

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2974 SCOMM 131: HOUSE SPECIAL COMMITTEE ON FISHERIES, 2003-04

Year: 2001	State or Census Area: Grand Total: All Fishermen Combined			City: All States & Cities			
Fishery Group	Fishery Code	Permit Activity (1)		Fishing Activity (2)			
		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Crab (con't)	T 91QA	2	2	2	2	X	X
	T 91QB	2	2	2	2	X	X
	T 91QC	2	2	2	2	X	X
	T 91QD	2	2	2	2	X	X
	T 91QE	2	2	2	2	X	X
	T 91QF	2	2	2	2	X	X
	Group Total (3)	1,236	1,622	880	1,163	47,344,293	115,958,679
Halibut	B 05B	194	194	95	95	81,761	106,630
	B 06B	2,362	2,362	1,802	1,802	31,257,019	60,896,214
	B 25B	5	5	2	2	X	X
	B 26B	99	99	43	43	41,271	62,975

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Halibut (con't)	B 61B	628	628	519	519	25,237,039	49,507,346
	Group Total (3)	3,153	3,288	2,419	2,461	X	X
Fishing Totals excluding confidential fisheries: (3)			2,418	2,459	56,617,090	110,573,166	
Herring	G 01A	51	51	47	47	23,943,966	5,794,440
	G 01E	104	104	0	0	.	.
	G 01H	74	74	0	0	.	.
	G 01K	73	73	25	25	2,823,025	835,615
	G 01L	4	4	0	0	.	.
	G 01M	10	10	0	0	.	.
	G 01T	129	129	80	80	30,668,662	2,177,475
	G 02Z	8	8	0	0	.	.
	G 31K	2	2	0	0	.	.

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Herring (con't)	G 34A	114	114	54	54	1,240,172	254,236
	G 34E	24	24	0	0	.	.
	G 34H	35	35	13	13	20,675	12,922
	G 34K	96	96	8	8	564,397	183,429
	G 34M	4	4	0	0	.	.
	G 34N	156	156	49	49	1,360,645	68,032
	G 34S	152	152	55	55	2,023,455	171,994
	G 34T	298	298	150	150	13,054,043	1,018,293
	G 34U	51	51	0	0	.	.
	G 34V	110	110	46	46	470,214	22,100
	G 34W	176	176	23	23	90,636	6,526

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Herring (con't)	G 34Y	82	82	23	23	274,247	9,599
	G 34Z	285	285	76	76	4,045,930	370,968
	H 01A	18	18	4	4	878,898	131,131
	H 01E	1	1	0	0	.	.
	H 01K	4	4	1	1	X	X
	H 01L	1	1	0	0	.	.
	H 01M	23	23	14	14	2,663,317	455,427
	H 21A	4	4	1	1	X	X
	H 34M	12	12	8	8	210,751	52,688
	L 12T	283	283	0	0	.	.
	L 21A	112	112	87	87	132,368	1,016,586

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Herring (con't)	L 21C	191	191	51	51	53,854	342,027
	L 21E	128	128	0	0	.	.
	Group Total (3)	2,235	2,815	693	815	X	X
	Fishing Totals excluding confidential fisheries: (3)			692	813	84,519,255	12,923,489
Other Finfish	F 02B	12	12	0	0	.	.
	F 04B	16	16	1	1	X	X
	F 05B	1	1	1	1	X	X
	F 06B	2	2	0	0	.	.
	F 08B	1	1	0	0	.	.
	F 99B	1	1	0	0	.	.
	Group Total (3)	31	33	2	2	X	X
Other Groundfish	I 05B	17	17	3	3	X	X

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Other Groundfish (con't)	I 06B	29	29	4	4	2,762	1,768
	I 25B	80	80	22	22	143,759	79,230
	I 26B	66	66	11	11	31,872	18,463
	I 61B	1	1	0	0	.	.
	I 91B	3	3	0	0	.	.
	M 01B	1	1	0	0	.	.
	M 04B	2	2	0	0	.	.
	M 05B	91	91	9	9	97,322	29,264
	M 06B	873	873	274	274	13,225,108	4,326,633
	M 07B	325	325	268	268	2,516,648,053	228,810,501
	M 09B	227	227	121	121	21,535,778	5,758,204

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Other Groundfish (con't)	M 17B	4	4	0	0	.	.
	M 25B	15	15	0	0	.	.
	M 26B	561	561	194	194	5,645,711	1,599,591
	M 37B	1	1	0	0	.	.
	M 61B	160	160	74	74	111,815,553	16,404,275
	M 91B	182	182	111	111	46,128,874	11,485,081
	M 99B	2	2	0	0	.	.
	Y 05A	10	10	0	0	.	.
	Y 06A	203	203	48	48	464,479	490,709
	Y 25A	16	16	1	1	X	X
	Y 26A	16	16	0	0	.	.

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Other Groundfish (con't)	Y 61A	37	37	4	4	99,044	98,955
	Group Total (3)	2,181	2,922	1,024	1,144	2,715,854,131	269,118,327
Other shellfish	J 11A	83	83	5	5	20,760	25,514
	O 06B	2	2	0	0	.	.
	O 09B	35	35	1	1	X	X
	O 26B	1	1	0	0	.	.
	O 91B	11	11	0	0	.	.
	P 07E	3	3	2	2	X	X
	P 07J	1	1	0	0	.	.
	P 09A	12	12	5	5	11,962	23,726
	P 09D	23	23	9	9	31,623	56,346

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Other shellfish (con't)	P 09E	6	6	0	0	.	.
	P 09J	15	15	1	1	X	X
	P 17A	35	35	18	18	889,110	394,011
	P 17E	3	3	3	3	X	X
	P 17J	1	1	1	1	X	X
	P 91A	313	313	164	164	1,026,361	1,968,737
	P 91J	5	5	0	0	.	.
	Q 11A	387	387	234	233	1,431,642	2,504,341
	Q 11B	25	25	18	18	175,725	234,624
	R 18B	55	55	35	35	382,834	244,024
	R 23B	1	1	0	0	.	.

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Other shellfish (con't)	U 11A	82	82	38	34	2,569,968	879,589
	U 11B	8	8	1	1	X	X
	W 22B	7	7	6	6	554,330	2,162,516
	Group Total (3)	917	1,114	483	536	7,156,907	8,696,175
Sablefish	C 06B	532	532	466	466	14,016,083	27,018,519
	C 07B	3	3	3	3	X	X
	C 09B	2	2	1	1	X	X
	C 26B	5	5	0	0	.	.
	C 4CE	1	1	0	0	.	.
	C 5AE	1	1	1	1	X	X
	C 5BE	4	4	3	3	X	X

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Sablefish (con't)	C 5CE	40	40	34	34	240,792	465,635
	C 5DE	10	10	7	7	39,428	77,219
	C 61A	111	111	111	111	2,239,309	4,630,124
	C 61B	184	184	154	154	14,399,404	25,484,172
	C 61C	24	24	25	24	579,155	1,544,961
	C 91B	10	10	5	5	566,051	980,141
	C 91C	4	4	4	4	95,983	184,017
	Group Total (3)	831	931	721	813	32,314,668	60,591,612
Salmon	S 01A	415	415	350	346	255,484,182	49,466,157
	S 01E	268	268	149	147	83,790,245	12,862,182
	S 01H	83	83	25	25	1,896,155	721,111

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Salmon (con't)	S 01K	381	383	182	182	81,678,742	17,058,329
	S 01L	98	98	96	92	17,710,986	8,411,090
	S 01M	121	121	65	64	22,030,942	2,942,906
	S 02K	34	34	0	0	.	.
	S 03A	482	482	442	434	30,481,429	13,353,990
	S 03E	541	541	527	522	26,382,741	21,236,239
	S 03H	574	574	470	467	6,256,289	3,711,269
	S 03M	158	160	137	137	7,770,708	3,647,387
	S 03T	1,877	1,883	1,577	1,566	80,620,766	32,409,046
	S 04D	169	169	120	114	3,125,495	1,134,738
	S 04E	30	30	32	30	1,623,667	1,341,957

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Salmon (con't)	S 04F	2	2	0	0	.	.
	S 04H	744	744	506	505	6,608,371	4,081,429
	S 04K	188	188	180	172	12,528,856	5,076,627
	S 04M	113	113	99	98	5,704,623	1,962,668
	S 04P	72	72	0	0	.	.
	S 04T	1,010	1,010	842	834	20,801,574	8,490,836
	S 04W	818	818	515	514	2,601,804	803,067
	S 04X	190	190	65	65	1,846,658	323,221
	S 04Y	697	700	0	0	.	.
	S 04Z	190	190	51	51	236,007	62,881
	S 05B	1,293	1,293	308	306	996,594	1,015,416

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		Number of Permit Holders	Number of Permits Issued	Number of Fishermen Who Fished	Number of Permits Fished	Total Pounds Landed	Estimated Gross Earnings
Salmon (con't)	S 08P	156	156	0	0	.	.
	S 15B	965	965	714	701	18,282,708	16,174,082
	Group Total (3)	11,160	11,682	7,306	7,372	688,459,542	206,286,627
Unknown Permit Landings	?	.	.	0	0	68,045,239	10,706,030
	Group Total (3)	.	.	0	0	68,045,239	10,706,030
All Fisheries Combined	Group Total (3)	15,240	24,407	10,051	14,306	3,700,553,854	794,919,296

FOOTNOTES: (Please see report description for complete information!)

(1) PERMIT ACTIVITY

Permit Holders in this section are defined as current permit holders as of the end of the year. Not included are people who permanently transferred their permit away during the year, had their permit revoked, or people who received the permit through a temporary emergency transfer. This differs from the FISHING ACTIVITY section, which counts anyone who fished a permit. This may result in a lower number of fishermen holding permits than fishing.

City and State of Residence is based on the address and residency claimed by the individual when issued the permit. This differs from the FISHING ACTIVITY section where address and residency comes from end-of-the-year information. (See Report Description for more information on residency assignment.)

(2) FISHING ACTIVITY

Non-commercial catch, such as derby, research, confiscated, and personal use, is excluded from this report.

Fishermen Who Fished is a count of fishermen who made at least one landing during the year, including people who held the permit through a temporary emergency transfer, who later permanently transferred their permit, or who later had their permit revoked. This differs from the PERMIT ACTIVITY section, which counts only the permit holder as of the end of the year. This may result in a higher number of fishermen fishing than holding permits.

Due to permit transfers, more than one person can fish the same permit. This can result in a larger number of people fishing than permits fished.

City and State of Residence is based on the address and residency claimed by the individual as of the end of the year. This differs from PERMIT ACTIVITY where address and residency comes from the date the permit was issued. (See Report Description for more information on residency assignment.)

Pounds Landed and Estimated Gross Earnings information is masked with an 'X' when needed to preserve confidentiality (AS 16.05.815). Confidentiality requirements involve masking when 3 or less people or permits are involved in the fishery and, if needed, masking the same fishery for another area in order to show statewide and year totals.

Estimated Gross Earnings is derived from an ex-vessel price per pound developed by the CFEC. A 'P' in this column indicates that the pricing for this fishery has not been completed.

(3) GROUP TOTALS

Totals are provided for each fishery group. If the fishery group total is confidential the pounds and earnings information will be masked. When not prevented by confidentiality requirements, a second total line excluding information from confidential fisheries, is provided.

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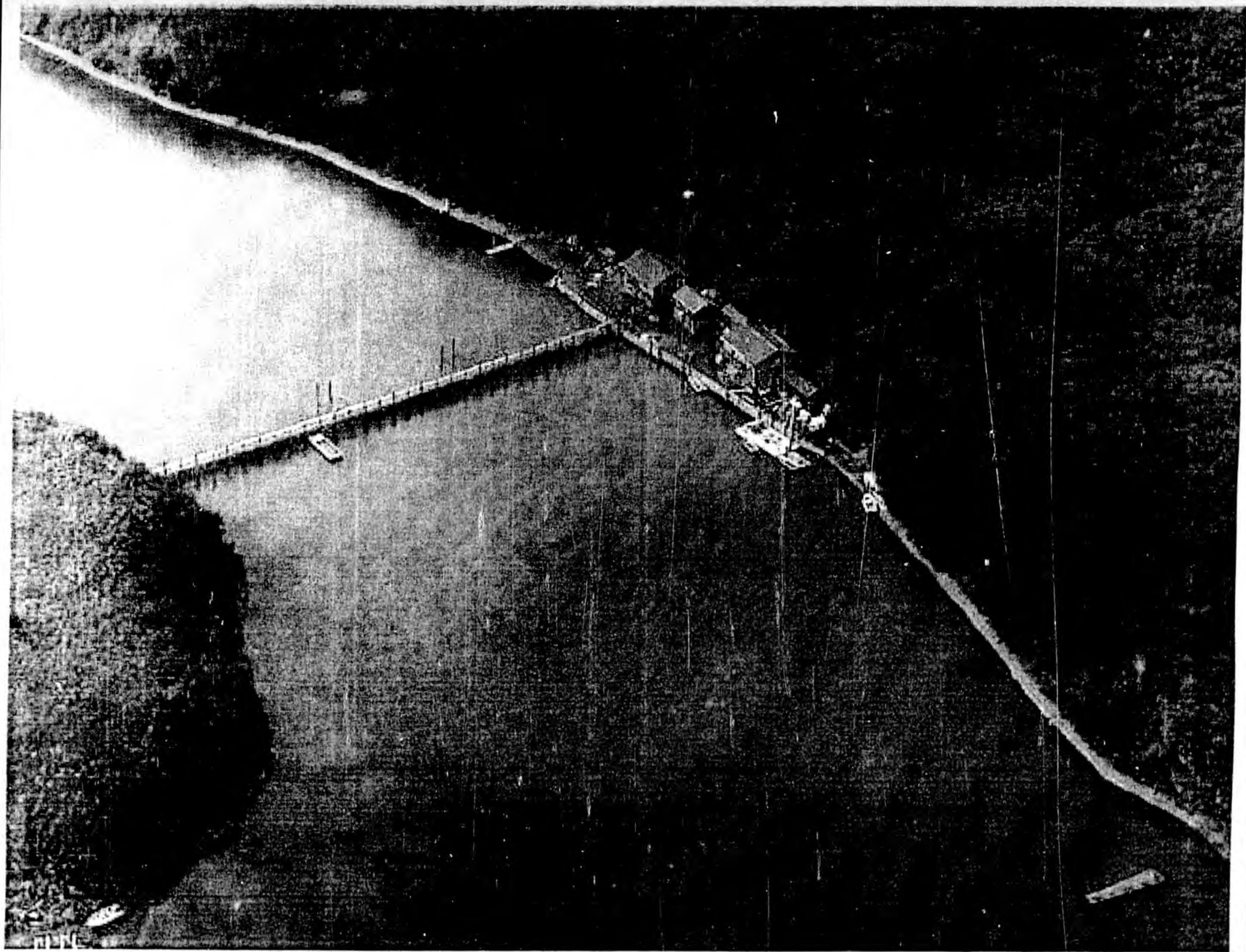
CHIGNIK MANAGEMENT AREA COMMERCIAL SALMON FISHERY

