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HANDROLLING

On February 5, 1980 the Administrative Regulations Review Committee of the Alaska State Legislative held a public hearing on hand troll regulations at the state capitol building in Juneau. Representing fifty some commercial hand trollers from the villages of Point Baker and Port Protection, centers of continuous hand troll activity for over fifty years, hand troller Tom Jacobson, of Port Protection, presented the following testimony:

The Point Baker hand trollers depend almost entirely on our hand troll income for our survival, there being no other viable alternatives in our small isolated village. Although our incomes are relatively meager, they have been sufficient to sustain an adequate standard of living. However, regulations designed to deny us the right to fish traditional grounds (such as the closure of outside waters), regulations to reduce our gear by 50% (the new two-line limit), and prospects for still more restrictions to come, will have a disastrous effect on the socio-economic well-being of our community. Not having the type of vessel or the capitol required for permits and gear in order to enter a different fishery, we will face the prospect of leaving homes and families to seek employment in town or succumbing to public assistance. If all this were the result of there being no more salmon it would be a regrettable but understandable circumstance. But, rather, all this is the result of insensitive and heavy-handed actions on the part of our State Bureaucracy, by using hand trollers as the scapegoat for problems unrelated to our catch of fish.

Let's put this situation in perspective. In the year of Highest Hand Troll Effort, 1978, of all the salmon caught in Southeast Alaska, only 3.1% were caught by hand trollers, according to Fish and Game statistics. And last year, both the number of hand troll permits fished and the hand troll portion of the catch dropped even lower. While hand trollers are being subjected to closure of outside waters, time restrictions on certain inside waters, a 50% reduction in gear, and more restrictions promised to come, the power trollers remain totally unaffected in state waters. They may continue to use four lines and fish waters closed to hand trollers only. Purse seining and gill netting will continue in areas and during times when hand trollers can not fish. The group of fisherman who have by far the least impact on the salmon resource and can least afford further economic hardship, hand trollers, are receiving the full brunt of the state's restrictions, while those fishermen who have had the greatest impact on the state's resource can continue fishing barely affected. Clearly, hand troll restrictions are primarily not conservation measures, but unwarranted manipulation of the livelihood of Alaskan citizens, elimination of small individual enterprises without justification or compensation.

We wish to underscore the fact that the Point Baker hand trollers support and encourage all meaningful regulations that will conserve threatened salmon stocks. But, we demand equal treatment under the law. The troll fishery must be regulated as one fishery with all fisherman sharing conservation efforts equally. In the seventy year history of Alaskan trolling, it wasn't until June 1978, with the closure of outside waters to hand trolling, that any regulation was made which applied only to one group of trollers. In the four years preceeding this discriminatory closure of outside waters, less than 3% of Southeast Alaska troll

caught kings and cohos were caught by hand trollers in outside waters. Yet to those hand trollers who traditionally fish these waters, it accounts for the major portion of their income. Clearly, this was not primarily a conservation measure, as power trollers and purse seiners who account for nearly all salmon taken in outside waters, were completely unaffected by this closure.

When the North Pacific Management Council submitted their 1979 troll plan to the Secretary of Commerce in Washington, D.C. with a provision to ban hand trolling in Federal waters, the U.S. Secretary of Commerce rejected the hand troll ban stating, "After studying all available information, I have determined that no conservation purpose is served by distinguishing hand troll from power troll gear. I have determined that this measure is inconsistent with the fairness and equity provisions of National Standard 4. The proposed ban would allocate fishing priveleges unfairly between two groups of fishermen who use essentially the same type of gear."

The State reacted by prohibiting Alaskan hand trollers from participating in the federal waters fishery, in spite of Washington's insistence that hand trollers are permitted to fish there. Hand trollers from other states may still legally fish these waters. The "allocation of fishing priveleges unfairly between two groups of fishermen who use essentially the same gear", to which the Secretary of Commerce objected, is precisely what the board resolved in its policy to allocate the coho catch between power trollers and hand trollers on an 80% - 20% basis. (By the way, power trollers and hand trollers use precisely the same gear, from hook to gaff hook, fish the same areas, with the same strategies, for the same species. The one and only difference is that power trollers use mechanical means to retrieve the gear while hand trollers use manual means.) This policy of allocating 80% of the troll caught cohos is the justification given for cutting the hand troller's gear in half, through the two-line limit regulation, while all other salmon fishermen, both troll and net, will continue to use the same amount of gear. Furthermore, if the Board is truly concerned about power trollers not receiving their 80% of the troll caught cohos, why do they propose to limit us to two lines twelve months a year, when cohos are only caught from mid June to mid September? The small proportion of cohos that is taken by hand trollers is not justified by a 50% reduction in our gear only, and certainly not for the nine months a year when cohos are never caught! While it is true that hand trollers in 1979 caught 204,000 more cohos than they did in 1975, power trollers caught over 500,000 more cohos in 1979 than in 1975. Clearly, the effort of power trollers has increased more than hand trollers, yet it is only the hand trollers who are having their gear cut by 50%. This is not conservation, but social and economic manipulation.

This unjust allocation policy between trollers also torpedoed the Commercial Entry Commission's attempts to implement a workable limited entry system for hand trollers. By directing the Commission to limit the number of permits to a number which guarantees power trollers 80% of the troll cohos, the number of proposed permits became so small that the majority of popular opinion at the Commission's public hearings on the matter disapproved of the Commission's plan. The Commission then proposed a number of permits unacceptably high by the Board's allocation standard, with the result that even more restrictions on hand trollers

were recommended. So now we have a limited entry policy which benefits no one whatsoever, the entrenchment of restrictions which were supposed to have been only for the interim until limited entry was enacted for hand trollers, and the proposal for new, even more restrictive regulations on the way. This, when the number of hand troll permits in Point Baker increased from fifty one in 1975 to fifty two in 1978.

The Point Baker Hand Trollers Association has spent countless hours, which we don't have, puzzling over our state's fishing bureaucracy, trying to play it by their rules, hoping to come up with solutions that will work by their standards. Money, which we don't have, has been spent attending hearings in the hope that justice may prevail. Our carefully considered, by-the-rules proposals have been politely received and studiously ignored without comment. We would be delighted to work with any legislators to draft legislation to bring some sense of fairness to this beaurocratic jungle. We hate to once again see the little guy needlessly squeezed out by the big guy through the power of our state government. Especially, since we are the little guy. The hopes and futures of many families at Point Baker and elsewhere are now in the hands of this committee. Your careful study and consideration of the issue is our last hope for a responsible resolution of our situation. It is difficult to predict what actions individuals will take should their sole means of support be unjustly taken away. Thank you.

Sen. Bennett,

I AM writing you in regards to the present HAND trolling situation from an uneasy position as I see NO simple solution AT HAND. The limited entry program HAS MADE fisheries management (even though still very complex) by reducing some of the variables. Also & most important, the fish will benefit by eventually ATTAINING AN optimum resource level that fluctuates with naturally imposed conditions & not because of mans greed or ignorance. But the program - not by intention but because of design - is going to make the choice of a fishing way of life almost impossible for many of Alaska's young or future young people. To even hope to attain a permit, that is on a limited basis ranging in price from thousands to hundreds of thousands of dollars, one must be able join the fishing community at an entry level. This at least holds the possibility that with hard work, a bit of luck & a lot of paying attention one may be able to eventually scrape together the money required to begin fishing with a limited permit. By cutting the line limit from four in half HAND trolling will cease to be an avenue toward this goal as a person will not be able to make the move because of economics. You have to eat & stay warm before money can be put into savings & there wont be enough. So I have a suggestion AND ALSO A question.

FIRST - would it be possible to maintain HAND trolling at an entry level & also make it a source of economic possibility by breaking it

into two categories

1) Four hand gurdies with a limited permit required (owned by the state & given to an individual for use that meets certain developed requirements such as need, economic dependence & tradition tempered of course with common sense, upon non use the permit would go back to the state & be reissued according to developed guidelines - no personal ownership would alleviate the money market trading & speculation we see with present limited entry permits) & additionally;

2) Two gurdies or two poles maintained at entry level so all paths to a fishing way of life are not closed.

Secondly the question

would it be possible for the State to do something about the present high prices of limited entry permits? The State created a system of personal ownership of the right to harvest a public resource & because of the resulting permit prices many people will not be able to participate in this way of life unless they come from a fishing family (that presently owns permits) or have access to large amounts of money. It may be the States responsibility to use some of its "new money" alleviate this discriminatory situation.

I want to thank you for taking the time to read this letter & am looking forward to your reply. I have lived in Alaska for four years and am presently hand trolling. I love the fishing way of life & at 32 years of age will make it my way of living regardless of restrictions or permit prices, but I hate to see the door slammed shut in front of other young Alaskans.

Thank You
Chris Sharpsteen
P.O. 1255
Petersburg, Alaska
99833

TO: Senator Don Bennett, Chairman
Administrative Regulation Review Committee

FROM: Sue Lowell

DATE: March 25, 1980

RE: Commissioner Skoog's letter of March 13.

For your information, the following is a summary of Commissioner Skoog's letter of March 13, constituting the Department of Fish and Game's comments regarding the troll fishery regulation for 1980.

With reference to the Administrative Regulation Review Committee's March 4 hearing, the Department feels that the Committee heard adverse testimony from handtrollers, who are both "professional" and in the minority, to the proposed regulations regarding the two line limit concept, which they believe decreases their efficiency. The Department states that the existing limitation is already two gurdies for hand trollers, and up to four poles for those involved in rod and reel fishing.

In Department hearings last fall, the hand troll fleet did not express the above concern; instead, they opted out for a greater number of permits, rather than increasing their efficiency. The Board of Fisheries expressed their interest in managing the troll fishery by limiting the number of potential hand trollers who would enter the fishery to between 500 and 600.

The Department feels that the hand troll fleet has increased their efficiency in recent years without the use of four gurdies. This has been done so they say, through the use of larger and faster vessels and hand gurdy gear. I just can't believe this statement Don, because the average Alaskan resident who is involved in the hand troll fishery does not own one of these larger and faster boats. But, instead he is usually rural oriented individual with an average boat size of about 18 feet. This information was derived from discussing the problem with several village hand troll association people. The hand trollers that are making out like bandits are the out-of-state fishermen with the big boats that are also rigged to engage in other types of fishing.

To return to the Department's feelings, they also believe that it was the handtrollers with the above type of vessel that testified at our last hearing. I again cannot believe this. Further, the Department feels that if the Committee should vote to reverse part of the regulations, that this would cause serious fishery management problems. In essence Don, they warned you that the North Pacific Fishery Management Council, the Secretary of the Interior, and courts would work against Alaska's fishery if the Committee decided to further increase the hand trollers efficiency. It is my opinion, that I am inclined to cast a more jaded eye at the Department of Fish and Game than I am with the above groups they mentioned.

