

**HB**

**143**

<target><bill>HB 143</bill><subject>HB  
143</subject><comm>HFSH26</comm></target>



**Sponsor**

**Statement**

## CSHB143(FSH): No Repeal of Sport Fish Guide Licensing

### SPONSOR'S INTENT

CSHB 143 (FSH) will ensure the continuation of Alaska's sport fish guide licensing and reporting program, which has proven beneficial to both the sport fishing industry and resource managers. Also, the amended license fee schedule included in the legislation will generate funding for the program to pay for itself.

Legislation authorizing the program was passed in 2004 for a number of purposes. The Department of Fish & Game sought more comprehensive and credible information on guide numbers and guiding activities. The Department also wanted to create basic standards for sport fish business operators and guides, including minimum liability insurance coverage, first aid certification, and in some cases U.S. Coast Guard vessel licensing.

Many stakeholders who were initially skeptical of these measures now acknowledge their role in advancing the guiding profession. This increased level of professionalism has helped raise the standing of the sport fish industry across the state.

Many also agree that data collected through the program is an important tool in ADF&G's mission to develop and sustain healthy sport fisheries. The data is of great value not only to the Department's fisheries biologists but also to the Alaska Board of Fisheries, the International Pacific Halibut Commission, and the North Pacific Fishery Management Council.

Sport fish guide licensing also releases Alaska from the recently instituted National Saltwater Angler Registry. NOAA exempts states from this federal registry and data collection system if they have programs in place to provide angler information. Sport fishers would otherwise be required by 2011 to purchase a certificate of registration for \$15 to \$25.

Passing CSHB 143 (FSH) will permit the Department of Fish & Game to continue to foster high standards in Alaska's sport fishing industry. It will also enable the Department to carry on collecting important data for management decisions to benefit both fisheries resources and their stakeholders. And it will increase license revenues to a level that will allow the program to operate without need of a funding subsidy.

# \_\_\_\_\_

**AMENDMENT**

OFFERED IN THE HOUSE SPECIAL COMMITTEE ON  
FISHERIES

To: CSHB143(FSH)

by Rep. Edgmon

Page 1, Line 8 :

Delete: "**130**"

and replace with: "**200**"

Page 1, Line 9:

Delete: "**70**"

and replace with: "**75**"

Page 1, Line 11:

Delete: "**130**"

and replace with: "**200**"

**CS FOR HOUSE BILL NO. 143(FSH)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES**

**Offered:  
Referred:**

**Sponsor(s): HOUSE SPECIAL COMMITTEE ON FISHERIES**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act increasing licensing fees for sport fishing operators and sport fishing guides;**  
2 **repealing the termination of licensing and regulation of sport fishing operators and**  
3 **sport fishing guides and licensing and registration of sport fishing vessels; and providing**  
4 **for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **\* Section 1.** AS 16.05.340(a)(26) is amended to read:

7 (26) Fishing services licenses

8 (A) Sport fishing operator license ..... **130** [100]

9 (B) Sport fishing guide license ..... **70** [50]

10 (C) Sport fishing operator and sport fishing guide combined  
11 license ..... **130** [100].

12 **\* Sec. 2.** Section 8, ch. 70, SLA 2004, is repealed.

13 **\* Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB143  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): HB143-DFG-SFD-02-27-09 Dept. Affected: ADF&G  
Title An act repealing the termination of the sport fish operator/guide/vessel program RDU Sport Fisheries  
Component Sport Fisheries  
Sponsor House Fisheries  
Requester House Fisheries Component Number 464

## Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>							
Personal Services		344.5	344.5	344.5	344.5	344.5	344.5
Travel		10.0	10.0	10.0	10.0	10.0	10.0
Contractual		100.7	100.7	100.7	100.7	100.7	100.7
Supplies		7.0	7.0	7.0	7.0	7.0	7.0
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>

<b>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES ( )</b>							
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FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1024 Fish/Game		462.2	462.2	462.2	462.2	462.2	462.2
<b>TOTAL</b>	<b>0.0</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>	<b>462.2</b>

Estimate of any current year (FY2009) cost: 0.0

### POSITIONS

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)  
The division has budgeted \$462.2 in the FY10 Governor's budget to administer the Sport Fish operator/guide/vessel program. The program generates estimated Fish & Game Fund revenues of \$256.0, with the balance covered by other Fish & Game Funds.

Prepared by: Charles O. Swanton, Director Phone 465-6184  
Division Sport Fisheries Date/Time 2/27/09, 8:00 am  
Approved by: Tom Lawson, Director Date 2/27/2009  
Administrative Services

**Brief for HB 143: NO REPEAL SPORT FISH GUIDE LICENSE  
(Reauthorization of Sport Fish-Guide Licensing Legislation)  
March 10, 2009**

**Alaska Department of Fish and Game Contacts:**

Charlie Swanton- [Charles.Swanton@alaska.gov](mailto:Charles.Swanton@alaska.gov); phone: 465-6184 or 321-0955  
Jennifer Yuhas- [Jennifer.Yuhas@alaska.gov](mailto:Jennifer.Yuhas@alaska.gov); phone: 465-6137 or 388-7951.

**Background:**

- Original legislation passed in May, 2004; effective January 1, 2005.
- Proposed by the Department for three main reasons:
  1. Information on guide numbers and their fishing activities was either not available or limited in many parts of the state;
  2. Establish minimum standards to operate a business or contract as a guide (safety, liability insurance, US Coast Guard license, etc.) as a means to increase professionalism and reduce speculative entry; and
  3. Provide comprehensive and credible data on guided sport fishing activities to regulatory agencies: Alaska Board of Fisheries (BOF), International Pacific Halibut Commission (IPHC), and North Pacific Fisheries Management Council (NPFMC).