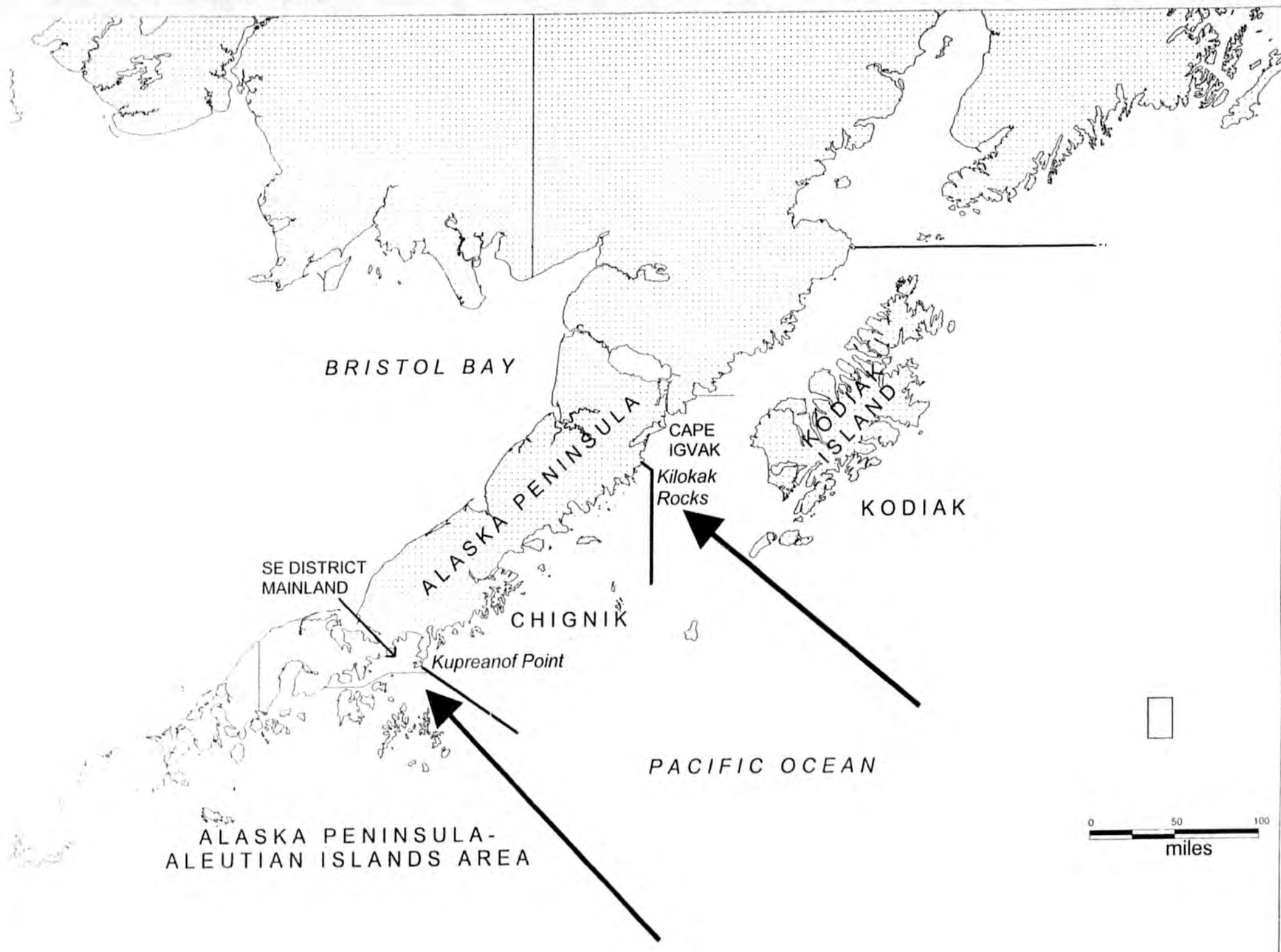
Report to the Fisheries Committee

Doug Mecum, Director

Division of Commercial Fisheries

Alaska Department of Fish and Game





BRISTOL BAY

ALASKA PENINSULA

EASTERN DISTRICT

CHIGNIK BAY
DISTRICT

CENTRAL DISTRICT

Chignik
Lagoon

Chignik

Chignik Lake

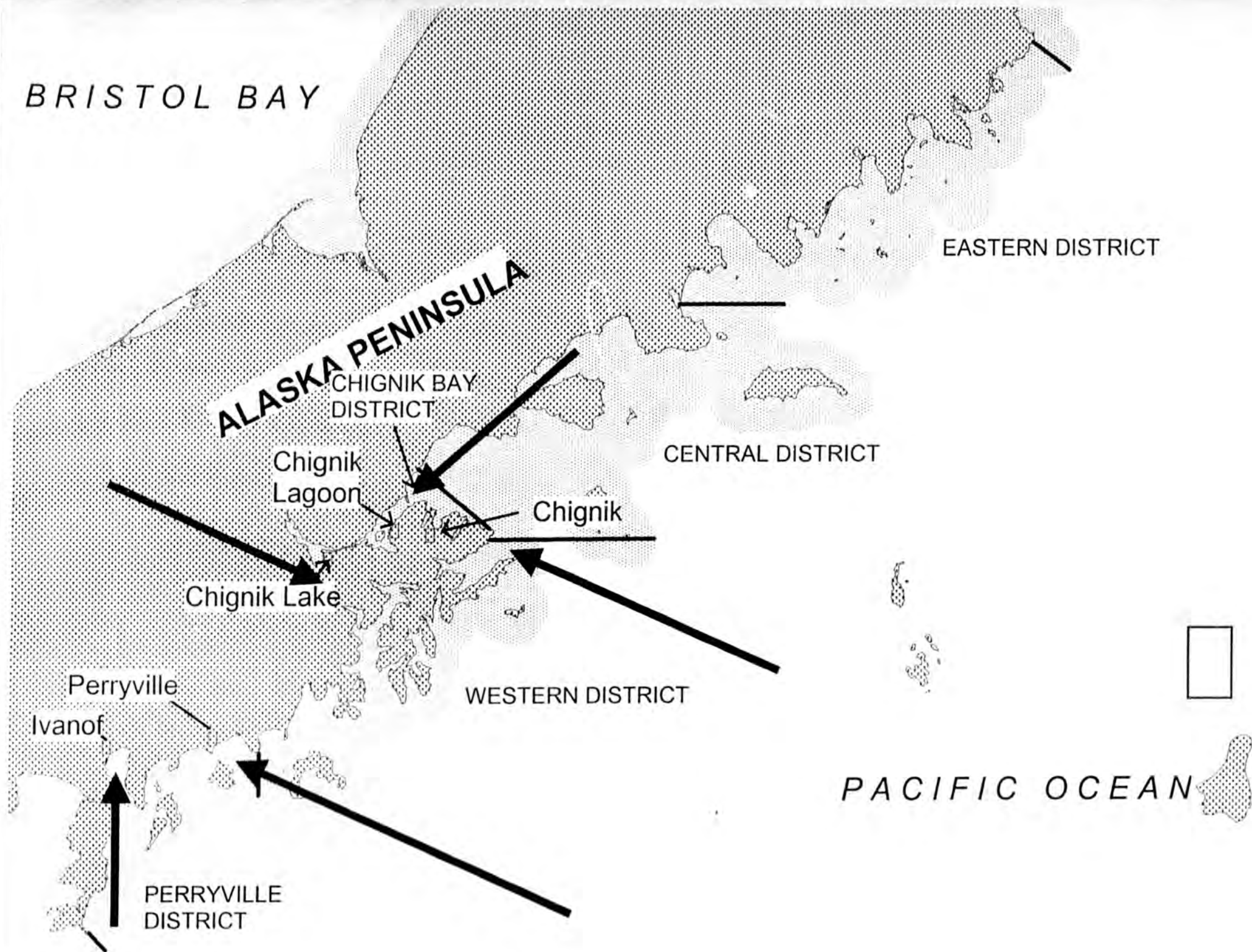
WESTERN DISTRICT

PACIFIC OCEAN

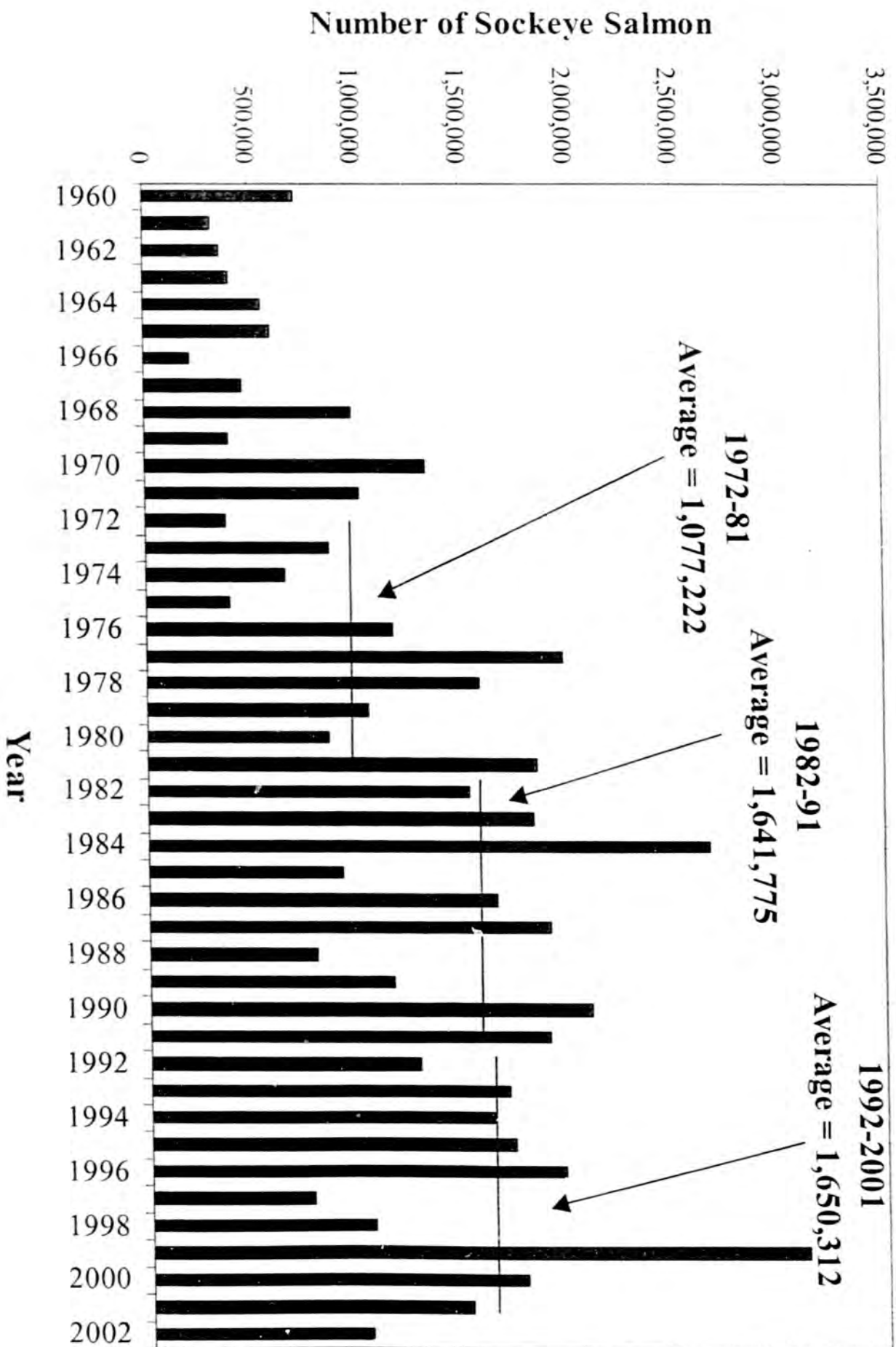
Perryville

Ivanof

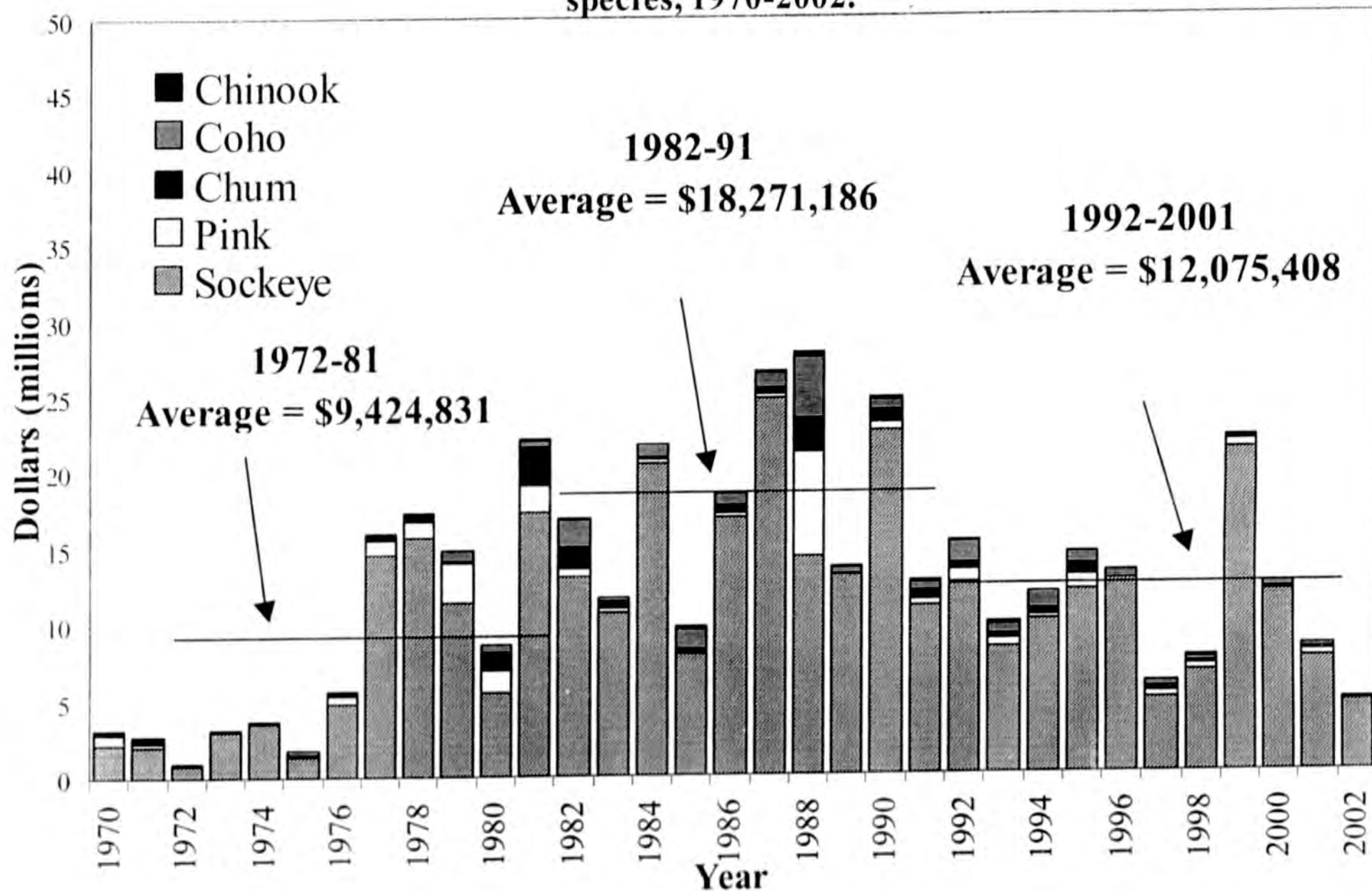
PERRYVILLE
DISTRICT



Sockeye salmon catch in Chignik Management Area, 1960-2002.