Dear Sir,

I understand from talking to Lt. Gov. Terry Miller you are holding meetings now in Juneau on hand trolling. I have been trolling salmon and halibut fishing for 5 years. When I started I could fish halibut from May to September, I could fish salmon with four lines all summer - in inside or outside waters. Last year halibut ~~was~~ fishing was open three weeks. This year it may be shorter. This year my troll gear is cut in half, while the cost of fuel may be double before the season is over. Cannerys

are saying the price of fish will be down. Give me a chance to let make a living - let me fish four line. The ~~to~~ majority of handtrollers are Alaskans - how about Alaska for Alaskans.

Send me any ~~form~~ information on hand trolling meetings you have. What can I do to get my other to lines back in the water.

Dennis Farvey
Box 554
Petersburg Alaska
99833

TO: Senator Bennett

FROM: Sue Lowell *SL*

RE: Handtroll Regulations

DATE: March 19, 1980

Bob Anderson, Chairman of the Yakutat Advisory Committee called to express his support, representing the Committee, to the Board of Fisheries action taken at their December meeting regarding the regulations adopted to go into effect this fishing season.

They held a recent meeting in Yakutat, out of which the following groups joined in support of the Board of Fisheries proposals:

Alaska Native Brotherhood
Village Corporation of Yakutat
City of Yakutat
Yakutat Fishery Advisory Committee

March 12, 1980

Members of the Regulatory Review Committee:

My name is Alice Bartoo. I have a halibut longline permit and I crew for my husband when we fish gillnet, longline, crabpots, jigging machines, as well as handtrolling. I am secretary for the United Southeast Alaska Gillnetters.

Although our organization usually is working to have the Board of Fish review and change regulations, we now find ourselves depending their position and decisions. Jim Buxton and Greg Cook offered excellent testimony at your public hearing. The Board's decisions on handtrolling are based on extensive and exhaustive research and many, many hours of public hearings. It did not make their decision any easier; it only served to make them more aware of the fact that any decision would be unpopular. The Department of Fish and Game also presented evidence of the statistical decline of coho and increase of handtroll effort.

Three years ago, when Limited Entry was first seriously considered, handtrollers turned out in force at public hearings to cry, "Don't limit our numbers; just give us gear and area restrictions!" Last year, the number of permits was not restricted and there were time and area closures. The fish stocks still suffered because there was still too much gear in the water.

Now, this year a limit has been put on the permits; if you didn't have one last year, you don't get one this year. The limit in numbers of permits and area closures would only maintain the level of last year's effort. To decrease the handtroll take of fish, a gear restriction is necessary. All other gear types are restricted already.

There was much public testimony to the effect that a handtroller could not make a good living at it last year. This should tell them something:

There are not enough troll fish to be caught to support 2100 hand-trollers!

I urge you to consider the effort and testimony that has gone into the Fish Board's decision. While I am glad that any group can have final appeal with the legislature, I think it is important to be careful of undermining the effectiveness of any State Board.

Sincerely,

Alice Bartoo
Secty, U. S. A. G.
Box 847

Juneau, AK 99802

Attached please find 3 information sheets.
I made the graphs from ADF&G statistics - AB

SOUTHEASTERN HAND AND POWER TROLL CATCH IN NUMBERS OF COHO SALMON, 1975-1979.
(1978 and 1979 data is preliminary)

District	HAND TROLL					POWER TROLL				
	1975	1976	1977	1978	1979	1975	1976	1977	1978	1979
101 ^{1/}	18,153	12,247	11,840	49,121	10,441	52,222	39,967	54,313	88,479	37,944
102	1,591	1,059	4,818	11,785	19,066	9,305	7,944	10,588	13,554	18,642
103	6,510	11,341	14,118	33,473	52,770	23,129	52,491	22,320	20,107	25,668
104 ^{2/}	530	192	1,197	424	2,302	29,283	14,020	17,854	50,943	63,951
105	526	1,853	52	9,702	9,583	8,502	6,853	1,512	6,163	5,279
106	2,735	4,568	3,773	12,552	5,932	4,944	7,402	3,965	5,874	3,155
107	379	530	598	3,991	383	557	1,501	1,880	1,559	233
108 ^{2/}	0	202	142	1,774	94	0	57	447	180	11
109	2,081	7,398	16,288	21,116	62,492	7,007	22,069	23,691	21,068	20,260
110	259	1,042	2,001	1,523	3,272	2,004	4,225	5,930	7,287	3,210
111 ^{3/}	3,679	7,092	11,271	14,089	981*	2,548	1,478	2,987	1,396	2
112 ^{1/}	50	3,737	16,317	33,408	8,249	43	2,347	4,839	4,917	987
113	1,293	13,326	13,086	37,753	32,374	12,677	120,136	64,322	233,495	100,392
114 ^{1/}	2,709	19,970	45,975	119,985	13,557	10,932	52,297	50,360	67,530	4,203
115 ^{1/}	0	213	3,888	3,097	367	0	1,598	6,318	1,296	152
116 ^{1/}	454	3,633	7,563	3,844	21	2,583	47,931	68,269	50,358	63,940
150	0	0	0	0	0	0	859	0	0	321
152 ^{4/}	0	0	0	9	2	16	32	0	695	79,190
154 ^{4/}	0	0	0	5,547	528	0	4,454	231	66,923	162,497
157	55	291	100	12	0	7,134	47,857	6,013	12,538	16,424
181 ^{4/}	0	0	1,999	14,628	316	120	117	1,811	26,929	2,227
183	10	39	668	3,995	4,638	140	193	554	1,455	24
186	0	0	0	602	3,286	0	0	0	163	25
189	0	0	0	100	0	0	160	2,778	21,748	9,510
TOTAL	41,014	88,733	155,694	382,530	230,654	173,146	435,988	351,114	704,657	636,254

- ^{1/} These districts were subject to the 8-on/6-off closures during the 1979 season.
- ^{2/} During the 1979 season this district was open to trolling only during drift gill net openings.
- ^{3/} The hand troll catch in this district includes derby catch.
- ^{4/} Hand troll catch shown for 1978 and 1979 is probably in error since the outside coast line fishery has been closed to hand trolling.

50318
gillnet

90
80
70
60
50
40
30
20
10

GILLNET

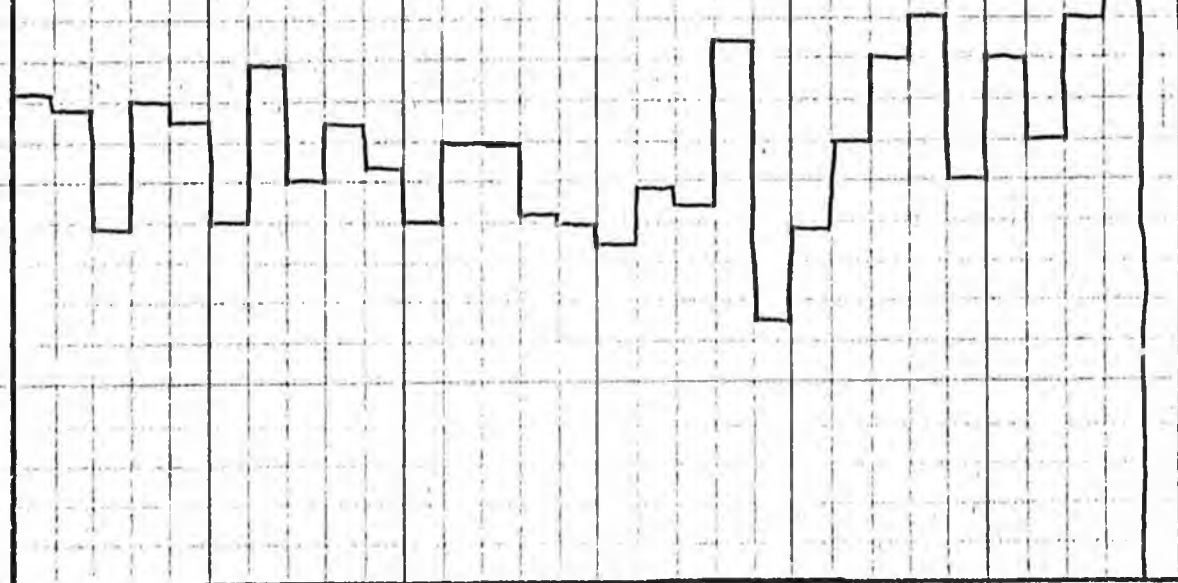


ALL
SOUTHEAST
(+ YAKUTAT)

PERCENTAGE
OF COHOS
(from overall
catch figures)

90
80
70
60
50
40
30
20
10

TROLL



52 54 56 58 60 62 64 66 70 72 74 76 78
51 53 55 57 59 61 63 65 67 69 71 73 75 77 79

GILNET

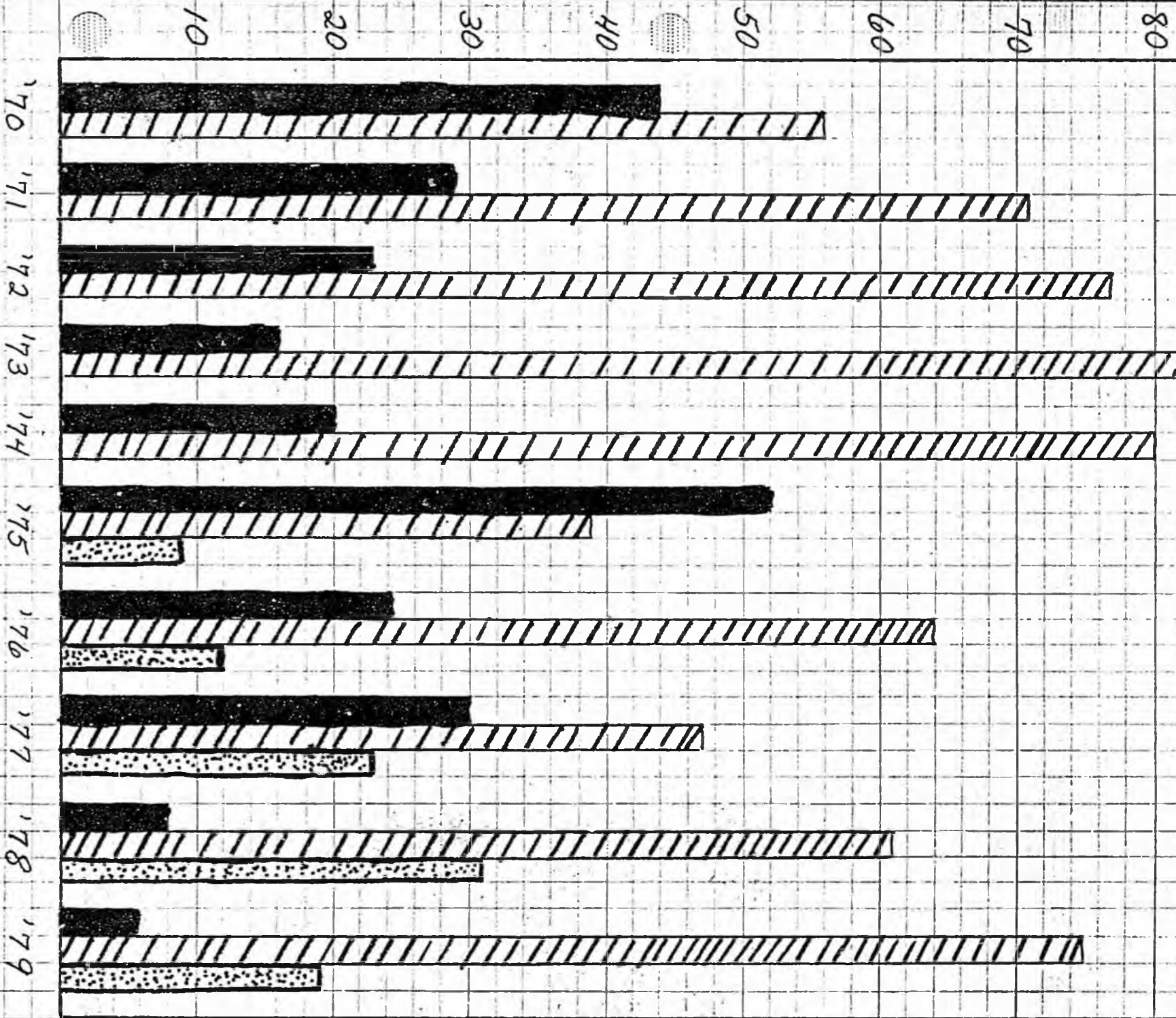
COHO CATCH

POWER TROLL

PERCENTAGES

HAND TROLL

(NORTHERN SOUTHEAST)