**Legislation:**

**Sec.16.40.260** Sport fishing operator license;

**Sec.16.40.270** Sport fishing guide license;

**Sec.16.40.280** Reports;

**Sec.16.40.290** Penalties for violations.

These legislative sections include licensing provisions and fees (AS. 16.05.340(a)) for sport fishing business owners (\$100), sport fishing guides working for the business (\$50), and business owners who are also a guide (owner/operator combo \$100). The mandatory reporting requirements, logbooks, are for both fresh and saltwater guide activities (freshwater logbooks were instituted in 2005). The penalties for sport fish guiding violations by business owners and guides include possible revocation of their license.

**Companion Regulations:**

**5 AAC 75.075** Sport fishing services and sport fishing guide services: license requirements; regulation of activities.

**5 AAC 75.076.** Sport fishing services and sport fishing guides reporting requirements.

**5 AAC 75.077.** Sport fishing guide vessel registration requirements.

### **Present Benefits and Utility**

- A comprehensive list of all sport fishing guides working in salt water is part of the data requirements that will allow Alaska to receive an exemption from participating in the National Saltwater Angler Registry (up to \$25/saltwater angler in 2011).
- The logbook data for saltwater anglers has been used extensively within the IPHC and NPFMC for rule making on Pacific Halibut.
- Both freshwater and saltwater logbook harvest data has been presented and utilized by the Alaska Board of Fisheries. Harvest estimate verification studies are being conducted comparing logbook, statewide sport fish harvest survey, and dock side creel programs.

### **Participation Statistics**

- An average of **1,670 sport fishing business licenses** (including owner/operator combo) have been sold (2005-2008); 90% of owners are Alaskan residents.
- An average of **1,981 sport fishing guide licenses** have been sold (2005-2008); 73% of guides are Alaskan residents.
- Based on logbook data, over **1.8 million clients took 453, 611 guided fishing trips** (from 2005 through 2008); 67% of clients fished in saltwater, 33% fished in freshwater and 88% of all clients were nonresidents.
- An average of **2,061 vessels in freshwater and 1,628 vessels in saltwater** were used for guided fishing trips (2005-2008).

### **Electronic Reporting (Modernization initiative)**

- One of Commissioner Lloyd's initiatives is modernization and timelier reporting of recreational harvest data. We are actively working on this task:
  - On July 1, 2009 the point of sale hunting and fishing licensing program will tentatively be launched- this is the first phase of modernization.
  - By October 30, 2009 we will have identified the critical components necessary for electronic logbook reporting.
  - December 31, 2009 we will have completed and published a report on comparison of the 2006-2008 logbook data to statewide harvest survey data regarding harvest estimate precision.

## **Brief for Reauthorization of Guide Licensing Legislation February 14, 2009**

### **Background:**

- Original legislation passed in May, 2004; effective January 1, 2005.
- Proposed by the Department for three main reasons:
  1. Information on guide numbers and their fishing activities was either not available or limited in many parts of the state;
  2. Establish minimum standards to operate a business or contract as a guide (safety, liability insurance, US Coast Guard license, etc.) as a means to increase professionalism and reduce speculative entry; and
  3. Provide comprehensive and credible data on guided sport fishing activities to regulatory agencies: Alaska Board of Fisheries (BOF), International Pacific Halibut Commission (IPHC), and North Pacific Fisheries Management Council (NPFMC).

### **Legislation:**

**Sec.16.40.260** Sport fishing operator license;  
**Sec.16.40.270** Sport fishing guide license;  
**Sec.16.40.280** Reports;  
**Sec.16.40.290** Penalties for violations.

These legislative sections include licensing provisions and fees (AS. 16.05.340(a)) for sport fishing business owners (\$100), sport fishing guides working for the business (\$50), and business owners who are also a guide (owner/operator combo \$100). The mandatory reporting requirements, logbooks, are for both fresh and saltwater guide activities (freshwater logbooks were instituted in 2005). The penalties for sport fish guiding violations by business owners and guides include possible revocation of their license.

### **Companion Regulations:**

**5 AAC 75.075** Sport fishing services and sport fishing guide services; license requirements; regulation of activities.

**5 AAC 75.076.** Sport fishing services and sport fishing guides reporting requirements.

**5 AAC 75.077.** Sport fishing guide vessel registration requirements.

## Present Benefits and Utility

- A comprehensive list of all sport fishing guides working in salt water is part of the data requirements that will allow Alaska to receive an exemption from participating in the National Saltwater Angler Registry (up to \$25/saltwater angler in 2011).
- The logbook data for saltwater anglers has been used extensively within the IPHC and NPFMC for rule making on Pacific Halibut.
- Both freshwater and saltwater logbook harvest data has been presented to the Alaska Board of Fisheries. Verification studies are being conducted with the statewide sport fish harvest survey and dock side creel programs.

## Participation Statistics

- An average of **1,670 sport fishing business licenses** (including owner/operator combo) have been sold (2005-2008); 90% of owners are Alaskan residents.
- An average of **3,448 sport fishing guide licenses** have been sold (2005-2008); 73% of guides are Alaskan residents.
- Based on logbook data, over **1.8 million clients took 453,611 guided fishing trips** from 2005 through 2008; 67% of clients fished in saltwater, 33% fished in freshwater and 88% of all clients were nonresidents.
- An average of **2,061 vessels in freshwater and 1,628 vessels in saltwater** were used for guided fishing trips (2005-2008).

## Fee Collection and Program funding

Licensing fees were established legislatively to cover the costs of administering the licensing, logbook, and vessel registration programs.

