

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672
2219 SCOMM 87: HOUSE SPECIAL COMMITTEE ON FISHERIES, 1993-94

RECEIVED
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Ans'd.....

March 1, 1994

Representative Carl E. Moses, Chair
House Fisheries Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801

STATE
MARINE
BOARD

Dear Representative Moses,

I understand the Alaska Legislature is considering a bill, HB-496, to establish a license requirement for guides. I've received and reviewed a copy of the bill and the sponsor statement by Rep. Bill Williams.

In Oregon, the Marine Board is the responsible agency for the registration of outdoor outfitters and guides. We've been in the business of registering guides for the past 10 years, and currently have over 1,000 individual registrations.

If my reading of the sponsor's statement is correct, the primary goal of this bill is to collect and gather data on the number of guides, clients served, areas of operation, and so forth. I think this is a reasonable means of gathering factual data which can be used to monitor growth and provide for future management.

The sponsor's statement also indicates that the goal of the program is that it be "fiscally self-sustaining", ie: pay for itself. As an agency that functions entirely on user fees, I can also support this goal. However, I note the bill proposes a significant fee differential for residents (\$200) versus nonresidents (\$600).

We are sensitive to this differential as a result of recent legislation in 1993 that sought to level the playing field with border states that were charging significant differences between residents and nonresidents. Oregon's registration fee (\$50 a year) covers the cost of our program.

Our fee is the same for residents and nonresidents, provided the nonresident comes from a state that does not charge a differential fee. For residents of states that charge a differential fee, we are obligated to likewise charge them the same fee that state charges an Oregon resident.

As Alaska considers a new guide registration program, I would encourage you to charge one uniform fee, since this is in effect a business license. If the goal is a self sufficient "user fee" program aimed at gathering data, then it would seem appropriate to charge a uniform fee and spread the cost fairly among all registrants since there is no higher cost associated with processing a nonresident application than one from a resident guide.



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Rep. Carl Moses
page 2

The seasonal nature of guiding makes it a mobile business, and we have many Oregon guides that provide services in other western states, including Alaska. While I believe they would support a licensing requirement, I know from our experience that they'll want a level playing field.

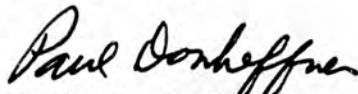
I'm enclosing a copy of Oregon's guide registration program statute for your information. The Washington Legislature recently adopted a similar guide registration law, which requires proof of first aid training and \$300,000 liability insurance. Washington eliminated the fee differential between residents and non-residents. Idaho also has a comprehensive guide licensing program, and does not discriminate with higher non-resident fees.

In summary, HB-496 seems like a reasonable approach to gathering data on the nature of the guiding industry in Alaska. However, I hope you will consider a level fee structure that reflects the actual cost of the program spread fairly among all licensees.

If I can answer any questions or provide any assistance to you, your committee staff or the Department of Fish and Game regarding our program, please let me know.

Thank you for your consideration.

Sincerely,



Paul Donheffner
Director

cc: Representative Bill Williams

Chapter 704

1993 EDITION

Outfitters and Guides

GENERALLY

- 704.010 Definitions
- 704.020 Registration required; liability insurance; fees
- 704.025 Reciprocity for licensees of State of Washington
- 704.030 False statements in registration application prohibited; special requirements for use of motorboat
- 704.040 Revocation of registration; restriction on registration application after revocation
- 704.050 Cancellation of liability insurance; notice to board; suspension of registration

ADMINISTRATION

- 704.500 Rules
- 704.510 Outfitters and Guides Account
- 704.520 Board to submit list of registrants to tourism promotion agency
- 704.525 Advisory committee; membership; duties

PENALTIES

- 704.900 Civil penalties; procedure
- 704.990 Criminal penalties

CROSS REFERENCES

Denial, suspension or revocation of license prohibited solely because of criminal conviction, 670.280
License required for ocean charter vessel operation, 830.435

OCCUPATIONS AND PROFESSIONS

GENERALLY

704.010 Definitions. As used in this chapter:

(1) "Board" means the State Marine Board.

(2) "Employee" means an individual who, in exchange for compensation or other pecuniary gain, provides outfitting and guiding services exclusively under the direction, supervision and control of an outfitter and guide or an ocean guide.

(3) "Ocean guide" means any individual who carries passengers for hire for outdoor recreational activities only on the waters of the Pacific Ocean over which the State of Oregon has jurisdiction and who possesses therefor a valid United States Coast Guard vessel operator license.

(4) "Outdoor recreational activities" include, but are not limited to, boating, angling, hunting, jeep touring, backpacking, alpine mountain climbing, camping, trips utilizing pack animals, dog sled trips, helicopter skiing, whitewater float trips, rafting trips, drift boat trips, kayak trips, inflatable canoe trips and canoe trips. The duration of any outdoor recreational activities may be for a few hours or for several days or weeks.

(5)(a) "Outfitter and guide" means any person:

(A) Who provides, or who offers to provide, for compensation or other pecuniary gain:

(i) Outfitting and guiding services in Oregon; or

(ii) Outfitting and guiding services and either equipment, supplies, livestock or materials for use in Oregon; or

(B) Who holds one or more federal permits for commercial outfitting and guiding services for use in any forest or wilderness or on any river in Oregon.

(b) "Outfitter and guide" does not include:

(A) An ocean guide or an employee of an outfitter and guide or ocean guide; or

(B) An individual who, for compensation or other pecuniary gain, provides outfitting and guiding services for the conduct of outdoor recreational activities exclusively upon property owned or controlled by the individual.

(6) "Outfitting and guiding services" include, but are not limited to, leading, protecting, instructing, training, cooking, packing, guiding, transporting, supervising, interpreting or otherwise assisting any person in the conduct of outdoor recreational activities. The rental of equipment alone

does not constitute outfitting and guiding services.

(7) Outfitting and guiding services are not offered or provided for compensation or pecuniary gain if:

(a) No individual receives any dues, fee, salary, commission, bonus, tip, compensation, equipment, materials, livestock, supplies, rental payment, amortization payment, depreciation payment or other financial gain; and

(b) No money or other remuneration is in any manner paid or collected except as a sharing by trip participants of the costs or expenses for the trip. [1983 c.655 §1]

704.020 Registration required; liability insurance; fees. (1) Any person who acts, or who offers to act, as an outfitter and guide must first register with the board. Each registration shall be submitted annually on a form provided by the board and shall include the following information:

(a) The name, residence address, and residence telephone number of the person providing outfitting and guiding services, and all business names, addresses and telephone numbers under which outfitting and guiding services are provided.

(b) If the outfitting and guiding services are to be performed in the business name of an individual, proof of possession of a current certificate issued to the individual:

(A) By the American Red Cross upon completion of its multimedia course; or

(B) Upon completion of any equivalent medical or American Red Cross training course approved by the board.

(c) If the outfitting and guiding services are to be performed in the business name of a person other than an individual, the outfitter and guide must provide the names of all employees, agents and parties in interest who physically provide, or who directly assist in physically providing, outfitting and guiding services in Oregon, together with the affidavit of the outfitter and guide that each such employee, agent or party in interest possesses a current certificate issued to the employee, agent or party in interest:

(A) By the American Red Cross upon completion of its multimedia course; or

(B) Upon completion of any equivalent medical or American Red Cross training course approved by the board.

(d) A description of:

(A) The outfitting and guiding services, and any equipment, supplies, livestock and materials provided by the outfitter and guide;

(B) The geographic area in which the outfitter and guide provides the outfitting

and guiding services, and any equipment, supplies, livestock and materials; and

(C) The experience of the outfitter and guide in providing the outfitting and guiding services, and equipment, supplies, livestock and materials.

(e) Proof that the outfitter and guide has liability insurance covering occurrences by the outfitter and guide, and the employees of the outfitter and guide, which result in bodily injury or property damage. Such insurance shall be not less than the following amounts:

(A) \$300,000 per occurrence general liability coverage; or

(B) Bodily injury liability coverage of at least \$100,000 per person to a total of \$300,000 per occurrence, and \$10,000 property damage per occurrence.

(f) Certification by the outfitter and guide that the outfitter and guide will maintain the insurance required by paragraph (e) of this subsection continuously in full force and effect for a period of not less than one year from the date the certificate of registration described in this section is issued by the board.

(g) The affidavit of the outfitter and guide stating that for a period of not less than 24 months immediately prior to making the registration application the outfitter and guide and each person who provides or assists in directly providing outfitting and guiding services:

(A) Have not been convicted of:

(i) Any violation of ORS 496.992 (2); or

(ii) Any violation of the wildlife laws which occurred while acting as an outfitter and guide and which resulted in court ordered revocation of the hunting or fishing license of the outfitter and guide;

(B) Have not had an outfitting and guiding license, permit or certificate revoked by another state or by an agency of the government of the United States; and

(C) Have not been denied the right to apply for an outfitting and guiding license, permit or certificate by another state.

(2)(a) In addition to the requirements of subsection (1) of this section, a person who acts or offers to act as an outfitter and guide using motorboats to carry passengers on the waters of this state:

(A) Shall submit proof that the outfitter and guide possesses a valid United States Coast Guard vessel operator license if operating on navigable waters of the United States;

(B) Shall submit proof of liability insurance; and

(C) Shall affix to each motorboat used in providing outfitter and guide services an identifying decal issued by the board showing the year, the passenger carrying capacity and such other information as the board may prescribe.

(b) The registration and boat decals for each outfitter and guide who uses a motorboat to carry passengers on the waters of this state expire on December 31 of each calendar year.

(3) Each annual registration shall be accompanied by a fee as follows:

(a) For resident persons, \$50.

(b) For nonresident persons who reside in a state that requires residents of the State of Oregon to pay a license fee, registration fee or other fee or charge in excess of \$50 to act as an outfitter and guide in that state, the same fee or other charge as is charged the residents of the State of Oregon to act as an outfitter and guide in the state where the nonresident applicant resides. If the state in which such a nonresident applicant resides makes distinctions in fees or charges based on the type of outfitter and guide service performed and requires residents of the State of Oregon to pay fees or charges accordingly, the board shall make and apply those same distinctions and require the nonresident applicants to pay the corresponding fees or charges.

(c) For nonresident persons other than those referred to in paragraph (b) of this section, \$50.

(4) Upon the submission to the board of the appropriate fees prescribed in this section and the registration information required by this section, the board shall issue to the applicant an Oregon Outfitter and Guide certificate of registration. The board shall also issue to each registrant proof of compliance with the requirements of this section, which the registrant must have in possession and submit for examination by any person authorized to enforce this chapter while the registrant is engaged in providing outfitting and guiding services. [1983 c.655 §2; 1985 c.452 §1; 1987 c.400 §1; 1993 c.123 §1; 1993 c.256 §1]

Note: Section 4, chapter 256, Oregon Laws 1993, provides:

Sec. 4. (1) Notwithstanding any other provision of this chapter [ORS chapter 704], the registration of any outfitter and guide who uses motorboats to carry passengers on the waters of this state expires on December 31, 1993.

(2) In accordance with any applicable provision of ORS 183.310 to 183.550, the board may provide for outfitter and guide registration for periods of less than one year and prorated fees therefor, or may issue prorated refunds or may prorate the registration fee in the subsequent year for any person whose registration was terminated by subsection (1) of this section. [1993 c.256 §4]

704.025 Reciprocity for licensees of State of Washington. (1) The fees required under ORS 704.020 do not apply to outfitters and guides who provide outfitting and guiding services on the Columbia River and who possess a valid license from the State of Washington as required under this section. Reciprocity is provided for outfitting and guiding services on the Columbia River. The right of outfitters and guides to conduct outfitting and guiding services on the waters of the Columbia River where that river forms the boundary line between the State of Oregon and the State of Washington by the holder of a valid Oregon outfitter and guide registration or a valid Washington guide license in accordance with the outfitting and guiding laws of each respective state is hereby recognized and made lawful.

(2) The purpose of this section is to avoid the conflict, confusion and difficulty of an attempt to find the exact locations of the state boundary in or on the waters of the Columbia River while providing outfitting and guiding services. Reciprocity under subsection (1) of this section is contingent upon passage of comparable legislation by the legislature of the State of Washington addressing the establishment of minimum guide registration or licensing requirements in the areas of first aid training and liability insurance coverage. [1993 c.123 §§3,4]

704.030 False statements in registration application prohibited; special requirements for use of motorboat. (1) No person shall make any false statement of material fact submitted pursuant to ORS 704.020.

(2) No outfitter and guide who uses a motorboat to carry passengers on the waters of this state shall carry passengers in excess of the passenger capacity for which insurance is obtained pursuant to ORS 704.020.

(3) No outfitter or guide shall use a motorboat to carry passengers on navigable waters of the United States without the license and decal required by ORS 704.020 (2). [1983 c.655 §5; 1993 c.256 §2]

704.040 Revocation of registration; restriction on registration application after revocation. (1) When any person is convicted of any violation of ORS 704.020 or 704.030 or any rule promulgated pursuant to ORS 704.500, forfeits bail in connection with any such offense, or pleads nolo contendere to any such offense, the court having jurisdiction of the offense may order the board to revoke the certificate of registration issued to that person pursuant to ORS 704.020.

(2) When a court orders revocation of a certificate of registration pursuant to this section, the court shall take up the certifi-

cate of registration and forward it with a copy of the revocation order to the board. Upon receipt thereof, the board shall cause revocation of the certificate of registration in accordance with the court order.

(3) A person who has had a certificate of registration revoked pursuant to this section is ineligible to register under ORS 704.020 for a period of 24 months from the date the court ordered the revocation.

(4) A person who has been convicted of failure to comply with ORS 704.020 is ineligible to register under ORS 704.020 for a period of 24 months from the date of the conviction. [1983 c.655 §7; 1989 c.586 §1]

704.050 Cancellation of liability insurance; notice to board; suspension of registration. (1) If an insurance company cancels or refuses to renew insurance for an outfitter and guide required by ORS 704.020, the insurance company, not less than 30 days prior to the effective date of termination of the coverage, shall notify the board in writing of the termination and its effective date.

(2) Upon receipt of an insurance coverage termination notice, the board shall send written notice to the outfitter and guide that on the effective date of the insurance coverage termination, the board will suspend the certificate of registration of the outfitter and guide unless proof of insurance required by ORS 704.020 is filed with the board prior to the effective date of the proposed insurance coverage termination.

