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FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 366
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title Chitina Dip Net Fishery Permit Fee BRU Sport Fisheries
 Component Sport Fisheries
 Sponsor Senate Judiciary
 Requester Senate Resources Component No. 464

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1024 F&G)	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1024 Fish and Game Fund	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)
TOTAL	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)	(115.9)

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

For the past two years (2000 and 2001) the cost of a Chitina dip net fishing permit has been \$25.

- \$5 from each permit went to pay for site services including portable restrooms and garbage receptacles;
- \$2 from each permit went to pay for administration of the permit program and services; and
- \$18 from each permit went to the Chitina and Ahtna Corporations for guaranteed access on corporation lands by permit holders and eligible family members

Passage of SB 366 would reduce the cost of a Chitina dip net permit from \$25 to \$10.

Prepared by: Kelly Hepler, Director Phone 465-4180
 Division Sport Fish Date/Time 5/4/02 4:00 PM
 Approved by: Frank Rue, Commissioner Date 5/6/2002
 Agency Alaska Department of Fish and Game

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BILL NO. SB 366

ANALYSIS CONTINUATION

The average number of permits sold during 2000 and 2001 is 7,729. Funds generated from the sale of 7,729 permits totals \$193.2.

If the cost of a permit is reduced to \$10, the funds generated from the sale of 7,729 permits will be reduced by \$115.9.

The reduced revenues will not provide a funding level that allows for guaranteed access contracts for the corporation lands. All funds generated from the sale of the \$10 fishing permit will be transferred by RSA to the Department of Natural Resources (DNR), Division of Parks and Outdoor Recreation. DNR will use these funds to upgrade and expand the site services for fishery participants.

The passage of this legislation will result in a decrease of \$115.9 in revenue, and contractual expenditures will be reduced by a commensurate amount of \$115.9. There is no fiscal impact to the operation of the Division of Sport Fish.

ALASKA STATE LEGISLATURE

Sen. Robin Taylor, Chair
Sen. Dave Donley, Vice-Chair
Sen. John Cowdery
Sen. Gene Therriault
Sen. Johnny Ellis



State Capitol
Juneau, AK 99801-1182
(907) 465-3717
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Senate Judiciary Committee

SPONSOR STATEMENT SB 366

"An Act relating to the fee for the Chitina dip net fishing permit; and providing for an effective date."

The Chitina Dip Net Fishery is the largest dip net fishery in the State of Alaska. It has experienced a number of problems in terms of ownership of access to the fishery. Last year, the legislature appropriated \$100,000 to survey lands in and near Chitina to determine public access points. The intent, then, and now, was to erase the ambiguity surrounding public and private ownership in an effort to rescind the trespass portion of the \$25 fee. It is our understanding that \$18 of the \$25 fee went to pay for trespass and the remainder would be used for services such as trash removal and waste disposal.

The survey of the state right of way along the Copper River has been completed on paper. In addition, the Department of Fish and Game has developed a brochure including a map of public and private ownership to assist fishers in determining public access points. Although DOT has not marked on the ground the places where the public can reach the river to dipnet without crossing private lands, that should be completed this Spring. It is, therefore, inappropriate to continue to charge \$25, when the purpose of the increased fee was to pay trespass fees, when it was thought any access to the fishery was over private land. That is not the case.

There is not another subsistence or personal use fishery in the state that charges a service fee for fishing. Services such as boat landing sites, trash removal and waste disposal are normally paid for from general funds, and a service fee is charged by DOT or DNT to offset costs to the State. Although it may be appropriate to charge what is basically a service fee, it should be reduced from the current \$25 to \$10, as the reduced amount would be more than adequate to cover the cost of services.

2001 Chitina Subsistence Fishery by Alaskan Resident City

Mailing address	# permits issued
AKIAECHAK	1
ANCHOR POINT	1
ANCHORAGE	2543
ANDERSON	2
AUKE BAY	1
BARROW	12
BETHEL	1
BIG LAKE	55
CANTWELL	1
CENTRAL	6
CHICKALOON	10
CHICKEN	1
CHITINA	9
CHUGIAK	188
CLEAR	5
COLDFOOT	1
COLLEGE	1
COOPER LANDING	1
COPPER CENTER	16
CORDOVA	2
DELTA JUNCTION	326
DENALI NATIONAL PARK	12
DENALI PARK	1
DOT LAKE	2
EAGLE	1
EAGLE RIVER	467
EIELSON	1
EIELSON AFB	192
ELMENDORF AFB	29
ESTER	62
FAIRBANKS	2456
FORT RICHARDSON	32
FORT WAINWRIGHT	30
FORT YUKON	3
FT WAINWRIGHT	125
GAKONA	1
GIRDWOOD	29
GLENNALLEN	29
HALIBUT COVE	1
HEALY	36
HOLY CROSS	2
HOMER	12
HOPE	1
HOUSTON	13
HUGHES	1
HUSLIA	1
INDIAN	7
JUNEAU	8
KAKE	1