## Guide License Revenue & Expenditures

Fiscal Year	Status	Revenue	Expenditures	Shortage
FY05	Actual	\$200.2	\$179.3	\$20.9
FY06	Actual	\$256.6	\$386.6	(\$130.0)
FY07	Actual	\$263.9	\$454.1	(\$190.2)
FY08	Actual	\$250.9	\$393.1	(\$142.2)
FY09	Projection	\$253.5	\$450.2	(\$196.7)
FY10	Projection	\$256.0	\$462.2	(\$206.2)

COVERED  
w/ FISH  
FUNDS;  
LICENSE FEES  
"MOST UNRESTRICTED  
FUNDING"

- The original licensing fees were based on a six year average of the number of sport fishing businesses and sport fishing guides that had registered free of charge from 1998-2003; assumed that numbers would increase 1% each year FY06-FY10.
  - In 2005 the number of sport fishing businesses that bought a license declined by 21% (440) from the number that registered for free in 2004; the number of sport fishing guides that bought a license declined by 35% (1,769) from the number that registered for free in 2004.
  
- The FY10 license/logbook program projected costs are ~\$462,200 and estimated license revenues are \$256.0, a deficit of \$206.2
  - The 2007-2008 average number of Owner/Operator licenses sold was 1,677 and Guide licenses sold 3,526.
  - The fees would need to be increased from \$100 to \$130 for Owner/Operators and \$50 to \$70 for Guides for the program to pay for itself without subsidy.

**Alaska Department of Fish and Game Contacts:**

Charlie Swanton- [Charles.Swanton@alaska.gov](mailto:Charles.Swanton@alaska.gov); phone: 465-6184 or 321-0955

Jennifer Yuhas- [Jennifer.Yuhas@alaska.gov](mailto:Jennifer.Yuhas@alaska.gov); phone: 465-6137 or 388-7951.

**Timothy Clark**

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**From:** Yuhas, Jennifer S (DFG) [jennifer.yuhas@alaska.gov]  
**Sent:** Monday, February 23, 2009 3:32 PM  
**To:** Timothy Clark  
**Subject:** points and a question

What is the teleconference #?  
I used to have it under my keyboard, but I moved jobs =)

*Jennifer Yuhas*

*Communications & Legislative Director,  
Alaska Department of Fish & Game  
(907) 465-6137 Juneau  
(907) 388-7951 Mobile*

## **Pieces for Sport Fish Guide Licensing Sunset Repeal Sponsor Statement:**

### **Background:**

- Original legislation passed in May, 2004; effective January 1, 2005.
- Proposed by the Department for three main reasons:
  1. To generate better information on guide numbers and their fishing activities
  2. To Establish minimum standards to operate a business or contract as a guide (safety, liability insurance, US Coast Guard license, etc.) as a means to increase professionalism and reduce speculative entry; and
  3. To provide comprehensive and credible data on guided sport fishing activities to regulatory agencies: *Alaska Board of Fisheries (BOF)*, *International Pacific Halibut Commission (IPHC)*, and *North Pacific Fisheries Management Council (NPFMC)*.

**\*Sunset Repeal now enjoys support of groups who opposed original legislation. Professional guides associations support advancing the profession through licensing.**

### **Failing to renew the program means the following benefits will be lost:**

- A comprehensive list of all sport fishing guides working in salt water is part of the data requirements / **Alaska to receive an exemption from participating in the National Saltwater Angler Registry** (up to \$25/saltwater angler in 2011).
- The logbook data for saltwater anglers - used extensively within the IPHC and NPFMC for **rule making on Pacific Halibut**.
- Both freshwater and saltwater **logbook harvest data has been presented to the Alaska Board of Fisheries**. Verification studies are being conducted with the statewide sport fish harvest survey and dock side creel programs. Data is currently collected in the harvest year and analyzed following the close of harvest. Both managers and users would like to streamline current procedures in the future.
- Without reauthorization of this program valuable **data necessary for future management decisions will be lost**.

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## **Regulations Pertaining to the Sport Fishing Guide Licensing and Reporting Program**

### **5 AAC 75.075. Sport fishing services and sport fishing guide services; license requirements; regulation of activities**

Statute text

(a) An owner of a business intending to conduct sport fishing services shall obtain a current annual sport fishing operator license from the department before the business conducts sport fishing services. To meet the licensing requirements of AS 16.40.260 and this section, the owner shall complete and submit, along with the applicable fee prescribed in AS 16.05.340(a), a sport fishing operator license application form provided by the department. The following information regarding the business conducting the sport fishing service must be provided on the sport fishing operator license application form:

- (1) the name, permanent residence address, local residence address, and mailing address of the owner;
  
  - (2) the name of the business;
  
  - (3) the Alaska business license number, issued under 12 AAC 12, and expiration date of the business license;
  
  - (4) the business' insurance policy number, with the company name and expiration date, of the policy that meets the insurance requirements specified in AS 16.40.260;
  
  - (5) the areas in which the fishing services will be provided;
  
  - (6) any other information required by the department on the license application form to verify that the applicant meets the requirements of AS 16.40.260.
- (b) Before providing sport fishing guide services, and applicant shall complete and submit, along with the applicable fee prescribe in AS 16.05.340(a), a current annual sport fishing guide license form provided by the department. The following information regarding the applicant must be provided on the sport fishing guide license form:

- (1) the name, permanent residence address, and mailing address of the applicant;
- (2) a declaration of citizenship;
- (3) first aid card information;
- (4) current Alaska sport fishing license number;
- (5) if operating a vessel, the current United States Coast Guard license information;
- (6) any other information required by the department on the license application form to verify that the applicant meets the requirements of AS 16.40.270.