March 8, 1980

Fisheries Regulation Review Board
Pouch D
Juneau, Alaska 99801

Dear sirs:

Enclosed you will find a copy of the minutes of the latest meeting of our area advisory Committee to the Department of Fish and Game.

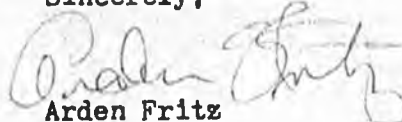
You may find the entire minutes of interest, but I have been instructed by the Committee to draw your attention to our position which is strongly opposed to the two line limit, 80%-20% allocation of the resource affecting handtrollers.

We strongly feel that the present restrictions have come very close to making it economically impossible to make a living handtrolling and in addition make it impossible for a person to accumulate capital to enable a person to move up in the fisheries, either as a young person just able to start fishing or someone who wishes to start out in the industry.

We strongly urge that you exert all power at your disposal and every avenue open to you to end these discriminations and restrictions.

We realize that in some areas there are problems, but we feel the present restrictions are not designed to solve the problems, but will only serve to destroy the handtroll fleet as a viable fishery in the rural areas.

Sincerely,



Arden Fritz
Box 29
Hydaburg, Alaska 99922

March 8, 1980

MINUTES OF THE MEETING OF THE HYDABURG AREA ADVISORY COMMITTEE OF THE ALASKA DEPARTMENT OF FISH AND GAME, March 7, 1980.

The meeting was held in the Council Chambers of the Hydaburg Municipal Building. The meeting was called to order at 7:00 pm by Chariman Victor Burgess. Members present: Victor Burgess, Mitchell Carle and Don Natkong. Absent: Warren Peele and Claude Morrison. Others Present: Robert Price, Albert Natkong, Brady Edenshaw, Jr., Adrian Le Cornu, Robert Sanderson, Jan Burgess, John Morris.

The first order of business was to expand the committee from the present five members. Warren Peele has asked that his name be removed from the committee roster and Claude Morrison has sold his seine permit and will now be powertrolling. Submitted for approval with user group or organization represented:

John Morris - City of Hydaburg, Mayor
Albert Natkong - Longline - Bottomfishery
Robert Price - Handtroll
Brady Edenshaw, Jr. - Handtroll
Adrian Le Cornu - Subsistence
Arden Fritz - Longline - Bottomfishery
Robert Sanderson - Haida Seafoods
Viola Burgess - Subsistence

With these additions the Committee will have twelve members. Until notified otherwise the committee will proceed considering the above named persons as members in full standing.

The Committee then discussed various issues presently having an impact on the fishing industry in our area.

On a motion by John Morris and seconded by Robert Sanderson, the committee voted to strongly support the following regulations being considered by the Board of Fisheries: 5AAC 31-125 concerned with shrimp fishing; 5AAC 34-125 concerned with King Crab fishing; and 5AAC 38-135 concerned with Abalone fishing. The reasoning of the Committee is that because these are limited resources in this area restriction is necessary to keep large operators from wiping out the resource in one season. The vote was unanimous.

There was discussion of the Lee Wang Zin oil spill with questions asked concerning lack of effort to clean up the Westside of Prince of Wales Island and particularly the Barrier Islands which have been hard hit by the oil. Oil has been sighted as far North as Reef Point near View Cove on Dall Island. The Committee would like a response from the Department.

The Committee wishes to go on record as strongly opposing current legislation which would remove the fifty-eight foot limit on seine boats and allowing the use of seine drums. In view of the necessity to allocate the resource now, between various fisheries and the limited number of hours of fishing per week of the present seine fleet, it would appear to be extremely unwise to increase the amount and efficiency of the gear at this time. Efforts should in fact be made to reduce gear. Motion was made by Robert Sanderson and seconded by Adrian Le Cornu. Motion carried unanimously. In addition the Chairman will notify our legislators of this position in the next three days.

(Minutes: March 8, Hydaburg Advisory Committee, Cont'd)

The Committee also wishes to go on record as opposing the present regulation which limits handtrollers to two lines and by consensus agreement requests the Secretary to notify the Review Board (which is currently hearing testimony) of this position. This was by consensus agreement.

Also by consensus agreement, the Committee urges from a strenuously held position, that should limited entry in the handtroll fishery become reality and a point system be established to determine who will participate; that several extra points be given to those whose domicile is in rural areas and villages so as not to repeat the disaster of the powerroll allocation in which some villages ended up with only three or four permits. The Committee also discussed the fact that contrary to testimony by department personal, this area has always opposed limited entry for the handtroll fishery and continues to do so.

The Committee on a motion by Sanderson and seconded by Arden Fritz voted to ask the Board and Department to extend their public hearings to the rural areas so that rural people can have an opportunity for proper input. Hearings currently held in metropolitan areas are dominated by the number of those living in the metro areas who have easy access to the hearing locations, while those in rural areas are limited to one or two persons due to cost of travel.

The Committee also opposes through a motion by Morris and second by Albert Natkong and passed unanimously the current pending legislation which would extend the application time limit on any of the present limited fisheries, except that it be done by a single region; ie, Bristol Bay if that's what that region wants.

Acting on a request from the Hydaburg City Council, Adrian La Cornu was appointed by the chairman to be a member of the Hydaburg Planning and Zoning Commission. This will also make it possible to be closer aligned with the Regional Coastal Management Division.

After hearing a report from James Lockhart who attended the Review Board hearings in Juneau on March 4th, the Committee again reemphasized its opposition to the current policy of greater restrictions on handtrollers, in particular, the present discrimination of the 80%-20% resource allocation, the two line limit and the restrictions of the three mile limit.

Throughout the meeting the Committee was given pertinent information relative to further efforts in developing the fishing industry in Hydaburg and that as a Committee we need to be actively involved in assuring that proposed regulations and legislation will not be harmful to those efforts.

Respectfully submitted,

Arden Fritz, Sec Pro Tem
Box 29
Hydaburg, Alaska 99922

February 25, 1980
 (LETTER OF PETITION)
 "RESIDENT 1977 HANDTROLLERS"

BY CERTIFIED MAIL TOO:
 GOV. JAY HAMMOND
 LIMITED ENTRY COMMISSION
 DEPT. OF FISH AND GAME
 STATE BOARD OF FISH AND GAME
 KETCHIKAN BOARD OF FISH AND GAME

ALASKA STATE LEGISLATURE
 ALASKA SEINERS ASSN:
 ALASKA POWERROLLERS ASSN:
 KETCHIKAN DAILY NEWS
 CITEZINS OF ALASKA

DATE MAILED March 14, 1980

Dear Alaskans:

We hereby request immediate action from the State of Alaska, and other authorities controlling Handtrolling in districts 1 & 2 Southeast Alaska to immediately revoke the 8 days on and 6 days off regulation enforced on us last year, the closure to not apply to Handtroll permits who fished prior to "78 & 79". The State of Alaska fishery authorities are negligent and discriminating to old Handtrollers who have traditionally fished the newly closed areas, and we feel that we are being unduly penalized, because the State did not have limitations on number of Handtroll permits in effect by "1977" (considered the breaking point) and kept selling thousands of permits, which has led to this deplorable situation. This must be enacted immediately and in effect for the 1980 season so we can financially stay in the fishing industry. Soaring inflation, high fuel prices etc. now restrict us more than ever to fish these areas that we have previously fished, restrictions like this figure 50% off a normal fishing season. We cannot wait while the State burocracy is floundering and we are being unduly penalized for their negligence. The State fishery authorities imposed the closures due to excess % of Handtroll fish caught by thousands of excess Handtroll permits sold by the State in "1978 & 1979". So an immediate moritorium must be held from that date concerning the closures and not restrict the established Handtroll permit holders prior to "1978". We cannot survive another hardship closure such as was imposed on us last year. Untill the limited Entry Handtroll situation is equitably resolved and applied - remove the closures now! Which are strangling the Handtrollers who have fished and lived here for years.

We are looking forward to your earliest attention, acknowledgment, action and answer to this urgent situation.

Your reply is awaited.