**Exvessel value of salmon harvested in the Chignik Management Area by
species, 1970-2002.**



Salmon Escapement

- Daily commercial fishing activity prevented significant buildup of salmon in Chignik Lagoon
- Prevented large pulses of salmon through the weir as seen during historic closures
- Achieved all inseason escapement objectives through the Chignik weir
- Most accurately managed escapement on record for Chignik River system

Chignik Area Cooperative Purse Seine Salmon Fishery

- Total 77 CFEC permit holders joined to form coop
- 22 permit holders fished as competitive fleet
- 2 permit holders did not participate in 2002
- Cooperative allocated 69.3% (caught 69.27%)
 - 721,428 sockeye salmon
- Competitive fleet allocated 30.7% (caught 30.73%)
 - 320,024 sockeye salmon
- Cooperative fleet ended season 970 salmon “behind”
- All harvesting was completed by 41 permit holders (19 cooperative and 22 competitive)
- Less than half of the active permits used in recent years

Effects of New Fishery

- Formation of Chignik Management Area Salmon Task Force (CHASM)
 - Two meetings in Chignik Bay and teleconferences
 - Formed to provide forum for the discussion and exchange of ideas of how to make this new fishery work
- Fishing Time - CMA opened for 98 days in 2002
 - Coop fleet 72.5 days (1,739 hours)
 - Competitive fleet 16.8 days (404 hours)
 - 7 days for new commercial test fishery in Chignik Bay
 - only deliveries on two days due to bad weather
 - 8 days (192 hours) pink and chum fisheries in Western and Perryville Districts

Effects of New Fishery

- Harvest efforts
 - Maximum of 22 vessels fishing at any point in time
 - Typical 80-99 vessels fishing at a time in recent years
 - In 2002, almost all fishing efforts focused in Chignik Lagoon (Chignik Bay District)
 - Normally spread out to other areas of CMA
- Subsistence
 - Impacted subsistence salmon harvest opportunities
 - ADF&G had midseason opener as requested by users
 - ADF&G provide additional late season opportunity as requested by users

Historic Comparisons

- Management decisions simplified
 - Announced management decisions in a more timely manner
- Fishing Patterns
 - Fish were delivered 90 days during 2002 season
 - Reduced number of deliveries (fewest since 1981)
 - Vast majority of effort in Chignik Lagoon
 - Coop elected not to fish outside of Chignik Bay District

Historic Comparisons

- New flexibility introduced for management of concurrent fisheries
 - Able to tailor the management of the inside and outside fisheries for each fleet
 - Better control of sockeye salmon harvest efforts with ability to place harvest and vessel limits on cooperative fleet
 - Fleet did not have to choose between targeting sockeye salmon or pink and chum salmon because the fisheries were tailored so fleets could participate in both if they chose to do so

Other Events and Situations

- Consistent fair weather during times when cooperative fleet was fishing
- Low, steady, and smooth flow of sockeye salmon returning to the Chignik River system
- Harvest limit placed on cooperative fleet for 16 days and the competitive fleet for one day
- Minimal harvest of salmon migrating through the outside districts of the CMA in 2002
- Not certain if ADF&G can be as precise with future allocated fisheries if run is large and weather does not cooperate

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The Chignik Seafood Producers Alliance (CSPA), is the first and only state sanctioned salmon fishery cooperative (true cooperative) in the history of Alaska. CSPA has four main objectives. One, to produce the highest quality wild salmon product in the world through radically improved harvesting, handling, and processing techniques. Second, to drastically reduce the expenses of harvesting wild salmon. Third, to move toward a vertically integrated system in which CSPA would harvest, process, and market it's own salmon. And fourth, to take a community based approach in order to enable the people and communities of the Chignik region to play an integral role in shaping the future of the salmon fishery in their area.

Alaska State Legislature

Chair
Seaton

Vice Chair
Wilson

Members
Berkowitz
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Heinze
Kott
Samuels



State Capitol
Juneau, AK 99801
(907) 465-3306
(907) 465-3472

Fisheries Committee

AGENDA- January 31, 2003
8:30—10:00; RM #124

Thank you for agreeing to attend the Fisheries Committee meeting next week. The current forum will include:

1. About a 10 minute explanation from ADF&G Commercial Fisheries Division (Doug Mecum, Director) of the past, present, and future management implications of the Chignik cooperative structure. This will include a Basic and straightforward analysis of Chignik management before the co-op, and the adaptations made by ADF&G to accommodate the new structure of the fishery.
2. About 30 minutes total from the cooperative organization (Jamie Ross) discussing the benefits of the co-op in relation to processing, quality, marketing, and the general structure of the new co-op fishery. This 30-minute section will include, in this order, 10 minutes of general description, a 10-minute informational video, and 10 minutes of personal testimony to the benefits of the co-op.
3. About 20 minutes from the anti-cooperative representatives (Heather McArthy) attesting to their individual and community (Chignik) concerns about the co-op itself and the process by which it was allowed.
4. 15 minutes of public testimony.
5. 15 minutes of questions from the Chair and Committee members directed toward Jamie Ross (co-op) and Heather McArthy (anti-co-op).

Thank you again for your time and input into this committee overview of the Chignik cooperative issue. If you have any questions you can contact me, x2689, or my Committee Aide Cameron Yourkowski, x 3306.

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January 29, 2003

Representative Paul Seaton
Chair, House Fisheries Committee
Alaska House of Representatives
Juneau, Alaska

Dear Rep. Seaton:

I understand that the House Fisheries Committee will be discussing the Chignik Salmon Cooperative, and that our report *Effects of the 2002 Chignik Salmon Cooperative: A Survey of Chignik Salmon Permit Holders* is among the documents you have received. This letter briefly summarizes the purpose of our survey and some of the most important results.

As you know, there has been a great deal of interest about the management changes in Chignik and the experience with the Co-op. In response to this interest, last summer I undertook a study of economic effects of the Co-op. That study isn't complete yet, but I summarized some of my preliminary findings in a presentation to the Board of Fisheries in December.

Last summer, as soon as I began talking to Chignik permit holders, I realized that many of them had very strong feelings about it, and that perspectives about the Co-op varied widely between those who had joined the Co-op and those who had not. I felt that it was important to convey these different perspectives to other Alaskans interested in the effects of the Co-op. In order to make sure that we conveyed these perspectives accurately—and to give permit holders a chance to speak for themselves—we undertook a survey of all Chignik permit holders.

Of the 100 Chignik permit holders, 80 responded to our survey in time for us to include their responses in our draft report, prepared in early December for the Board meeting. (We have since then received another 10 responses, which will be included in a revised version of the report which should be finished soon.)

The report shows all of the questions we asked and all of the responses we received. I believe that it conveys fairly well the range of opinions about the Co-op that one hears in talking with permit holders.

I think the results speak best for themselves. But I will suggest a few results that I think are important:

1. Permit holders are sharply divided about the Co-op. In many of the survey responses, there are big differences between the responses of permit holders who joined the Co-op and the responses of those who did not join.
2. Most of the permit holders who joined the Co-op felt that they were financially better off as a result of the Co-op. Most of those who didn't join felt that they were worse off. (See the responses to Question 5).
3. Most of the permit holders who joined the Co-op had "someone positive" or "very positive" feelings about the change in management. Most of those who didn't join had "somewhat negative" or "very negative" feelings. (See the responses to Question 6).

Personally, I think that the experience with the Chignik Co-op demonstrates that making significant changes to the management of Alaska's salmon fisheries—should the State wish to do so—is likely to be a huge challenge. Even when a management change results in very significant overall economic benefits (as I believe the Chignik Co-op did, by greatly reducing costs and significantly improving quality), it is very difficult to ensure that all permit holders in a fishery will actually benefit from the change. Paradoxically, the most successful fishermen in a fishery may stand to gain the least from management changes which help the majority of permit holders.

I would be happy to discuss the results of the survey, or our other analysis of economic effects of the Co-op, with you or other members of your committee at any time. Please let me know if I can be of assistance in this or other matters.

Sincerely,

Gunnar Knapp
Professor of Economics

CHIGNIK MANAGEMENT AREA COMMERCIAL SALMON FISHERY,
STOCK STATUS, AND PURSE SEINE COOPERATIVE FISHERY REPORT

Report to the Alaska Board of Fisheries, December 2002

By

George Pappas

Regional Information Report¹ No. 4K02-52

Alaska Department of Fish and Game
Division of Commercial Fisheries
211 Mission Road
Kodiak, Alaska 99615

November 2002

¹ The Regional Information Report Series was established in 1987 to provide an information access system for all unpublished division reports. These reports frequently serve diverse ad hoc informational purposes or archive basic uninterpreted data. To accommodate timely reporting of recently collected information, reports in this series undergo only limited internal review and may contain preliminary data; this information may be subsequently finalized and published in the formal literature. Consequently, these reports should not be cited without prior approval of the author or the Division of Commercial Fisheries.

ABSTRACT

The 2002 Chignik commercial salmon fishery began on June 3; the last reported landing was on September 5. A total of 41 Commercial Fisheries Entry Commission (CFEC) seine permits were fished in 2002 (19 cooperative fleet, and 22 competitive fleet). The total salmon commercial harvest for the Chignik Management Area (CMA) included 1,521 chinook *Oncorhynchus tshawytscha*, 1,050,553 sockeye *O. nerka*, 49,372 coho *O. kisutch*, 66,050 pink *O. gorbuscha*, and 54,559 chum salmon *O. keta*. Of this total harvest, 3 chinook, 9,101 sockeye, 66 pink, and 46 chum salmon were harvested to meet the department's test fishery requirements and 77 chinook, 1,371 sockeye, and 164 coho salmon were harvested for personal use. The 2002 sockeye salmon harvest was below forecast. Sockeye and chinook salmon escapement goals were met for the Chignik River system. The pink and chum salmon escapement goals for the CMA were met in 2002. Results from coho salmon escapement surveys to all districts of the CMA are not conclusive for 2002. The exvessel value for all species of salmon harvested in the CMA was about \$4.7 million.

This was the first season of the CMA purse seine cooperative fishery management plan (5 AAC 15.359). A cooperative fleet of 77 CMA CFEC permit holders formed to harvest salmon during the 2002 salmon season. Twenty-four CMA CFEC permit holders who chose not to join the cooperative fleet were identified as the competitive fleet; two of these permit holders chose not join the cooperative and did not participate in the 2002 CMA salmon fishery. The cooperative fleet harvested 721,428 (69.27%; allocation 69.3%) sockeye salmon and the competitive fleet harvested 320,024 (30.73%; allocation 30.7%).

The newly adopted CMA cooperative purse seine management plan impacted many aspects of the Chignik salmon fishery. The department launched a new salmon management task force in response to the increased need for communication between the ADF&G, salmon fishermen, processors, and local subsistence users. The Chignik Area Salmon Management (CHASM) task force provided a forum for the discussion and exchange of ideas on the harvest and management strategies both prior to and during the salmon season.

The 2002 season provided 72.5 days of fishing opportunity for the cooperative fleet and 16.8 days of fishing opportunity for the competitive fleet to target sockeye salmon in the CMA. An additional seven days of fishing opportunity was available during the June 3-9 commercial test fishery in the Chignik Lagoon, though deliveries were made on two days due to bad weather conditions. The 2002 season also provided both fleets the opportunity to target pink and chum salmon in the Western and Perryville Districts of the CMA for a total of eight days during three fishing periods. In 2002, the CMA was open to commercial fishing for a total of 98 days. This compares to 55 days in 1985, 72 days in 1992, and 69 days in 1998 (recent years with comparable run strength). A total of 2,432 deliveries (including four department test fishery deliveries) were made during 90 days of commercial fishing activity during 2002.

On a daily basis a maximum of 22 vessels fished at any particular time (19 for the cooperative fleet; 22 for the competitive fleet), compared to 80-99 vessels which typically fished during open periods in previous years. Though both fleets fished on the same date at times, the fleets were kept separate by

fishery opening and closure times. In 2002, fishing effort was almost entirely expended inside Chignik Lagoon, in the Chignik Bay District, whereas in prior years fishing pressure was usually more widely spread throughout the Chignik Bay District and also into the Central and outside districts.

Management for specific sockeye salmon escapement goals, and interim inseason objectives, was more accurately attained in 2002 than in previous years, largely due to the ability to control daily harvests of the cooperative fleet. Moreover, volumes of fish delivered to processors on a daily basis throughout the 2002 season were more evenly distributed, rather than the boom-and-bust pattern typical of previous years. Fishing opportunities for the competitive fleet, however, were reduced from prior years, as was their consequent ability to buffer events such as poor weather or mechanical breakdowns.