(c) While engaged in providing sport fishing guide services, a sport fishing guide shall have readily available for inspection and shall display upon request of a local representative of the department or a peace officer of the state, and while on salt water or navigable fresh water within six hours after being on salt water a law enforcement representative of the National Marine Fisheries Service or a representative of the United States Coast Guard, the following:

- (1) the sport fishing guide's current
  - (A) sport fishing guide license; and
  - (B) applicable logbooks as required in 5 AAC 75.076(c);
- (2) a copy of the current sport fishing operator license of the sport fishing guide's employer, or, if the sport fishing guide is also a sport fishing operator, the guide's current sport fishing operator license;
- (3) current sport fishing licenses, tags, stamps, or permits that are required to engage in the sport fishery for which the sport fishing guide services are provided;

(4) an identification card issued to the sport fishing guide by a state or federal agency that bears a photograph of the sport fishing guide;

(5) if on a vessel that provides sport fishing guide services in salt water, the sport fishing license and harvest record of each client on board the vessel.

#### History

History: Eff. 4/18/86, Register 98; am 5/13/95, Register 134; am 4/23/98, Register 146; am 5/19/98, Register 146; am 2/10/2005, Register 173; am 1/1/2008, Register 184

#### Annotations

Authority: AS 16.05.251

AS 16.40.260

AS 16.40.270

AS 16.40.280

Editor's note: The forms specified in 5 AAC 75.075 are available at any Division of Sport Fish regional office of the Department of Fish and Game.

### **5 AAC 75.076. Sport fishing services and sport fishing guides reporting requirements**

#### Statute text

(a) A sport fishing guide shall obtain and complete a

(1) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2008 Saltwater Charter Logbook and Vessel Registration, adopted by reference, if operating in salt waters;

(2) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2008 Freshwater Sport Fish Guide Logbook and Vessel Registration, adopted by reference, if operating in fresh waters.

(b) A logbook requires information necessary for the management and conservation of fishery resources or the regulation of the guided sport fishing industry, including

(1) the division of motor vehicles boat registration number, issued under 2 AAC 70, or United States Coast Guard documentation number, of the vessels that are used to provide sport fishing guide services in fresh or salt waters;

(2) the locations where the sport fishing guide services were provided;

(3) the effort, catch, and harvest of sport fish by persons who are clients, owners, or employees of a business that conducts sport fishing services or a person who provides sport fishing guide services; and

(4) any other information the department determines is necessary for the management and conservation of the fishery resource or the regulation of the guided sport fishing industry.

(c) A sport fishing guide shall complete a logbook in the manner and at the location specified in the logbook and present the guide's logbook for inspection upon request from a

(1) local representative of the department;

(2) peace officer of the state; and

(3) law enforcement representative of the National Marine Fisheries Service or a representative of the United States Coast Guard while on salt water or navigable fresh water within six hours after being on salt water.

(d) A person may not make a false entry in the logbook required in (a) of this section.

(e) The holder of a sport fishing operator license issued under AS 16.40.260 and 5 AAC 75.075 is responsible for reporting logbook information and returning the completed logbook of each sport fishing guide it employs to the department in the manner and time frame specified in the logbook.

#### History

History: Eff. 5/19/98, Register 146; am 9/23/98, Register 147; am 5/15/99, Register 150; am 4/16/2000, Register 154; am 5/20/2000, Register 154; am 3/11/2001, Register 157; am 4/5/2002, Register 162; am 2/28/2003, Register 165; am 3/25/2004, Register 169; am 2/10/2005, Register 173; am 5/19/2005, Register 174; am 5/26/2006, Register 178; am 8/12/2007, Register 183; am 1/1/2008, Register 184; am 4/25/2008, Register 186

#### Annotations

Authority: AS 16.05.251  
AS 16.40.280

Editor's note: The logbooks adopted by reference in 5 AAC 75.076(a) are available from Department of Fish and Game offices in Anchorage, Soldotna, Palmer, Ketchikan, Sitka, and Douglas, or by writing to the Alaska Department of Fish and Game, Division of Sport Fish, P.O. Box 115526, Juneau, AK 99811-5526. In addition, the logbooks are available for inspection at the Lieutenant Governor's Office, Juneau, Alaska.

### **5 AAC 75.077. Sport fishing guide vessel registration requirements**

Statute text

(a) Before being used to provide sport fishing guide services, a vessel must be registered annually with the department. A currently licensed sport fish business owner, or the owner's authorized agent, shall register each individual vessel operated by the business to provide sport fishing guide services by completing a form provided by the department. At the time of registration, the business owner, or the owner's authorized agent, must provide the current division of motor vehicles boat registration number, issued under 2 AAC 70, or the current United States Coast Guard vessel documentation number of each vessel being registered.

(b) A person may not engage in sport fishing guide services from a powered or unpowered vessel unless the vessel is registered under (a) of this section and displays a sport fishing guide vessel decal with a current annual sticker issued by the department as follows:

(1) upon initial registration of a vessel, two sport fishing guide vessel decals will be issued by the department for that vessel; one decal must be securely affixed on each side of the vessel and must be displayed in plain view at all times the vessel is engaged in sport fishing guide services;

(2) for the years following the year of initial registration of a vessel, two current year renewal stickers will be issued by the department for that vessel; one current year renewal sticker must be securely affixed on each decal over the previous year renewal sticker and must be displayed in plain view at all times the vessel is engaged in sport fish guide services.

(c) If a decal or current year renewal sticker is lost or damaged, a replacement must be obtained from the department and affixed and displayed as required in this section before engaging in sport fish guide services with the vessel.

(d) A float tube used to provide sport fish guide services is exempt from the registration and decal requirements of this section. For the purposes of this subsection, "float tube" means a tubular floating device designed to support one person in the water and propelled only by power from the arms or legs of the operator.