(3) The board may suspend the certificate of registration issued to an outfitter and guide if the outfitter and guide fails to maintain in full force and effect the insurance required by ORS 704.020. A certificate of registration that has been suspended pursuant to this section may not be reinstated until proof of insurance required by ORS 704.020 has been filed with the board. [1983 c.655 §8]

ADMINISTRATION

704.500 Rules. In accordance with any applicable provisions of ORS 183.310 to 183.550, the board may promulgate rules to carry out the provisions of this chapter. [1983 c.655 §3]

704.510 Outfitters and Guides Account. The Outfitters and Guides Account is established in the General Fund of the State Treasury. Except as otherwise provided by law, all moneys received by the State Marine Board pursuant to ORS 704.020 shall be paid into the State Treasury and credited to the account. All moneys in the account are appropriated continuously to the board to carry out the provisions of this chapter. [1983 c.655 §4; 1989 c.586 §6]

704.520 Board to submit list of registrants to tourism promotion agency. The board will submit annually to the state agency given the responsibility of state tourism promotion a registration list of outfitters and guides and the following information:

(1) The name, business names, addresses and telephone numbers under which outfitting and guiding services are provided;

(2) A description of the outfitting and guiding service;

(3) The geographic area in which the outfitting and guiding service is provided; and

(4) The experience of the outfitter and guide in providing the outfitting and guiding service. [1983 c.655 §9]

704.525 Advisory committee; membership; duties. (1) The board shall appoint an advisory committee to provide advice to the board on various matters regarding the implementation of this chapter. The committee shall be composed of members appointed as follows:

(a) Two members from among those individuals recommended by the Oregon Guides and Packers.

(b) One member from among those individuals recommended by the McKenzie River Guides.

(c) One member from among those individuals recommended by the Eastern Oregon Guides.

(d) One member from among those individuals recommended by the Rogue River Outfitters.

(e) One member from among those individuals recommended by the Deschutes River Public Outfitters.

(f) One member from among those individuals recommended by the Rogue River Guides Association, Inc.

(g) One member from among those individuals recommended by the Tillamook Guides Association.

(h) Three public members selected by the board.

(2) In addition to such other duties as the board may prescribe, the advisory committee shall provide advice and recommendations to the board regarding:

(a) Methods of improving communication between the board and the guiding and outfitting industry.

(b) The need for competency testing of guides and outfitters.

(c) Refinements of the definitions of guides and outfitters.

(d) Adequacy of liability insurance coverage.

(e) Identifying decals for motorboats used by guides in providing outfitter and guide services.

(f) Registration reciprocity for guides conducting outfitting and guiding services on the Snake and Columbia Rivers. [1989 c.586 §4; 1993 c.256 §5]

PENALTIES

704.900 Civil penalties; procedure. (1) In addition to any other penalty provided by law, the board may impose a civil penalty for failure to comply with ORS 704.020 or for violation of ORS 704.030.

(2) Any civil penalty under this section shall be imposed in the manner provided by ORS 183.090.

(3) Notwithstanding ORS 183.090, the person to whom the notice is addressed shall have 30 days from the date of service of the notice in which to make written application for a hearing before the board.

(4) The board shall adopt rules implementing these provisions, including a schedule of civil penalties. The civil penalty for each violation shall not exceed \$500.

(5) A civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the board considers proper and consistent with the public health and safety.

(6)(a) In imposing a penalty pursuant to the schedule adopted pursuant to this section, the board shall consider the following factors:

(A) Any prior violations of ORS 704.020 or 704.030.

(B) The immediacy and extent to which the violation threatens the public health or safety.

(b) The penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the board determines to be proper and consistent with the public benefit. Upon the request of the person incurring the penalty, the board shall consider evidence of the economic and financial conditions of the person in determining whether a penalty shall be remitted or mitigated.

(7) All penalties recovered under this section shall be paid into the State Treasury and credited to the Outfitters and Guides Account. [1989 c.586 §3; 1991 c.734 §93]

704.990 Criminal penalties. (1) Failure to comply with ORS 704.020 is a Class B misdemeanor.

(2) Violation of ORS 704.030 is a Class B
misdemeanor. [1983 c.655 §6]

OCCUPATIONS AND PROFESSIONS

SCRIPT

**House Special Committee on Fisheries
March 4, 1994**

Good morning. Today is Friday, March 4 and this is a meeting of the House Special Committee on Fisheries. The time is (give time). Will the secretary please take the roll.

Today we are going to hear HB 496 - An Act relating to sport fish guiding. We have previously heard this bill and teleconferenced the hearing.

There are new materials for your packets and a list describing the items is with your packets.

I believe Representative Williams' aide would like to speak to an amendment offered by Representative Williams.

Go ahead, Pete.

I would entertain a motion to adopt Representative Williams' amendment. We will call it amendment #1.

(Hopefully you can adopt it.)

(From here, I am not sure how you would like to proceed. I think you should let Gail speak to her amendments and then see which ones you are willing to adopt.)

(The bill should be moved from committee.)

Adjournment

SCOMM

87:24



ALASKA CRAB COALITION

APR 19 1993

COPY

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

April 20, 1993

The Honorable Ramona L. Barnes
House Speaker
Alaska, House of Representatives
Room 208
Juneau, Alaska 99801-1182

Re: CS for HCR 9(fsh)

Dear Representative Barnes:

The Alaska Crab Coalition opposes CS for HCR 9(fsh) as it is presently worded. The purported intent of HCR 9 is threefold. First, to indicate the State's support for the existing Community Development Quota (CDQ) program in Western Alaska. Second, to insure there is a "point person" on the current CDQ program within the governor's office. Third, maintain staff coordination on the State's participation in the CDQ program and to have the State work closely with the federal government and the North Pacific Fisheries Management Council on the CDQ program that currently exists in Western Alaska.

However, the Resolve Component of HCR 9 deviates from the initial Whereas portions of the Resolution to request expansion of the CDQ programs to other waters and fisheries in the State. HCR 9 also seeks development of a State policy that requests the State to discriminate against non-State residents, and to move the State in the long-term towards expansion of CDQ programs to other areas of the State and also to other fisheries.

These portions of HCR 9 are wrong-headed, are probably illegal under the Magnuson Act's national standards for CDQ programs that are administered by the Council, and would, if adopted, cause great concern to participants in other Alaska fisheries that are fully utilized in other areas of the State.

We request that the following language be substituted beginning on page 2, line 25 of CS for HCR 9(fsh):

WHEREAS, the CDQ program needs strong leadership and coordinated support from the State of Alaska to be successful;

The Honorable Ramona L. Barnes

April 20, 1993

Page 2

BE IT RESOLVED by the Alaska State Legislature that the Governor is respectfully requested to continue support for the Western Alaska Community Development Quota (CDQ) Program by

(1) designating appropriate staff within the executive branch of the State government to coordinate the State's participation in the existing CDQ program;

(2) working closely with the federal Department of Commerce and the North Pacific Fisheries Management Council in the existing CDQ program;

(3) fairly applying state and federal CDQ program regulations to insure accomplishment of all the objectives of the existing CDQ program.

This proposed amended language underscores the State's role in the Western Alaska CDQ program established by the Council. In addition, this language indicates that the State plays a role in the operation of the CDQ program. This language indicates that the Governor is to clearly designate those staff within the executive branch of government who will be responsible for working with communities in the current CDQ program to assist those communities to comply with Council and Department of Commerce laws and regulations. Moreover, this language removes language that it presently contains in HCR 9 that purports to expand the CDQ program, discriminate against out-of-state residents, and which is of significant concern to our members.

We appreciate the opportunity to address these concerns to you. If you have any questions, or would like additional information on this matter, please do not hesitate to contact me.

Very truly yours,

Arni Thomson *bw*
Arni Thomson
Executive Director



North Pacific Fisheries Association, Inc.

HEADQUARTERS:

BOX 796 • HOMER ALASKA 99603

Rep. Carl Moses
Rm 204
State Capitol
Juneau, Alaska
99801-1182

4/13/93 Concerning language in HCR 9 now in Rules

Dear Representative Moses,

It has just come to our attention that HCR 9 section 4 has language again that would allow for the expansion of the CDQ program. NPFA has been in support of the CDQ concept for Western Alaskans and feel the program has much merit.

We have however, taken the position opposing further expansion into already fully utilized fisheries. This includes, but is not limited to halibut, pacific cod, sablefish, king, tanner, and dungeness crab. This section may, broad in its interpretation, include salmon and herring.

We respectfully ask that this section 4 be stricken from HCR 9 to avoid confusion on its direction, and future confrontation with regard to different user groups.

Sincerely,

Drew Scalzi
NPFA/pres

Petersburg Vessel Owners Association

P.O. Box 232
Petersburg, Alaska 99833
Phone (907) 772-9323 Voice and Fax

April 16, 1993

Representative Carl Moses, Chairman
House Rules Committee
Alaska State Legislature
Juneau, Alaska 99801

Dear Representative Moses,

I had the opportunity today to speak with aides of Representatives Hoffman and Ulmer regarding concerns we have with the current language in the CS for House Concurrent Resolution #9.

We are not opposed to the current federal Community Development Program (CDQ) for Bering Sea pollock that has been created by the North Pacific Fishery Management Council. However, to push for expansion of CDQs into other federal fisheries may be premature at this time for the current CDQ program is still quite new and its success is very difficult to measure at this stage.

We are very concerned with the possible extension of CDQs into other fisheries and waters, particularly the Gulf of Alaska. The State's fisheries are currently fully utilized by mostly Alaska residents and the majority of these fisheries are already operating under a limited entry program or exclusive registration areas. The creation of CDQs for these fisheries would result in a reallocation of the resource from one set of Alaskans to another set.

We believe that reference to adoption of a state fisheries development policy should be deleted from this resolution. The way the resolution now reads infers that the formulation and adoption of a state fisheries development policy will include a CDQ program and that the policy will be used to guide the long range development of the state's fisheries resources. While a policy may be a good idea, the inclusion of CDQs may not be.

We have seen the suggested changes to the CS that have been proposed by Cook Inlet Seiners Association, North Pacific Fisheries Association, and the United Cook Inlet Drift Association. We concur with these recommended changes and hope that you and the House Rules committee will give them serious consideration.

Thank you for this opportunity to comment.

Sincerely,

Kris Norosz

Kris Norosz
Director

cc: Representative Hoffman
Representative Ulmer
Representative Grussendorf
Senator Taylor

Petersburg Vessel Owners Association

P.O. Box 232
Petersburg, Alaska 99833
Phone (907) 772-9323 Voice and Fax

April 18, 1993

Representative Carl Moses, Chairman
House Rules Committee
Alaska State Legislature
Juneau, Alaska 99801

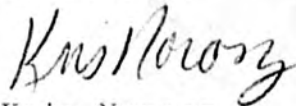
Dear Representative Moses,

We are in support of the committee substitute for House Bill 275, a salmon marketing tax proposal. The CS for HB 275 allows for a mechanism through which fishermen may vote to reduce the amount of enhancement taxes they are assessed in the event a salmon marketing tax is imposed. In essence, the CS to this bill would allow fishermen to reallocate taxes they now pay for enhancement to be used for marketing salmon. No reduction of the enhancement tax would occur until a 1% marketing tax is implemented.

Southeast is the only region in the state where salmon fishermen currently pay a 3% salmon enhancement tax. We would like the opportunity to vote on the option of reducing our enhancement tax by 1% and then redirecting this 1% for salmon marketing. We believe that fishermen need to be given the mechanism to decide for themselves the best way to spend their monies for the sake of their industry. We believe the CS for HB 275 provides that means.

Please share our concerns with your committee. We hope you will give our comments serious consideration. Thank you for this opportunity to comment.

Sincerely,



Kris Norosz
Director

cc: Representative Hudson
Representative Grussendorf

8-LS0646J
Utermohle
3/16/93

CS FOR HOUSE CONCURRENT RESOLUTION NO. 9(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered:

Referred:

Sponsor(s): REPRESENTATIVES HOFFMAN, Ulmer

A RESOLUTION

- 1 **Relating to state management of the Western Alaska Community Development**
2 **Quota Program and state fisheries development policy.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** the Western Alaska Community Development Quota (CDQ) Program is
5 a fisheries development program involving the federal Department of Commerce, the North
6 Pacific Fishery Management Council, the State of Alaska, and 55 Bering Sea coast, Aleutian
7 Islands, and Pribilof Islands communities; and

8 **WHEREAS** the CDQ program has set aside 7.5 percent of the available Bering Sea
9 pollock quota during 1992 through 1995 for Bering Sea coast, Aleutian Islands, and Pribilof
10 Islands communities; and

11 **WHEREAS** the amount of pollock available for harvest under the CDQ program is
12 more than 100,000 metric tons per year and has an estimated valued of \$20,000,000, and

13 **WHEREAS** the CDQ program allocates the available harvest of pollock among
14 eligible communities, local fishermen's organizations, and local economic development
15 organizations who in turn reinvest the proceeds from the harvest and processing of the pollock
16 in additional local fisheries development projects; and

1 **WHEREAS** the CDQ program is important to the economic development of Bering
2 Sea coast, Aleutian Islands, and Pribilof Islands communities; and

3 **WHEREAS** the operation of the CDQ program is governed by federal and state
4 regulations that prescribe the goals and objectives of the program, the communities and other
5 groups that are eligible to participate in the program, application and review procedures, quota
6 allocation procedures, and reporting and performance requirements; and

7 **WHEREAS** the North Pacific Fishery Management Council established the CDQ
8 program as a component of the inshore/offshore allocation of Bering Sea pollock; and

9 **WHEREAS** the Secretary of Commerce approved the CDQ program, thereby initiating
10 one of the most extensive economic development efforts ever to occur in the poorest regions
11 of Alaska; and

12 **WHEREAS** the CDQ program represents an unparalleled opportunity for long-term
13 stable economic development for the communities of the Bering Sea coast, Aleutian Islands,
14 and Pribilof Islands; and

15 **WHEREAS** the Governor of Alaska is designated by the North Pacific Fishery
16 Management Council to recommend allocations of CDQ resources among eligible
17 communities; and

18 **WHEREAS** the State of Alaska plays a significant role in the operation of the CDQ
19 program because the Governor is responsible for requesting, accepting, and reviewing
20 proposals from eligible communities and organizations that seek a community development
21 quota allocation and for making recommendations to the U.S. Secretary of Commerce as to
22 which applicants should receive a quota allocation and as to how much each applicant should
23 receive; the Secretary of Commerce accepted and approved all recommendations made by
24 Governor Hickel for allocation of the 1992 - 1993 pollock community development quota; and

25 **WHEREAS** the CDQ program needs strong leadership and coordinated support from
26 the State of Alaska to be successful; and

27 **WHEREAS** the State of Alaska does not have a fisheries development policy to guide
28 either community fisheries development or the Governor's allocative decision-making process
29 for the CDQ program;

30 **BE IT RESOLVED** by the Alaska State Legislature that the Governor is respectfully
31 requested to continue support for the Western Alaska Community Development Quota (CDQ)
32 Program and related fisheries development programs by

1 (1) devoting full-time staff to coordinate the state's participation in the CDQ
2 program, to serve as technical advisors to and liaisons with CDQ program participants, to
3 work with all state agencies involved in the CDQ program, and to work closely with the
4 federal Department of Commerce and the North Pacific Fishery Management Council;

5 (2) fairly applying state and federal CDQ program regulations to ensure
6 accomplishment of all the objectives of the program and to ensure continued support for the
7 program among participants and state and federal agencies;

8 (3) assuring that state residents have access to the fisheries resources in or off
9 Alaska and that residents have the opportunity to engage in commercial fishing activities in
10 the area where they live; and

11 (4) initiating a review of past fishery development policy proposals and
12 formulating and adopting a state fisheries development policy, that includes the CDQ program,
13 to guide the long-range development of the state's fisheries resources, to take maximum
14 advantage of the short-term fisheries development opportunities currently available, and to
15 minimize the effect of any short-term dislocations in the fishing industry of the state.