Imposition of the cooperative fishery plan also affected subsistence salmon harvest opportunities during 2002. In response, ADF&G provided additional harvest opportunities as requested by local subsistence fishers.

Chignik Salmon Purse Seine Fishery:
Summary Data on Issues Related to the 2002
Cooperative Fishery

CFEC Report 02-6N
December 2002

State of Alaska
Commercial Fisheries Entry Commission
8800 Glacier Highway, Suite 109
Juneau, Alaska 99801

1.0 Introduction

In early 2002, the Alaska Board of Fisheries (Board) passed regulations that provided a means for Commercial Fisheries Entry Commission (CFEC) permit holders in the Chignik salmon purse seine fishery to form a cooperative and fish in a cooperative fishery under specified conditions.¹ The regulations provided an allocation to the cooperative in the form of a percentage of the Chignik Area commercial sockeye harvestable surplus.

The purpose of these regulations was to reduce the resources devoted to the "race for the fish." By providing a specific allocation to a cooperative, the cooperative should be able to reduce the number of vessels, crew, and the cost of the harvest thereby improving the efficiency and the profitability of the fishery. The allocation to the cooperative also provided an opportunity to improve ex-vessel prices by slowing down the fishery and providing time to improve product handling and quality.

The Chignik Seafood Producers Alliance formed as a cooperative in 2002 in accordance with the new regulations. Both a cooperative fishery and an "open fishery" occurred in 2002. Seventy-seven permit holders joined the cooperative. By regulation, each member of the cooperative received nine-tenths of one percent (0.9%) of the commercial sockeye harvestable surplus, which amounted to a total allocation to the cooperative of 69.3% of the harvest.

Permit holders who did not join the cooperative could continue to fish in an "open fishery." The open fishery was allocated the residual percentage of the overall commercial sockeye harvest (30.7%), but permit holders in the open fishery were competing to capture the fish. Twenty-two permit holders opted to participate in the open fishery for an average implicit allocation of 1.4% per participant in the open fishery. One permit holder did not join the cooperative and also opted not to fish in 2002. The Alaska Department of Fish & Game (ADF&G) managed the fishery to achieve the designated allocations to both the cooperative fishery and the open fishery.

The Board has received proposals to modify regulations related to the Chignik fishery. ADF&G asked CFEC to provide information on some of the issues that have arisen concerning the 2002 cooperative.

Section 2.0 of this report provides summary reports on the distribution of historic harvests in the Chignik salmon purse seine fishery. The purpose of this section is to examine the historic harvest performance of those who joined the cooperative and those who opted to fish in the open fishery. The report also examines historic shares of the harvest to see if 2002 participants in the open fishery did better or worse than normal. One issue facing the Board is whether or not the allocations to the cooperative fishery and to the open fishery were reasonable. In this section, separate "sockeye only" and "all salmon species" tables are presented.

¹ See 5 AAC 15.359.

Section 3.0 of this report provides summary data on the variability of the relative ranking of individuals' harvests across years. Separate tables within this section first present variability based on harvests of sockeye only, then variability based on harvests of all salmon species.

Section 4.0 provides information on participation in other fisheries by Chignik salmon purse seine permit holders during the Chignik season. Activities during 2002 are compared with previous seasons.

Section 5.0 provides information on the permanent and emergency transfer of Chignik salmon purse seine permits over time. The section also provides information on estimated market values of those permits through time.

Things that the Co-Op caused.

They cost a lot of jobs to be lost by not hiring crew for the season; most of the permit holders did not have to hire a crew due to the fact they only fished at one-point 18 boats. If those 18 boats hired a full crew that would only employ 54 people based on if they hired 3 per boat. Another 50+ boats sitting on the beach. 150 crew out of a job. Not only did it take away jobs it divided the fisherman. Put one against the other.

I did have my family out there fishing and they were promised a certain amount of money, which they did not get. They were told that if they fished for a percent that they would make more money. They did not get even half of the money promised. Now the permit holders say they cannot get a crew to work for them? How would they like to work for 3-5000 a year to support their families?

The co-op fishery is causing too much hardship in the Chignik area. It affects everyone. (Not only fisherman).

Some of these folks have to rely on welfare and energy assistance in order to make it through the winter. Costing the federal government money to support these families. Others have to depend on family members for fuel groceries and other bills to get by. The crew cannot make it on 3000.00 dollars a year. This is based on my brother's pay he received this past summer. The fuel cost and groceries in this area exceeds this amount. Not only costing the government money, the state as well.

The other thing I would like to bring up is the interim permits. I thought in order to keep these permits you were to work them?

Any questions I can be reached at (907)853-2272)

Subject: re; Chignik co-op for House Fisheries Committee

Date: Sat, 01 Feb 2003 19:42:36 -0900

From: Buck Laukitis <magicfish@xyz.net>

To: rep.paul.seaton@legis.state.ak.us

For House Fisheries Committee members
Chairman Paul Seaton
January 31, 2003

Dear Representative Seaton,

Thank you for holding the very educational hearing on the Chignik salmon co-op on Friday January 31. I listened in from the LIO in Homer. Unfortunately, the Committee ran out of time, and I didn't get a chance to testify.

The Co-op experiment in Chignik was successful in its very first year. The criticisms I heard were from people and companies vested in the status quo, and we all know that status quo in the salmon industry is not an option. I am writing to remind the Committee members that lost crew jobs or reduced paying jobs, lost airline service to coastal communities, lost fisheries support businesses, losses to tenders and processors are all very real, BUT they also happened in every other region dependent on salmon in the state. These negative changes and some social issues mentioned cannot be attributed to the co-op as Heather McCartey and Ms. Stepatin from Chignik Lakes claimed. They are all happening in King Cove and False Pass as well, and we don't have a co-op. Fishermen in Chignik received \$.85 to \$1.00 for their quality sockeyes last summer using half of the boats to harvest all of the fish. Fishermen in Sand Point and Kodiak received \$.47 and \$.53/lb respectively with no reduction in harvesting costs.

Chignik is unique geographically, and maybe other areas will not be able to achieve their success using allocations to groups of fishermen. We need to move the salmon industry forward in ways where fishermen and coastal communities have some control over their destinies. The Chignik experiment is clearly one that we need to support.

Sincerely,

Buck Laukitis
fisherman in the False Pass area residing in Homer

SCOMM

131:3

Alaska Salmon Industry

Harvest, Production and Primary Markets for Alaska Salmon

Prepared for:
2003 House Fisheries Committee

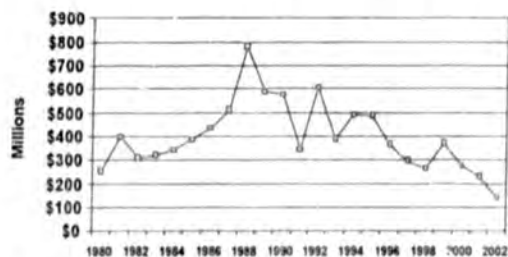
Presented by:
McDowell Group, Inc.
February 5, 2003

by Value
Frozen Sochege #1
Roe is #4 product for

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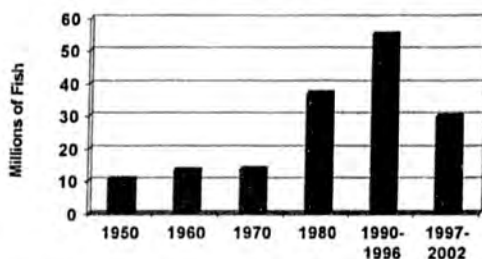
- Earnings, Past and Present
- Recent Harvest History
- Production
- Export Markets
- Domestic Market

Alaska Salmon Harvest Value



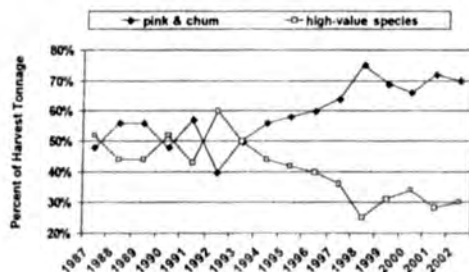
Source: ADF&G

Alaska Sockeye Harvest 1950-2002



Source: ADF&G

Alaska Salmon Harvest Composition



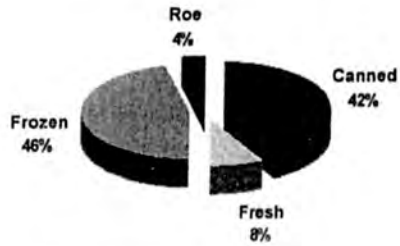
Source: ADF&G

*chum/pink 70%
harvest tonnage.*

Alaska Salmon Production

- Frozen salmon production is down
- Canned salmon production is up
- Fresh salmon production up, but still a relatively minor product
- Salmon roe emerging as a key product form

Alaska Salmon Production Volume, 1997-2001

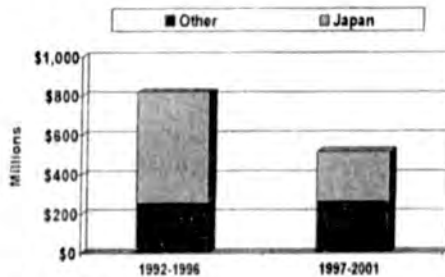


Source: ADF&G Commercial Operators Annual Report

Salmon Exports

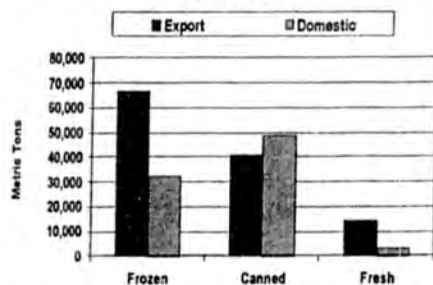
- About 60 percent of Alaska salmon production is exported
- Despite major declines, Japan remains the single largest export market
- Value of exports to Europe steady
- Value of exports to Canada growing

Salmon Export History



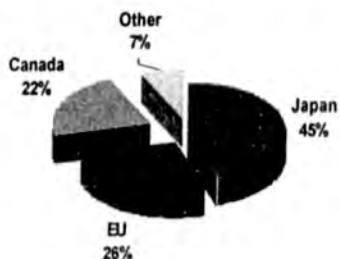
Source: NMFS, SMS estimates

Disposition of Product Forms 1997-2001



Source: ADF&G COAR, NMFS, SMS estimates

Export Markets by Value, 2001



Source: NMFS

Domestic Market

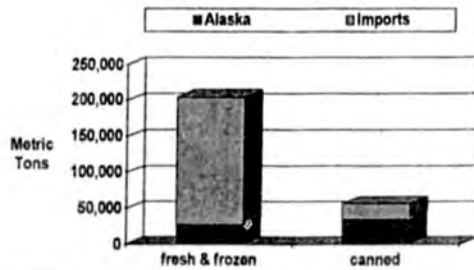
- Mostly fresh & frozen
- Supplied primarily by farmed salmon imports
- Five-year average import growth 15%
- Estimated 2002 U.S. consumption 280,000 mt
- Live weight equivalent 150 million 6-pound fish

U.S. Salmon Consumption, 2001



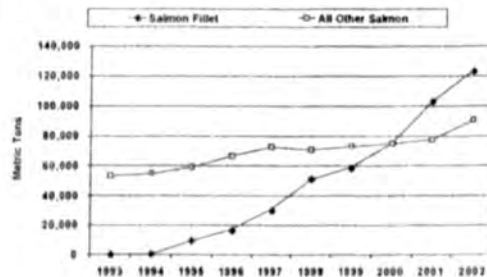
Source: NMFS, SMIS Estimates

U.S. Market Supply



Source: NMFS, SMIS estimates

Salmon Imports by Product Form



Source: NMFS

Alaska Supply Capability

- **Salmon fillet**
2001 AK Production: 4,400 mt
Daily U.S. Consumption: 340 mt
Supply Potential: 12 days
- **Fresh & frozen high-value salmon**
2001 AK Production: 49,700 mt
Daily U.S. Consumption: 600 mt
Supply Potential: 12 weeks

Conclusions

- Value loss is from sockeye harvest and farmed salmon - not just farmed salmon
- Reduced value of frozen product makes canned salmon more important
- Export destinations of Alaska salmon are increasingly diverse
- Domestic market has great potential, but product form and quality are major barriers for Alaska

Chiquett

Alaska Salmon Industry

Harvest, Production and Primary Markets for Alaska Salmon

Prepared for:
2003 House Fisheries Committee

Presented by:
McDowell Group, Inc.
February 5, 2003



ABOUT ASMI

Background Information for the House Special Committee on Fisheries

Productive partnership of public and private sectors

Alaska Seafood Marketing Institute (ASMI) was created twenty-one years ago as a cooperative partnership between the seafood industry and state government to advance the mutually beneficial goal of a stable seafood industry in Alaska. It is Alaska's official seafood marketing agency, and also conducts seafood quality education. Its structure and duties are detailed in Alaska Statute 16.51. The 25-member board of directors is appointed by the governor: 12 seafood harvesters, 12 processors (including 4 small processors) and one layperson.

Missions and measures

The mission of ASMI is to increase the worldwide consumption of Alaska seafood and promote the quality and superiority of Alaska seafood products. Measurements of success include development of new markets, development of the market for value-added products, and pounds of Alaska seafood sold through ASMI promotions.

Global marketing effort

ASMI markets Alaska's seafood resources in the U.S., Japan, the European Union, China/Hong Kong, Australia, and Korea. Around the globe, ASMI emphasizes the unique characteristics of our seafood products. Alaska seafood promotions in the U.S. are conducted primarily through national supermarket and restaurant chains. Export activities in both mature and developing markets include retail and foodservice promotions, trade missions, trade shows and educational seminars for Alaska's trade partners.

Promoting the Brand

ASMI promotes all species of Alaska seafood, with salmon as the lead, under the "Alaska" brand. The brand is widely used in retail and foodservice sectors in the U.S. and overseas. Alaska-branded fish and seafood rank 3rd among food brands on menus of the nation's top 500 restaurant chains.

Base Funding from Industry

ASMI is funded through taxes on the seafood industry: a seafood marketing assessment paid by Alaska seafood processors (.3% of the value of the seafood they purchase) and the 1% salmon marketing assessment paid by Alaska commercial salmon harvesters. The last contribution from the state was in FY 97.

Funding Overseas Marketing

The export marketing activities of ASMI in more than a dozen countries are federally funded by the USDA Foreign Agricultural Service Market Access Program, with a match from the processor portion of ASMI revenue. ASMI markets all species of Alaska seafood in specific export markets, according to federal guidelines.