Contact: Monica Allen  
301-713-2370  
Monica.allen@noaa.gov

**FOR IMMEDIATE RELEASE**  
Dec. 23, 2008

**NOAA to Create Saltwater Angler Registry in 2010**  
*Final rule gives states more time to implement local data gathering*

NOAA's Fisheries Service released its final rule today to create a national saltwater angler registry of all marine recreational fishermen to help the nation better protect our shared marine resources. A requirement to establish a registry was included in a statute approved by Congress in 2007.

"Better national surveys of the nearly 15 million saltwater anglers will help us demonstrate the important contributions of recreational anglers to both local economies and to the nation's," said Jim Balsiger, NOAA acting assistant administrator for NOAA's Fisheries Service. "The registry will help us gather comprehensive data to ensure sustainable fisheries built on the best available science."

The improved quality of recreational fishing data achieved through a national saltwater angler registry will help demonstrate the economic value of saltwater recreational fishing, and will provide a more complete picture of how recreational fishing is affecting fish stocks. This kind of information is essential to NOAA's goal to end overfishing as required under the Magnuson-Stevens Fishery Conservation and Management Act. All recreational anglers who fish in federal waters will be required to participate, with some exemptions for those already registered in their states.

The registry is the product of a major recommendation to NOAA in a 2006 independent scientific review by the National Research Council of the National Academy of Sciences. The NRC found that NOAA needed a comprehensive list of everyone who fishes recreationally in marine waters to improve surveys of saltwater anglers used to help manage and rebuild fish stocks. The NRC recommendation became law in 2007 with the reauthorization of the Magnuson-Stevens Act, the primary federal law that enables NOAA to manage ocean fish stocks.

The final rule requires anglers and spearfishers who fish recreationally in federal ocean waters to be included in the national saltwater angler registry by Jan. 1, 2010.

Beginning January 2009, NOAA will exempt anglers from the federal registration rule if they are licensed in states that have a system to provide complete information on their saltwater anglers to the national registry.

"NOAA wants to work closely with the states and anglers to better capture the contributions and effects of sportfishing," said Balsiger. "We expect that this additional year will allow a number of states to put in place systems to register their anglers annually and provide this information to NOAA."

NOAA had originally proposed that registration be required beginning Jan. 1, 2009, but based on public input decided to give states another year to put in place their own data collection systems.

If anglers are not licensed or registered by a state that has been exempted and want to fish in federal waters, they will be required to register with NOAA. They must also register if they fish in tidal waters for migratory fish such as striped bass and salmon that spawn in rivers and spend their adult lives in estuaries and oceans. However, those who fish recreationally for these migratory species inland of tidal waters need not register, according to the final rule.

Federal saltwater angler registrations will include an angler's name, date of birth, address, telephone number, and the regions where they intend to fish. This information will be used by NOAA to conduct surveys on fishing effort and amounts of fish caught. Once anglers have registered, they may fish anywhere in U.S. federal waters, or in tidal waters for anadromous species, regardless of the region or regions they specified in their registration. The registration will be valid for one year from its date of issue. Anglers must comply with applicable state licensing requirements when fishing in state waters.

Saltwater anglers will be able to register online or by calling a toll-free telephone number that will be publicized, and will receive a registration certificate. Anglers will need to carry this certificate (or their state license from an exempt state) and produce it to an authorized enforcement officer if requested. No fee will be charged in 2010. An estimated fee of \$15 to \$25 per angler will be charged starting in 2011.

Anglers who fish only on licensed party, charter, or guide boats would not be required to register with NOAA since these vessels are surveyed separately from angler surveys. Those who hold angler permits to fish for highly migratory species, such as tunas or swordfish, and those fishing under commercial fishing licenses will also be exempt. Anglers registered or permitted to fish in a formal state or federal subsistence fishery will also be exempt, as will anglers under 16.

NOAA received nearly 500 comments from anglers, state officials, and fishing and environmental organizations on its proposed national registry rule during the comment period from June 12 until Aug. 21. The registry is one component of the agency's new Marine Recreational Information Program, an initiative to enhance data collection on recreational catch and effort.

To read the final registry rule and other information about the Marine Recreational Information Program, go to: <http://www.countryfish.noaa.gov>

NOAA understands and predicts changes in the Earth's environment, from the depths of the ocean to the surface of the sun, and conserves and manages our coastal and marine resources. Visit <http://www.noaa.gov>.

On the Web:

NOAA's Fisheries Service: <http://www.nmfs.noaa.gov>

- 30 -

Wednesday, December 31, 2008

Story last updated at 12/31/2008 - 11:45 am

## **NOAA to create saltwater angler registry in 2010**

*Capital City Weekly*

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To read the final registry rule and other information about the Marine Recreational Information Program, visit [www.countmyfish.noaa.gov](http://www.countmyfish.noaa.gov).