BUDGET AMENDMENT DESCRIPTION:	
	Community Development Quota (CDQ)

Community Development Quota (CDQ)

AGENCY CONTACT/PHONE NUMBER:

John Walsh, Deputy Director, CRDD 465-4898

John Walsh, Deputy Director, CRDD 465-4898

DESCRIBE WHAT THIS AMENDMENT CHANGES FROM THE GOVERNOR'S ORIGINAL BUDGET SUBMISSION, WHY IT IS NECESSARY AND THE CONSEQUENCES IF THE AMENDMENT IS NOT APPROVED:

This amendment requests increased overall funding for the Community Development Quota program (CDQ), and decreased grant funding to a realistic level for FY94.

This amendment requests increased overall funding for the Community Development Quota program (CDQ), and decreased grant funding to a realistic level for FY94.

The current plan for CDQ provides for community development grants to enable new entry into the CDQ program, as well as providing the department with funds to fully implement expansion of the CDQ program into other fisheries, continue the work of the CDQ task force and allow for necessary contractual funds to properly respond to program monitoring and compliance with the governing federal regulations.

Successful achievements in the 1992 CDQ fishery, where some \$20 million in fish harvests were obtained by participating CDQ groups, increased visibility of this fishery development program by the Governor during his State of the State and State of the

(CONTINUED ON NEXT PAGE)

CODE	EXPEND BY OBJECT	GOV ORIG	AMEND	GOV AMEND
100	Personal Services	807.5	136.8	944.3
200	Travel	153.7	14.9	168.6
300	Contractual Services	230.1	82.7	312.8
400	Supplies	14.6	3.4	18.0
500	Equipment	28.3	7.0	35.3
600	Lands, Buildings, Etc			
700	Grants, Claims, Etc.	369.7	(100.0)	269.7
800	Miscellaneous			
	TOTAL	1603.9	144.8	1748.7
	I-A Transfer (NON-ADD)			
1002	Federal Receipts	65.0		65.0
1003	General Fund Match			
1004	General Fund	1330.9	144.8	1475.7
1005	GF/Program Receipts	15.0		15.0
1007	I-A Receipts	108.0		108.0
1051	RDIF	70.0	.	70.0
1077	Gifts/Grants/Bequests	15.0		15.0
POSITION INFORMATION	PTF PPT Non-Permanent			
		12	2	14

AGENCY Community & Regional Affairs

BRU Employ/Train/Rural Development

COMPONENT Community Development Assistance #1179

FY94

Page 1 of 6

GBA
Governor's Budget
Amendment

CDQ AMENDMENT CONTINUED

Budget addresses, increased interest and strong support from numerous legislators, as well as the recent approval of the Individual Fishing Quota (IFQ) program for halibut and sablefish, including an expanded CDQ program for these species, warrant this request for new funding to support program expansion.

Line item detail:	71000	136.8	For two new Economic Development Specialists (EDS) positions, R19, (PCN 21#012, PCN 21#013). See Request for New Position forms.
	72000	14.9	See Request for New Position forms.
	73000	82.7	A total of 65.9 is to be paid by RSA to the Department of Fish and Game to cover a Fishing Biologist III, R18 position (57.9), with travel (4.5), and equipment (3.5). The balance of 16.8 will cover overhead for DCRA's 2 new EDS positions.
	74000	3.4	Office overhead for 2 new EDS positions.
	75000	7.0	Two personal and portable computers.
	77000	<u>(100.0)</u>	Reduce grants to anticipated need for FY94.
		144.8	

GBA
ADDITIONAL
EXPLANATION
FORM

AGENCY	<u>COMMUNITY & REGIONAL AFFAIRS</u>
BRJ	<u>EMPLOY/TRAIN/RURAL DEVELOPMENT</u>
COMPONENT	<u>COMMUNITY DEVELOPMENT ASSISTANCE</u>

PAGE 2 OF 6

FY 94

BUDGET AMENDMENT CDQ

Position Title ECONOMIC DEVELOPMENT SPECIALIST			No. of Positions 1	Range Step 19A	Barg. Unit XE
Time Status PFT	Staff Months 1 2		Location Bethel		Election District
TYPE OF EXPENDITURE		Amount	Justification <u>Duties would include, but not limited to:</u> <u>Field work:</u> This position is primarily an on-site field assistance staff. Frequent participation at regional level is critical. Each CDQ applicant proposes numerous fishery development projects, all requiring technical participation and on-site response and involvement. Each fishery development project will undoubtedly require interagency coordination to implement in an orderly fashion; i.e. ADFG site assessment analysis, biological considerations and research, DEC and EPA permitting assistance, Coastal Zone Management permitting and assistance, site determination and coordination with Municipal Lands staff within DCRA, coordination with communities, local and regional native corporations, grant writing for necessary fund leveraging, project management oversight and reporting, etc. The position will provide local and regional fishery association assistance, developing sustainable fishermen's associations or cooperatives. Strategic planning at a local and regional level for long range goals and objectives of fisheries associations is another integral component of the field work assignment. Development of insurance plans, pension sharing plans, career advancement training coordination and implementation, in cooperation with the CDQ applicants, fleet development and securing both CDQ and IFQ quota are some of the ingredients of a successful rural fisheries development plan and essential to long term success of this outreach effort and implementation in the field is the responsibility of this position. (CONTINUED ON NEXT PAGE)		
Salary		57.0			
Benefits		19.9			
Premium Pay					
Other					
Total Personal Services		76.9			
Travel		9.8			
Contractual		8.4			
Commodities		1.7			
Equipment		3.5			
Other					
Total Cost		100.3			
FUNDING SOURCE FOR TOTAL COST					
Federal Receipts 1002					
G. F. Match 1003					
General Fund 1004		100.3			
I-A Receipts 1007					
CIP Receipts 1061					
Other					

REQUEST
FOR
NEW
POSITION

AGENCY Community & Regional Affairs
 BRU Employ/Train/Rural Development
 COMPONENT Community Development Assistance

PAGE 3 OF 6

FY 94

BUDGET AMENDMENT CDA

TRAVEL:

This position would require extensive travel throughout the CDQ regions, especially focusing on the Bristol Bay, Kuskokwim, Yukon and Norton Sound districts. Coordination with the Anchorage EDS would be required for distance delivery in the remote Aleutian and Pribilof Islands district. Periodic travel to Anchorage for internal management sessions, coordinated with fishery development workshops or fishery management meetings, such as the North Pacific Fisheries Management Council or the state Board of Fish, would be expected.

3 trips Bethel - Anchorage @ \$400	\$1,200
3 X 3 X \$100	\$900
2 trips Bethel - Dillingham @ \$300	\$600
2 X 3 X \$150	\$900
2 trips Bethel - Emmonak @ \$300	\$600
2 X 2 X \$150	\$600
2 trips Bethel - Nome (area) @ \$700	\$1,400
2 X 3 X \$150	\$900
6 trips Bethel region @ \$150	\$900
6 X 2 X \$150	\$1,800
TOTAL TRAVEL	\$9,800

GBA
ADDITIONAL
EXPLANATION
FORM

AGENCY COMMUNITY & REGIONAL AFFAIRS
BRJ EMPLOY/TRAIN/RURAL DEVELOPMENT
COMPONENT COMMUNITY DEVELOPMENT ASSISTANCE

PAGE 4 OF 6

FY 94

Position Title ECONOMIC DEVELOPMENT SPECIALIST		No. of Positions 1	Range Step 19A	Barg. Unit XE
Time Status PFT	Staff Months 1 2	Location Anchorage		Election District
TYPE OF EXPENDITURE		Amount		
Salary		43.6		
Benefits		16.3		
Premium Pay				
Other				
Total Personal Services		59.9		
Travel		5.1		
Contractual		8.4		
Commodities		1.7		
Equipment		3.5		
Other				
Total Cost		78.6		
FUNDING SOURCE FOR TOTAL COST				
Federal Receipts 1002				
G. F. Match 1003				
General Fund 1004		78.6		
I-A Receipts 1007				
CIP Receipts 1061				
Other				
		Justification Duties would include, but not limited to: Program reporting: CDQ applicants are required to prepare quarterly management progress and financial reporting and annual audited reports. Tracking, review and monitoring for program compliance would fall under this position. Compilation of reports and preparation of state reports to the federal oversight authority would be required by this employee. Program development: Expansion of the CDQ program to additional species would be monitored and coordinated by this employee in coordination with the state CDQ staff task force, in conjunction with the North Pacific Fisheries Management Council and the Governor's fishery designee on the Council. Development of necessary governing regulation and program implementation would be handled by this employee. This position would coordinate with the Bethel based EDS, insuring on-site field monitoring, progress in CDQ applicant's goals and objectives in development of fisheries projects in the region. Coordination between the CDQ staff task force and the CDQ applicants would be incumbent upon this staff. Travel: This employee would be expected to attend appropriate fishery council meetings, including but not limited to the North Pacific Fisheries Management Council, the state Board of Fish and various fishery CONTINUED ON NEXT PAGE)		

**REQUEST
FOR
NEW
POSITION**

AGENCY COMMUNITY & REGIONAL AFFAIRS
 BRU EMPLOY/TRAIN/RURAL DEVELOPMENT
 COMPONENT COMMUNITY DEVELOPMENT ASSISTANCE

PAGE 5 OF 6

FY 94

BUDGET AMENDMENT CDA**Travel (cont'd)**

development seminars/symposiums relative to rural fishery development activity. Field travel to particular regions would be coordinated by this staff and the Bethel based development specialist.

2 trips Anchorage - Juneau @ \$450	\$900
Per diem - 2 X 3 X \$100	\$600
 2 trips Anchorage - Aleutian/Pribilof Is.	
2 X \$1,200	\$2,400
Per diem - 2 X 4 X \$150	<u>\$1,200</u>
 TOTAL TRAVEL	 \$5,100

Interagency coordination: Besides working closely with the CDQ staff task force, this employee would be intimately involved with extra-departmental coordination with the University of Alaska system, the Alaska Center for International Business, the Center for Economic Development, affected regional ARDOR groups, the fishery industry, the business community, the financial community and other relevant groups; i.e. regional native corporations, mayors associations, affected economic development organizations.

Included in this coordination effort would be preparation and organization of planning seminars, training programs, fishery association development, explanation and assistance in benefit management and individual board training assistance, etc.

GBA
ADDITIONAL
EXPLANATION
FORM

AGENCY
BFI
COMPONENT

COMMUNITY & REGIONAL AFFAIRS
EMPLOY/TRAIN/RURAL DEVELOPMENT
COMMUNITY DEVELOPMENT ASSISTANCE

PAGE 6 OF 6

FY 94

BSFA**Bering Sea Fishermen's Association**

725 Christensen Drive
Anchorage, Alaska 99501
(800) 770-6519 (Within Alaska)
(907) 279-6519
FAX (907) 258-6688

Serving western Alaska small boat fisheries since 1980

March 16, 1993

The Honorable Carl Moses
Chairman
Special Committee on Fisheries
Alaska House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Moses:

At your committee's March 12 hearing on House Concurrent Resolution No. 9, "Relating to state management of the Western Alaska Community Development Quota Program and state fisheries development policy", Mr. Bruce Weyhrauch, an attorney working for the Alaska Crab Coalition, presented testimony and asked a series of questions about the CDQ program.

None of Mr. Weyhrauch's questions were particularly relevant to the actual language of the proposed CS before the committee. Instead, Mr. Weyhrauch's intention appeared to be to raise doubts about the validity of the entire CDQ program.

At this time, for the benefit of the committee, I wish to respond to Mr. Weyhrauch's questions and respectfully request that this letter be included as part of the committee's formal record on HCR 9.

Below I have paraphrased Mr. Weyhrauch's questions, from my notes, and have then responded with my answers. The questions are not Mr. Weyhrauch's exact words, but I believe I have accurately summarized the substance of his comments.

Is it appropriate to expand CDQs to other areas of the state?

From my reading, HCR 9 contains no direct references to the expansion of the CDQ program to other areas of the state. Instead, the resolution focuses on the program as it currently exists along the Bering Sea coast. To the best of my knowledge, none of the existing CDQ organizations have taken a position on this issue. The general feeling is that the people who will be affected need to decide what

will work best for their regions. The CDQ program as it now exists addresses a specific situation in western Alaska.

Is it appropriate to expand CDQs to other fisheries?

This question can best be answered by determining what course of action is in the best interests of the State of Alaska. Specific information on the results of the CDQ program -- number of Alaskans employed, number of Alaskans in training programs, new fisheries markets established in Alaskan communities, etc. -- will be available later this year. If the CDQ program is successful in achieving its overall goals -- more employment for Alaskans and more economic opportunities within Alaska -- it may very well be appropriate to expand the program to other species in the Bering Sea. Dollars generated in rural Alaska circulate throughout the state and benefit the entire Alaskan economy.

Because we have a federal Economic Development Block Grant program, why do we need CDQs?

Not enough funds are available from federal block grants to initiate and complete the projects that are needed in western Alaska. The block grants also are competitive, require matches, and are not specifically fisheries-oriented. Block grants have been in existence for many years and have not been able to address the problems of western Alaska on the scale required. Additionally, one of the goals of the CDQ program is to give the residents of western Alaska the opportunity to participate in the harvest of a resource that, literally, can be found off their front doorsteps. This could not possibly be accomplished through federal block grants.

What will be the scope of CDQ corporation investments? Should the legislature limit what CDQ funds can be spent on?

State and federal CDQ regulations are very clear on this point. Proceeds from CDQ operations can only be invested in fishery-related projects and ventures. The results of these projects and ventures will be evaluated when the CDQ organizations submit applications to the state for 1994-95 quota awards. State officials have said the organizations that follow the rules and invest their revenues effectively and successfully will be rewarded with more quota while those who fail will be shut out of the program.