Funding Domestic Marketing

Domestic marketing activities for salmon are funded by salmon fishermen and Alaska seafood processors. The downturn in salmon revenue the last couple of years has been partially offset by a grant under the Trade Adjustment Assistance Act from the U.S. Dept. of Commerce Economic Development Administration. ASMI is required to match this grant dollar for dollar. This grant is used to boost the U.S. demand for Alaska salmon products.



Board of Directors

The board sets policy, provides direction for ASMI marketing efforts, and approves the budget. Alaska law provides for the Governor of Alaska to appoint twenty-five voting members to the board of directors: twelve commercial fish harvesters, one lay person, and twelve seafood processors. The board receives recommendations from several advisory committees (executive, salmon marketing/canned salmon, shellfish, and seafood technical, so that more than eighty industry members provide ASMI with expertise.

Eight of the processor members on the board are from firms that have an annual payroll in Alaska of more than \$2,500,000, and four are from firms that have an annual payroll in the state between \$50,000 and \$2,500,000. The number of fish harvesters selected from a particular fisheries management area of the state correlates roughly with the level of the 1% salmon marketing tax revenue derived from that region.

2003 Board of Directors

Sandro Lane, Chair	Taku Fisheries, small processor
Jay Stinson, Vice-chair	Kodiak, commercial fisher
Jack Amon	Layperson; co-owner/chef, The Marx Bros. Café
Steve Chartier	Peter Pan Seafoods, large processor
Gloria Chythlook	Dillingham, commercial fisher
Mike Cusack	Fishking/Unisea Foods, large processor
Gig Decker	Wrangell, commercial fisher
Greg Favretto	FAVCO, Inc., small processor
Justine Gunderse ^{en} -Pride	Nelson Lagoon, commercial fisher
Rose M. Heyano	Dillingham, commercial fisher
Larry Hill	Icicle Seafoods, Inc., large processor
Gordon Jackson	Kake Fisheries, small processor
Ron Jolin	Kodiak, commercial fisher
Heather McCarty	At-Sea Processors, large processor
Bob Nickinovich	Wards Cove Packing, large processor
Rodger Painter	Tenass Pass, Shellfish Co., small processor
Jamie Ross	Homer, commercial fisher
John Salle	Trident Seafoods
John R. Sevier	North Pacific Processors, Inc., large processor
Mitchell Seybert	Port Heiden, commercial fisher
Gary Slaven	Petersburg, commercial fisher
Thea Thomas	Cordova, commercial fisher
Sherry Tuttle	Sitka, commercial fisher
Virgil Umphenour	Fairbanks, commercial fisher
Bob Waldrop	Norquest Seafoods, large processor

Ex-officio members

Representative of Alaska State Senate (not yet named)

Representative of Alaska State House (not yet named)

Commissioner, Dept. of Community and Economic Development or designee (not yet named)



Sept. 27, 2002

Sen. Ben Stevens, Chair
Joint Legislative Industry Salmon Task Force
State Capitol
Juneau, Alaska 99811

Dear Sen. Stevens:

For many years Alaska Salmon owned the world markets. Salmon farming has changed that. We all are aware of the severe impacts the reduction in value is having on our state salmon fisheries. Farmed salmon has saturated the market with fish that has not only impacted our price but also set new standards for consistency and freshness. At the same time, a reputation for hit or miss quality has damaged the perception of Alaska salmon with buyers around the world and further weakened our competitive position.

Quality is a key element. If we are to regain market share and successfully compete in today's world market, we must change our thinking about quality. ASMI has two statutory mandates: to market Alaska Seafood and to enhance the quality of product through education. For nearly twenty years ASMI has been promoting quality standards for handling our seafood, including salmon. While we have clearly made improvements in quality over the years, these voluntary efforts have not yielded the consistency of quality needed to successfully market our fish or command a premium price, in the face of intense competition from farmed salmon.

In an effort to address this issue, the Alaska Seafood Marketing Institute (ASMI) Board of Directors stood up a Quality Standards Committee whose report was used to form the basis of the attached quality recommendations. ASMI's recommendations are those we feel must be in place to compete in today's market. These quality recommendations are vital and must be put in regulation as soon as possible to make them enforceable. Some regions of the state are lacking in infrastructure necessary to meet these quality standards. These regions, many of which are economically depressed, will require infrastructure investment.

We have discussed, but not included the implementation issues, nor have we attempted to spell out a timeline to achieve these recommendations. We feel that is for others to do. We are a marketing institute, not a regulatory body. We do not feel it is our place to tell others how or when they must achieve these recommendations. Ideally, they should be in

place now; because they are not, we cannot claim the premium we believe our fish should bring. ASMI urges the Governor and the Joint Legislative Industry Salmon Task Force to use these recommendations as a baseline for quality seafood in Alaska. It is our view that these recommendations must be required for all seafood that carries the Alaska brand.

We have the best fish in the world; we should treat them that way from the sea to the table in order to realize their full economic value. We owe it to the future generations of Alaska fishing families.

Sincerely,

Sandro Lane, Chairman
Board of Directors
Alaska Seafood Marketing Institute

Quality Recommendations

Salmon Management

The Alaska Department of Fish & Game must consider harvesting and processing capability and quality (throughput) when making salmon management decisions.

Task Forces comprised of ADFG management staff and industry members (fishermen, processors, hatchery operators) must be established on a regional basis around the state to address quality and management issues.

Alaska Board of Fisheries must consider quality when making regulatory and management decisions.

The Alaska Board of Fisheries must issue a call for quality proposals in regional meetings.

Chilling

All salmon harvested in Alaska waters must be chilled immediately at point of harvest, regardless of the product form for which the fish is intended.

In-the-round (not dressed) chilled salmon held in refrigerated sea water (RSW) or chilled sea water (CSW) must be delivered to a processing point within 3 days of catch. Dressed salmon chilled by layered ice must be delivered to the processor within 6 days of catch.

Sanitation

The State of Alaska must develop and implement food-grade sanitation standards for tenders, buying stations and fishing vessels.

Processors

Processors must only buy as much salmon as a plant can handle at a proper temperature and at proper holding times.

Bleeding

It is known bleeding helps to preserve quality and shelf life. Whenever practical, salmon should be bled, especially chinook, sockeye, and coho. Chum salmon should also be bled in order to increase the quality of the roe.

Tenders

Tender operators and crew must complete a quality training program available through ASMI or the processor. Tender operators must keep a log to track the quality of the salmon (time of delivery, temperature of fish, temperature of hold, times when the hold is sanitized, training of crew). Tenders must not transport quantities of salmon that exceed the chilling and volume capacity of their vessel.

Quality Recommendations

SCOMM

131:4

Emergency Drills Requirement

Documented fishing vessels of any crew size beyond the Boundary Line, or vessels with more than sixteen people on board within the Line, are required to conduct monthly emergency drills. Drills must be conducted by a trained Drill Instructor.

What to cover in monthly drills:

1. Abandoning vessel.
2. Fighting a fire.
3. Retrieving person overboard.
4. Minimizing flooding.
5. Launching/recovering lifeboats/rescue craft.
6. Donning immersion suits/PFDs.
7. Donning SCBAs (if so equipped).
8. Giving a mayday and using visual distress signals.
9. Activating the general alarm.
10. Reporting inoperative alarms.

For Drill Instructor training in your port contact AMSEA at (907) 747-3287 or amsea@alaska.com. Check out AMSEA's website at www.amsea.org for more safety tips.

Credits:
Alaska Marine Safety Education Association (AMSEA); National Institute of Occupational Safety & Health (NIOSH); U.S. Coast Guard.

Injury data is from the Alaska Trauma Registry 1991-1998. Data from the Fishermen's Fund is from 1994-1998.

Printed on recycled paper

Seven Ways to Get Hurt (or Killed) While Commercial Fishing in Alaska



(Photo: Anker MD, USCG)

... and ideas from fishermen on how to prevent them

- ▶ Commercial fishing can be rewarding and satisfying but it also has hazards. From 1994 to 1998, Fishermen's Fund reported 4,264 injuries. Seventy lives were lost in Alaska in this same period.
- ▶ Enclosed are some ways injuries and fatalities can be prevented.
- ▶ Review with your crew before and during the season.

1. Strains/Sprains

STATISTIC

Strains and sprains accounted for 47% of all Fishermen's Fund reported injuries.

PREVENTION TIPS

- ▶ Use tools to reach and rake in fish. (Petersburg seiner)
- ▶ Do stretching exercises in off season and while on watch or off duty.
- ▶ Work with fish as much as possible at a level where bending over is not necessary.
- ▶ Try to get in shape before the season.
- ▶ Use mats or grates to boost you to the right height at cleaning tables so your arms work in a neutral position. (F/V Capt. Cook)
- ▶ Get help with items too heavy to lift or move by yourself, especially when underway. Work together. (F/V Ocean Cape)



2. Machinery

STATISTIC

The largest single cause of injuries was machinery (43%).

PREVENTION TIPS

- ▶ Shut off engine/motors when working on them to prevent getting snagged.
- ▶ Run a line to a kill switch (Henderson line) where it is accessible but out of the way, so anyone on deck can reach it to shut off hydraulics. (F/V Commander)

- ▶ Limit hydraulics to safe working loads by installing relief valves. (F/V Commander)
- ▶ Don't impulsively grab at lines going out until you're aware of any hazards. (F/V Commander)
- ▶ Never use picking hooks in engine control box as they can jam boat in gear and cause collisions. (F/V Amber J)
- ▶ Wear no buckles or buttons to catch on gear. (Bristol Bay fisherman)
- ▶ Instead of wearing a net-mending knife on a piece of twine around your neck, tie it off to a belt loop. Better to tear your pants than get lynched by the seine block. (F/V Capt. Cook)

3. Falls

STATISTIC

The second leading cause of injuries was falls (34%).

PREVENTION TIPS

- ▶ Use abrasive cleanser on slick engine room surfaces. (F/V Capt. Cook)
- ▶ Good housekeeping! Keep kelp and slime off decks.
- ▶ Use rock grit or coarse sand for hydraulic leaks on deck. (Maine fisherman)
- ▶ Use absorbent pads under hydraulic leaks until fixed. (F/V Ocean Cape)
- ▶ Hang lines with monkey fists from overheads to hold onto in rough weather. (F/V Coral Lee)
- ▶ Renew worn nonskid paint on decks and in skiffs. (Bristol Bay fisherman)
- ▶ Put nonskid surface on ladder rungs and steep stairs. Use nonskid grates or mats in high risk areas.

4. Cuts and Punctures

STATISTIC

Cuts and punctures accounted for 26% of all fishermen's Fund reported injuries.

PREVENTION TIPS

- ▶ Wear protective gloves and gear.
- ▶ Tape those sharp little Victorinox knives horizontally to belt, instead of vertically, to prevent leg punctures. (Kodiak fisherman)
- ▶ To minimize infections, do dishes and/or soak in hot soapy water several times a day to clean out puncture wounds from fish or shrimp. (F/V Capt. Cook)
- ▶ If wound looks infected, wash with Betadine™, soak half hour in hot soapy water as soon as possible, then dry and bandage. Monitor closely for spreading infection.
- ▶ Replace any wire rope that develops "fish hooks". (F/V Capt. Cook)
- ▶ If you keep getting poked by your net-mending knife, round off the tip. (F/V Capt. Cook)
- ▶ Always wear safety glasses when grinding and using power tools. (F/V Predator)



5. Falling Overboard

STATISTIC

About 25% of fatalities are due to falls overboard.

PREVENTION TIPS

- ▶ Wear inflatable suspenders or vest when working on deck. Some inflatables have automatic inflation devices.
- ▶ Do not go on deck alone at night or in rough weather. If need arises, have a spotter. Wear a PFD and Man Overboard alarm. (Petersburg fisherman)
- ▶ When fishing alone, drag a line behind the boat attached to a kill switch. (F/V Troubadour - S.E. troller)
- ▶ On seiners, leave purse line in net, not on deck where it will run across deck when the net is going out. (F/V Commander)
- ▶ Install rear view mirrors on deck to see people in stern. (S.E. Longliner/gillnetter)
- ▶ Rig up man overboard rescue devices ahead of time, using the boat's hydraulics to do heavy lifting. (F/V Amber J)
- ▶ Wear an accessible knife to cut yourself from lines/webbing and to cut bottom of waders to empty water when climbing back onboard. (F/V Laconnu)
- ▶ Always carry a serrated knife you can access and use with one hand. (F/V Capt. Cook)

6. Struck by Objects

STATISTIC

23% of injuries are due to being struck by objects.

PREVENTION TIPS

- ▶ Rig extra safety chains or stays on boom, side stays and power block as preventors.
- ▶ Keep a sharp knife on a pole to cut hung up lines that are under tension to keep you out of the line of tension. (F/V Trident)
- ▶ Avoid pinched toes by painting bright yellow stripes around pot launchers and rigging "preventors" so launchers don't go all the way to the deck. (F/V Ocean Cape)

7. Bruises/Contusions

STATISTIC

Bruises and contusions account for 13% of all Fishermen's Fund reported injuries.

PREVENTION TIPS

- ▶ When crabbing, traditional Type III USCG approved lifevests will provide some protection from pots. (Dutch Harbor fisherman)
- ▶ Wear hard hats when working with overhead gear.
- ▶ Paint hazard areas bright yellow.
- ▶ Use duct tape and foam rubber to soften tight quarters or places that cannot be avoided by tall people.

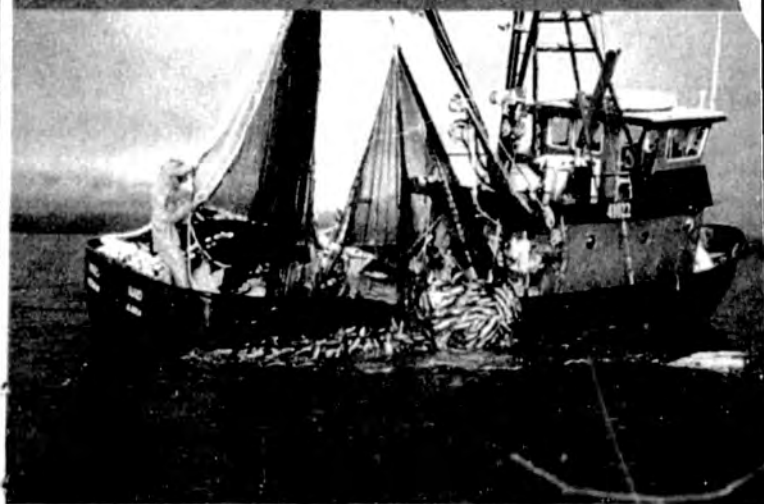
Other Good Practices

- ▶ Safety orientations covering emergency gear and procedures should be given to all new crew before leaving harbor.
- ▶ Seiners: develop ways to get fish out of net without having to lift entire net. Use wedges, straps, etc., to roll part of the net in to minimize stress on rigging and reduce center of gravity from block to increase stability. (F/V Commander)
- ▶ Use double hose clamps on all plumbing, including the deck hose outlet. (F/V Greta)
- ▶ Train crew in basic vessel operations such as navigation and anchoring. (F/V Greta)
- ▶ Have a sea anchor.
- ▶ In a rough anchorage use a fifty pound weight near anchor (a kellet or sentinel) and a surge buoy fifteen fathoms from bow. (Ketchikan fisherman)
- ▶ Keep all work areas well illuminated at night.
- ▶ Develop safety procedures and be open to ways to minimize risks.