**2009 Board Members**

Richard Erkeneff  
*Board Chair*  
Owner – Kenai River Raven

Eldon Mulder  
*Vice Chair*  
President - The Mulder Company

Kevin Branson  
*Secretary and Treasurer*  
CPA - Thomas, Head & Greisen

Ron Rainey  
*Vice President*  
Ron's Alaska Lodge – Retired

Jim Golden  
*Vice President*  
Owner - The Sports Den

Ed Bryson  
*Vice President Field Operations*  
Alaska Communications Systems

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*General Manager*  
Tesoro Northstores – Retired

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*President*  
Alaska USA Federal Credit Union

Ben Ellis  
*Managing Director*  
Institute of the North

Mark Hamilton  
*President*  
University of Alaska

Reuben Hanke  
*Owner*  
Harry Gaines Kenai River Fishing

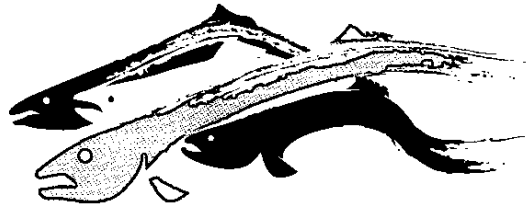
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Alaska Airlines

Robert Penney  
*Owner*  
PENCO Properties

Darwin Peterson  
*Legislative Aide*  
Senator Stedman's Office

Karen Rey  
*Registered Nurse*  
ANS Territory Manager, Alaska

Gary Turner  
*Director*  
Kenai Peninsula College



**KENAI RIVER SPORTFISHING**  
ASSOCIATION

February 24, 2009

Representative Bryce Edgmon  
Alaska State Capitol  
Juneau, AK 99801

**Fax # 907-465-3445**

Re: HB 143

Dear Representative Bryce Edgmon:

Kenai River Sportfishing Association (KRSA) is a 501(c)3 charitable non-profit dedicated to fishery conservation on the Kenai River and in Alaska. Our programs focus on habitat conservation, fisheries management, research and education.

KRSA is in full support of HB 143, which would repeal the sunset of the sport fish guide licensing program through ADFG. We feel that the sport fish guide licensing program is an essential component of fisheries management that should continue without sunset. The program provides sport fish guides with minimum professional standards and gathers valuable information on the numbers of guides, clients, and harvest levels and patterns, which can be used in sound management of our recreational fisheries.

We support timely reporting requirements of log book information from guides, and the efforts of ADFG process such information into real-time data that then can be used in a timely manner by fisheries managers.

We would like to see implementation of an electronic based log book reporting system, which would remove the current bottleneck of having to enter the paper-based log book information into an electronic database management system. Access to and the ability to use data from the log books should mirror the timeframe of the weekly guide reporting requirements. Unfortunately at this time with the paper-based system that is not possible. This leaves fisheries managers in the position of having to use forecast or past trend data instead of real time data in their in-season decision making.

We support a fee structure that covers the full costs of the program, with the understanding that the goal of being able to provide real-time data from the

*Dedicated to preserving the greatest sportfishing river in the world, the Kenai.*

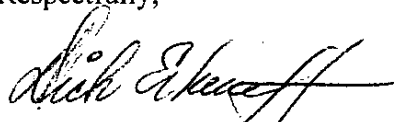
PO Box 1228 • 224 Kenai Ave., Suite 102 • Soldotna, Alaska 99669

Representative Bryce Edgmon  
February 24, 2009  
Re: HB 143  
Page 2

log books to fisheries managers is a priority for the department and gets implemented in a timely fashion.

In summary, KRSA supports the continuation of the sport fish guide licensing program as an essential component of responsible fisheries management. Thank you for the opportunity to provide comment on this issue.

Respectfully,



Dick Erkeneff, Board Chair  
Kenai River Sportfishing Association

Rep. Bryce Edgmon, Chairman  
House Fisheries Special Committee  
26th Alaska Legislature

March 5<sup>th</sup>, 2009

Rep. Bryce Edgmon,

**RE: HB-143 "an act repealing the termination of Sportfish Guide licensing....."**

As a life long Juneau resident (since 1949), a retired State employee (1995), and an 18 year local small business owner and State Licensed Sportfishing Guide, I strongly **oppose** HB-143.

The original HB-452 (Rep. Heinze, Feb '04) creating the current ADFG Guide License fee, was subsequently altered (CSHB-452) to include only Sportfishing Guide Businesses and Guides. All other sportfishing services and business were later removed before final passage of the bill.

The current ADFG Guide License and fee is in addition to our State Business License, and all the many other State and Federal Licenses and fees already required in order to provide Sportfishing Guide Services. This current ADFG Guide License information is redundant and the fee is burdensome.

Last year (2008) Governor Palin signed HB-111 into law in June, (an act reducing all other State Business License fees). This Business License fee reduction takes affect on Oct. 1<sup>st</sup> of 2009. Now this HB-143 proposes to maintain our ADFG Guide License fees at double (and in many cases quadruple) what the State Business License fee will be. HB-143 appears to be out of sync with the Governors intent of recognizing the value of small business, the current economic crisis, and *"the principal that fees should only cover the cost of the licensing activity"* (Legislative wording). In signing HB-111 into law in Kenai, Governor Palin stated: *"The Alaska economy is blessed by people with an entrepreneurial spirit. By investing in their businesses, small firm owners make a major contribution to our economy. I am pleased this law will decrease the burden for those who are helping to grow our economy."*

HB-143 does just the opposite of the Governors HB-111 intent. According to ADFG's own original testimony, justifying the Guide License and fee, (Rob Bentz, Deputy Director of Sport Fish), Rob states: *".....we estimate that this bill would generate approximately \$356,000 and we would expend \$346,000 to administer the licensing and reporting programs. Currently the log book is free. The proposed license fee will cover the cost of the licensing program and the reporting requirements". We do not believe that requiring sport fishing guides to record their catch, harvest and effort information in an accurate, timely and enforceable manner is burdensome. We view it as an obligation for anyone involved in the harvest of public property resources....."* It is quite apparent by his testimony that the reporting programs now include the cost of the log books and the later data tabulation efforts required. I see several things wrong with this. Why do Guides have to pay for this State F&G Log Book program? Why aren't Guides paid for their efforts of data entry (the log book data) and why aren't all other sportfishermen required to report their catch? Why only Guides and "guided fishermen?"