Resident 1977 Handtrollers
 % Don Williams
 Box 382
 Metlakatla, Alaska Chumchee Island
 99926

Sincerely,
 "Resident 1977 Handtrollers"
 Letter of Petition
 P.O. Box 5260
 Ketchikan, Alaska 99901

Name & Address Metlakatla	H.T. Permit 1970-1977	H.T. Permit Number	STATES yes-no	RES. yrs.
Don Williams Sr	X	S 05B19258F	X	55
Don Williams Jr	X	S 05B19393 H	X	32
Silbert Booth	X	?	X	47
James R. ...	X	?	X	52
William-N Barnes	X	?	X	31
Frank ...	X	S 05B32547H	X	55
Richard ...	X	S 05B27497C	X	39
Edward L. Littlefield	X	?	X	32
Geoff C. Samsen	X	S 05B29497U	X	57
Alex ...	X	S 05B23100L	X	55
Lawrence Henry	X	S 05B15314H	X	52
...	X	S 05B31409A	X	27
...	X	?	X	31

February 25, 1980
 (LETTER OF PETITION)
 "RESIDENT 1977 HANDTROLLERS"

BY CERTIFIED MAIL TOO:
 GOV. JAY HAMMOND
 LIMITED ENTRY COMMISSION
 DEPT. OF FISH AND GAME
 STATE BOARD OF FISH AND GAME
 KETCHIKAN BOARD OF FISH AND GAME

ALASKA STATE LEGISLATURE
 ALASKA SEINERS ASSN:
 ALASKA POWERROLLERS ASSN:
 KETCHIKAN DAILY NEWS
 CITEZINS OF ALASKA

Dear Alaskans:

Date mailed March 14, 1980

We hereby request immediate action from the State of Alaska, and other authorities controlling Handtrolling in districts 1 & 2 Southeast Alaska to immediately revoke the 8 days on and 6 days off regulation enforced on us last year, the closure to not apply to Handtroll permits who fished prior to "78 & 79". The State of Alaska fishery authorities are negligent and discriminating to old Handtrollers who have traditionally fished the newly closed areas, and we feel that we are being unduly penalized, because the State did not have limitations on number of Handtroll permits in effect by "1977"(considered the breaking point) and kept selling thousands of permits, which has led to this deplorable situation. This must be enacted immediately and in effect for the 1980 season so we can financially stay in the fishing industry. Soaring inflation, high fuel prices etc. now restrict us more than ever to fish these areas that we have previsously fished, restrictions like this figure 50% off a normal fishing season. We cannot wait while the State burocarcy is floundering and we are being unduly penalized for their negligence. The State fishery authorities imposed the closures due to excess % of Handtroll fish caught by thousands of excess Handtroll permits sold by the State in "1978 & 1979". So an immediate moritorium must beheld from that date concering the closures and not restrict the established Handtroll permitholders prior to "1978". We cannot survive another hardship closure such as was imposed on us last year. Untill the limited Entry Handtroll situation is equitably resolved and applied- remove the closures now! Which are strangling the Handtrollers who have fished and lived here for years.

We are looking forward to your earliest attention, acknowledgment, action and answer to this urgent situation.

Your reply is awaited.

Resident 1977 Handtrollers "
% Don Williams
Box 352
771-714 Ketchikan, Alaska (CANNETTE Island)
99926

Sincerely,
 "Resident 1977 Handtrollers"
 Letter of Petition
 P.O. Box 5260
 Ketchikan, Alaska 99901

Name & Address	H.T. Permit 1970-1977	H.T. Permit Number	STATES yes-no	RES. yrs.
<i>M. T. Ketchikan</i> EDWARD F. CHAMBERS	X	505B17563E	✓	28
<i>Lower Wagon</i>	X	505B17541N	✓	32
<i>Edward Ryan Sr</i>	X	50B31872P	✓	56
<i>Edward S. Luther</i>	X	?	X	45
<i>Bob & Alice</i>	X	?	X	32
<i>(Name) H. Williams</i>	X	505B37215W	✓	37
<i>Samuel W. Luther Sr</i>	X	505B167524	✓	39
<i>Allan Everett Sr</i>	X	?	X	50
<i>Thomas P. Luther Sr</i>	X	?	X	40

(LETTER OF PETITION)
 "RESIDENT 1977 HANDTROLLERS"

BY CERTIFIED MAIL TOO:
 GOV. JAY HAMMOND
 LIMITED ENTRY COMMISSION
 DEPT. OF FISH AND GAME
 STATE BOARD OF FISH AND GAME
 KETCHIKAN BOARD OF FISH AND GAME

ALASKA STATE LEGISLATURE
 ALASKA SEINERS ASSN:
 ALASKA POWERROLLERS ASSN:
 KETCHIKAN DAILY NEWS
 CITEZINS OF ALASKA

DATE MAILED March 14, 1980

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Your reply is awaited.

"Resident 1977 Handtrollers"
 % Don Williams
 Box 382
 Metlakatla, Alaska (Kumtole Island)
 99926

Sincerely,
 "Resident 1977 Handtrollers"
 Letter of Petition
 P.O. Box 5260
 Ketchikan, Alaska 99901

Name & Address	H,T, Permit 1970-1977	H.T. Permit Number	STATERES. yes-no	RES. yrs.
Metlakatla				
Don Williams Sr	X	S 05 B 19258F	X	55
Donnelly J.W. Williams	X	S 05 B 19393 H	X	32
Silbert Burtis	X	?	X	47
James Burtis Jr	X	?	X	52
Jacquin N Burtis	X	?	X	31
Frankie M. Burtis	X	S 05 B 32547H	X	55
Richard E. Burtis	X	S 05 B 27097C	X	39
Edward L. Littlefield Sr	X	?	X	32
Geoff L. Samsen	X	S 05 B 29407U	X	57
Alex Atkinson	X	S 05 B 2310021	X	55
Lawrence Henry	X	S 05 B 15314H	X	52
...	X	S 05 B 31469R	X	27

(LETTER OF PETITION)
 "RESIDENT 1977 HANDTROLLERS"

BY CERTIFIED MAIL TOO:
 GOV. JAY HAMMOND
 LIMITED ENTRY COMMISSION
 DEPT. OF FISH AND GAME
 STATE BOARD OF FISH AND GAME
 KETCHIKAN BOARD OF FISH AND GAME

ALASKA STATE LEGISLATURE
 ALASKA SEINERS ASSN:
 ALASKA POWERTROLLERS ASSN:
 KETCHIKAN DAILY NEWS
 CITEZINS OF ALASKA

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DATE MAILED March 14, 1980

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"Resident 1977 Handtrollers"
 % Don Williams
 Box 382
 777 TIAKATIA, ALASKA (ANNETTE ISLAND)
 99926

Sincerely,
 "Resident 1977 Handtrollers"
 Letter of Petition
 P.O. Box 5260
 Ketchikan, Alaska 99901

Name & Address	H,T, Permit 1970-1977	H.T. Permit Number	STATES yes-no	RES. yrs.
EDWARD F. CHAMBERS M. TIAKATIA	X	505B17563E	✓	28
Lois Wagner	X	505B17541N	✓	28
Richard Ryan Sr	X	50B21872P	✓	56
Edward S. Guthrie	X	?	X	45
Bob & Alice	X	?	X	72
(Name) H. Johnson	X	505B37215W	✓	37
Samuel W. Guthrie Sr	X	505B167524	✓	39
Allan Fawcett Sr.	X	?	X	50
Thomas P. Pittman	X	?	X	40

March 8, 1980

Fisheries Regulation Review Board
Pouch D
Juneau, Alaska 99801

Dear sirs:

Enclosed you will find a copy of the minutes of the latest meeting of our area advisory Committee to the Department of Fish and Game.

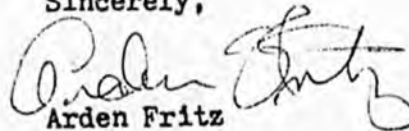
You may find the entire minutes of interest, but I have been instructed by the Committee to draw your attention to our position which is strongly opposed to the two line limit, 80%-20% allocation of the resource affecting handtrollers.

We strongly feel that the present restrictions have come very close to making it economically impossible to make a living handtrolling and in addition make it impossible for a person to accumulate capital to enable a person to move up in the fisheries, either as a young person just able to start fishing or someone who wishes to start out in the industry.

We strongly urge that you exert all power at your disposal and every avenue open to you to end these discriminations and restrictions.

We realize that in some areas there are problems, but we feel the present restrictions are not designed to solve the problems, but will only serve to destroy the handtroll fleet as a viable fishery in the rural areas.

Sincerely,



Arden Fritz
Box 29
Hydaburg, Alaska 99922

March 8, 1980

MINUTES OF THE MEETING OF THE HYDABURG AREA ADVISORY COMMITTEE OF THE ALASKA DEPARTMENT OF FISH AND GAME, March 7, 1980.

The meeting was held in the Council Chambers of the Hydaburg Municipal Building. The meeting was called to order at 7:00 pm by Chairman Victor Burgess. Members present: Victor Burgess, Mitchell Carle and Don Natkong. Absent: Warren Peele and Claude Morrison. Others Present: Robert Price, Albert Natkong, Brady Edenshaw, Jr., Adrian Le Cornu, Robert Sanderson, Jan Burgess, John Morris.

The first order of business was to expand the committee from the present five members. Warren Peele has asked that his name be removed from the committee roster and Claude Morrison has sold his seine permit and will now be powertrawling. Submitted for approval with user group or organization represented:

John Morris - City of Hydaburg, Mayor
Albert Natkong - Longline - Bottomfishery
Robert Price - Handtroll
Brady Edenshaw, Jr. - Handtroll
Adrian Le Cornu - Subsistence
Arden Fritz - Longline - Bottomfishery
Robert Sanderson - Haida Seafoods
Viola Burgess - Subsistence

With these additions the Committee will have twelve members. Until notified otherwise the committee will proceed considering the above named persons as members in full standing.

The Committee then discussed various issues presently having an impact on the fishing industry in our area.

On a motion by John Morris and seconded by Robert Sanderson, the committee voted to strongly support the following regulations being considered by the Board of Fisheries: 5AAC 31-125 concerned with shrimp fishing; 5AAC 34-125 concerned with King Crab fishing; and 5AAC 38-135 concerned with Abalone fishing. The reasoning of the Committee is that because these are limited resources in this area restriction is necessary to keep large operators from wiping out the resource in one season. The vote was unanimous.

There was discussion of the Lee Wang Zin oil spill with questions asked concerning lack of effort to clean up the Westside of Prince of Wales Island and particularly the Barrier Islands which have been hard hit by the oil. Oil has been sighted as far North as Reef Point near View Cove on Dall Island. The Committee would like a response from the Department.

The Committee wishes to go on record as strongly opposing current legislation which would remove the fifty-eight foot limit on seine boats and allowing the use of seine drums. In view of the necessity to allocate the resource now, between various fisheries and the limited number of hours of fishing per week of the present seine fleet, it would appear to be extremely unwise to increase the amount and efficiency of the gear at this time. Efforts should in fact be made to reduce gear. Motion was made by Robert Sanderson and seconded by Adrian Le Cornu. Motion carried unanimously. In addition the Chairman will notify our legislators of this position in the next three days.

(Minutes: March 8, Hydaburg Advisory Committee, Cont'd)

The Committee also wishes to go on record as opposing the present regulation which limits handtrollers to two lines and by consensus agreement requests the Secretary to notify the Review Board (which is currently hearing testimony) of this position. This was by consensus agreement.

Also by consensus agreement, the Committee urges from a strenuously held position, that should limited entry in the handtroll fishery become reality and a point system be established to determine who will participate; that several extra points be given to those whose domicile is in rural areas and villages so as not to repeat the disaster of the powerroll allocation in which some villages ended up with only three or four permits. The Committee also discussed the fact that contrary to testimony by department personal, this area has always opposed limited entry for the handtroll fishery and continues to do so.

The Committee on a motion by Sanderson and seconded by Arden Fritz voted to ask the Board and Department to extend their public hearings to the rural areas so that rural people can have an opportunity for proper input. Hearings currently held in metropolitan areas are dominated by the number of those living in the metro areas who have easy access to the hearing locations, while those in rural areas are limited to one or two persons due to cost of travel.