Got other deck safety ideas you'd like to share? Submit them to AMSEA at amsea@alaska.com and look for them on our website at www.amsea.org



Commercial Fishermen's Fund



February 2003
State of Alaska
Frank H. Murkowski, Governor

**Are you an injured
Commercial Fisherman?**

**If so, you may qualify for benefits
under the Alaska Fishermen's Fund.**

Injured Fisherman's Checklist

The following checklist is included to help you avoid processing delays. Please be sure to check each box before submitting your claim.

Getting Treatment

☐ *Was treatment received within 60 days of injury?*

Completing the Fishermen's Fund Report

☐ *Is the form filled out completely and accurately?*

☐ *Is the form signed and dated?*

☐ *Is a copy of license or permit attached?*

Completing the Physician's Report of Injury

☐ *Has the report been completed by the doctor or provider?*

Filing the Claim

☐ *If you have medical insurance, did you apply with them first and send a copy of the explanation of benefits to Fishermen's Fund?*

☐ *Did you submit your claim?*

Responding To Fishermen's Fund Inquiries

- *Respond to written and verbal communications in a timely manner to avoid delays.*
- *Notify Fishermen's Fund of any address changes.*

Alaska Commercial Fishermen's Fund

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**For your convenience required Reports
of Injury/Illness and Vessel/Site Insurance
are in the Center of this Booklet.**

Fishermen's Fund
P.O. Box 21149
Juneau, AK 99802-1149

Toll Free: 1 888 520 2766
Phone: 1 907 465 2766
Fax: 1 907 465 2797

EMAIL: FishFund@labor.state.ak.us
WEB SITE <http://www.labor.state.ak.us/wc/ffund.htm>

Alaska Department of Labor and Workforce Development
Greg O'Claray, Commissioner

What is The Fishermen's* Fund?

Established in 1951, the Fishermen's Fund provides for the treatment and care of Alaska licensed commercial fishermen who have been injured while fishing in Alaska.

Benefits from the Fund are financed from revenue received from each resident and nonresident commercial fisherman's license and permit fee.

The Commissioner of Labor and Workforce Development oversees administration of the program with the assistance of the Fishermen's Fund Advisory and Appeals Council.

The council is composed of the Commissioner or his designee, who serves as chairman, and five members appointed by the Governor.

Fishermen's Fund Advisory and Appeals Council

District 1

Wrangell and areas south
Russell Cockrum

District 2

Areas north of Wrangell to include Yakutat
Tim Grussendorf

District 3

Areas west of Yakutat to east coast of
Alaska Peninsula, including Prince William Sound,
Cook Inlet, and Kodiak
James Herbert

District 4

Areas west of Alaska Peninsula to
Cape Newenham, including Bristol Bay
Edwin Anderson

District 5

Areas north of Cape Newenham, including
Kuskokwim, Yukon, Kotzebue, and the Arctic
Paul Wold

* Fishermen's refers to both sexes

Qualifying for Benefits

- Crewmembers with injury or illness directly connected to operations as a commercial fisherman **must hold valid commercial fishing licenses or limited entry permits before the time of injury or illness to qualify for benefits.** Note: Eligibility of a limited entry permit holder is based on the embossed date of the permit, not the date on which it was paid or when payment was received.
- Onset of injury or illness must be onshore in Alaska or on Alaska waters.
- Initial treatment must be received within 60 days after onset of injury or illness.
- An application must be submitted within one (1) year after initial treatment.
- Each treatment must be documented by a medical chart note and submitted.

How to File and Avoid Delays

It is the fisherman's responsibility to see that a claim is filed. If the medical provider agrees to file a claim with your insurance company, the Fishermen's Fund, or a federal program such as Medicare, Veterans' Affairs, or the Indian Health Service, it remains the responsibility of the fisherman to see that the claim is complete and filed appropriately.

Immediately following an injury or illness:

- Tell the appropriate medical facility personnel that two reports must be completed:

Fisherman's Report of Injury or Illness

Physician's Report of Injury or Illness

- The fisherman and physician must each fully complete their respective report. These two reports need be completed only once, by the fisherman upon his initial treatment, and by the initial treating physician. All items must be answered and comments provided. (The reports are printed back to back and

included in the center of this booklet. They are also available from most doctors, hospitals, clinics, and some harbormaster offices in Alaska, the Fishermen's Fund and its web site at <http://www.labor.state.ak.us/wc/ffund.htm>

Fishermen's Fund Fisherman's Report

Completing the Report:

- Attach copy of crewmember license or limited entry permit. A copy of the valid license or permit accompanying your application will expedite your claim as much as two to four months. (#10.)
- Note the vessel owner's Protection and Indemnity (P&I) deductible. (#12.)
- Note whether insured by health insurance or covered by a public program such as Medicare, Veterans Administration (VA), Indian Health Service (IHS). (#13.)
- Describe in detail injury or illness and how it was directly connected with commercial fishing. (#14.)
- Be specific as to the geographic location where injury or illness occurred, such as nearest landmark, miles or hours from a reference point. Give latitude and longitude if known. (#15.)
- Sign and date application. (#19.)
- Submit the reports immediately. The Fisherman's Report is considered the fisherman's application for Fund benefits.
- Include a permanent mailing address and advise of address changes. Benefits may be denied if you do not receive and respond to an inquiry.

Please respond completely and promptly.

Failure to do any of the above can delay your claim.

When do the Fund's benefits kick in?

The Fund is an emergency fund payer of last resort, which means that benefits are awarded only after full consideration of other coverage from private health or vessel insurance, and public programs, including Veterans' Affairs or Medicare. (Medicaid is an exception.)

Processor Activities and Processor/Tender Vessels

A worker whose injury or illness is directly connected to a processing activity does not qualify for Fund benefits, but may be covered under Workers' Compensation.

A fisherman on a freezer or troller vessel who becomes injured or ill as a result of processing activities related to freezing the product would generally not be covered.

However, a fisherman injured or becoming ill on a tender vessel is usually covered unless the incident was directly connected to processing activities.

Withdrawing an Application

Withdrawing an application requires a written request from the applicant fisherman.

Primary Insurance Considerations

If you have medical insurance, the Fund must have a written statement—Explanation of Benefits (EOB)—verifying you have filed a claim for each of your medical expenses with your health insurance carrier.

Vessel or Site P&I (Protection and Indemnity) Insurance

If the fisherman applicant does not indicate the P&I deductible on the application, a Report of Vessel or Site Insurance will be requested to verify whether P&I coverage exists, and if so, the amount of the deductible and the name of the vessel owner's insurance carrier or adjuster. If the deductible is unknown, benefits will be limited to \$2,500.

If expenses exceed, or will be expected to exceed, the deductible under a vessel owner's P&I policy, the fisherman applicant must file with the vessel owner's insurance carrier. These expenses are usually covered under the P&I policy. Expenses not covered should be submitted to the Fishermen's Fund. Otherwise, eligible expenses paid from the Fund which exceed the P&I deductible will be recovered under 8 Alaska Administrative Code (AAC) 055.010 (e) and by exercising subrogation rights under 8 AAC 055.035.

The vessel owner's deductible payment to the insurance company is considered a contribution to the insurance liability covered under the policy and is not recoverable from the Fishermen's Fund.

A vessel owner who pays for transportation or medical expenses for the injured or ill fisherman may be reimbursed if an agreement exists verifying that the employer advanced the money or paid any medical treatment on their behalf. A crewmember may be reimbursed if there is verification that the employer deducted the payments directly from wages due the injured or ill fisherman. Reimbursement cannot be made without the above supporting information.

Alternatively, the injured or ill fisherman and the vessel owner may complete the Vessel Owner-Crewmember Agreement, both signing to attest their understanding that the expenses paid by the owner were paid as a loan to the crewmembers. The wording of the form may be revised to fit the circumstances. There is no assurance this agreement in any way complies with marine law. (Agreement in Appendix C)

Indian Health Service (IHS) Beneficiaries

- A fisherman who is eligible to receive direct care services from an IHS facility is expected to utilize these services when possible. In the event that an IHS recipient chooses not to use an IHS facility when it is available, the fisherman must justify to the Council his/her reason for not using the IHS facility.
- The Fund covers (pays for) services for IHS eligible individuals for items and services that are not covered by IHS; i.e., eyeglasses, chiropractic care, and dentures, if a legitimate claim is filed. However, direct care services that are covered by the IHS are not eligible for benefits from the Fund.
- If an IHS facility makes a referral to another facility that is not an IHS facility, the Fishermen's Fund is responsible for the first \$2,500. The Fund should be provided with a copy of the billing form to pay the claim.
- When a direct care provider is not available, the Fishermen's Fund will pay emergency or urgent care at a non-IHS facility. Limitations on a fisherman's time are taken into consideration when determining "not available." (Opinion of Attorney General 611-01-0269)

Fishermen's Fund Physician's Report

Completing the Report:

Questions 1-4 may be answered by attaching medical records and noting, "See attached chart notes."

Questions 5-14 require very little time to complete, and a clerical assistant may answer most of them.

Questions 6 and 7 must be answered by the initial treating physician, to confirm that the injury is directly connected with the commercial fishing operations of the fisherman applicant.

Chart notes or medical records are required, as an attachment to the Physician's Report, but do not substitute for it. The physician may use the "see attached" notation for numbers 2 & 4 on the Physician's Report if the form is signed and the fishing-related questions are answered.

The Physician's Report serves many purposes, such as providing the necessary information in a logical order and concise manner to expedite processing and approvals for payment.

When bills are received for the treatment of an injury or illness for which an application has not been filed, the fisherman and all medical providers will be sent a letter informing them no action can be taken until an application has been filed.

Council Review

When the Fishermen's Fund administrator cannot immediately approve an application for benefits, it must go before the Fishermen's Fund Advisory and Appeals Council for review. The Council meets twice a year, usually in November and March.

Common reasons for delays that require the Council's review:

1. No response to an inquiry about items on an application.
2. Failure to seek treatment within 60 days of the onset of the injury or illness.
3. No evidence of a license at the time of injury or illness.
4. Injury or illness unrelated or not directly connected to operations of a commercial fisherman in Alaska.

Just Cause

The Council may approve benefits when just cause is demonstrated for the delay in the following circumstances:

- Initial treatment is received more than 60 days after the onset of injury or illness.
- Complete responses to inquiries are not received within 90 days.
- An application was received more than 1 year after the initial treatment.

Just cause for the delay should be explained in writing.

Establishing Just Cause for:

Not Seeking Treatment within 60 Days of Injury or illness

Not Filing within One (1) Year of Initial Treatment

Not Responding to an Inquiry within 90 Days.

Not Responding to an Inquiry for, or Receiving an Explanation of Benefits (EOB) within 180 Days

When a fisherman does not meet the timelines established above, and the Council has determined just cause for the delay exists, the Council may allow the administrator to approve benefits if:

- A written statement is received from a physician or fisherman which: states the late treatment or surgery was necessary to correct injuries or illnesses such as a hernia, carpal tunnel, or musculoskeletal condition; and notes the injury was directly connected to the commercial fishing activity described in the fisherman's application; and states that any delay in treatment was for the purpose of allowing the physician or fisherman to observe whether remedial treatments or time would correct the condition.
- A letter from the provider (i.e., hospital, medical clinic, etc.) or from an insurance company or public program noting the delay in filing or responding timely was their fault; or,

- Verbal or written evidence from the fisherman applicant that the late filing or response was due to their medical condition, fishing responsibilities, or an emergency requiring the fisherman's attention.

Approvals, Denials, Appeals

Applications must be sent to the administrator.

When a decision indicates, "Your claim cannot be approved by the administrator," it does not mean the fisherman is denied benefits. Often further information is required to enable approval by the administrator, or by law the application requires approval by the Council.

Reconsideration or Appeal

In the event the administrator cannot approve an application, all parties will be notified in writing of the reason. The application will be reviewed and a final determination made at the next meeting of the Fishermen's Fund Advisory and Appeals Council. Parties will be notified of the time and place of the meeting and may submit written information supporting the application or may appear before the Council. A Notice of the Council's decision will be mailed to all parties, usually within four weeks. A decision may be reconsidered or appealed as noted below.

In some cases the Council will deny benefits unless certain conditions are satisfied by a certain time. The fisherman, therefore, must read the Council decision carefully and fulfill all the conditions to assure the best opportunity for approval.

- Under Alaska Statute 44.62.540(a), the fisherman has the right to file a Petition of Reconsideration to the Council within 15 days after the mailing of the decision.
- Under Alaska Administrative Code 8 AAC 055.030(d), the fisherman has the right to appeal the decision of the Council to the Commissioner of Labor within 45 days after receipt of the notice of the decision. The appeal must contain a complete statement of the justification including a description of the relief sought.

- A request for reconsideration or appeal must be in writing, signed by the claimant, and filed by mail or in person at the Office of the Commissioner, Department of Labor and Workforce Development, PO Box 21149 (1111 West 8th Street), Juneau, AK 99802. Otherwise, the Council decision is final.

What is Covered?

Related costs of transportation, medical care, hospitalization, prescriptions, therapy, and chiropractic care will be paid for an occupational injury or illness if it is "directly connected with operations as a commercial fisherman" in Alaska waters or on shore preparing or dismantling boats or gear used in commercial fishing.

Those costs noted above that are necessitated by a cardiovascular disease may be paid if "attributable, directly or indirectly, to the fishing endeavor" (AS 23.35.080). A fisherman is also entitled to "such assistance after discharge from the hospital during period of convalescence as allowed in consideration of the condition of the fund" (AS 23.35.090).