With the reauthorization of the Magnuson Act now pending before Congress, shouldn't the state move cautiously on CDQs in deference to national concerns?

The CDQ program is one of the most significant fisheries development programs ever implemented in the State of Alaska. It attempts to address the specific problem of poverty and unemployment in western Alaska Native villages by providing the residents of the region with an opportunity to have access to a rich fisheries resource that can be found right off their shores. The program was

March 16, 1993

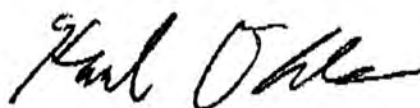
carefully designed with a great many government-regulated checks and balances. It places western Alaska communities in partnerships with established seafood processing companies in order to guide them to full participation in the fisheries. Most importantly, the entire State of Alaska will benefit from a successful CDQ program. More Alaskan residents will be employed and more dollars will be generated that will circulate within the state's economy.

Most of the concern expressed in Washington D.C. about CDQs is based on misunderstandings and misinformation about the purpose and actual operation of the CDQ program.

The State of Alaska should be proud of the CDQ program and should not be reluctant to publicize its accomplishments. Additionally, successful programs should not be restrained, but used as a model for future endeavors. If anything, the Magnuson Act should be amended to encourage CDQ implementation.

Thank you for your consideration of my comments. Please do not hesitate to contact me if I can provide you with additional information.

Sincerely,



Karl Ohls
Fisheries Development Specialist

cc: Rep. Lyman Hoffman
Mr. John Walsh, DCRA
Ms. Donna Parker, DCED
Mr. David Benton, ADF&G
Aleutian Pribilof Island Community Development Association
Bristol Bay Economic Development Corporation
Central Bering Sea Fishermen's Association
Coastal Village Fishing Cooperative
Norton Sound Economic Development Corporation
Yukon Delta Fisheries Development Association

CS FOR HOUSE CONCURRENT RESOLUTION NO. 9(FSH)**IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - FIRST SESSION****BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES****Offered:****Referred:****Sponsor(s): REPRESENTATIVES HOFFMAN, Ulmer****A RESOLUTION**

1 **Relating to state management of the Western Alaska Community Development**

2 **Quota Program and state fisheries development policy.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** the Western Alaska Community Development Quota (CDQ) Program is
5 a fisheries development program involving the federal Department of Commerce, the North
6 Pacific Fishery Management Council, the State of Alaska, and 55 Bering Sea coast, Aleutian
7 Islands, and Pribilof Islands communities; and

8 **WHEREAS** the CDQ program has set aside 7.5 percent of the available Bering Sea
9 pollock quota during 1992 through 1995 for Bering Sea coast, Aleutian Islands, and Pribilof
10 Islands communities; and

11 **WHEREAS** the amount of pollock available for harvest under the CDQ program is
12 more than 100,000 metric tons per year and has an estimated valued of \$20,000,000; and

13 **WHEREAS** the CDQ program allocates the available harvest of pollock among
14 eligible communities, local fishermen's organizations, and local economic development
15 organizations who in turn reinvest the proceeds from the harvest and processing of the pollock
16 in additional local fisheries development projects; and

1 **WHEREAS** the CDQ program is important to the economic development of Bering
2 Sea coast, Aleutian Islands, and Pribilof Islands communities; and

3 **WHEREAS** the operation of the CDQ program is governed by federal and state
4 regulations that prescribe the goals and objectives of the program, the communities and other
5 groups that are eligible to participate in the program, application and review procedures, quota
6 allocation procedures, and reporting and performance requirements; and

7 **WHEREAS** the North Pacific Fishery Management Council established the CDQ
8 program as a component of the inshore/offshore allocation of Bering Sea pollock; and

9 **WHEREAS** the Secretary of Commerce approved the CDQ program, thereby initiating
10 one of the most extensive economic development efforts ever to occur in the poorest regions
11 of Alaska; and

12 ~~**WHEREAS** the current CDQ allocation of pollock represents the first stage of the~~
13 ~~CDQ program and attendant fisheries economic development; and~~

14 **WHEREAS** the CDQ program represents an unparalleled opportunity for long-term
15 stable economic development for the communities of the Bering Sea coast, Aleutian Islands,
16 and Pribilof Islands; and

17 **WHEREAS** the Governor of Alaska is designated by the North Pacific Fishery
18 Management Council to recommend allocations of CDQ resources among eligible
19 communities; and

20 **WHEREAS** the State of Alaska plays a significant role in the operation of the CDQ
21 program because the Governor is responsible for requesting, accepting, and reviewing
22 proposals from eligible communities and organizations that seek a community development
23 quota allocation and for making recommendations to the U.S. Secretary of Commerce as to
24 which applicants should receive a quota allocation and as to how much each applicant should
25 receive; the Secretary of Commerce accepted and approved all recommendations made by
26 Governor Hickel for allocation of the 1992 - 1993 pollock community development quota; and

27 ~~**WHEREAS** responsibility for state participation in the CDQ program may be~~
28 ~~delegated to either the Department of Fish and Game, the Department of Commerce and~~
29 ~~Economic Development, or the Department of Community and Regional Affairs; and~~

30 **WHEREAS** the CDQ program needs strong leadership and coordinated support from
31 the State of Alaska to be successful; and

32 **WHEREAS** the State of Alaska does not have a fisheries development policy to guide

1 either community fisheries development or the Governor's allocative decision-making process
2 for the CDQ program;

3 **BE IT RESOLVED** by the Alaska State Legislature that the Governor is respectfully
4 requested to continue support for the Western Alaska Community Development Quota (CDQ)
5 Program and related fisheries development programs by

6 (1) devoting ~~full-time staff person~~ to coordinate the state's participation in
7 the CDQ program, to serve as ~~technical advisor~~ to and liaisons with CDQ program
8 participants, ~~and to work with all state agencies involved in the CDQ program, to increase~~ ^{and work closely}
9 ~~communication~~ with the federal Department of Commerce and the North Pacific Fishery
10 Management Council;

11 (2) fairly ~~and fully~~ ^{all} applying state and federal CDQ program regulations to
12 ensure accomplishment of the ~~economic development~~ ^{program's} objectives of the ~~program~~, to ensure
13 through regular executive review that the program participation criteria are properly applied,
14 and to ensure continued support for the program among participants and state and federal
15 agencies;

16 (3) assuring that state residents have access to the fisheries resources in or off
17 Alaska and that residents have the opportunity to engage in commercial fishing activities in
18 the area where they live; and

19 (4) initiating a review of past fishery development policy proposals and
20 formulating and adopting a state fisheries development policy, that includes the CDQ program,
21 to guide the long-range development of the state's fisheries resources, to take maximum
22 advantage of the short-term fisheries development opportunities currently available, and to
23 minimize the effect of any short-term dislocations in the fishing industry of the state.

- encourage the Federal Administration
- gov. must play big role
- fully commit resources.
gov.

Bruce Wayrock - A.C. Coalition
CS.

Karl Orls. BSEA
Bristol Bay - North

"there is a concern among
the groups."

Representative Lyman Hoffman
SPONSOR STATEMENT FOR HCR 9

I have introduced House Concurrent Resolution to encourage the Hickel administration to insure the State's role in the Western Alaska Community Development Quota Program.

The North Pacific Fishery Management Council established the CDQ Program as a component of the Inshore/Offshore allocation.

The most extensive economic development effort ever to occur in the poorest regions of Alaska began when the Secretary of Commerce approved the CDQ Program.

His signature started Western Alaska on a unparalleled passage of opportunity for long-term, stable economic development for the communities of the Bering Sea coast, Aleutian and Pribilof Islands.

The Governor must play a significant role during the first stage of the CDQ program, the allocation of pollock, for the program's fulfillment. The Governor is responsible for requesting, accepting, and reviewing proposals for quota allocation and three agencies have been delegated the state's responsibilities for state participation. The CDQ program needs strong leadership and coordinated support to be successful.

I believe that by initiating a review of past fisheries development policy proposals and to draft a comprehensive fisheries development policy that includes the CDQ program is necessary for the protection of our renewable multi-billion dollar fishing industry.

This resolution recognizes the CDQ program and respectfully requests that the Governor fully commit the resources of his administration to the program's extension and expansion in the interest of benefiting the economies of both western Alaska and the entire State of Alaska.

**SUGGESTED AMENDMENTS by Representative Hoffman
HCR 9**

Change title of bill to:

"relating to State management of the Western Alaska Community Development Quota Program, and State fisheries development policy" (formal title of CDQ program)

Replace all references to "rural coastal communities on or near the Bering Sea" to "Bering Sea Coast, Aleutian and Pribilof Island communities"

DROP "page 2 line 1 WHEREAS" ALTOGETHER

Page 2 line 15, after "1992", **ADD "-93"**

Page 2 line 19, after "leadership and", **ADD "coordinated"**

ADD

WHEREAS the North Pacific Fishery Management Council established the Western Alaska Community Development Quota Program as a component of the Inshore/Offshore Allocation.

WHEREAS the Secretary of Commerce approved the Western Alaska Community Development Quota Program, thereby initiating one of the most extensive economic development efforts ever to occur in the poorest regions of Alaska.

WHEREAS the current CDQ allocation of pollock represents the first stage of the CDQ program and attendant fisheries economic development.

WHEREAS the Western Alaska Community Development Quota Program represents an unparalleled opportunity for long-term, stable economic development for the communities of the Bering Sea coast, Aleutian and Pribilof Islands.

**SUGGESTED AMENDMENTS by Representative Hoffman
HCR 9**

WHEREAS the Governor of Alaska is designated by the North Pacific Fishery Management Council to allocate CDQ resources among eligible communities.

WHEREAS the State of Alaska does not have a fisheries development policy to guide either community fisheries development or the Governor's allocative decision-making process.

ADD TO BE RESOLVED:

ensuring through regular executive review the proper application of the program participation criteria.

put in middle of 2 other ensure phrases.

roll into (2) on p. 2

roll into (4) on page 3

initiating a review of past fisheries development policy proposals and to draft a comprehensive fisheries development policy that includes the CDQ program.

change (1) on p. 2 to:

- (1) devoting a full-time staff person to coordinate the state's participation in the CDQ program, to serve as a technical adviser to and liaison with CDQ program participants, and to work with ^{all} the involved state agencies to increase communication with the federal Dept of Commerce and NPFMC;

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HCR 9

Revision Date: _____

Department Affected: Fish and Game

Title: Community Development Fishing Quotas

BRU: Commercial Fisheries

Sponsor: Representative Hoffman

Component: Commercial Fisheries

Requestor: House Fisheries

COMPONENT SERIAL NO. 459

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY93) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Geron Bruce

Phone: 465-6143

Division: Commissioner's Office

Date: 3/9/93

Approved by Commissioner: [Signature]

Agency: Department of Fish and Game

Date: 3/9/93

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE



Representative Lyman F. Hoffman

Alaska State House
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-4453

MEMORANDUM

DISTRICT 39

AKIACHAK
AKIAK
ALEKNAGIK
ATMAUTLUAK
BETHEL
CHEFORNAK
CLARKS POINT
DILLINGHAM
EEK
EKUK
GOODNEWS BAY
KASIGLUK
KIPNUK
KONGIGANAK
KWETHLUK
KWIGILLINGOK
MANOKOTAK
NAPAKIAK
NAPASKIAK
NUNAPITCHUK
OSCARVILLE
PLATINUM
PORTAGE CREEK
QUINHAGAK
TOGIK
TUNTUTULIAK
TWIN HILLS

TO: Representative Carl Moses, Chairman
House Special Committee on Fisheries

FROM: Representative Lyman Hoffman

DATE: March 10, 1993

RE: HCR 9

Please find attached backup for House Concurrent Resolution 9.

I have introduced this resolution to encourage the Hickel Administration to insure the State's role in the CDQ Program and request executive review of criteria of program participation and to review the possibilities of a comprehensive fisheries development policy.

I look forward to working with your committee and staff on this important legislation.

Also attached are suggested amendments to HCR 9.

Thank you.

Post-It™ brand fax transmittal memo 7671		# of pages 3
To Karl Orlis	From Molly McCammon	
Co.	Co.	
Dept.	Phone # 465-6848	
Fax # 258-6688	Fax #	

Community Development Quota (CDQ) Program

The Community Development Quota (CDQ) is a fisheries development program between the North Pacific Fisheries Management Council (NPFMC), the State of Alaska and 55 rural coastal communities along the Bering Sea coastline. Through a cooperative working approach, pollock groundfish quota was reserved for Alaska rural coastal communities. Between 1992 and 1995, 7 1/2% of available pollock quota is set aside for competitive application from groups of eligible communities.

After forming applicant groups, regional associations incorporated for the purposes of fisheries development enterprises. Business plans were prepared and applications submitted to the state for review and recommendation to the U.S. Secretary of Commerce.

Federal and state regulations govern operations of the CDQ program, including organization requirements, listings of eligible communities, goals and objectives of applicant entities, reporting requirements and overall performance stipulations. The necessary public hearings were held throughout this process and transcripts compiled.

Initially, the CDQ program addresses the pollock groundfishery, the most lucrative biomass available within the Bering Sea groundfish fishery. Subsequent entry into halibut and sablefish (black cod) is underway. Further incursions into Pacific cod and crab resources are being actively considered and fully supported by the Hickel administration.

Proceeds derived from partnership arrangements with industry are required to be reinvested in fishery development projects, either within the applicant's region or as additional investment in the larger Bering Sea fisheries arena. Employment of local residents is required. Testimony by state officials and both state and federal regulations insist that operations be *active* not *passive*. Mere sale of quota and receipt of *dividends* will not be tolerated; all parties to the program are fully warned of this requirement. State and federal regulations provide measures for suspension or termination of quota awards should the state recommend such to the Secretary. Failure of applicant groups to reasonably perform according to regulations could trigger such action.

Annual quota amounts to approximately 101,450 metric tons, with an estimated value of \$20 M, not including direct employment benefits.

Prepared by: John M. Walsh, Deputy Director
Department of Community and Regional Affairs

Date: January 29, 1993

**CDQ CHRONOLOGY
WHAT WE HAVE DONE**

1. November 1, 1991 — DCRA & ADF&G bring CDQ issue to Rural Sub-Cabinet.
2. January 1992 — Governor gives direction to Rural Sub-Cabinet to move forward on approval of CDQ's.
3. March 1992 — Governor writes letter to Secretary of Commerce and makes call to EPA Administrator Reilly on inshore/off-shore amendment (includes CDQ)
4. April 1992 — The North Pacific Fisheries Management Council (NPFMC) approves our State CDQ criteria and procedures.

The NPFMC action did 2 things:

1. Gave Alaska the go ahead to draft State Regulations;
2. Gave direction to the National Marine Fisheries Service to draft Federal Regulations.