2001 Chitina Subsistence Fishery by Alaskan Resident City

KASILOF	1
KENAI	4
KETCHIKAN	3
KIANA	1
KODIAK	1
KOTZEBUE	5
LAKE MINCHUMINA	1
MANLEY HOT SPRINGS	1
MCCARTHY	1
MENTASTA LAKE	1
METLAKATLA	1
MINTO	2
MOOSE PASS	3
NENANA	21
NIKISKI	4
NIKOLAEVSK	1
NINILCHIK	6
NOME	2
NOORVIK	1
NORTH POLE	716
NORTHWAY	1
PALMER	542
PAXSON	1
POINT LAY	1
SALCHA	54
SELDOVIA	2
SEWARD	9
SITKA	1
SLANA	1
SOLDOTNA	16
STERLING	2
SUTTON	36
TALKEETNA	25
TATITLEK	1
TENAKEE SPRINGS	1
TETLIN	1
TOK	24
TRAPPER CREEK	6
TWO RIVERS	26
VALDEZ	258
VENETIE	1
WAINWRIGHT	1
WARD COVE	1
WASILLA	828
WILLOW	55



Alaska Outdoor Council

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Ans'd.....

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April 30, 2002

The Honorable Gary Wilken
Senate Finance Committee
Alaska State Capitol Room 514
Juneau, AK 99801

The Honorable John Davies
House Finance Committee
Alaska State Capitol Room 415
Juneau, AK 99801

Dear Senator Wilken and Representative Davies:

On behalf of the Board of Directors and at the unanimous direction from Delegates to the Annual Meeting, I am writing to encourage your support of rescinding the \$25 Chitina Subdistrict subsistence salmon fishing permit and to implement an alternative funding source to pay for trash removal and waste disposal at Chitina. I am also writing to bring to your attention SB 366, which seeks to eliminate the trespass fee and implement a service fee for dipnetting at Chitina. Our thanks to Senator Taylor for introducing this legislation.

We greatly appreciated your past efforts to implement a \$25 fee and secure \$100,000 to survey lands in and near Chitina to determine public access points. The intent then, and now, was to erase the ambiguity surrounding public and private ownership in an effort to rescind the trespass portion of the \$25 fee. Our understanding was that \$18 of the original \$25 fee went to pay for trespass and the remainder was used for administration and for services such as trash removal and waste disposal. The fee was also required of fishers who used boats, despite their ability to reach state public lands without trespassing potential. Erasing the inequity between "boat" and "foot" fishers was also part of the intent of identifying public access and reassessing the fee at a later date.

AOC supported these efforts as an interim measure until the State right-of-way along the Copper River could be surveyed and identified. That survey has been completed. In addition, the ADFG has developed a brochure including a map of public and private ownership to assist fishers in determining public access points. Although DOT has not marked on the ground the places where the public can reach the river to dipnet without crossing private lands, we understand they intend to do so this Spring.

With completion of the on the ground survey before dipnetting begins, there appears to be no reason to continue charging a "trespass" fee as part of the dipnet permit. In fact, should the trespass fee continue in effect upon identification of accurate and well marked public access points, it would raise serious concerns about the legal and practical precedent of burdening public land access in Alaska with a fee related to adjacent private lands. Under these circumstances, it seems inappropriate for ADFG to negotiate with private landowners about a trespass that affects access to public lands.

Regarding a service fee, it should be noted that no other subsistence or personal use fishery charges a service fee for *fishing*. Services such as boat landing sites, trash removal and waste disposal are normally paid for from General Funds and a service fee is charged by DOT or DNR to offset costs to the State. Such a fee may be appropriate for providing services at Chitina, and we believe that most dipnetters are willing to pay a nominal fee to cover such services.

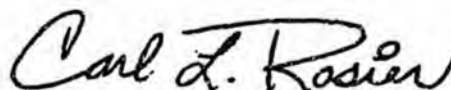
We appreciate your collective efforts to find a long-term solution to this important matter. Any assistance you could provide in the following areas would be greatly appreciated: 1) ensuring the on-the-ground survey and good public access marking is completed this spring, 2) rescinding that portion of the \$25 fee associated with trespass, and 3) establishing a long-term funding mechanism for trash and human waste disposal administered by the DOT or DNR.

We look forward to hearing from you soon and please don't hesitate to contact us if we can be of assistance.

Sincerely,



Jerry Burnett
President



Carl Rosier
Chair, Fisheries Committee

cc: Interior Delegation
Senator Robin Taylor
Representative John Harris
Chitina Dipnetters Association



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Map of the Chitina Subdistrict Dipnet Fishery

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