The total allowance for any one heart attack is \$2,500.

Covered Injuries or Illnesses. Occupational illnesses or diseases which may be covered include: hernias, varicose veins of the leg; rheumatism, arthritis, musculoskeletal ailments such as bursitis, traumatic sciatica and tenosynovitis; the respiratory diseases bronchitis, pneumonia, and pleurisy caused by or aggravated by the fishing endeavor.

With respect to a pre-existing injury, if subsequent aggravation is attributable strictly to that injury, and does not amount to a new injury, then, as with a recurring disability, benefits will not be awarded (AS 23.35.130, Opinion of Attorney General).

What is Not Covered? Conditions of Coverage

Noncovered Illnesses and Diseases and Other Conditions. Illnesses or diseases and other conditions not covered include strep throat, tonsillitis, the common cold, influenza, ulcers, cancer, appendicitis, insect bites, salmonella, giardia, smok-

ing related conditions, cracked teeth or loose fillings from eating. Sexually transmitted diseases or drug or alcohol related injuries, and those caused by not following good hygiene and health practices, or improper care are not covered. Ear infections caused from diving in a commercial fishery are covered but not when due to a cold.

Chronic Conditions. Chronic injuries, although aggravated by the fishing endeavor, may not be covered since they are usually pre-existing and not directly connected to the operations of a fisherman.

Three-Month Gap in Treatment. The Council must reassess the treatment of an injury or illness when there is a three-month gap in the treatment. A doctor's statement is required noting how the treatment was directly connected to the prior commercial fishing injury.

Fifth Injury Within Eight Years to the Same Area of the Spine. A doctor's statement is required when an application for benefits is received to cover expenses related to the fisherman's fifth injury or illness for the same area of the spine within eight years. The statement is necessary to determine whether it is a new acute injury or illness or if it is a chronic condition, which is not covered.

Dental and Eye. Dentures, glasses or contact lenses lost or broken may be replaced or repaired only when lost or broken in activities directly connected to operations as a fisherman. A claim for dental injury without other bodily damage must be supported by a doctor's report that substantiates the injury's direct connection to operations as a fisherman, or an affidavit may be required.

Carpal Tunnel. No benefits will be allowed for surgery until all other alternative treatment has been explored. If surgery is required after exploring these alternatives, the Council must review the application to see if the need for surgery is caused by the fishing endeavor. If surgery is required, the fisherman must provide in writing, or present to the Council in person, the following:

1. The extent of alternative treatment pursued;
2. A ten-year history of work experience including the number of years commercially fishing and type of fishing;

3. How the injury or illness has affected the ability to fish; and
4. Any other information considered pertinent.

Away from the Boat. An injury or illness occurring away from the boat or fishing site will be covered as long as it is directly connected to operations as a fisherman, such as injuries incurred on a dock while hauling gear to the boat or at home repairing commercial fishing gear.

Transportation. Costs are covered to and from the vessel, fishing or gear repair or storage site to the nearest medical facility where appropriate emergency care can be provided. Additional transportation costs to receive specialized or skilled care unavailable at the nearest approved medical facility must be supported by a written statement from the attending physician which clearly defines the specialized medical skill required and the nearest place where it is available. Approval of additional transportation costs may require consideration of the financial condition of the Fund.

Costs incurred for transportation after discharge from the hospital during period of convalescence may be approved to return the fisherman to the boat, home or another place that reasonably meets with the fisherman's convenience. (AS 23.35.090-100, 8 AAC 055.010 (d) and AS 23.35.080 & 100.)

To Whom are Benefits Paid?

Benefits will be paid only to the medical provider or to the fisherman — to the provider if the bill is outstanding, or to the fisherman if his payment is verified by evidence such as cancelled checks, receipts, or bills or statements from medical providers.

A vessel owner who pays a bill can be reimbursed if the Fishermen's Fund administrator receives evidence in writing that there was a prior agreement that the vessel owner would pay any medical expenses, or would advance payment with an agreement to be reimbursed. The fisherman will be reimbursed instead of the vessel owner if the fisherman submits evidence that the vessel owner deducted these expenses from the fisherman's compensation. However, these reimbursements do

not imply that such an agreement or understanding is in compliance with marine law.

See Appendix C for an example of agreement.

Requesting More Benefits or Time

Except for compelling reasons, benefits for the care of any one person involving a single injury or disability will not be paid beyond one year from the date of initial allowance, and cannot exceed \$2,500.

Requests to exceed the benefit limit or the duration of care must be in writing. They must note the "amount of relief" or additional benefits needed, or the "extent of additional time" required. Compelling reasons justifying the request must be specified. The Council must approve all requests.

Compelling reasons to exceed \$2,500 are not defined in law but must be sufficient to justify the requested benefit or time extension and must include:

- The financial status of the fisherman.
- Impact of injury or illness on the fisherman's ability to earn a living while undergoing required treatment and to continue to earn a living commercial fishing.
- Any other compelling factors that affect the fisherman's ability to pay for related expenses in excess of \$2,500, or that result in conditions that require follow-up treatment beyond one year.

Please remember to note:

How much additional relief or money is needed in excess of what the fisherman can pay and/or the amount of extended time wanted beyond one year.

Appendix A

Alaska Statutes

Title 23

Labor and Workers' Compensation

AS 23.35.010. Creation of Fishermen's Fund Advisory and Appeals Council.

There is within the Department of Labor and Workforce Development a Fishermen's Fund Advisory and Appeals Council.

AS 23.35.020. Appointment and Composition of Council.

The council is composed of the commissioner of labor and workforce development or a person designated by the commissioner and five members appointed by the governor for overlapping five year terms. The governor shall appoint one member from each of the following districts:

District 1: Wrangell and areas south;

District 2: Areas north of Wrangell to include Yakutat;

District 3: Areas west of Yakutat to East Coast of Alaska Peninsula, including Prince William Sound, Cook Inlet, and Kodiak;

District 4: Areas west of Alaska Peninsula to Cape Newenham, including Bristol Bay;

District 5: Areas north of Cape Newenham, including Kuskokwim, Yukon, Kotzebue, and the Arctic.

Sec. 23.35.030. Commissioner or designee as chair.

The commissioner of labor and workforce development or the person designated by the commissioner serves as the chair of the council.

AS 23.35.040. Duties of Commissioner and Council.

The commissioner shall consult with the council before the commissioner makes a negative decision on an appeal filed with the commissioner in relation to the care of a sick and disabled fisherman.

AS 23.35.050. Regulations.

The department may adopt regulations to carry out the purposes of this chapter, including those that are necessary or advisable to protect the fund by limiting or suspending payments from the fund. The regulations must be uniform in application.

AS 23.35.060. Creation and Administration of Fishermen's Fund.

(a) There is created a fund, designated as the "fishermen's fund." The Department of Revenue is the custodian of the fund and the Department of Labor and Workforce Development shall administer it. The fund shall be composed of 39 percent of the money derived by the state from all commercial fishermen's licenses and money appropriated to carry out the purpose of this chapter.

(b) The legislature may appropriate up to 50 percent of the interest income earned by the state on the balance of the fishermen's fund for a grant for statewide marine safety training and education programs.

AS 23.35.070. Benefits.

A fisherman, upon becoming disabled, is entitled to receive benefits as follows: Immediately after the fisherman sustains an injury or disability arising out of an accident directly connected with operations as a fisherman, either ashore in the state or in Alaska water, or suffers an occupational disease, the fisherman is entitled to emergency treatment, transportation to the nearest place where approved medical facilities are available, medical care, and hospitalization. In this section, "Alaska water" means the inland and territorial water of the state and the fishery conservation zone adjacent to the state established by 16 U.S.C. 1811 (sec. 101, Fisheries Conservation and Management Act of 1976).

AS 23.35.080. Emergency Treatment For Cardio-Vascular Diseases.

The department may pay the costs, within the maximum limitations, of emergency treatment, transportation, medical care, and hospitalization, necessitated by a cardio-vascular disease, if the department determines that the disease is attributable, directly or indirectly, to the fishing endeavor.

AS 23.35.090. Assistance After Discharge.

A fisherman is also entitled to such assistance after discharge from the hospital during period of convalescence as the department allows in consideration of the condition of the fund.

AS 23.35.100. Transportation, Hospital, Nursing, Medical, and Surgical Expenses.

The department may pay out of the fund all reasonable transportation charges incurred under AS 23.35.080 and 23.35.090, including cost of returning the fisherman to the boat or home of the fisherman or to another place that reasonably meets with the fisherman's convenience, and the reasonable hospital, nursing, medical, and surgical expense incurred in the examination, treatment, and care of the fisherman.

AS 23.35.110. Contracts For Care.

In carrying out this chapter, the department may enter into contracts or other arrangements with hospitals and doctors in the state for furnishing care on an annual basis to persons entitled to benefits. Contracting under this section is governed by AS 36.30 (State Procurement Code)

AS 23.35.120. Cooperation With Other Agencies.

In providing care the department shall provide the type and quality of treatment that will restore the fisherman to health and productivity, if possible. The department may enter into cooperative arrangements with agencies of the federal government, other states and territories, and private clinics and rehabilitation centers for the care and treatment of fishermen.

AS 23.35.130. Duration of Care.

Except for compelling reasons, compensation may not be paid for the care of any one person involving a single injury or disability beyond a period of one year from the date of initial allowance.

AS 23.35.140. Limitation On Benefits.

(a) Except for compelling reasons:

(1) compensation may not be paid for medical care or hospitalization furnished before the ascertainable time of injury, or before authorization in the case of disability caused by an occupational disease;

(2) the total allowance for any one injury or disablement is \$2,500.

(b) The total allowance for any one heart attack is \$2,500.

AS 23.35.150. Definitions. In this chapter

(1) "approved medical facilities" and "medical care" include the facilities of, or the care and treatment prescribed or performed by, a practitioner of chiropractic licensed by the state under AS 08.20;

(3) "council" means the Fishermen's Fund Advisory and Appeals Council;

(5) "fisherman" means a person who is licensed by the state to engage in commercial fishing under AS 16.05.480 or who is the holder of a permit issued under AS 16.43 and who, at the time injury is sustained or illness is contracted, is actually so engaged or is occupied in Alaska in preparing or dismantling boats or gear used in commercial fishing;

(6) "fund" means the Fishermen's Fund;

(7) "occupational disease" means hernia; varicose veins of the leg; the respiratory diseases, bronchitis, pleurisy, and pneumonia caused by or aggravated by the fishing endeavor, but excluding the common cold and influenza; rheumatism, arthritis, and those musculoskeletal diseases (such as bursitis, traumatic sciatica, and tenosynovitis) directly caused by or aggravated by the fishing endeavor; and does not include a disease not common to both sexes, venereal disease, or a condition arising out of an attempt of a fisherman to injure self or another.

Appendix B

Alaska Administrative Code Chapter 55. Fishermen's Fund

8 AAC 055.010. Benefits.

(a) To be eligible for benefits from the fund, a person must be a fisherman who, at the time an injury is sustained or illness is contracted, is licensed in his own name by the state to engage in commercial fishing under AS 16.05.480 or AS 16.43, and who is actually so engaged in Alaska water or is occupied in the state preparing or dismantling boats or gear used in commercial fishing.

(b) Benefits for respiratory diseases are limited to bronchitis, pleurisy and pneumonia caused by or aggravated by the fishing endeavor.

(c) Unless required as a result of accidental bodily injury caused by the fishing endeavor, benefits may not be awarded for the following items:

- (1) the services of a dentist;
- (2) dental prosthetic appliances or the fitting of them;
- (3) eye refractions and hearing examinations;
- (4) eye glasses and hearing aides or the fitting of them.

(d) Transportation to return a fisherman to his home may be allowed to the extent that the costs are in addition to those which the claimant would normally have encountered had he not been injured.

(e) Compensation from the fund is limited to medical expenses that are not otherwise covered by public or private insurance. The fund may require information regarding insurance coverage, including an insurance benefits statement, and may hold a claim in abeyance pending the receipt of required information. (Eff. 3/28/74, Register 49; am 4/11/81, Register 78; am 7/28/93, Register 127)

Authority:	AS 23.35.050	AS 23.35.100
	AS 23.35.070	AS 23.35.150(6)

8 AAC 055.020. Pleadings.

(a) Proceedings before the council are commenced by filing an application, with the administrator, in writing which consists of the following:

(1) a certificate of eligibility completed by the fisherman on a form prescribed by the administrator; and

(2) a physician's report of injury or illness completed by the attending physician on a form prescribed by the administrator.

(b) A separate application shall be filed for each separate and independent occupational injury or occupational illness for which benefits are claimed.

(c) Benefits may not be awarded unless the following conditions are either met or excused by the council for just cause:

(1) the applicant receives treatment within 60 days after the date of occupational injury or onset of occupational illness and the claim application is submitted within one (1) year after initial treatment;

(2) the applicant responds within 90 days after the date of inquiry to inquiries seeking clarification of any item on an application or of any item on a billing for services performed or goods supplied;

(3) price lists and fee determinations are submitted by the provider of care to the administrator within 30 days after the date requested; and

(4) costs are submitted by the provider of care or fisherman within one (1) year after the date they are incurred.

(d) A petition is a request for an extension of duration of care, waiver of benefit limitations, assistance after discharge from a hospital or additional transportation allowances. Petitions for extension of duration of care or waiver of benefit limitations must cite those reasons the petitioner believes justify granting the relief sought. The council may consider the condition of

the reserve balance of the fund and the petitioner's insurance coverage relating to the claimed injury in determining whether to grant the petition. Petitions for assistance after discharge from the hospital must include the dates during which hospitalization occurred. Petitions for additional transportation allowances may be considered only for the purpose of providing specialized medical skills which are unavailable at the nearest approved medical facility. The petition must include a written statement from the attending physician which clearly defines the specialized medical skill required for the petitioner and the nearest place where it is available.

(e) Petitions under (d) of this section shall be submitted to the council for review and recommendations.

(f) The administrator shall notify, in writing, each petitioner or other party of the council's decision on the petition submitted under (d) of this section. The decision of the council is final.

(g) Each applicant and petitioner is required to promptly inform the administrator of any changes to the applicant's or petitioner's address. (Eff. 3/28/74, Register 49, am 4/11/81, Register 78; am 9/10/98, Register 147)

Authority: AS 23.35.050 AS 23.35.130 AS 23.35.100 AS 23.35.140

8 AAC 055.030. Appeals.

(a) The administrator shall submit a written notice to each fisherman whose application cannot be accepted based on criteria set out in the law and regulations stating the reason why the payment cannot be made.