In addition, the log books have been in place for 10 years and still ADFG does not currently use the log book information to set Sportfishing Regulations. They use the end of season questionnaires sent out to sportfishermen to gather the data in setting sport regulations. Guides have repeatedly been told ADFG doesn't trust our log book data, so ADFG relies on the Sportfishing questionnaires for this data. ADFG even offers prizes and incentives to the sportfisherman to return the questionnaires. Does our ADFG Guide License fee also pay for this? This information can be found on the State's ADFG web site.

For these and other reasons, **I oppose HB-143.**

Respectfully,

Thomas J. Dawson, USCG 100ton Master  
Three Eagle Charters  
(907) 789-9124

**Timothy Clark**

**From:** ed@luckydogadventure.com on behalf of Captain Ed Haney [Ed@LuckyDogAdventure.com]  
**Sent:** Friday, March 06, 2009 9:12 AM  
**To:** Timothy Clark  
**Cc:** Rep. Beth Kerttula; Rep. Cathy Munoz  
**Subject:** HB-143  
**Importance:** High

Rep. Bryce Edgmon, Chairman  
 House Fisheries Special Committee  
 26th Alaska Legislature

March 6<sup>th</sup>, 2009

Rep. Bryce Edgmon,

**RE: HB-143 “an act repealing the termination of Sportfish Guide licensing.....”**

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associated with administering the program.

In addition, the log books have been in place for 10 years and still ADFG does not currently use the log book information to set Sportfishing Regulations. Guides have repeatedly been told ADFG doesn't trust our log book data, so **WHY are we required to provide it.**

For these and other reasons, **I oppose HB-143.**

Respectfully,

**Ed Haney**

Ed Haney, Captain

Lucky Dog Adventure

907-790-1800

[Ed@LuckyDogAdventure.com](mailto:Ed@LuckyDogAdventure.com)

[www.LuckyDogAdventure.com](http://www.LuckyDogAdventure.com)

## Timothy Clark

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**From:** - Germaine Eames [seaclusion@acsalaska.net]  
**Sent:** Friday, March 06, 2009 8:06 AM  
**To:** Timothy Clark  
**Cc:** ken larson  
**Subject:** HB-143

Dear Tim and Rep Bryce Edgmon;

As the president of the Prince William Charter Boat Association I am writing on behalf of our 30+ members to oppose the passage of HB-143. We feel that if our log book data was actually being used that maybe this would be ok but since the Pro Com-fish Commissioner thinks that we all lie on our log books and the data is incorrect and can't be used the need for log books is past. Since the need for the log books appears to be only to say that the state is keeping an eye on things and not really collecting usable data, I think it is time to stop funding a dead end program and close it up and stop paying for it. As far as the Sport fish guide license board.....Get Real every charter captain already has more training and requirements just to get his/her license than most of the comfish "captains" its time to make our waters safer from accidents and pollution from spills due to groundings, collisions, sinkings, swampings, etc. and get all the commercial fisherman and "captains" licensed and involved in the same random drug testing programs that we have to submit to. We have to do this things because we have paying people onboard, (these folks are on board of their own free will and could change their mind and not get on in the morning if they wanted due to bad weather or any other reason) deck hands and captains are required to be on their boat no matter what the conditions may be, so wouldn't it make sense if these folks were trained and drug tested to make their work environment safer for themselves.

Sincerely:  
Dan Eames  
Pres PWSCBA  
Northern Magic Charters  
Seaclusion Saltwater Adv  
Retired USCG  
Licensed Captain

## Timothy Clark

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**From:** Laura Thurneau [harvestcharters@alaska.net]  
**Sent:** Thursday, March 05, 2009 3:40 PM  
**To:** Timothy Clark  
**Subject:** HB-143

Tim..

I would like to voice my opposition to HB-143 and would like to see the guide license fee sunset in 2010 like it was originally plan. I would also like to see the logbook program go away, this takes up way to much of my time and I don't even have the authority to ask for peoples fishing license.

Also if I'm not mistaken the Governor signed a bill in June of 2008 reducing the guide license fee to \$25, why is the fee still \$100

STEVE THURNEAU/ 49 year AK resident 7 year charter captain [www.harvestcharters.com](http://www.harvestcharters.com)

**Timothy Clark**

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**From:** Ken Larson [larson\_ken@hotmail.com]  
**Sent:** Thursday, March 05, 2009 3:43 PM  
**To:** Timothy Clark; Rep. John Harris; Rep. John Coghill; Rep. Jay Ramras; Rep. Mike Kelly; Rep. Scott Kawasaki; Sen. Gene Therriault; Sen. Joe Thomas  
**Cc:** John Goodhand; Murray&Phyllis Tate; Mel Grove; Pat Bookey; Scott Gemini Higgins; Stacey Mitchell; Randy Pyle; Dave Pope; Dave Goldstein; Ken&Sherri WeichtAnderson; Matt Kopec; Dan Eames; George Wiese; Dale Price; Barb Brooks; Skip Blandford; Ron Johnson; Dave Pinguoch; Ken Heaps; Brad Kimberlin; Dennis Petre; KenHotMail Larson; Mark A. Wartes; Mike Patty Wing; Dave Wiley; Steve Thurneau; Ken Whittier Miller; Don Latimer; Mike Gemini Baldwin; JuneauEd Haney; Mel Erickson; Mark & Geri Valdez; Kelli Bestwick; Ken Dole; Donna Bondioli; StanPetersburg Malcom; Mac McQuarrie; JuneauRick Bierman; SteveSeward Zernia; Dale&Buddy scott; JuneauDuby Fish; Kent Sitka CBOA Hall; Charlie Walton; Ace Callaway; DuaneSillyBilly Beland; Tom Ohaus; Rik Van Stone; JuneauTodd Wicks; Bob Candopolis; Tom Juneau Dawson; BobSE Nelson; Theresa Sitka Weiser; Tina AP McNamee; Cliff Chambers; Joey Mason; KimberlyMac Tebrugge; Dave Bruss; Andy Mezirow; Bob Jaynes; JuneauJack Cadigen; Tim Evers; JuneauChris Couder; DonOfc Westlund; Glenn\_Cpt Rowe; JuneauBen Ne; Bob Ward; Greg\_FishCentral Kern; Monte Juneau Mitchell; Rex Murphy; Seth Bone; Jim Seclusion Norris  
**Subject:** Testimony AGAINST HB-143: Sportfish Guide License Fee