The Committee also opposes through a motion by Morris and second by Albert Natkong and passed unanimously the current pending legislation which would extend the application time limit on any of the present limited fisheries, except that it be done by a single region; ie, Bristol Bay if that's what that region wants.

Acting on a request from the Hydaburg City Council, Adrian La Cornu was appointed by the chairman to be a member of the Hydaburg Planning and Zoning Commission. This will also make it possible to be closer aligned with the Regional Coastal Management Division.

After hearing a report from James Lockhart who attended the Review Board hearings in Juneau on March 4th, the Committee again reemphasized its opposition to the current policy of greater restrictions on handtrollers, in particular, the present discrimination of the 80%-20% resource allocation, the two line limit and the restrictions of the three mile limit.

Throughout the meeting the Committee was given pertinent information relative to further efforts in developing the fishing industry in Hydaburg and that as a Committee we need to be actively involved in assuring that proposed regulations and legislation will not be harmful to those efforts.

Respectfully submitted,

Arden Fritz, Sec Pro Tem
Box 29
Hydaburg, Alaska 99922

MEMO 3/13/80

TO: Senator Don Bennett, Chairman
Administrative Regulation Review Committee

FROM: Sue Lowell *SL*

Jimmie Huntington called in response to the Committee's notification on the Handtrolling Hearings that were held on March 4. He has just returned from trapping and was not aware of the meeting until returning back home.

Jimmie related that he was not in favor of the handtroll regulations as they were set. He feels that the power trollers are the group receiving all the benefits and the village people (mostly involved in handtrolling) were being infringed upon by these regulations. He related he will continue to be in opposition of these. Jimmie also feels that Jim Beaton and Gregg Cook are prejudicial against handtrollers.

He wanted you to know he is always available for input to the committee by phone, on matters relating to fish and game.

Rural Route 5, Box 5665
Juneau, Alaska 99803
March 11, 1980

Senator Don Bennett, Chairman
Administrative Regulation Review Committee
Alaska State Senate
Fouch V
Juneau, Alaska 99811

Dear Senator Bennett:

On March 4, 1980, I testified before the above committee in support of the recently adopted salmon troll regulations for Southeastern Alaska, citing over-harvests, inadequate escapements, endangered fish stocks, and a deteriorating sport fishery. My testimony was based on newspaper accounts of sport and commercial fishing activity (or inactivity), on information provided by the Fisheries Board and the Department of Fish and Game, and, above all, on my experiences and observations as a sport fisherman here in the Juneau area for over a quarter-century.

Now that I have had an opportunity to reflect on the testimony of others and to examine further the Fish and Game's statistics on the Southeastern Alaska commercial salmon fishery, I wish to reiterate most strongly my support for the gear reductions and other management steps set forth in these regulations. I also believe that the number of persons engaged in the hand troll fishery must be sharply reduced and tightly controlled. A limited entry fishery seems essential to protect the resource and ensure its equitable distribution among various user groups. Although I admired the handtrollers for showing up in such numbers to express their views and for expressing them so vigorously, I disagreed with most of what they said. In fact, the tenor of their remarks helped me to understand why Fisheries Board member Jim Beaton has spoken of "the apparently insatiable appetite that appears to be developing among handtrollers" (Southeast Alaska Empire, 12/21/78).

When, in my testimony, I said that a great many of those present did not seem to be hearing the message, I meant, of course, the message from the Fisheries Board and the Department of Fish and Game that the resource is endangered. We are all concerned about the same thing: fish. We must all protect this invaluable resource. Conservation is essential. We share the bounty; we must also share the pain of inescapable management decisions. What any one user group does affects all the others. Sometimes the results are immediately observable (as in my example of what happened when the herring fleet was allowed to come right in on a prime local sportfishing beach) and sometimes the effects, the warning signs, take a while to show up. Now, after five years of runaway growth in the handtroll fishery, the signs are everywhere. I didn't need the Fish and Game statistics to tell me the coho are threatened. For the past five years I have seen a most troubling decline in the number of spawning coho in several streams I have fished for many years. As for the over-all local sport fish picture, it has become increasingly dismal. What's happening on the outside is affecting us on the inside, and very badly.

In this resource area, as in many others, the Legislature has much to answer for. Here's a chance to redress the balance or at least make a start. Protect this resource by supporting these regulations.

Sincerely yours,
William Philip Dunn
William Philip Dunn

MY NAME IS JOE H. SATKO AND I SUBMIT THE FOLLOWING REGARDING THE HANDTROLLERS REGULATIONS FOR SOUTHEAST ALASKA.

I have been handtrolling for over 20 years and do not make my living at it. Also feel it would be impossible to on the short season, plus the open and closes. The time we handtrollers are unable to fish because of the weather. The weather is more of a factor now than ever for us in the Juneau area as the fishing grounds that we have fished for years are now closed to us (handtrollers). We now have to go to at least the Chatham Straits and Icey Straits to fish which increases our fuel consumption more than double, and the price of fuel has more than doubled. Then we are trying to learn new fishing grounds, then the season closes and we have to come back home and more fuel is wasted, unless we lay at anchor for six days.

Because we were being moved out of our fishing grounds I bought a new boat with twin engines in order to move with the change in regulations, and with gear have invested approximately \$40,000.00. With my old boat I just did not feel safe in running to the waters that were open for me to fish in. Now the Board wants to further restrict us to two gurdies or four poles.

This coming after the short season and the 8 day on and 6 day off season. With the open season on the big tides when fishing is generally poor. Plus the restricted areas, it seem to me the Dept. of Fish & Game are trying and succeeding I might add in eliminating the handtroller completely. When I refer to handtroller I mean those that use poles, gurdies and hand lines or any other means but power to bring in their fish.

I suggest that should the Dept. feel that these further restrictions are fair and proper then their salary should be cut to about 20% of what other state employees of same scale are making. They are saying that a much expanded fleet should still (if they are anywhere near right be limited to take only 20% of the troll fish). A clear reduction in earning for anyone that has fished for any length of time. I don't believe that the allotment of the fish is a proper function of the Dept. of Fish & Game. Further should the House and/or Senate condone this action, it is my belief that both Houses should pass legislation to refund to the people (taxpayers) of Alaska all monies spent for administration, management and any other functions of the Fisheries as they were for a special interest group and not the best interest of the people (taxpayer) as a whole.

Another note on the 80/20% - if the Fish & Game were interested in being anywhere near fair they would take into consideration the number of gill net and some seine boats with HT Permits. Boats that do not and have not handtrolled. But they have HT Permits to sell their fish caught by other means as troll fish. There are some of these boats that have and are handtrolling. Most do not. But they do inflate the number of permits and percent of fish supposedly caught by handtroll fishermen. I read a new account by the Dept. last year discounting the practice as minimal. I reject that. Last Sept. (1979) while anchored in Taku Harbor, I could not believe how many gill netters W/HT signs on. Having fished every open season for handtroll (troll) for some years, and never seeing any of the boats that were in Taku ever on the grounds. One gill netter told me in the presence of one other person, that he had the license for one thing only, so he could sell gill net kings and cohos as troll fish. He did not have any troll gear of any kind. (handtroll or power troll).

In conclusion if a percent of fish are to be allotted to groups, then the Dept. should at least check to see that one group is not getting unfair treatment over the other. Lastly we handtrollers do realize that the Dept. (the one we support with our taxes and have even before we started fishing) is dedicated to our extinction as has become quite obvious these past few years. Again I must say that I don't feel that a proper function of the Dept. to decide that certain fishermen should become wealthy and others should lose their shirts. I believe a fairer way would be to allow all groups to fish when the runs are good. When the runs are low as to jeopardize the runs then close all fishing until they improve.

Further in Juneau and other likewise communities to say one makes his or her living on handtrolling is a joke. Maybe they would be willing to produce IRS records - welfare - foodstamps - records, etc. I do not believe it. My IRS and any other records are available for inspection when and if a fair system is instituted. Including cost of boat gear, etc. and maintenance and anything else needed.

March 13, 1980

Senator Don Bennett
Legislative Review Committee
State Senate
Juneau, Alaska

Dear Senator Bennett;

This has reference to your public hearing regarding complaints about the Board of Fisheries regulatory measures against the Hand Troll Fishery.

I am the first to agree and have been very vocal, that they have in fact, treated us unfairly, but in this instance I have grave fears that many of them are minor relative to what you may do in the light of testimony you heard the other night.

Specifically, the main thrust of it was directed to the 80/20 allocation and the gear cut to two lines. I said grave concern in the preceding para because if your committee tampers with these two items, we will have chaos in the Hand Troll Fishery:::~::~:

To explain that statement I need to go into depth, so here it is.

The Board of Fisheries has for the past three years, been very concerned about the rapid growth of the Hand Troll fleet. To the extent that they directed the limited entry commission to put this fishery into limited entry and said "we will accept a maximum of 500 permits". The reasoning being, according to boat landings, that many boats could land 20% of the coho troll catch. Without going into detail of whether that allocation is a fair figure or not, the point is that there is a direct relationship to effort vs catch. Since 1975 when power troll went under limited entry, we have seen a new breed of hand troller arise. He is the big boat, 4 lines, 12 to 18 hour per day fisherman. Had limited entry not been in, he would have been a power troller. Since he cannot, he hand trolls. This is not the historical, typical hand troll fisherman. This is the type that swells the catch data pertaining to hand troll and given an allocation without gear restriction, would

mean that quota would be reached far sooner than had it been done by Historical gear. Since we are looking at about 2000 annual participants of which the professional constitutes about 4 to 500, we obviously have a problem.

In 1979, the Limited Entry Commission undertook a survey to determine what kind of a fishery the hand trollers wanted. I am attaching their results and conclusions as it more aptly describes the situation. In sum it says that contrary to the boards position of 5 or 600 permits, they recommend 2150 with restrictions and that it be treated as a low income, low keyed fishery, thus enabling the majority of existing users to obtain permits.

With this in mind, we thru Rep. Duncan, have introduced a Limited Entry Hand Troll Bill (HB 350). The contents have been derived from many meetings and idea exchanges with various Associations and individuals thru out South East Alaska. It is by no means a 100% concurrence but it is the best we could come up with to fit the majority.

It is different in that we propose a non transferability clause (non Sale), that the Commission issue and reissue, that it would accomodate new entry within a 3 or 4 year maximum time.

Now getting back to the chaos statement. Outside of the professional group, we have majority support for this Bill as it accomodates most everyone, Professionals included. It was approved based on that 2150 number, and the contents therein. If your Committee were to force a change in the allocation or the gear cut, then the Commission could not support that number because of the built in criteria that it was based upon. Thus it would be revised downward to X degree. If this were to occur then the Handtrollers could not support the Bill and it will die.

