the provisions in existing law regarding the imposition of a moratorium are cumbersome and ineffective. The lack of sufficient funding for the Department of Fish and Game to conduct needed biological research on new or developing fisheries aggravates this situation. Thus, in fisheries such as those addressed in HB 547 and HB 538, we find ourselves having to quickly impose a moratorium through legislation to prevent damage to a fragile resource or the economic health and stability of a dynamic fishery.

Given the current lack of workable alternative approaches, I recognize several compelling reasons for signing these bills. These include:

- Significant increases in numbers of participants, both recent and anticipated, and the lack of adequate information threaten the conservation of stocks and the stability of these fisheries.
- Severe budget constraints on the Department of Fish and Game prevent gathering of sufficient information and necessitate conservative management of these fisheries.
- A veto of these bills and return to open access could create a stampede into these fragile fisheries. A moratorium will allow a "time out" for proper evaluation to ensure a well managed fishery providing conservation of the resources and sustained economic opportunity for Alaskans in the future.
- The bills establish moratoriums of set duration, not permanent limitations. Nor do they require limited entry. The moratoriums will provide opportunity for public participation in the design of future management options for each of the fisheries, as well as cooperation between the Commercial Fisheries Entry Commission, the Department of Fish and Game, and the Board of Fisheries.

As these bills demonstrate, we need to develop new statutes that provide our professional fisheries managers with the means to easily establish a moratorium in a particular fishery when the need arises. Therefore, I am directing the Commercial Fisheries Entry Commission to work with the Department of Fish and Game to review existing statutes and to recommend changes to make the fishery moratorium provisions more workable and effective.

I will provide the legislature with the results of this review and look forward to working with its members on amending our statutes. The goal is to avoid the need for future emergency legislation for our developing fisheries as exhibited by these two bills.

Sincerely,



Tony Knowles
Governor

cc: Commissioner Frank Rue
Dept. of Fish and Game

Bruce Twomley, Chair,
Commercial Fisheries Entry Commission