In order to speed the Federal Regulatory Process, the State paid for the Environmental Assessment Regulatory Impact Review required by the Federal process.

5. May 1992 — Governor secures funding for CDQ implementation and operations: FY92 \$100K, FY93 \$200K.
6. May - Sept. 1992 — DCRA, ADF&G and DCED work with the National Marine Fisheries Service on proposed Federal regulations.
7. October 23, 1992 — Public Comment period on Federal Regulations completed.
8. November 18, 1992 — Secretary of Commerce approves Federal Regulations.
9. November 18, 1992 — State Emergency Regulations adopted.
10. November 25, 1992 — CDQ Application review completed and Governor makes findings and recommendations to Secretary.
11. November 27, 1992 — CDQ Applications submitted to National Marine Fisheries Service for review.
12. December 1, 1992 — Governor's Recommendations received in Washington D.C. for Final Approval of U.S. Department of Commerce Secretary.
13. December 3, 1992 — Dr. Fox at U.S. Department of Commerce signed findings and recommendations for Secretary of Commerce. Signing action filed in the Federal Register.
14. December 3, 1992 — National Marine Fisheries Service in Juneau officially notifies Governor of Secretary's decision and alerts CDQ applicants with authorization to fish.

CDQ Applicant/Representative	CDQ Applicant Partner
✕ John Jemewouk Norton Sound Economic Development Corporation PO Box 39089 Elim, AK 99739 Phone: (907) 890-2248 Fax: (907) 890-2249	Bill Stokes Glacier Fish Co. 1200 Westlake Avenue N. Seattle, WA 98107 Phone: (206) 782-0118 Fax: (206) 298-4750
✕ Edwin Glotfelty Yukon Delta Fisheries Development Corporation 2415 Western Avenue Seattle, WA 98121 Phone: (206) 443-1565 Fax: (206) 443-1912 PO Box 210 Emmonak, AK 99581	Robert Breskovitch/Randy Adamson Golden Alaska Seafoods Inc. Market Place One 2001 Western Avenue Seattle, WA 98121 Phone: (206) 441-1990 Fax: (206) 441-8112
✕ Norm Cohen Coastal Village Fisheries Cooperative 204 N. Franklin Street, Suite One Juneau, AK 99801 Phone: (907) 586-2360 (Home) 586-1840 Fax: (907) 586-2331	Stan Simonsen/Lee Daneker Golden Age Fisheries 18 W. Mercer Street, Suite 400 Seattle, WA 98119 Phone: (206) 285-2815 Fax: (206) 282-5938
Paul Peyton Bristol Bay Economic Development Corporation PO Box 22871 Juneau, AK 99802 Phone: (907) 586-6070 Fax: (907) 586-6071	✕ Robin Samuelson Bristol Bay Economic Development Corp. Box 1464 Dillingham, AK 99576 Phone: (907) 842-5257 (Home) 842-5335 Fax: (907) 842-5932 Jeff Polvony Ocean Trawl Inc. 135 East 57th Street New York, NY 10022 Phone: (212) 752-5020 Fax: (212) 752-5094 <i>842-4370 local</i>
✕ Joe Kyle/Larry Cotter Aleutian Pribilof Island Community Development Association 119 Seward Street, Suite 8 Juneau, AK 99801 Phone (907) 586-3107 Fax: (907) 586-1001	Chuck Bundrant/Joe Plesha Trident Seafoods, Inc. 5303 Shilshole Avenue N.W. Seattle, WA 98107 Phone: (206) 783-3813 Fax: (206) 781-7883
✕ Perfenia Pletnikoff/William Arterburn Central Bering Sea Fishermen's Association/PBS Ltd. 1500 W. 33rd, Suite 100 Anchorage, AK 99503 Phone: (907) 278-2314 Fax: (907) 278-2316 (P. Pletnikoff) PO Box 88 St. Paul, AK 99660 (907) 546-2312 (907) 546-2366	Bernt Bodal American Seafoods Co., Inc. Suite 900 Market Place Tower 2025 First Avenue Seattle, WA 98121 Phone: (206) 728-0200 (206) 448-0300 Fax: (206) 448-0303

Community Development Quota Program

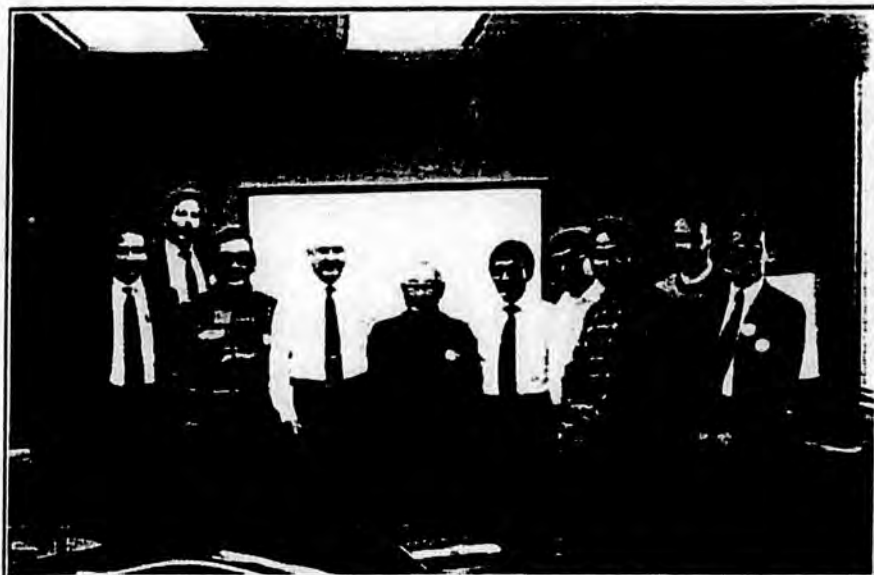
Project Group	Aleutian Pribilof	Bristol Bay	Central Bering Sea	Coastal Villages	Norton Sound	Yukon Delta
Communities Involved	Atka, St. George, Nelson Lagoon, False Pass, Nikolski	Aleknagik, Clark's Point, Dillingham, Egegik, Etuk, Manokotak, Nalaeik, Pilot Point, Port Heiden, Savonoski/King Salmon, South Nalaeik, Togiak, Twin Hills, Ugashik	St. Paul	Chefomak, Eek, Hooper Bay, Konigsgansk, Mekoryuk, Nightmute, Quinhagak, Toksook Bay, Tuntutuliak, Chevak, Goodnews Bay, Kipnuk, Kwigillingok, Newtok, Platinum, Scammon Bay, Tununak	Savoonga, Gambell, Elim, Golovin, Inalik/Diomedea, Koyuk, Shaktolik, Nome, St. Michael, Stebbins, Teller, Unalakleet, Wales, Brevig Mission, White Mountain	Alakanuk, Emmonak, Kotlik, Sheldon's Point
Eligibility	To be eligible, communities must be located within 50 miles of the Bering Sea Coastline, and must have no existing bottomfish industry					
Management Organization	Aleutian Pribilof Islands Community Development Association	Bristol Bay Economic Development Corporation	Pribilof Bering Seafood, for Central Bering Strait Fishermen's Association	Coastal Villages Fishing Cooperative	Norton Sound Economic Development Corporation	Yukon Delta Fisheries Development Association
Private Partners	Trident/Sarbound	Ocean Trawl	American Seafood and Ice	Golden Age	Glacier Fish	Golden Alaska
Vessels	Alderbaran* Columbia* Pacific Viking* Viking Explorer* Arcturus* Starfish* Nordic Star* Starbound (F/T) * catcher boats delivering fish to Alutian	Northern Hawk Northern Eagle Northern Jaeger (All F/T)	American Empress American Dynasty American Triumph American Champion Pacific Explorer Pacific Scout (All F/T)	Brown's Point (F/T)	Northern Glacier (F/T) Pacific Glacier (F/T)	Golden Alaska (M/S) American Beauty Ocean Leader Aleutian Challenger Sheldon Point (CVs)
Amount Allocated MT	18,260.10	20,289	10,144.50	27,390.15	20,289	5,072.25
Amount Allocated %	18%	20%	10%	27%	20%	5%
Project Duration	Two Years	Two Years	Two Years	Two Years	Two Years	Two Years
Employment	At least 40 individuals in CDQ program; additional employment from capital projects	60 full time in CDQ operations; 20 internships; additional 125 post-CDQ operations (minimums)	20-25 directly involved with CDQ harvest, plus 1993: 102; 1994: 229	25-35 year-round hires for 1992; 50-70 by 1995; plus 15 graduate workers in 1994	Up to 40 FTEs in CDQ operations; at least 538 permanent FTE, PT and seasonal jobs by end of CDQ program	Up to 50 FTEs by 1995 in CDQ operations; up to 230 in post-CDQ operations
Training	Budgeted \$300,000 per year to support training programs	50 students in basic vocational training per year; 8-10 in advanced vocational training per year; 3-4 scholarships of \$5,000-\$10,000 each per year	25 on-the-job trainees on factory trawlers annually; 3-10 maritime service trainees annually; \$100,000 scholarship fund; internships will be available at ASC offices; other training planned	12-18 management internships annually at GAF; scholarship fund of 5% of net CDQ profits; other training and career counseling	300 people trained for various positions in shoreside plants or on factory trawlers plus endowment for education and training	25 training initiatives for 258 residents by 1995, plus annual scholarship program
Infrastructure Enhancement	Build/improve two docks; dredge one harbor; build one small process plant; expand width of a runway; build gear warehouse; expand gear storage pad; build one slaughter house and one cattle ranch; aquaculture and mariculture enhancement	Create a business extension service for fishermen; provide matching fund for state capital projects; provide funds for fisheries development	Build new groundfish /crab processing plant and develop and complete harbor and community infrastructure	Build a training facility and salmon processor	Revitalize local fish processing facilities in four communities and other projects such as ice-delivery systems and small processing units	Two value-added processing and cold storage plants; small business fisheries infrastructure financing fund
Capital/Equity Generation	Vessel/IFQ purchase fund of 20% after-tax revenue. \$154 per metric ton plus 33% of gross revenues from roe.	70% of CDQ proceeds to Seafood Investment Fund; 30% to community development programs. Minimum royalties are about \$180 per metric ton roe fish and \$132 per metric ton for non-roe fish, or 60% of CDQ profits, yielding up to about \$12 million.	70% of CDQ royalties to infrastructure; 30% of royalties to vessel acquisitions and loan guarantees. \$265 per metric ton of CDQ fishery, totalling about \$19 million.	50% equity in FV Brown's Point; 50% equity in FV Barbara Lee. Additional revenues to develop infrastructure. Benefits of about \$20 million over two years plus \$10.5 million from salmon plant.	Royalties in excess of \$200 per metric ton, totalling about \$15 million over two years.	Royalty fee of \$250 per metric ton, totalling about \$9 million over two years.



Coastal Villages Fishing Cooperative

P.O. Box 109 • Chevak, Alaska 99563 • Phone 907-858-7250 • Fax 907-858-7812

COASTAL VILLAGES ENTERING NEW ECONOMIC ERA AS CDQ PROGRAM BRINGS FISHING JOBS TO REGION



CVFC members meet with Gov. Hickel and other state officials last October. Pictured, R to L: Norman Cohen, interim Executive Director; Dave Benton, ADF&G; Joe Paniuk, President, Gov. Hickel; John Phillip Sr., Board member from Kongiganak; Fred Phillip, Board member from Kwigillingok; Charlie Spud Sr., Board member from Melkoryuk; David Bill Sr., Board member from Tooksook Bay; John Walsh, DCRA; and DCRA Commissioner Edgar Blatchford.

Co-op's COASTAL VILLAGES FISHERIES Processor Will Work 1993 Kuskokwim Salmon Fisheries

With funds earned through the CDQ program, CVFC is purchasing the entire Schenk Seafoods salmon processing operation which formerly operated on the Yukon River.

The operation, which will provide more than 75 jobs to residents of the CVFC region, will be relocated to the lower Kuskokwim River in time for the June 1993 salmon fisheries.

CVFC is purchasing the opera-

tion with its partner, Golden Age Fisheries, for \$2.6 million. Equipment in the purchase will total 19 vessels, including processing barges, a freezing plant, cold storage, a refrigerated freighter, and 14 tendering vessels.

The operation will have sufficient capacity to process the majority of salmon landed in the Kuskokwim commercial fisher-

SEE PROCESSOR, PAGE FOUR

Seventeen coastal communities from Scammon Bay in the north to Platinum in the south, organized as the Coastal Villages Fishing Cooperative, received the highest share — 27 percent — of the newly established Community Development Quotas for the 1992-1993 pollock season in the Bering Sea.

After decades of having little opportunity to take part in one of the world's richest fishing operations, these 17 CVFC communities are now active participants in the Bering Sea groundfish fisheries.

The CDQ program was created by the North Pacific Fishery Management Council to provide a means for residents of rural Bering Sea coastal villages to enter and become significant participants in the billion-dollar fisheries directly off their shores.

Seven and one-half percent of the overall Bering Sea pollock quota has been allocated to the CDQ program.

Coastal Villages Fishing Cooperative is a for-profit corporation and a full-blooded fishing company. The goal is to not only fish in the Bering Sea fisheries, but also to take an active role in

SEE VILLAGES, PAGE FIVE

Coastal Villages Fishing Cooperative Board of Directors

EXECUTIVE COMMITTEE MEMBERS:

Joe Paniyak, President
Chevak 858-7250

Harvey Joe, Vice President
Hooper Bay 758-4534

Rose Thomas
Goodnews Bay 967-8929

Fred Phillip, Secretary
Kwigillinok 588-8114

Monroe Kaganak, Member at Large
Scammon Bay 558-5428

BOARD OF DIRECTORS

Wassilie Bavilla David Bill, Sr.
Quinhagak 556-8133 Tooksook Bay 427-7012

Carl Dock Peter John
Kipnuk 99614 Newtok 237-2314

Thomas Jumbo Victor Kamilik
Nightmute 647-6129 Tununak 652-6527

James Kasayulie Tommy Kussiak
Platinum 979-8215 Cherformak 867-8978

Peter Lupie John Phillip, Sr.
Tuntutuliak 256-2841 Kongiganak 557-5227

Charlie Spud, Sr. Steven White
Mekoryuk 827-8941 Eek 536-5426

AGENDA FOR CVFC BOARD MEETING

Feb. 2, 1993 • 9 A.M. • KVNA Building, Bethel

Tuesday, February 2

morning: Reports by Harold Sparck (teleconference)
Norman Cohen, Acting Director
Joe Paniyak, Employment Coord.
David Bill, Office Manager

afternoon: Board training session

Wednesday, February 3

morning: Inexpensive Partnership mgmt. agreement
Coastal Villages Fisheries 1993 operations
Review proposed development projects

afternoon: Cooperative financial report
Scholarship and investment funds
Personnel selection committee

MESSAGE FROM JOE PANIYAK, PRESIDENT, CVFC

Greetings!