The Remaining alternatives would then be:

1. Hand Troll would go under existing Law. Freely transferable permits will mean an outward migration of permits from rural areas. Prices will become so high that the historical user will not be able to afford the permit. Also the

Page 3

500 permit number would probably become a reality in which case the permits will go to those whose histories have been high volume production (ie Professional Hand Troll) rather than to the rural areas whose equipment and way of life, precludes the ability to compete, thus villagers will be left out of the 500 number to a great degree. OR

2. There will be no limited entry for Hand Troll. The resultant regulatory measures would be so drastic that there would be no point in having a Hand Troll Fishery. This is stated because there are only so many fish to go around. Power Troll, Hand Troll, Gillnet and escapement. With one unregulated Fishery amongst the regulated, it would not work.

So please, do not tamper with the allocation and gear cut at this time. Two years down the road with experience under our belt, changes in the Boards attitude will be in order if they still adhere to unfair policys.

Chuck Porter

Member of Juneau Hand Troll Assoc.

HAND TROLL PRESENTATION TO THE BOARD OF FISHERIES

1979

The Commission appreciates the opportunity to be here today. Our purpose is to discuss with you the complex problem of managing the hand troll fishery. This particular fishery highlights the necessity of the Commission, the Board, and the Department coordinating management policies. We appreciate the recommendations received from the Board in the past regarding limitation of this fishery and other fisheries; and hope that our recommendations to the Board will be accepted in the same vein.

To summarize quickly, when the majority of the salmon fisheries were brought under entry limitation, the hand troll fishery was specifically segregated from power troll and left open to entry. From 1975 to 1978, the number of active hand trollers increased annually -- 1,094 in 1975, 1,237 in 1976, 1,849 in 1977, and 2,604 in 1978. Through those same years, the hand troll share of the troll fishery harvest has increased from 13% to 28%, measured by poundage. The preliminary data for 1979 shows that approximately 25% of the total troll harvest was taken by hand trollers.

During the spring of 1973, the Commission held several joint hearings with the Board in Southeastern communities regarding the hand troll fishery. Public comment at that time was generally opposed to limitation. In the 1978 season, the Board began a series of management measures to try to ensure a historical allocation of the troll catch, beginning with closing all outside waters to hand trolling. Despite the closure, the hand troll portion of the troll catch increased sharply. Consequently, for 1979, the Board further restricted hand troll effort by adding a series of closures in inside waters in an attempt to implement a tacit policy of an 80/20 split of the coho troll catch.

At the December, 1978 Board meeting, the Commission announced that it intended to propose limitation of the fishery in 1979. On September 14, after receiving management recommendations from the Department of Fish and Game, the Commission proposed limitation of the hand troll fishery, beginning in 1980, with a maximum number of 1,100. That proposal was advanced on September 21, 1979. Eight public hearings were held by the Commission with the public comment period closing on November 9, 1979.

At the time the Commission advanced the proposed regulation, we had received recommendations from the Board and the Department of Fish and Game. The Board recommended a maximum number of no greater than 600, by which you indicated to us a desire to significantly decrease the size of the fleet, so that the professional hand trollers that remained could be subject to the same management policies as applied to power trollers, and still not harvest more than 20% of the troll catch. The Department stated that the maximum number should not exceed 1,000 to avoid the necessity of excessive regulation to maintain historical harvest balances. The Department referenced expected efficiency gains in the fleet after limitation, a concern also raised by you in your recommendation.

The Commission proposed maximum number of 1,100 was chosen based upon the input from the Board and Department, plus the Commission's own research. Our intent was to use the fishing seasons from 1975 forward as the predominate indicators of hardship when the hand troll fishery was limited. As a practical matter, the Commission cannot use maximum numbers outside the boundaries of participation established during the most recent years. Thus, we chose the smallest effort level in recent years as our proposal.

Attached to your copies of this presentation is a summary of the public input received by the Commission during the public comment period. It seems quite apparent to us that the news release issued by the Board shortly before the first Commission public hearing greatly influenced the testimony. Prior to the news release, many viewed entry limitation as a mechanism for removing some of the restrictions imposed in the recent past. After the news release, many people testified that if limitation of the fishery would not ease management restrictions, they would prefer that it be left open to entry. Most comments we received favored removal of the restrictions plus an increase in the proposed maximum number, which would exacerbate the management problems you face today.

The Commission has now evaluated all comments and data available at this time. It is very apparent that no simple answer exists which will satisfy the management concerns of the Board, the Department, and ourselves; and at

the same time satisfy the wishes and desires of the Southeastern hand trollers. The very best that can be accomplished in the near future is to prevent the situation from becoming more complicated. We want everyone to understand that the Commission does not have a solution that will be all things for all people. It is our wish, though, to undertake a beginning in what will by necessity be an involved system of slowly working toward a fair and practical management framework. A reasonable result can only be achieved with full agreement between the Board and the Commission, close coordination of our respective regulatory powers, and with the understanding of hand trollers, power trollers, gillnetters, and seiners.

With that prelude, we come before you today to ask for your cooperation in the implementation of a management strategy for the hand troll fishery. After evaluating the management problems and hearing the desires of the fishermen, we cannot agree that your management plan to drastically reduce the size of the fleet and allow full development of highly efficient hand troll operations is the best solution. Instead, it is our proposal to work toward a different goal - that is, to maintain the historical character of the hand troll fishery while at the same time providing for a professional fishery. Hand trolling has been a small scale, low investment, low return fishery generally attracting participants who either utilize the fishery to sustain a particular lifestyle, or as a fishing outlet for young and older residents of Southeast and others who depend upon the bulk of their income from land-based occupations.

The fishery has generally been referred to as an entry level fishery. The distinguishing characteristic of this fishery is the prohibition of mechanical assistance other than hand power to place and retrieve gear. The definition of such a fishery suggests a special circumstance, particularly in the present environment of highly automated commercial fishing operations. We believe the special circumstance to be very indicative of the essence of this fishery. It is in fact a fishery purposefully defined as a low-cost, relatively low-return fishery tailored to social desires of those people who have historically partaken of the opportunities it presents. We must assume that those who have developed hand troll operations nearly as efficient as

power trollers have done so because of power troll limitation, or through reinvestment of hard-earned income from hand trolling in the past for the purpose of maximizing the benefits to be accrued in the future. Without some efforts at this time to prevent further efficiency increases, history tells us that limitation of the fishery will almost force those permits that remain to maximize their efficiency within the regulatory framework that dictates their operation. This would in fact seem to be contrary to the Board's statements to the Commission of maximizing the number of permits to be held by residents of rural communities. Rural residents have limited access to wellpaying jobs and mortgageable property. Hence, even if the Commission were to succeed in initially issuing a high percentage of permits to rural residents, those permits would through time tend to migrate to residents of urban communities IF large amounts of capital investment are necessary to remain competitive.

Preliminary analysis does suggest that profits earned in limited fisheries are being reinvested into more efficient operations. That same trend of efficiency increase can be demonstrated in the hand troll fleet. Since 1975, the numbers of permits fished has steadily increased along with the average number of weeks fished and the number of fish caught per week by each active permit holder. Much of this can be attributed to the widespread conversion to hand gurdies, and some must be attributed to the recent entry of more of the larger scale, more aggressive and versatile hand troll operations.

Our proposal is the antithesis of your present management policies. Rather than use regulatory powers to limit the vessel or gear efficiency of the hand troll fleet, time and area closures have been utilized almost exclusively to date. Our suggestion is to combine our respective regulatory powers to limit the efficiency of hand troll operations, through such means as entry limitation, gear restrictions, vessel restrictions, and tying permits to geographic areas; and to use closures as a mechanism for in-season adjustments. Considering the dearth of management data available, it is impossible at this time to identify any particular combination of these restrictions to accomplish a specific goal. Nonetheless, we must begin now to implement some combination of these management restrictions if a profitable, entry level

hand troll fishery is to be maintained and made available to a reasonable number of users.

If you agree to work with us in the development of this management policy, the Board should develop a formal policy, including not only the desired structure of the fishery, but also including a statement of the relationship to the power troll fishery. If you wish to allocate the troll harvest between these two fleets, we need to know what that allocation will be so that we can develop an optimum number analysis. Such a policy will also be a determinant in the establishment of an initial maximum number.

In 1973, the Legislature turned down a proposal by then Governor Egan to limit fisheries by initially establishing a maximum number which would have been synonymous with the present law definition of optimum number. That amendment to the Egan administration bill must be interpreted as a desire by the Legislature to buy fishermen out of a fishery, rather than to ruthlessly eliminate them without compensation. As if to reiterate that point, they specifically identified three salmon fisheries that were distressed and specified that the initial maximum number was to be equivalent to the largest number of participants in any of the four most recent years prior to enactment of the law. Although they allowed the Commission broad authority in the establishment of maximum numbers in other fisheries, we feel compelled to follow the basic example established at that time.

In the attachments which you have to this presentation, you will find in Table 17 a breakdown of participation since 1975. Considering the particular patterns of participation in this fishery, we believe that a maximum number in the range of 2,000 to 2,400 will allow all hand trollers with present dependence on this fishery ample opportunity to qualify for a permanent permit if the fishery were limited in 1980. Should we resolve to mutually develop a management program including entry limitation for hand trolling, we would propose that range of participants should be considered for management purposes until a reduction can be accomplished either through buy-back or attrition.

This proposal recognizes the necessity of diminishing the original number of permanent permits to an optimum level to minimize the necessity of time and area closures and thus ensure an opportunity to realize reasonable earnings. We do not believe that closures can be eliminated in the near future even if this management proposal is implemented. While we realize that time/area closures are anethema to most of the hand troll fleet, we foresee no mechanism at this time for their elimination -- with the exceptions of Draconian reductions in the number of gear units or removal of allocation guidelines. Without entry limitation, the severity of management restrictions will by necessity be greater.

Reduction from the initial maximum number can be accomplished by two mechanisms. The first is as provided for in present law by using assessments against hand troll gross earnings to purchase permits on the open market. The second would involve some combination of non-transferability and attrition and would require legislative amendment. Such a bill was introduced last year at the request of the Southeast Hand Trollers Association, and has also, been suggested by Governor Hammond as a modification of the Entry Commission's enabling legislation. Limitation of the hand troll fishery in 1980 would not preclude legislative review of this issue because of the timing that would by necessity be followed. The Commission does not yet have access to completed 1978 and '79 participation data. Also, it is not like that a massive fish ticket editing process presently being conducted by Commission staff for the years 1975-78 will be completed before March. Consequently, permanent, transferable permits could not be made available until late in 1980 at the earliest. This would allow the Legislature the entirety of the upcoming session to review the pros and cons of the two distinctly different procedures.

In summary, we are proposing a joint use of Board and Commission regulatory powers to shape the future of the hand troll fishery. Those who would be most adversely impacted by these proposed changes are persons who have invested in relatively large scale operations, capable of high seas fishing and possessing great mobility. It is definitely not our intention to purposefully single out those individuals as the culprits of the hand troll fleet. We would hope that through discussions among the Board, the Commission, and

other interested parties that a mechanism might be developed to "grandfather" those operations that have established themselves as models of the efficient hand troller.