Dear Tim and Rep Bryce Edgmon, et al:

When the Guide License fee was first introduced, many of us, including PWSCBA, were lead to believe that ADF&G was undergoing significant funding shortfalls and needed our help thru this and other measures, and it would help us Charter Operators with their support. As always, actions speak louder than words and once pro-COMFish Denby Lloyd was appointed commissioner it was obvious we made a mistake with our support. And Commissioner Lloyd obviously still supports the COMFish-sponsored Sport Fish Guide License Board, which we all feel is not required and ludicrous. If the COMFish folks were really serious about safety and professionalism they should gladly support 100% US Coast Guard licensing of 100% of their COMFish vessel skippers, just like what is required for all of us Charter vessel operators.

It appears that the guide license fees we are now forced to pay have created and financed an ADF&G data collection department that we don't derive any additional benefit from. The ADF&G-required LogBook administration requires more time from us charter operators that we should be reimbursed for also, IF ADF&G can collect a guide license fee.

I am speaking for Prince William Sound Charter Boat Assn's 28-members and we request that the Guide License and Fee be allowed to Sunset in 2010 or better yet be eliminated now and our 2009 fee be rebated. In other words, we are AGAINST passage of HB-143, because we want the Guide License Fee to sunset. Thankyou.

V/R

Capt Ken L Larson  
 Secretary, PWSCBA

Sanity Charters  
1074 Eliz Street  
North Pole, Alaska 99705  
Home: (907) 488-2960  
Cell: (907) 255-2798  
[www.sanitycharters.com](http://www.sanitycharters.com)

## Timothy Clark

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**From:** peterb@gci.net on behalf of peter wright [peterb@gci.net]  
**Sent:** Wednesday, March 04, 2009 2:38 PM  
**To:** Timothy Clark  
**Subject:** hb 143

The tax on charter licenses should fall under the same parameters as business licenses. The fee should be \$50 and should take the place of a business license for the charter industry. Any taxes to regulate sport fishing should go to the users and be added to their license fee. I thought the governors intention was to make Alaska Small Business viable. The current standard for charter vessels is hostile. Lets not forget that the industry provides 1.4 billion dollars of revenue to the state. That figure was a result of an Alaska Dept of Fish and Game analysis completed this last year. Lets also remember that because of unprecedented restrictions, regulation and economic climate the charter industry is facing a very uncertain future. Please consider the survival of my business when you discuss HB 143 and any other matter that may bring some relief.

Peter B Wright  
<http://www.summerking.net/>

Phone 907-321-0847



March 09, 2009

Rep. Bryce Edgmon, Chairman  
House Fisheries Special Committee  
26th Alaska Legislature

**Re: Support for HB-143**

Dear Rep. Bryce Edgmon:

The Southeast Alaska Guides Organization (SEAGO) represents 26 sport fishing guides and lodges throughout Southeast Alaska with more than 100 active vessels. Information provided to ADF&G for reporting and analysis under this legislation is of great value and continuation of this program is beneficial to multiple user groups.

This program is one of the best tools that ADF&G has to identify who is involved in the charter/lodge industry and provides important data used to establish levels of harvest, effort, identification of clients, as well as species targeted. The money collected is used for issuing licenses and for sport fishing logbook data collection and reporting expenses.

Our members support extension of the current law with the fees at their levels as originally passed in 2004.

Sincerely,

Tom Ohaus, President

Note: sent via email to: [timothy.clark@legis.state.ak.us](mailto:timothy.clark@legis.state.ak.us)

cc: Mr. Denby Lloyd, Commissioner, ADF&G, via email  
Mr. Charles Swanton, Director, ADF&G, via email

SEAGO • P.O. Box 422 • Sitka, Alaska 99835 • 907.947.2121

[www.seagoalaska.org](http://www.seagoalaska.org)

**Timothy Clark**

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**From:** Stan Malcom [magicman@aptalaska.net]  
**Sent:** Sunday, March 08, 2009 7:37 PM  
**To:** Timothy Clark  
**Subject:** March 9th.docHB143.doc

March 9<sup>th</sup>, 2009

Rep. Bryce Edgmon, Chairman  
House Fisheries Special Committee  
26<sup>th</sup> Alaska legislature

**RE: SUPPORT HB 143**

Dear Representative Edgmon,

The Petersburg Charter Boat Association (PCBA) represents 17 individual charter and lodge businesses operating 22 active vessels in the sportfishing industry.

The original legislation authorizing the guide license and logbook program has been an extremely valuable tool in aiding the Alaska Department of Fish and Game and the State of Alaska in the collection of data necessary to identify not only who the charter industry is but how they interact with other user groups. This information is important for the management of Alaska's resources and resource users, both sport and commercial.

PCBA supported the original bill and we fully support HB 143, complete with the associated fees necessary to fund this ongoing program.

We urge you to support HB 143.

Sincerely,

Stan Malcom  
President  
Petersburg Charter Boat Association

Note: sent via email to [timothy.clark@legis.state.ak.us](mailto:timothy.clark@legis.state.ak.us)