As President of the Coastal Villages Fishing Cooperative, it is my great pleasure to send to you our first newsletter. In this newsletter you will find articles describing the Coastal Villages Fishing Cooperative (CVFC), what we have accomplished so far, and some of our plans for the future.

CVFC was established to apply to the State of Alaska and the Secretary of the U.S. Department of Commerce for a Western Alaska Community Development Quota (CDQ), and to help create a fishing economy in the CVFC Region.

Of the six groups applying for a share of the 7.5 percent of the pollock catch reserved for CDQ groups, Coastal Villages won the largest share at 27 percent. The key to our success was putting together a for-profit business strategy that we could put into effect immediately upon receiving our allocation. As one of those involved in reviewing our application said, "It showed the kind of program we really were looking for, where the community was going to get in the fishing business immediately, were going to take a reasoned approach, and we wouldn't see long lead times for the thing to happen."

Now that we've got the allocation, we believe that the best way to accomplish our goals is to make CVFC a successful fishing company involved in all of the fisheries in our region. That is why we are buying Schenk Seafoods and putting that salmon processing plant in the lower Kuskokwim River. In the future, we hope to be able to process herring and halibut as well.

Our other main goal is to provide employment to the young people of our villages. We know that they will have to start out in lower paying jobs and will have to travel far from home. However, in the long term, we want these young people to advance into higher paying jobs requiring skills that they have learned on the job. To accomplish this goal we are recruiting young men and women for training in fish processing, providing internship programs for more skilled jobs, and will establish a

SEE PANIYAK, PAGE SIX

**EXECUTIVE DIRECTOR
POSITION ANNOUNCEMENT**

The Coastal Villages Fishing Cooperative is seeking a highly motivated person to assume the position of Executive Director. The position, to be filled by mid-April 1993, will be based in Bethel. A Yup'ik speaker is desired.

QUALIFICATIONS: Applicant must have a four-year college degree and minimum of five years experience in business or natural resources fields. Must be knowledgeable of Y-K Delta issues. Must be capable of using a computer and of operating the CVFC office without supervision or secretarial support. Must be able to write grants and draft comments in support of CVFC positions on public issues and documents. Must also be able to participate in a six- to eight-week internship with Golden Age Fisheries in Seattle.

SALARY: Minimum \$60,000 annually, possibly higher, depending on experience. Benefits included.

TO APPLY: Application should include a resume and cover letter explaining applicant's interest in this position and description of relevant skills. Resume must cover the past 10 years and include positions held, responsibilities, salary ranges, names and addresses of supervisors, and reason for leaving. Applications lacking salary history or salary requirements will not be considered. Submit application by February 28, 1993, in care of Norman Cohen, CVFC Interim Executive Director, 204 N. Franklin St., Suite 1, Juneau, AK 99801. For a complete copy of the position announcement write to the above address or call 586-2360.

CDQ Program Will Expand Into Other Fisheries Soon

CDQ programs applying to the halibut and sablefish (black cod) fisheries are now being developed by the North Pacific Fishery Management Council. The program should operate similarly to the pollock CDQ program.

The Cooperative is working with other CDQ organizations and the Bering Sea Fishermen's Association to convince the federal government to revise the program's rules so that western Alaska villages are able to fully participate in these fisheries. Although the catch quotas for halibut and sablefish in the Bering Sea are relatively low, CDQ's will provide yet another opportunity for western Alaskans to develop local fisheries and expand their local economies.

First CDQ Season Was Good, But 1993 Should Be Even Better

The first fishing effort conducted by the Coastal Villages Fishing Cooperative partnership under the new CDQ program was a clear success, according to Lee Daneker, Director of Development for Golden Age Fisheries of Seattle.

Using leased vessels and the factory trawler BROWNS POINT, owned jointly by CVFC and Golden Age, the partnership caught 24,520 metric tons of pollock between Dec. 5 and Dec. 31. The catch fell about 2,800 metric tons short of the CVFC allocation under the CDQ program, but the shortfall was understandable, Daneker said.

"The final approval of the CDQ program didn't come through until early December, and then one of the vessels that was supposed to fish with us dropped out at the last moment," he said. "Even so, we got very good value for our fish -- probably more value per fish than a lot of other operations."

A significant part of that enhanced value can be traced to quality control, and Daneker said crewmen from the coastal villages proved to be excellent at spotting defective product.

"We hired a new quality control manager and he went out on the BROWNS POINT in December," he said. "He found that there were brand new, green employees from the villages who were better at quality control than experienced employees were. In fact, they were better than *he* was, too."

The coastal villages employees proved adept at other jobs, as well; several have already received promotions and pay raises, Daneker said.

The outlook for the 1993 fishery looks even better, and Daneker said there will be no shortfall in the catch.

"We're going to take our whole CDQ allocation, because we'll have the luxury of knowing at the beginning of the year what we're going to get and we can take all year to get it," he said.

That prospect, and the diversified projects that the partnership will be undertaking in its three other joint ventures, should make 1993 quite a busy year.

"We're just very excited to be in this partnership," he said, "and we're very much looking forward to getting all these projects rolling this year."

CVFC Plans Job Recruitment Trips To Co-op Villages

The Coastal Villages Fishing Cooperative is planning a series of trips to co-op villages to discuss job opportunities for the 1993 fishing seasons.

Joe Paniyak, President of CVFC, and Mary Leeney, Director of Human Resources for CVFC partner Golden Age Fisheries, will travel to the villages and meet with local residents in February and March.

"We'll be discussing exactly what kind of jobs are going to be available, what the working conditions are like, and what the pay scales will be," Leeney said.

The cooperative estimates it will be filling 60-75 jobs on its trawlers in 1993, and more than 75 jobs in its lower Kuskokwim salmon processing operations. Twelve to 18 internships designed to teach the skills needed in higher-level jobs also will be offered this year.

Exact dates that they will be in the villages, and the time and location of the meeting in each village

will be announced locally. And as usual for this time of year, the schedule may have to be revised because of weather conditions.

"We'll have posters in each village announcing when and where the meeting will take place," Leeney said. "At the meetings, we'll talk about the jobs and explain the internships. We'll also have job applications with us, so we really hope to meet with as many people as we can in each village."

On the first trip, Paniyak and Leeney will travel from Feb. 9-20, and will visit the following villages: Chefomak, Hooper Bay, Mekoryuk, Newtok, Nightmute, Scammon Bay, Tooksook Bay, and Tununak.

On the second trip, scheduled between March 8-20, they will visit Eek, Goodnews Bay, Kipnuk, Platinum, Tuntutuliak, Kwigillingok, Konigiganak, and Quinhagak.

PROCESSOR...from page 1

ies.

"Fishermen from the delta villages will greatly benefit from local ownership," said Joe Paniyak of Chevak, president of the Coastal Villages cooperative. "We will provide regular tendering, ice and good prices to our fishermen."

"This is an exciting opportunity to finally have local ownership and participation in the salmon processing industry in our region," Paniyak said. "We are confident we can handle well over 50 percent of the salmon in the Kuskokwim fishery."

CVFC will be stressing strict quality control in its processing operations, Paniyak said. And since quality control starts the moment the fish leaves the water, the cooperative plans to require that fishermen bleed and ice their salmon immediately upon landing them.

"This is a great chance to show the world just how good Kuskokwim salmon can be," he said. "And CVFC is a fishermen's organization, so we will pass on the benefits of better quality to the fishermen of the Kuskokwim through higher prices for

better handling of the fish."

CVFC interim Executive Director Norman Cohen said the equipment to be purchased from Schenk is a complete processing operation, but much of the gear needs work.

"It's badly in need of repair and modernization," he said. "We plan to invest significant sums in improving the factory and other machinery, and by the beginning of the salmon season it will be ready to go."

The barges and other vessels will be accepting deliveries in the lower Kuskokwim, Kanektok and Goodnews Bay salmon fisheries in June.

Cohen said initially most jobs for area residents will be as fishermen or in processing or salmon tendering positions. Golden Age will supply key management jobs, and has committed to training people from the Coastal Villages and Kuskokwim regions to take over those positions later.

"Our goal is to make this, over time, a totally locally run operation," he said.

CVFC Board Member David Bill Explains CDQ Plan To Villagers

It has been a busy month for Coastal Villages Cooperative board member and Office Manager David Bill, Sr., who has been travelling to the villages in the co-op to explain the potential benefits of the new CDQ program to western Alaska.

It's the second round of trips to talk about the program for Bill, who lives in Tooksook Bay.

"I went out to the villages in October, before we got our allocation," he said. "I found then that the people didn't understand the CDQ program very well, but they understand it much better now. Their eyes are open."

Bill said he is finding villagers to be very interested in the program, and the potential it has for providing jobs for their local economies.

"The young people, especially, are very excited about the economic opportunities," he said. "It's been very nice to be able to tell them they are going to have something to look forward to in the way of a job opportunity."

COASTAL VILLAGES FISHING CO-OP: HERE'S WHAT WE'RE ALL ABOUT

COMMUNITIES: Cheformak • Eek • Hooper Bay • Konigiganak • Mekoryuk • Nightmute • Quinhagak • Tooksook Bay • Tuntutuliak • Chevak • Goodnews Bay • Kipnuk • Kwigillingok • Newtok • Platinum • Scammon Bay • Tununak

CDQ PARTNER: Golden Age Fisheries, with two factory trawlers.

JOBS: 25-35 year-round hires, growing to 51-70 by 1995.

TRAINING: 12-18 management interns annually at Golden Age Fisheries; scholarship fund to receive 5 percent of net CDQ profits.

INFRASTRUCTURE ENHANCEMENT: Will establish a training facility and salmon processor.

CAPITAL/EQUITY: 50 percent equity in F/V BROWNS POINT; 50 percent equity in F/V BARBARA LEE.

BENEFITS TO REGION: \$40 million over 4 years, plus \$10.5 million from salmon processing.

VILLAGES...from page 1

the nearshore and inriver fisheries of the Yukon-Kuskokwim Delta.

The Cooperative will provide substantial benefits for member communities and throughout the Y-K Delta, such as investment in local fisheries businesses, improvement of local fisheries infrastructure, training and scholarships.

To achieve these important goals, the Cooperative joined with Golden Age Fisheries of Seattle, which owns five fishing and processing vessels.

The current CDQ program is authorized for four years. If successful, it could be extended, and may also be implemented in other fisheries in other regions.

The Cooperative has four business ventures under way currently, all in 50-50 partnership with Golden Age Fisheries. They are:

- Imapiqamuit Partnership, which owns the factory trawler BROWNS POINT for pollock fishing.
- Barbara Lee Partnership, which owns the BARBARA LEE, a longliner to fish cod, and which will be used when the halibut, sablefish and cod CDQ programs are implemented.
- Salmon Roe University, a joint venture to train residents for high-paying jobs as salmon roe technicians in Alaska's salmon fisheries.
- COASTAL VILLAGES FISHERIES salmon processor, a joint venture designed to process highest-quality Kuskokwim salmon at top prices.

WHY GOLDEN AGE SEAFOODS?

The Coastal Villages Fishing Cooperative chose Golden Age Seafoods for its partner because the company has common goals and a common vision for the future of the coastal villages region. CVFC wanted a CDQ partner that is committed to the region, and Golden Age has shown that commitment by endorsing the concepts of equity and profit sharing, training, employment, scholarships, and a voluntary tax to fund additional fisheries infrastructure projects in the region in the future.

Golden Age has experience and expertise in the operation of large offshore vessels, including factory trawlers and processors. In recent years it has achieved sales of \$40 million to \$60 million, and its vessels are valued at more than \$45 million.

PANTYAK COLUMN...from page two

scholarship fund for higher education in fisheries and business.

I believe that we are very fortunate to have Golden Age Fisheries as our partner to help us achieve our CDQ program goals. Stan Simonson, the President of Golden Age Fisheries, is committed to having our partnership be successful. He and his company will be working hard to make certain that in just a few short years, Coastal Villages Fishing Cooperative will be a major fishing company providing more opportunities for jobs in our traditional salmon and herring fisheries, as well operating offshore in the groundfish fisheries of the Bering Sea.

The successes we have had thus far have the result of the hard work of many people. I want to mention some of them to you, so that you will know who to thank for giving us the opportunity to have a better future.

These people include Harold Sparck; Governor Walter J. Hickel; Senator Ted Stevens; Congressman Don Young; Henry Mitchell; Commissioner

Edgar Blatchford of the Department of Community and Regional Affairs; Commissioner Paul Fuhs, Department of Commerce; Commissioner Carl Rosier, Department of Fish and Game; Clem Tillion, of Gov. Hickel's office; David Benton of ADF&G; Donna Parker, of Commerce; John Walsh, of DCRA; and Steven Pennoyer, Director of the Alaska Region of the National Marine Fisheries Service.

And of course, I need to thank all the members of the Coastal Villages Board of Directors for their time and good work in putting this cooperative together.

I know that I speak on behalf of the entire Board of Directors of CVFC in saying that there is a bright future ahead for the communities in the region, and all of the Yukon-Kuskowkwim Delta villages. We at CVFC want to help create that bright future.

And we look forward to working with you in making this happen!

COASTAL VILLAGES FISHING COOPERATIVE

P.O. Box 109

Chevak, Alaska 99563

(907) 858-7250 Fax 858-7812

FIRST CLASS

SCOMM

87:25

MIKE NAVARRE
REPRESENTATIVE

DISTRICT 9



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

DURING SESSION
STATE CAPITOL
JUNEAU, AK 99801-1182
(907) 465-3779

HOME ADDRESS
Box 169 — KENAI, AK 99611
(907) 262-7842

SPONSOR STATEMENT

February 8, 1994

TO: Representative Carl Moses, Chairman of the House Special Committee on Fisheries

FROM: Representative Mike Navarre

SUBJECT: House Joint Resolution 17, A resolution relating to the re-authorization of the Magnuson Fishery Conservation Act.

.....

The proposed committee substitute for HJR 17 relates to the Magnuson Fishery Conservation and Management Act of 1976, currently up for re-authorization in the U.S. Congress. This Act was last re-authorized in 1990 for a period of three years. The Act serves two purposes: 1) to make a national claim on the fisheries resources of the continental shelf in the band of marine waters from 3 to 200 miles offshore--the exclusive economic zone (EEZ); and 2) to set up a system for managing and conserving the fisheries resources within this zone. To meet this management and conservation aim, Congress created the Regional Fishery Management Council system. Alaska is represented on the North Pacific Fishery Management Council.