The Commission has met with representatives from the Department of Fish and Game on a number of occasions to discuss the possibilities of implementing a management plan along the lines suggested to you today. While we have mutually agreed in principle to this approach, time constraints precluded us from working on a detailed management proposal to present to you today. It is our hope that you will be able to agree to this approach and to develop an appropriate management regime to accomplish our mutual objective.

Thank you.

Respectfully submitted,

Commercial Fisheries
Entry Commission

December 6, 1979

(December 8, 1979)

ALASKA BOARD OF FISHERIES

We support a 2,150-permit limited entry program. This program should accommodate mobile, two-line hand trollers. This fishery would have a floating allocation of approximately 20-25 percent. We support a four-line limit on power trollers, except north and west of Cape Spencer outside three miles where a six-line limit will be imposed. We endorse inseason management for both the hand and power troll fishery. Low cost permits within the hand troll fleet are requested.

IN FAVOR

OPPOSED

Sitka Advisory Committee

Point Baker

Yakutat Advisory Committee

Upper Lynn Canal Advisory Committee

for Ketchikan Advisory Committee

Angoon Advisory Committee

Hoonah

Gastineau Channel Advisory Committee

Elfin Cove

Pelican Advisory Committee

March 10, 1980
Box 3077
Ketchikan, AK
99901

Administrative Regulation and Review Committee
Senator Don Bennett
Representative Oral Freeman
% State Capital Building
Juneau, Alaska 99801

Members of the Committee

I have spent many hours trying to come up with some simple answers and proposals to present to the committee. I have failed to arrive at a comprehensive solution, but at least I can pass along my thoughts as to the nature and scope of the problems in hopes they may be helpful.

To protect the fishery as a "viable means of support" it must be limited in terms of permits issued. Basically, there are three categories of handtrollers:

- 1- Professional fishermen, "would be" power-trollers, legitimate businessmen.
- 2- Subsistence fishermen, native villagers dependent on the fishery, residents of rural communities with limited economic alternatives.
- 3- Speculators, recreational users and abusers, those who abuse or take advantage of the fishery for tax purposes.

I believe that if an applicant for a permanent entry permit were required to show by means of tax returns a 25% income dependency on handtrolling for any one of the last four years (1976-1979) we would be looking at 1100 permits

instead of 2150. I don't think any legitimate handrollers would object to this criteria, and the regulatory powers would no longer be faced with the idea of 2150 maximum effort gear units, which is their justification for the stringent, restrictive regulations.

It is unfortunate that we cannot have a wide open, unlimited fishery but indeed we cannot, and those people who are dependent on the fishery for their livelihoods must be given the first and final consideration.

Although the data is 'weak' and inadequate, no one disputes the fact that some of our salmon stocks are in need of additional protection in the form of reduction of harvest levels. Handrollers are simply insisting that ALL GEAR TYPES SHARE EQUALLY in this responsibility and this has not been the case!!

Perhaps if handrollers had some representation things would be different, but there are no handrollers on the Board of Fisheries. Mr. Beaton testified that the handroll regulations were based in part on the recommendations of local advisory boards. I would like to point out that a powerroller by the name of Ed Linkous virtually controls the Ketchikan Advisory Board and this man is almost totally responsible for the outside closure to handrollers and God knows what else.

I would like to thank the committee for hearing our grievances and trust that the decisions made will be fair to all. Our future,

our business, our dreams of sustaining a
living in the fishing industry, now appear
to rest in your hands.

Sincerely,
The Wells family

Doug Hergert

Box 1616

Wrangell, Alaska

Dear Sir,

I've been hand trolling now for about six years for a living. I'm not saying I'm getting rich at it, but I take a certain amount of pride in my work and give a quality product.

This deal about having two sport poles off the back of the boat with two gurdies is a joke. If you got a salmon on the sport pole he would just get tangled in your gurdie lines,

If they cut hand trolling back to two lines I figure that's going to cut off at least 40% of my fish. So much for making a living at it.

I still have faith in the government as most do, but I think the the people should have a little say in there future rather than be dictated to.

The amount of pressure the hand troll fleet has put on the fisheries is blown completely out of proportion. What about the foreign fishing fleets off our shores.

They deal in Hundreds of metric tons.
At least the people that live here and
fish here are contributing something.

On the subject of the permits going back
to the state, I'm totally against this.

A fisherman pays good money for that license
and anyone that fishes four lines knows
you work for your fish. Anybody who has
been in the business awhile deserves to do
what he wants to with that permit.

at least be able to give it to a son or daughter.
Girls like to fish too.

Governor Hammond talks about slowing up
government growth. I agree, but this is
just another example of it. I do hope you
reconsider on a few of these things.

I know quite a few fishermen would have
a lot of faith restored back in the system,
that is actually good.

Doug Fergert

24-35

Southeast Handtroll Assoc.
Box 1303
Sitka, Alaska
99835

The Honorable Don Bennett,

On 3 March 1980 I presented testimony to your committee as Chairman of the Southeast Handtroll Assoc. I would at this time like to reiterate the testimony I presented and expand on some additional areas of testimony.

At times the Board of Fisheries is no more or less than an exercise in politics. As the handtroller was not a political force in 1977, the surfline closure was allowed to get by. In the lawyers opinion to the Secretary of Commerce, the lawyer cited National Standards 4 and the very small catch by the handtroller in the FCZ as the reason the ban on handtrolling should be removed from the FCZ Troll Plan. The Secretary of Commerce concurred and removed that portion from the FCZ Troll Plan. Even with the evidence presented by the Dept. of Commerce lawyers, the Board of Fisheries still would not allow the handtroller into the FCZ. Ergo that made the decision by the Board of Fisheries a political decision. Not a biological decision. If there is a biological problem with the salmon stocks in any given area, you do not remove those who catch the least to protect the endangered stocks. The decision to ban handtrolling in the FCZ as a biological decision is ludicrous at best. The same logic applies to all other decisions and regulations that apply to handtroll only. The decision to protect the salmon stocks has to be equally bore by all of those who fish in the problem areas.

The salmon stocks are unique in the sense that they belong to no one yet everone. As a common property resource they must be equally shared by ALL user groups. The board of Fisheries, in their dubious wisdom, decreed that the handtroll fishery will harvest only 20% of the total troll catch of the Coho catch. Again, how do you own a common property resource? As the handtroll fishery was not under the Limited Entry System and the other fisheries were, there appeared a need to curtail the growth of the handtroll fishery. The Board of Fisheries used "time and area" closures as their management tool when the problem actually belonged to the Commercial Fisheries Entry Commission. I would offer this analogy. "As you go into your living room, you find that your children are playing with the T.V. set. They are turning the nobs and so on, but you are too busy and ignore the problem. This goes on for a while untill you go into your living room and find all of the neighborhood kids are there, playing with your T.V. set. When you are done screaming and shouting, all of the kids now have their back pockets up around their ears. Who is at fault? You or the kids?" The same rational applies to the handtroll fishery. The handtroll fishery has done no more than they were allowed to do.

When the Board of Fisheries proposed the "two line only" limit on the handtroll fishery, the Southeast Handtroll Assoc. proposed a 4 sport pole-2 gurdy limitation that was adopted by the Board as regulation. The Southeast handtroll Assoc. proposed the 4 sport rod for a traditional sport rod fishery that exists in the inside waters of Southeast Alaska.

The Southeast Handtroll Assoc. accepted the 2-gurdy limitation for several reasons. The C.F.E.C. gave their presentation on the inclusion of the handtroll fishery in the Limited Entry System at the Fall Board Hearings. The C.F.E.C. proposed a high number of handtroll permits (2000-2400) with restricted capabilities. The restrictions were (1) vessel size (2) time-area closures (3) gear restrictions. A special panel created by the Board of Fisheries came up with a 2150 handtroll permit number and a restriction of gear. Namely a "2-line" limitation, which was amended to a 4 sport rod- 2 gurdy limitation. (1) The Southeast Handtroll Assoc. accepted this limitation under the premise that the regulation was preparing the handtroll fishery for a smooth transition into the Limited Entry System. (2) The 2-gurdy limitation is commensurate with the traditional handtroll fishery. (3) As the power troll fishery was limited to 4 "lines" south of Cape Spencer, the 2-gurdy limitation allows the two troll fleets a commonly desired approximately equality in the number of "lines" used in the commercial fishery.

For several years the high number of issued handtroll permits has caused alarm within the Board of Fisheries. It is necessary to note here that there is a very high disparity between those permits issued and those that actually fished. In an effort to reduce that high number of issued handtroll permits, the Board of Fisheries adopted a regulation that prohibits sports fishing from a commercially licensed troll vessel. Again the regulation was politically motivated. It was done with the disregard to the nature of the handtroll fishery. As a case in point, I will use my vessel to illustrate the point. I have a 24' Reinell rigged for handtroll. The vessel is a "sport" class of vessel. In essence, my wife owns $\frac{1}{2}$ of the vessel. She does not like to spend the long hours I spend commercially trolling. In a very real way, the vessel is worthless to her. With the regulation now in effect, she cannot spend a day or a weekend out just for the pleasure of jigging up a halibut, or a red snapper or anything associated with sports fishing. I, and many like me, enjoy taking out my friends or relatives for the pure pleasure of being able to take them fishing in Alaska. And what really galls me is that there is no biological basis for this asinine regulation. I was also informed by my insurance broker that as I cannot sports fish from my vessel, I must try to find commercial insurance as the company that endorsed my part time commercial fishing will no longer cover my vessel. I would recommend the amending of that regulation to read as follows. "Commercial licensed troll (hand or power) vessels may sports fish only in AREAS that are open to commercial fishing. They must abide by sportsfish regulations and have no commercially caught fish (salmon or halibut) on board while engaged in sports fishing." This would allow multiple use of the vessel, and allow the commercial fisherman to again enjoy the Alaskan outdoors for the fun and love of it.

In conclusion, the Southeast handtroll Assoc. requests that you repeal all regulations that apply to handtroll only that do not have biological reasons behind them. 5AAC 33.310--5AAC 33.310 (b) (A) (B).

The Southeast Handtroll Assoc. requests that the 4 sport pole-2gurdy limitation on handtroll be left intact, as is. 5AAC 39.270 (A).

The Southeast Handtroll Assoc. requests that you repeal or amend the ban on sportsfishing from a commercially licensed vessel. 5AAC 48.090.

As chairman I would like at this time to express my sincere appreciation for your willingness to get involved with the handtroll issue. For too long the handtroller has felt like they were getting the short end of the stick just because they were the little guy. It is also my sincere hope that you recognize the problems that are faced with and can offer a solution to those unjust regulations that we as a fishery have been saddled with. Never has the handtroller been afraid to share in the responsibility for sound resource management. Never has the handtroller been afraid to share in the conservation of the salmon resource, so long as it is done across the board with all of the other fisheries. All regulations for conservation of the salmon resource must apply to hand and power troll as a single fishery because, you see, we really are a single fishery.

With Respect,

Bill Stokes
Chairman,
Southeast Handtroll Assoc.