(b) The council shall review each application which has not been approved for payment by the administrator. Each fisherman who has an application pending before the council shall be notified in writing by the administrator of the time and place of a council session at least 10 days before the session. Each fisherman may submit additional evidence to the council in support of his claim. The evidence may be presented in writing, by personal appearance, or by both methods.

(c) The administrator shall notify, in writing, each fisherman and party with an application before the council of the council's decision on the application.

((d) A fisherman may appeal the decision of the council. The council's decision is final unless appealed to the commissioner within 45 days after mailing of the notice of the council's decision. The appeal must be in writing and must include a description of the relief sought. The commissioner's decision will be based on a consideration of the whole record and will state the facts relied upon. The decision of the commissioner is final. (Eff. 3/28/74, Register 49; am 4/11/81, Register 78; am 9/10/98, Register 147)

Authority: AS 23.35.040 AS 23.35.050

8 AAC 055.035. Right to Subrogation.

If the department pays benefits from the fund, the department, to the extent of the value of the benefits, is subrogated to the rights of the fisherman for a claim against a third party arising from an injury, disability, occupational disease, or cardiovascular disease covered by AS 23.35.010 - 23.35.150 and this chapter and to the proceeds of an insurance policy covering an injury, disability, occupational disease, or cardiovascular disease covered by AS 23.35.010 - 23.35.150 and this chapter. (Eff. 12/26/86, Register 100)

Authority: AS 23.35.050

8 AAC 055.040. Definitions.

In this chapter unless the context requires otherwise

(1) "administrator" means the individual responsible for the administration of the Fishermen's Fund program;

(2) "council" means the Fishermen's Fund Advisory and Appeals Council;

(3) "fund" means the Fishermen's Fund. (Eff. 3/28/74, Register 49)

Authority: AS 23.35.050

Appendix C

Vessel Owner (Employer) – Crewman Agreement Regarding Medical and Related Transportation or Other Expenses

I, _____,
vessel owner or operator of the

TV _____

and _____,

crewman on this vessel, have agreed that any medical or related expenses paid by the said vessel owner or operator are not business expenses of the vessel and were paid as a loan to the said crewman or paid directly to the provider of the services. If a loan, these expenses have been or will be deducted from the crewman's share or be paid. Further, any expenses eligible for reimbursement by the Alaska Commercial Fishermen's Fund that have been paid by the vessel owner are authorized by the said crewman to be paid directly to the said vessel owner or operator.

Crewman Signature

Date

Vessel Owner Signature

Date

Vessel Owner SS/TAX I.D. #

Vessel Owner Address/Phone #



Alaska Commercial Fishermen's Fund

Alaska Department of Labor and Workforce Development
P.O. Box 21149
Juneau, Alaska 99802-1149



Fishermen's Fund

FISHERMAN'S REPORT OF INJURY/ILLNESS

TOLL FREE: 1-888-520-2766
TELEPHONE: (907) 465-2766
FAX: (907) 465-2797
Email: FishFund@labor.state.ak.us
http://www.labor.state.ak.us/wc/ffund.htm

Upon completion, **MAIL IMMEDIATELY** with the Physician's Report of Injury/Illness on the reverse side.

You must file within one year of first treatment, complete every item below, and submit copy of license/gear card.

1. NAME (Last, First, Middle Initial)		2. SEX ☐ M ☐ F	3. DATE OF BIRTH	4. SOCIAL SECURITY NUMBER (Optional)
5. STREET OR BOX NUMBER		6. HOME TELEPHONE ()		7. NAME OF VESSEL
8. CITY	STATE	ZIP CODE		
10. COMMERCIAL FISHING LICENSE OR PERMIT NUMBER Date Purchased _____ MUST ATTACH COPY		11. DATE AND TIME OF INJURY OR ONSET OF ILLNESS DATE: _____ TIME: _____ ☐ AM ☐ PM		
12. IS THE VESSEL/SITE INSURED BY PROTECTION & INDEMNITY (P&I) INSURANCE? ☐ NO ☐ DON'T KNOW ☐ YES If yes, deductible amount is: \$ _____ INSURANCE CARRIER: _____ HAS A CLAIM BEEN FILED? ☐ NO ☐ YES				
13. AT THE TIME OF YOUR INJURY/ILLNESS WERE YOU INSURED BY ANY PERSONAL, GROUP MEDICAL OR PUBLIC (Medicare, V.A. or Indian Health Svc., etc.) INSURANCE? BENEFITS CAN'T BE PAID UNLESS ANSWERED. ☐ NO ☐ YES, AND Name of Ins. Co./Public Program: _____				
14. STATE INJURY/ILLNESS AND NOTE IN DETAIL WHAT, WHERE AND HOW INJURY/ILLNESS OCCURRED; AND HOW DIRECTLY CONNECTED WITH COMMERCIAL FISHING				
15. GEOGRAPHIC LOCATION, NEAREST LANDMARK, LAT. & LONG., ETC. BE SPECIFIC			16. ILL/INJURED WHILE: ☐ Commercial Fishing ☐ Working on Gear/Boat ☐ Other: _____	
17. WAS THERE A WITNESS? ☐ NO ☐ YES If Yes, Name: _____ Tel. Number: () _____ Address: _____				

18. Check one Fishery Resource category AND one Gear Type category below for license/permit in effect at time of injury/illness.

Fishery Resource

- | | |
|--|--------------------------------------|
| (C) ☐ Black Cod | (P) ☐ Shrimp |
| (M) ☐ Bottomfish | (U) ☐ Urchin |
| (D) ☐ Crab, Dungeness | ☐ Other _____ |
| (K) ☐ Crab, King | |
| (T) ☐ Crab, Tanner | |
| (B) ☐ Halibut | |
| (G) ☐ Herring, roe | |
| (L) ☐ Herring, spawn | |
| (Y) ☐ Rockfish | |
| (S) ☐ Salmon | |
| (Q) ☐ Sea Cucumber | |

Gear Type

- | | |
|---|---|
| (02) ☐ Beach Seine | (21) ☐ Pound |
| (12) ☐ Dive, Hand pick | (31) ☐ Purse/Gill combo |
| (03) ☐ Drift Gill Net | (01) ☐ Purse Seine |
| (26) ☐ Jig | (10) ☐ Ring |
| (06) ☐ Long Line (under 5 tons) | (04) ☐ Set Gill Net |
| (61) ☐ Long Line (5 tons or over) | (88) ☐ Tendering (no gear) |
| (34) ☐ Net, Herring | (05) ☐ Troll, Hand |
| (09) ☐ Pot Gear (undocumented
or register length to 50 ft.) | (15) ☐ Troll, Power |
| (91) ☐ Pot Gear (register length
over 50 ft.) | (17) ☐ Trawl, Beam |
| | (07) ☐ Trawl, Otter |
| | (99) ☐ Other _____ |

CERTIFICATE

19. I swear all the above is true and certify under penalty of perjury, that I _____, have been engaged as a commercial fisherman in the State of Alaska; that while so engaged on _____ at _____ I suffered an injury or illness directly connected with my operations as a commercial fisherman; that on the above date I possessed a current valid commercial fishing license/permit issued by the State of Alaska in my name; that I believe I am entitled to benefits from the Fishermen's Fund and understand that if I or my representative files suit to recover damages from a third person I will insure the damages sought include the full value of benefits paid from the Fund and upon recovery of any damages I shall promptly pay to the Fund the total benefits that have been paid from the Fund without any deductions for litigation expenses or costs.

Release of Medical Information:

I authorize any licensed physician, hospital, laboratory or health care provider of any kind to release to the Alaska Commercial Fishermen's Fund any medical information concerning my injury/illness, or the injury/illness of the person named above for whom I have legal authority to make authorizations.

Signature _____ (Do Not Print) DATE _____
Month Day Year

Alaska Mailing Address _____

Permanent Mailing Address _____

Fisherman must promptly inform of any address changes

**Excerpts from Alaska Fishermen's Fund law appear on reverse side.
Refer to Alaska Fishermen's Fund booklet for further information.**

Fishermen's Fund

PHYSICIAN'S REPORT OF INJURY/ILLNESS

UPON COMPLETION MAIL IMMEDIATELY WITH THE FISHERMAN'S REPORT OF INJURY/ILLNESS
ON THE REVERSE SIDE

ALL ITEMS BELOW MUST BE ANSWERED (8 AAC 55.020(a)(2)) AND COMMENTS PROVIDED!

1. DATE(S) OF TREATMENT	2. FULLY DESCRIBE NATURE AND EXTENT OF INJURY/ILLNESS, AND STATE YOUR OBJECTIVE FINDINGS OR STATE, "SEE ATTACHED CHART NOTES," AND RESPOND TO ITEMS 5-14 BELOW		
3. DIAGNOSIS ☐ LEFT ☐ RIGHT			
4. DESCRIBE TREATMENT GIVEN BY YOU			
5. WAS PATIENT "INITIALLY" TREATED BY ANYONE ELSE FOR THIS INJURY/ILLNESS? ☐ NO ☐ DON'T KNOW ☐ YES IF YES, BY WHOM: _____ HOSPITAL: _____			
6. a. WAS INJURY/ILLNESS "DIRECTLY CONNECTED" WITH COMMERCIAL FISHING OPERATIONS? ☐ YES ☐ MORE LIKELY THAN NOT ☐ DON'T KNOW ☐ NO b. WERE ALCOHOL, DRUGS, FIGHTING OR HORSEPLAY INVOLVED? ☐ YES ☐ NO c. WAS INJURY/ILLNESS IN THIS REPORT CONNECTED TO A PRE-EXISTING CONDITION OR ANY OTHER CAUSE? ☐ YES ☐ MORE LIKELY THAN NOT ☐ DON'T KNOW ☐ NO STATE CAUSE(S): _____			
COMMENTS:			
7. WAS INJURY/ILLNESS IN THIS REPORT THE ONLY CAUSE OF THE PATIENT'S CONDITION? ☐ YES ☐ NO ☐ DON'T KNOW IF NO, STATE CAUSE(S): _____			
8. TREATED AT HOSPITAL? ☐ NO ☐ YES NAME AND ADDRESS _____		9. ☐ OUTPATIENT ☐ INPATIENT ADMIS. DATE: _____ DISCH. DATE: _____	
10. ARE ALL TREATMENTS & EVALUATIONS RELATED TO THIS ILLNESS/INJURY EXPECTED TO EXCEED \$2,500? ☐ NO ☐ YES COMMENT: _____			
11. I AM A DULY LICENSED MEDICAL PROVIDER IN THE STATE OF _____	12. SIGNATURE (SIGN OR USE INK STAMP)		13. DATE OF THIS REPORT
14. PLEASE PRINT LICENSED MEDICAL PROVIDER NAME OR USE INK STAMP OF NAME, FACILITY NAME, ADDRESS (ZIP CODE + 4)			PHONE NUMBER

Alaska Statutes 23.35.010-150

Alaska Commercial Fishermen's Fund

Excerpts:

Sec. 23.35.070. Benefits. A fisherman, upon becoming disabled, is entitled to receive benefits as follows: Immediately after the fisherman sustains an injury or disability arising out of an accident directly connected with operations as a fisherman, either ashore in the state or in Alaska water, or suffers an occupational disease, the fisherman is entitled to emergency treatment, transportation to the nearest place where approved medical facilities are available, medical care and hospitalization. As used in this section, "Alaska water" means the inland and territorial water of the state and the fishery conservation zone adjacent of the state established by 16 U.S.C. 1811 sec. 101 of the Fisheries Conservation and Management Act of 1976 (Section 5 ch. 100 SLA 1951; am Section 2 ch. 99 SLA 1955; am Section 1 ch. 59 SLA 1957; am Section 1 ch. 15 SLA 1979).

Section 23.35.140. Limitation on Benefits. (a) Except for compelling reasons,

(1) compensation may not be paid for medical care or hospitalization furnished before the ascertainable time of injury, or before authorization in the case of disability caused by an occupational disease;

(2) the total allowance for any one injury or disablement is \$2,500

(b) The total allowance for any one heart attack is \$2,500.

NOTE: MORE THAN \$2,500 MAY BE APPROVED IF SUPPORTED BY COMPELLING REASONS.

Section 23.35.150. Definitions. In this chapter

(5) "fisherman" means a person who is licensed by the state to engage in commercial fishing under AS 16.05.480 or who is the holder of a permit issued under AS 16.43 and who, at the time injury is sustained or illness is contracted, is actually so engaged or is occupied in Alaska in preparing or dismantling boats or gear used in commercial fishing;

(7) "occupational disease" means hernia; varicose veins of the leg; the respiratory diseases, bronchitis, pleurisy, and pneumonia caused by or aggravated by the fishing endeavor, but excluding the common cold and influenza; rheumatism, arthritis and those musculoskeletal diseases (such as bursitis, traumatic sciatica, and tenosynovitis) directly caused by or aggravated by the fishing endeavor; and does not include a disease not common to both sexes, venereal disease, or a condition arising out of an attempt of a fisherman to injure himself or another.

8 Alaska Adm. Code 55.010 limits compensation to medical expenses that are not otherwise covered by public or private insurance

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Fishermen's Fund Overview

K. Renee Cox
Administrator

Description

- **Established in 1951, the Fishermen's Fund provides for the treatment and care of Alaska licensed commercial fishermen who have been injured while fishing in Alaska.**
- **Benefits from the Fund are financed from revenue received from each resident and nonresident commercial fisherman's license and permit fees.**

Structure of Fishermen's Fund

- **Fishermen's Fund Advisory & Appeals Council - (5 members)** Review questioned claims; consider extensions of benefits and time; advise on policy.
- **Administrator - Oversees the day to day operations; budget; trouble shoots claims; awareness program; sets policy.**
- **Workforce Development (WFD) (2)**
Procurement (1)
phone

Advisory & Appeals Council

- **Russell Cockrum, District 1**
 - Wrangell and areas south
- **Tim Grussendorf, District 2**
 - Areas north of Wrangell to include Yakutat
- **James Herbert, District 3**
 - Cook Inlet, and Kodiak
- **Edwin w. Anderson, District 4**
 - Cape Newenham, including Bristol Bay
- **Paul W. Anderson, District 5**
 - Kuskokwim

Administrator and Staff

- **K. Renee Cox, Administrator**
- **Jean Henkins, Workers' Compensation Tech.**
- **Debi Eagle Raynor, Workers' Compensation Tech.**

Goals

- **To effectively serve injured commercial fishermen**
- **To process claims fast and efficiently**
- **To pay providers in a timely fashion**