In creating the Council system, Congress recognized the strong interest coastal states had in the fisheries resources of the EEZ off their shores. Congress charges the Councils with the primary responsibilities for determining management policy, within the EEZ, and mandates that the voting members of each of the eight regional Councils be drawn from the relevant coastal states. There is only one voting member representing the federal government on each Council.

The North Pacific Fishery Management Council is unique, among the eight regional Councils created by Congress, in that it is assigned responsibility for a portion of the EEZ lying entirely off the coast of a **single** state -- Alaska. All the other Councils' regions of authority span **multiple** state coastlines. Congress recognized this uniqueness, as well as historic participation in the fisheries off Alaska by the residents of Washington and Oregon, when prescribing the voting membership of the North Pacific Fishery

Management Council. There are 6 votes from Alaska, 3 from Washington, 1 from Oregon, and 1 from the National Marine Fisheries Service.

The makeup of the Council is one of the issues that will likely be considered as part of the re-authorization. Washington and Oregon would like more votes on the Council, and it was a significant issue during the re-authorization in 1990. It is critical that Alaska maintain its voting strength, on the Council, if we are to protect the fisheries resources in our coastal waters and Alaska's interest in those resources.

The overall record of the Council is one of strong support for fishery conservation, often at the expense of the economic self-interest of the individual members. Most importantly, the actions taken by the Council to conserve the resource have consistently had the overwhelming support of the Alaska members on the Council.

The committee substitute for HJR 17 by no means addresses all of the issues affecting the re-authorization of the Magnuson Act. However, it does address the core issue of importance to Alaska--to maintain our current voting representation on the Council. By accomplishing this, we will be able to effectively address the other issues surrounding the Council process.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HJR 17

Revision Date: _____ Dept. Affected: _____
 Title: Relating to the reauthorization of the Magnuson
Fishery Conservation Act BRD: _____
 Sponsor: Representative Mike Navarre Component: _____
 Requestor: House Special Committee on Fisheries COMPONENT SERIAL NO. _____

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0					
CAPITAL EXPENDITURES	0					
CHANGE IN REVENUES ()	0					

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0					

Estimate of any current year (FY94) cost: \$ 0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Cheryl Sutton, Aide, Representative Moses
 Division: Legislative/House of Representatives
House Special Committee on Fisheries
 Approved by Commissioner: *Paul E. Moses*
 Agency: House of Representatives

Phone: 465-6848
 Date: February 8, 1994
 Date: February 8, 1994

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February 6, 1994

Representative Mike Navarre
State Capitol, Room # 521
Juneau, Alaska 99801-1182

Sent By FAX Transmission

Dear Representative Navarre:

Subject: SJR 17 and HJR 17

The Kenai Peninsula Fishermen's Association (KPFA) is a group of over 400 commercial salmon fishermen in the Cook Inlet area.

KPFA strongly supports the reauthorization of the Magnuson Fishery Conservation and Management Act. We also support the current geographic composition of the North Pacific Fishery Management Council. The majority of the membership of the council responsible for the high seas fisheries off Alaska should rightfully be Alaskans.

Thank you for introducing this resolution, Representative Navarre!

Sincerely,

Ken Coleman

Ken Coleman
President



Cook Inlet Seiners Association

P.O. Box 4311
Homer, Alaska 99603
235-2656

February 8, 1994

Representative Mike Navarre
Alaska State Capitol,
Juneau, Alaska 99801-1182

Dear Representative Navarre:

As you know, Cook Inlet Seiners Association (CISA), is a non-profit, Homer based fishing organization. CISA represents eighty-five percent of the seine permit holders in Lower Cook Inlet. We are writing on behalf of our membership in support of House Joint Resolution 17. Thank you for introducing this resolution that relates to the reauthorization of the Magnuson Fishery Conservation and Management Act.

The move by Washington State congresswoman, Jolene Unseold to change the composition of the council is unacceptable. Not only could assigning additional seats to representatives from the lower 48 place the management of Alaskan fisheries into the hands of non-Alaskan, it could also increase the possibility of the appointment of non-qualified people on the council. The fishery industry is facing difficult and complex issues. As a result, it is absolutely necessary and vital that only those with expertise and experience in the field are in decision-making roles.

The present council make-up has a proven track record of sound management. At this point in time, there is no compelling reason to change its composition.

Thank you again on behalf of the lower Cook Inlet Seiners.

Sincerely,

AlRay Carroll Smith
AlRay Carroll, President
Cook Inlet Seiners Association

**UNITED COOK INLET DRIFT ASSOCIATION**

P.O. Box 389 • Kenai, Alaska 99611 • 0389

(907) 283-3600 • FAX (907) 283-3306

February 7, 1994

SENT BY TELEFAX

Representative Mike Navarre
(Sponsor) HJR17
State Capitol, Room#521
Juneau, AK 99801-1182

SUBJECT: SJR17/ HJR17

Dear Representative Navarre,

United Cook Inlet Drift Association (UCIDA) would like to express our strong support for SJR17/HJR17. This legislation supports the retention of the current Alaskan majority on the North Pacific Fisheries Management Council (NPFMC).

United Cook Inlet Drift Association (UCIDA) represents the 585 salmon drift permit holders in Upper Cook Inlet. Some 350 permit holders are current members of our association. UCIDA is also active at the state and federal levels as a member of the Executive Committee of United Fishermen of Alaska (UFA).

Of all the Management Councils established by Congress under the Magnuson Act, NPFMC has clearly developed and sustained the largest conservation ethic. This is due, in large part, to the "Alaskan majority" since they represent thousands of Alaskan vessel owners and the many Alaskan coastal communities that have a vested interest in the long viability of the fisheries in the North Pacific.

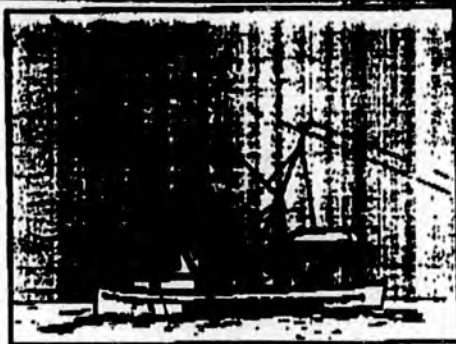
We urge expeditious action on this legislation as it will reinforce similar positions already taken by our Congressional delegations as they work toward the reauthorization of the Magnuson Act.

Sincerely

Theo Matthews
Administrative Assistant

cc Senator Stevens
Representative Young

Senator Murkowski
UFA



Alaska Trollers Association

130 Seward Sr., No. 505
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

February 8, 1994

Representative Carl Moses
Alaska State Capitol
Juneau, AK 99801-1182

Dear Representative Moses:

The Alaska Trollers Association (ATA), representing fishermen from Alaska and the lower 48, supports the principles of sound conservation and management of Alaska's fishery resources and the current composition of the North Pacific Fishery Management Council (Council).

As you may know, Washington state Congresswoman Jolene Unsoeld is interested in changing the composition of the Council, which, in turn, will disadvantage Alaskans. Assigning additional seats for the lower 48 representatives could amplify many of our existing management dilemmas by giving a relatively small number of vessel owners the power to determine the fate of thousands of fishermen, crew and associated businesses who currently make their living in Alaska's fisheries. As for non-industry representation, ATA believes great care should be taken to ensure that those making policy decisions regarding fisheries management bring the necessary expertise to the Council forum.

The present Council make-up has been more than adequate to address the concerns and issues of the many interests. The Council's record of management action is something we can all be proud of.

ATA supports the resolution and hope that it will be expedited through the House and Senate. Time is of the essence for Alaska to inform Congress of its position.

Sincerely,

Dale A. Kelley
Executive Director

Petersburg Vessel Owners Association

P.O. Box 232
Petersburg, Alaska 99833
Phone (907) 772-9323 Voice and Fax

RECEIVED
FEB 15 1994
Ans'd.....

February 11, 1994

Representative Carl Moses, Chairman
House Special Committee on Fisheries
State Capitol
Juneau, Alaska 99801

Dear Representative Moses,

We would like to make you aware of our support for HJR 17, relating to the reauthorization of the Magnuson Fishery Conservation and Management Act. We feel it is essential that the State of Alaska send a strong message to Congress to maintain the current geographic composition of the North Pacific Fishery Management Council.

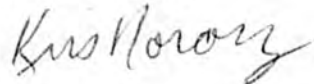
We have been active at the Council process since its inception. We believe the present composition of the NPFMC has been successful in representing and addressing the concerns and interests of the wide array of people who are involved in North Pacific fisheries. One of the criticism that has been levelled specifically at the NPFMC is that the Alaska majority controls the Council process. However, if one examines the voting record of the NPFMC, it is obvious that this is certainly not the case.

Retention of the current geographical composition of the NPFMC is extremely important to us. We are strong believers that it is imperative that the decision makers on the NPFMC are readily accountable to the fishermen and communities that are most affected.

The NPFMC has many fine accomplishments to its credit. The Council prohibited roe stripping, established the nation's first comprehensive domestic observer program, and has maintained the 2 million ton cap on Bering Sea harvests.

We support HJR 17 and hope that it will be fully embraced by both the Senate and House.

Sincerely,



Kris Norosz
Director



Cook Inlet Seiners Association

P.O. Box 4311
Homer, Alaska 99603
235-2656

RECEIVED
FEB 10 1994

Ans'd.....

February 8, 1994

Representative Carl Moses
Chair, House Special Committee on Fisheries
Alaska State Capitol,
Juneau, Alaska 99801-1182

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Sincerely,

AlRay Carroll DMH

AlRay Carroll, President--Cook Inlet Seiners Association

MIKE NAVARRE
REPRESENTATIVE

DISTRICT 9

DURING SESSION
STATE CAPITOL
JUNEAU, AK 99801-1182
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ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

SPONSOR STATEMENT

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Suggested Changes to HJR 17 language (referenced by line number)

Page 1

L. 5: add "(EEZ)" after the phrase "exclusive economic zone"

L. 7: delete "outer" from phrase "outer continental shelf", the MFCMA is specifically focused on continental shelf resources—outer continental shelf has a different connotation.

L. 9: strike "high seas" (not necessary and technically inaccurate terminology)

L. 11: strike "on the high seas" and replace with "within the EEZ"

L. 12: strike "largely" (it has eliminated all foreign fishing within the EEZ)

L. 13: strike "on the high seas" and replace with "within the EEZ"

L. 15-16: strike "high seas" and replace with "EEZ"

Page 2

L. 8: strike "high seas" and replace with "EEZ"

HOUSE COMMITTEE REPORT

2/9/94

Resources

(5)

Date Referred: January 20, 1993

FURTHER REFERRALS:

Date of Committee Action: February 9, 1994

The HOUSE SPECIAL COMMITTEE ON FISHERIES Committee considered:

HJR 17

HOUSE JOINT RESOLUTION NO. 17

MAGNUSON FISHERY CONSRV & MGT ACT

Relating to reauthorization of the Magnuson Fishery Conservation and Management Act.

RECOMMENDATIONS:

be replaced with CS HJR 17 (FSH) ☒ the same title
☐ a new title

☐ have attached amendments(s)

☒ do pass

☐ do not pass

☐ no recommendations

☐ individual recommendations

☐ additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

☐ fiscal impact _____

☒ zero fiscal note FSH cmte

APPROVES PREVIOUS:

(Dept/Date)

☐ fiscal note(s) _____

☐ zero fiscal note(s) _____

cheryl - I told you wrong - it is a new note
opp's condi

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Nicholia</i> <i>[Signature]</i>	✓				
<i>Davidson</i> <i>[Signature]</i>	✓				
<i>Olberg</i> <i>[Signature]</i>	✓				
<i>Moses</i> <i>[Signature]</i>	✓				
	(4)				

Charles Moses MOSES
 CHAIRMAN'S SIGNATURE

Suggested Changes to HJR 17 language (referenced by line number)

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SCOMM

87:26



U.S. Fish and Wildlife Service
Alaska Maritime NWR
Aleutian Islands Unit
Naval Air Station
PSC 486, Box 5251
FPO AP 96506-5251

Phone (907) 592-2406/2407
FAX (907) 592-3473

Date 4/2/93 Subject: Adak - Model Fishing Community HSR18

To: ANNETTE KREITZER

From: D BOONE REFUGE MANAGER

Comments: THESE ARE PERTINENT documents which have been
RE-TYPED - the copies we have would have been
UNREADABLE ON THE FAX. IF I can be of further
ASSISTANCE, PLEASE give me a call.

The
Dan Boone

Re: HJR 18

ATTACHMENT B(Public Land Order 1949)(Anchorage 031764)ALASKA

Withdrawing Lands for Use of Department of the Navy for Military Purposes (Attu, Adak, and Kodiak Islands)

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-804), as amended, and reserved, and reserved for use of the Department of the Navy for military purposes:

a. Attu Island: That land lying south of Latitude 52°52'00" N. between Longitude 173°04'00" E., and Longitude 173°14'00".
The area described contains approximately 11,670 acres.

b. Adak Island: That part of the island east of the Bay of Island and north of Latitude 51°47'13" N.
The area described contains approximately 61,000 acres of land.

c. Kodiak Island: Beginning at Corner No. 2 of U.S. Survey No. 2539, U.S. Naval Reserve at Kodiak, thence
East, 11,832.42 feet along boundary of U.S. Survey No. 2539:
N. 34°41'W., 7,987.16 feet:

S. 85°45'15" W., 4,157.22 feet:

N. 80°25'45" W., 5,957.22 feet:

S. 52°23'30" W., 10,567.20 feet:

S. 13°10'30" W., 9,085.74 feet:

S. 6°34' E., 4,071.43 feet:

S. 87°18'35" E., 12,715.45 feet to a point on the west
boundary of U.S. Survey No. 2539:

North, 13,973.68 feet along west boundary to the point of

beginning.

The area described contains approximately 6,269.7 acres.

d. Middle Bay: That portion of the northwest shore of Middle Bay lying east of the east boundary of U.S. Survey No. 2539. U.S. Naval Reserve.

The area described contains 49.23 acres.

The areas described total in the aggregate 78,933.93 acres.

2. Attu and Adak Islands were reserved by Executive Order No. 1733 of March 3, 1913, as a part of the Aleutian Islands National Wildlife Refuge. The reservation made by this order shall be the dominant reservation except for purposes of wildlife conservation and management, as to which Executive Order No. 1733 of March 3, 1913 shall be the dominant one.

3. The lands are not public lands within the meaning of the act of February 28, 1958 (72 Stat. 27; 43 U.S.C. 165).

Roger Ernst
Assistant Secretary of the Interior

August 10, 1959

Attachment C

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
WASHINGTON, D.C. 20240

Memorandum

To: Director, Fish and Wildlife Service

From: Assistant Solicitor, Fish and Wildlife

Subject: Aleutian Islands National Wildlife Refuge Cannery Proposal

This is in response to an informal request for an opinion concerning the management responsibilities of the Fish and Wildlife Service on the military reservation portions of the subject Refuge. Requests to lease a site for cannery facilities on Adak Island have raised questions of jurisdiction over the area for fish and wildlife conservation purposes. We understand the United States Navy claims its has primary responsibility over the area for purposes of entering into a lease for a proposed cannery facility on Adak Island.

The Aleutian Islands National Wildlife Refuge was originally established on March 3, 1913, by Executive Order No. 1733, which reserved "all islands of the Aleutian chain, Alaska" as a "preserve and breeding ground for native birds, for the propagation of reindeer and fur bearing animals, and for the encouragement and development of fisheries". The area was to be known as the "Aleutian Islands Reservation". By Proclamation 2416, July 25, 1940, the name was changed to the "Aleutian Islands National Wildlife Refuge".

On August 19, 1959, PLO 1949 reserved some 72,670 acres of the Refuge (portions of Attu and Adak Islands) for use of the Navy for military purposes. The PLO stated that the reservation made by that order was to be the dominant reservation "except for purposes of wildlife conservation and management, as to which Executive

Order No. 1733...shall be the dominant one".

In our view, the Fish and Wildlife Service has exclusive jurisdiction over the Refuge with respect to non-military matters. This would include a lease of the nature as is here involved. Issuance of such a lease would impact on wildlife in the area and is therefore of concern to FWS. Thus, FWS does have the authority to conduct the negotiations and issue the lease for the proposed facility.

Since the functions of wildlife conservation and management remain with FWS, regulation of the environmental impacts of a cannery operation is entirely subject to FWS jurisdiction, notwithstanding the fact that the activity occurs on a military reservation. Before operation of the facility can be permitted, it must be determined that such use of the Refuge will be compatible with the purposes for which the area was established. In addition, this should be coordinated with the Navy to ensure that military functions are not adversely affected.

If you have further questions on this matter, please contact Mr. David Fisher at 343-2172.

Ronald E. Lambertson

cc: Regional Solicitor, Anchorage

Attachment D

Depart of the Navy
Western Division
Naval Facilities Engineering Command
P.O. Box 727
San Bruno, California 94006

24:WKB:bk
8 Aug 1980

Preston, Thorgrimson, Ellis & Holman
Suite 404
420 L Street
Anchorage, AK 99501

Attention: Mr. Frederick H. Boness

Gentlemen:

This refers to your letter of 18 June 1980 on behalf of your client Whitney-Fidalgo Seafoods, Inc.

Your letter proposes Whitney-Fidalgo, Inc. to lease certain facilities at Finger Bay, Naval Station, Adak, Alaska as a support station for fishing grounds in the Bering Sea. It further raises the question of jurisdiction as to the leasing authority of the Navy and Fish and Wildlife Service.

There has been a dispute for more than two years relative to title to certain improvements placed on a leased site by a previous lessee as well as to further leasing and use of the site. As indicated to the Whitney-Fidalgo, Inc., in previous correspondence, the Navy is deeply concerned relative to the use of the Finger Bay facilities for housing of personnel, for even 60 days, during crab season. The introduction of such personnel without appropriate support placed demands on the Naval Station and jeopardizes its fragile supply line. The Navy's retaining a right to approve any Fish and Wildlife lease was based on this concern. Any prolonged use for housing of personnel would substantially impact the Station.

Further, we do not agree with your interpretation of the Inter-Agency Agreement between the Department of Navy and the Fish and Wildlife Service, particularly to the words "seafood processing". These words are not restricted to the processing function itself, but are used to connote the overall operation. For instance, please refer to the Settlement and Stipulation, Page 1, the second WHEREAS Clause provides in part that a certain lease dated January 1, 1973...permitted the lessee to construct certain improvements thereon for fish processing purposes...(emphasis added).

The intent of the Agreement with Fish and Wildlife was not to include only "fish processing" in the strict literal sense, but includes all of the facilities and operations that are included in operations as a whole, such as the sewage facilities, bunk houses and mess hall. The Navy License which provided for crab processing embraced the whole gamut of operations and restrictions.

As additional background, the Agreement between the Navy and Fish and Wildlife Service, the following are excerpts from correspondence from the Department of Interior which led to the Agreement. "On August 19, 1959 Public Land Order (PLO) 1949 reserved some 72,670 acres of the Refuge (portions of Attu and Adak) for military purposes...It is our view that the FWS has exclusive jurisdiction over all non-military matters...I am therefore requesting action regarding the lease, and inform the prospective lessee that FWS is the Agency charged with the issuance of such a lease" (Emphasis added). A copy of this letter is enclosed.

Therefore, the jurisdiction relinquished and acquiesced to the Fish and Wildlife Service is not as limited as your letter suggests. For the Navy to proceed to lease the premises would not be consistent with the Agreement to segregate jurisdiction authority.

Sincerely,

WARREN K. BRANSCUM
Director
Real Estate Division

Blind Copy to:
NAVSTA Adak

Adak stands to lose sub hunters and 75 percent of its Navy force

By JIM CLARKE
The Associated Press

Adak Naval Air Station is expected to lose its anti-submarine aircraft and about 75 percent of its more than 4,000 sailors and dependents next year under plans being reviewed by the Pacific Fleet.

Capt. E.A. Caldwell, commander of the Aleutians base, was ordered last week to write a reorganization

plan that includes the sharp staffing cuts, Petty Officer 1st Class Walter Panych, a Navy spokesman on Adak, said Tuesday.

The base, on Adak Island about 1,200 miles west of Anchorage, has served as a supply depot since World War II. It has been a forward airfield for Soviet submarine hunters for most of the Cold War.

But a Navy spokesman at

Pearl Harbor, Hawaii, said the Adak orders are part of a larger plan to reduce submarine-hunting missions in the Pacific.

"They're coming up with a plan that will, over time, reduce the mission of Adak as much as possible," Lt. Kenneth Ross said. "It's part of ongoing efforts to use bases more efficiently to meet mission requirements."

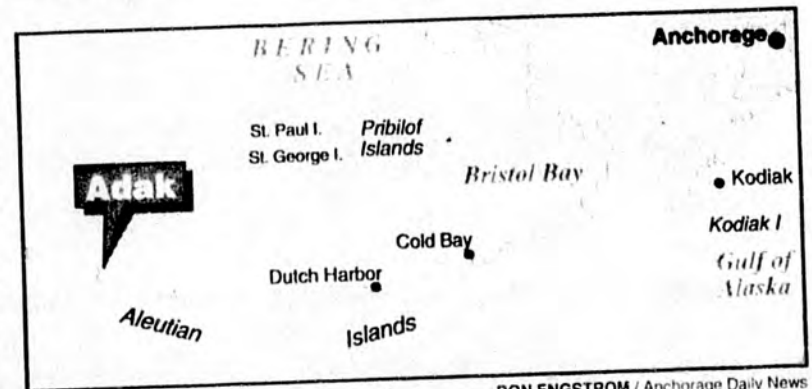
About 4,200, which in-

cludes sailors and their families, live on the base. That number would be cut to below 1,000.

And the four Lockheed P-3 Orion submarine hunters deployed to the base would be removed.

A Navy spokesman on Adak said the reduction would be gradual, and that the island's runways, light-

Please see Back Page, **ADAK**



the island, the move should
vate businesses operate on
Hawaii was on the list

ment and alcohol treatment

ADAK: Cuts planned

Continued from Page A-1

ing and control tower would still be maintained.

"The threat that was once there has subsided markedly," Panych said. "Looking at it realistically, we're doing this because everybody's drawing down."

While the orders from the Pacific Fleet were received Friday, the same day the Pentagon's latest base-closing list was released, Navy officials said the Adak move was not related.

In a separate move, the Army announced last week that it will reassign about 2,800 soldiers in Alaska from Fort Richardson, in Anchorage, and Fort Wainwright, near Fairbanks.

Because Adak is so remote, and because few private businesses operate on the island, the move should not be a serious blow to the state's economy.

But Richard Reeve, president of Reeve Aleutian Airways Inc., said the Adak

cutback may mean the airline will reduce service to the island.

Reeve Aleutian now operates five flights a week from Anchorage to Adak in the winter and six in the summer. Reeve said the flights represent at least 10 percent of the airline's business.

Besides the anti-submarine missions, Adak also handles some communications for the Pacific Fleet, as well as surveying. Those activities are expected to remain on the island, Ross said. Most of the sailors will leave because the submarine hunters are going, he said.

That is in line with other Navy bases scheduled to close.

Moffett Naval Air Station in Mountain View, Calif., was on a 1991 base-closing list, and Barbers Point NAS in Hawaii was on the list released Friday.

Both bases are home to squadrons of P-3 aircraft, the Navy's primary submarine hunter.

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Alaska State Legislature

Representative Carl E. Moses



CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL FISHERIES COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
FISH AND GAME
PUBLIC SAFETY

SESSION:
CAPITOL BUILDING, ROOM 204
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-4451
FAX: (907) 465-3445

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P.O. BOX 109
UNALASKA, ALASKA 99685
PHONE: (907) 581-1234
FAX: (907) 581-2875

MEMORANDUM

TO: Senator George Jacko, Chair
Senate Rules Committee

FROM: Representative Carl Moses

DATE: April 1, 1993

RE: Scheduling of HJR 18

I would like to respectfully request that you schedule for a floor vote HJR 18, relating to establishment of a fishing community on Adak Island.

The Adak Naval Base has been in existence as a military establishment in the Aleutian Islands since World War II, but is now being considered for reduction in forces. Commercial fishing is the major industry in the Aleutian Island Chain and along the Alaska Peninsula, but natural harbors that are adjacent to prime fishing grounds are at a premium. Adak Island has a number of such harbors that have the potential of being developed as small outposts of the local fishing industry. It is now time for Alaska and the U.S. Department of Defense to look to the future of Adak Island. Releasing a portion of the naval reserve for development of a fishing community, or at least making it available for civilian use, would be a first step.

The resolution has no fiscal impact.

Alaska State Legislature

Representative Carl E. Moses



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Sponsor Statement

HJR 18

Relating to establishment of a fishing community at Adak

The Adak Naval Base has been in existence as a military establishment in the Aleutian Islands since World War II. With the easing of Cold War tensions, the U.S. Department of Defense is now looking at reducing or phasing out numerous installations across the country, including Adak. In fact, Adak is being considered for a reduction of three-quarters of its active forces.

Commercial fishing is the major industry in the Aleutian Island Chain and along the Alaska Peninsula. Natural harbors that are adjacent to prime fishing grounds are at a premium. Adak Island has a number of such harbors that have the potential of being developed as small outposts of the local fishing industry.

At one time, civilians did have limited access to the Adak Naval Reserve, but that access was revoked.

It is now time for Alaska and the U.S. Department of Defense to look to the future of Adak Island. Releasing a portion of the naval reserve for development of a fishing community, or at least making it available for civilian use, would be a first step.



ALASKA CRAB COALITION

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

March 5, 1993

Representative Carl E. Moses,
Chairman, House Special Committee on Fisheries
Alaska State Legislature
Capitol Building, Room 204
Juneau, AK 99801-1182

Dear Carl:

At a recent meeting of the Board of Directors of the Alaska Crab Coalition, we reviewed House Joint Resolution No. 18, relating to the "establishment of a fishing community at Adak," in the Aleutian Islands.

The Board has endorsed the resolution which respectfully requests the Department of Defense and the Department of the Navy to release a portion of the Adak Island Naval Reserve to the State of Alaska for the development of a model fishing community on Adak Island.

Crab fishing vessels frequent this relatively remote area of the Aleutian Islands at different times of the year and they are in need of safe harbors for anchorage, floating fish processors and a deployment base with air transport facilities for changing out crews and resupplying of groceries and fresh water.

As you are already aware from your lengthy residence and experience in the Aleutians, there are very few harbors open for safe anchorage in this area, as most are closed by military orders for security related reasons. This has long created logistical inconveniences and added expenses for crab and groundfish vessels.

Opening harbors on Adak Island will add an important logistical seaport for Alaska.

Sincerely,

Arni Thomson
Executive Director

cc: Alaska Congressional delegation

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HJR 18

Revision Date: _____ Dept. Affected: DMVA
Title: Establishment of a fishing community BRU: _____
at Adak. Component: _____
Sponsor: Rep. Moses
Requestor: Rep. Moses COMPONENT SERIAL NO. _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact

Prepared by: Jeff Morrison, Director
Division: Administrative and Support Services
Approved by Commissioner: *J. Morrison* Hugh L. Cox III
Agency: Military and Veterans Affairs

Phone: 465-4730
Date: 16 Feb 93
Date: 2/16/93

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HOUSE JOINT RESOLUTION NO. 18

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MOSES

Introduced: 1/22/93

Referred: House Special Committee on Military and Veterans' Affairs,
House Special Committee on Fisheries, State Affairs

A RESOLUTION

1 Relating to establishment of a fishing community at Adak.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS the tensions of the "Cold War" have subsided and numerous military
4 installations are being totally or partially closed by the Department of Defense; and5 WHEREAS the Adak Naval Base has all of the facilities and infrastructure of a small
6 city; and7 WHEREAS, with the reductions currently in progress at the Adak Naval Base, many
8 of the facilities on the base will be excess to the needs of the military; and9 WHEREAS Adak Island has a number of natural harbors in close proximity to major
10 fishery resources; and11 WHEREAS the opportunity exists to develop a "state of the art" model fishing
12 community on Adak Island; and13 WHEREAS history has shown that military bases and civilian communities can co-
14 exist with benefits to both;15 BE IT RESOLVED that the Alaska State Legislature respectfully requests the
16 Department of Defense and the Department of the Navy to ~~release~~ *open up to public use* a portion of the Adak
17 Island Naval Reserve to the State of Alaska for the development of a model fishing

1 community on Adak Island.]

2 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
3 United States; the Honorable Al Gore, Vice-President of the United States and President of
4 the U.S. Senate; the Honorable Les Aspin, Secretary of the Department of Defense; and to the
5 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
6 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

HSR 18

2/24/93

MVA-

Finger Bay was available at 1 time

Wills - if any land transferred - any evidence that environmental hazards could be left behind that maybe Dept of Defense might should address first.

Case - might be a detriment to my business.

Alaska State Legislature

Representative Carl E. Moses



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MEMORANDUM

TO: Representative Richard Foster, Chair
Military and Veterans Affairs Committee

FROM: Representative Carl Moses *CEM*
Chairman, House Rules Committee

DATE: January 27, 1993

RE: Request for scheduling

I would like to respectfully request that a hearing be held in your committee on HJR 18, relating to establishment of a fishing community at Adak. This issue is very important to my region. My aide Molly McCammon (6848) is the contact on this bill.

Thank you.