March 12, 1980

Members of the Regulatory Review Committee:

My name is Alice Bartoo. I have a halibut longline permit and I crew for my husband when we fish gillnet, longline, crabpots, jigging machines, as well as handtrolling. I am secretary for the United Southeast Alaska Gillnetters.

Although our organization usually is working to have the Board of Fish review and change regulations, we now find ourselves defending their position and decisions. Jim Beaton and Greg Cook offered excellent testimony at your public hearing. The Board's decisions on handtrolling are based on extensive and exhaustive research and many, many hours of public hearings. It did not make their decision any easier; it only served to make them more aware of the fact that any decision would be unpopular. The Department of Fish and Game also presented evidence of the statistical decline of coho and increase of handtroll effort.

Three years ago, when Limited Entry was first seriously considered, handtrollers turned out in force at public hearings to cry, "Don't limit our numbers; just give us gear and area restrictions!" Last year, the number of permits was not restricted and there were time and area closures. The fish stocks still suffered because there was still too much gear in the water.

Now, this year a limit has been put on the permits; if you didn't have one last year, you don't get one this year. The limit in numbers of permits and area closures would only maintain the level of last year's effort. To decrease the handtroll take of fish, a gear restriction is necessary. All other gear types are restricted already.

There was much public testimony to the effect that a handtroller could not make a good living at it last year. This should tell them something:

There are not enough troll fish to be caught to support 2100 hand-trollers!

I urge you to consider the effort and testimony that has gone into the Fish Board's decision. While I am glad that any group can have final appeal with the legislature, I think it is important to be careful of undermining the effectiveness of any State Board.

Sincerely,

Alice Bartoo

Sec'y, U. S. A. G.

Box 847

Juneau, AK 99802

Attached please find 3 information sheets. I made the graphs from ADF&G statistics - P. 3

SOUTHEASTERN HAND AND POWER TROLL CATCH IN NUMBERS OF COHO SALMON, 1975-1979.
(1978 and 1979 data is preliminary)

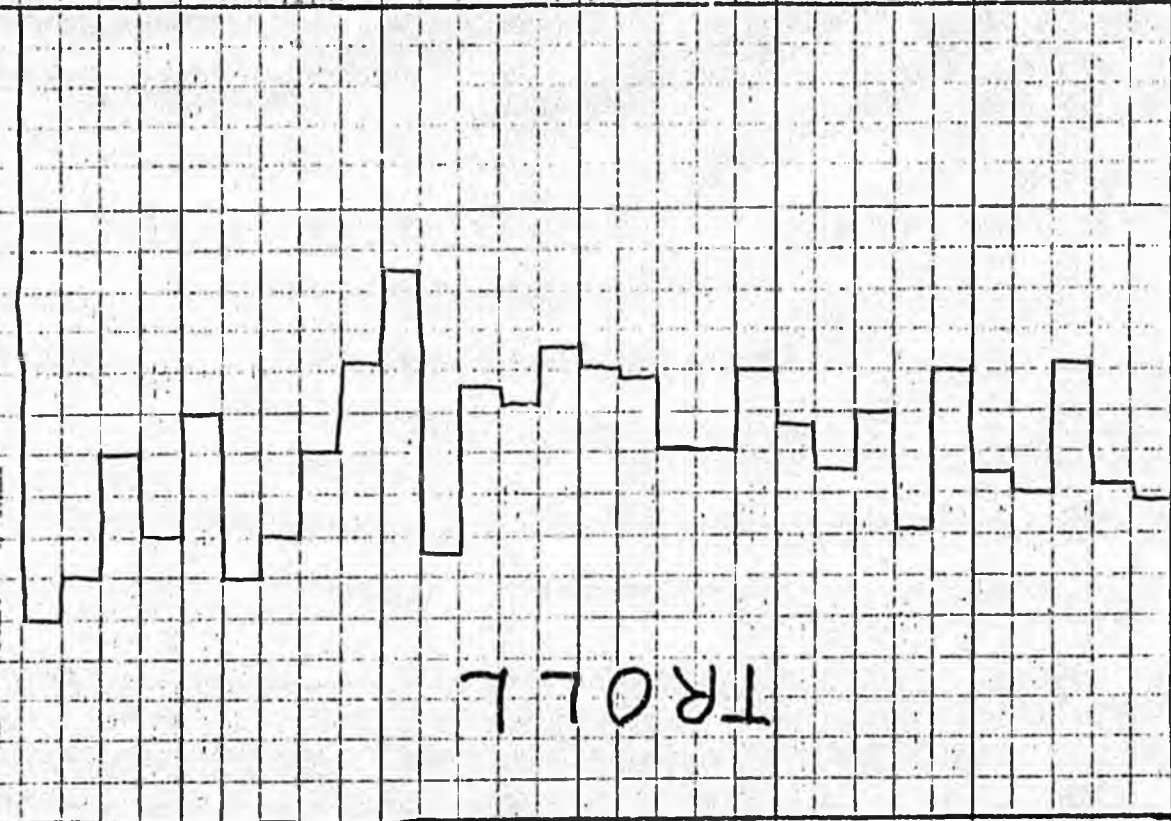
District	HAND TROLL					POWER TROLL				
	1975	1976	1977	1978	1979	1975	1976	1977	1978	1979
101 ^{1/}	18,153	12,247	11,840	49,121	10,441	52,222	39,967	54,313	88,479	37,944
102	1,591	1,059	4,818	11,785	19,066	9,305	7,944	10,588	13,554	18,643
103	6,510	11,341	14,118	33,473	52,770	23,129	52,491	22,320	20,107	25,668
104 ^{2/}	530	192	1,197	424	2,302	29,283	14,020	17,854	50,943	63,951
105	526	1,853	52	9,702	9,583	8,502	6,853	1,512	6,163	5,275
106	2,735	4,568	3,773	12,552	5,932	4,944	7,402	3,965	5,874	3,155
107	379	530	598	3,991	383	557	1,501	1,880	1,559	233
108 ^{2/}	0	202	142	1,774	94	0	57	447	180	11
109	2,081	7,398	16,288	21,116	62,492	7,007	22,069	23,691	21,068	38,260
110	259	1,042	2,001	1,523	3,272	2,004	4,225	5,930	7,287	3,210
111 ^{3/}	3,679	7,092	11,271	14,089	981	2,548	1,478	2,987	1,396	2
112 ^{1/}	50	3,737	16,317	33,408	8,249	43	2,347	4,839	4,917	987
113	1,293	13,326	13,086	37,753	32,374	12,677	120,136	64,322	233,495	100,392
114 ^{1/}	2,709	19,970	45,975	119,985	13,557	10,932	52,297	50,360	67,530	4,203
115 ^{1/}	0	213	3,888	3,097	367	0	1,598	6,318	1,296	152
116 ^{1/}	454	3,633	7,563	3,844	21	2,583	47,931	68,269	50,358	63,946
150	0	0	0	0	0	0	859	0	0	321
152 ^{4/}	0	0	0	9	2	16	32	0	695	79,190
154 ^{4/}	0	0	0	5,547	528	0	4,454	231	66,923	162,497
157	55	291	100	12	0	7,134	47,857	6,013	12,538	16,424
181 ^{4/}	0	0	1,999	14,628	316	120	117	1,811	26,929	2,227
183	10	39	668	3,995	4,638	140	193	554	1,455	24
186	0	0	0	602	3,286	0	0	0	163	25
189	0	0	0	100	0	0	160	2,778	21,748	9,510
TOTAL	41,014	88,733	155,694	382,530	230,654	173,146	435,988	351,114	704,657	636,254

- ^{1/} These districts were subject to the 8-on/6-off closures during the 1979 season.
- ^{2/} During the 1979 season this district was open to trolling only during drift gill net openings.
- ^{3/} The hand troll catch in this district includes derby catch.
- ^{4/} Hand troll catch shown for 1978 and 1979 is probably in error since the outside coastline fishery has been closed to hand trolling.

80318
gillnet

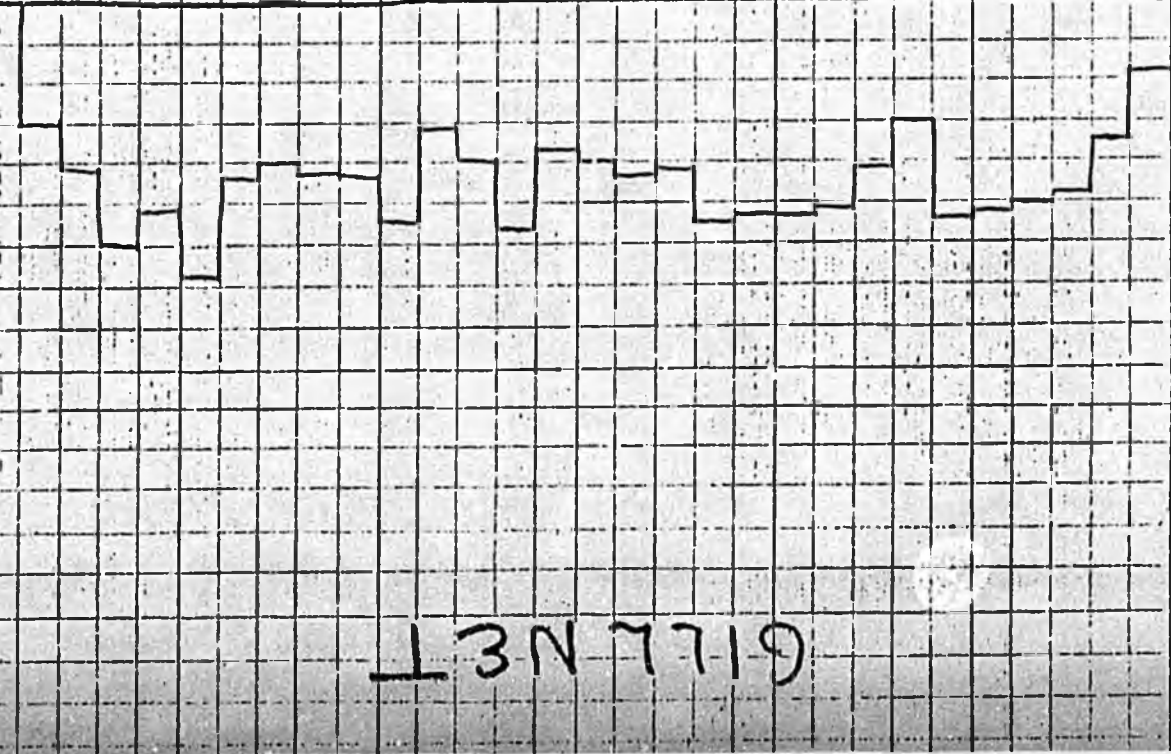
51 53 55 57 59 61 63 65 67 69 71 73 75 77 79
 52 54 56 58 60 62 64 66 68 70 72 74 76 78

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90



TROLL

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GILL NET

PERCENTAGE
OF COHOS
(from overall
catch figures)

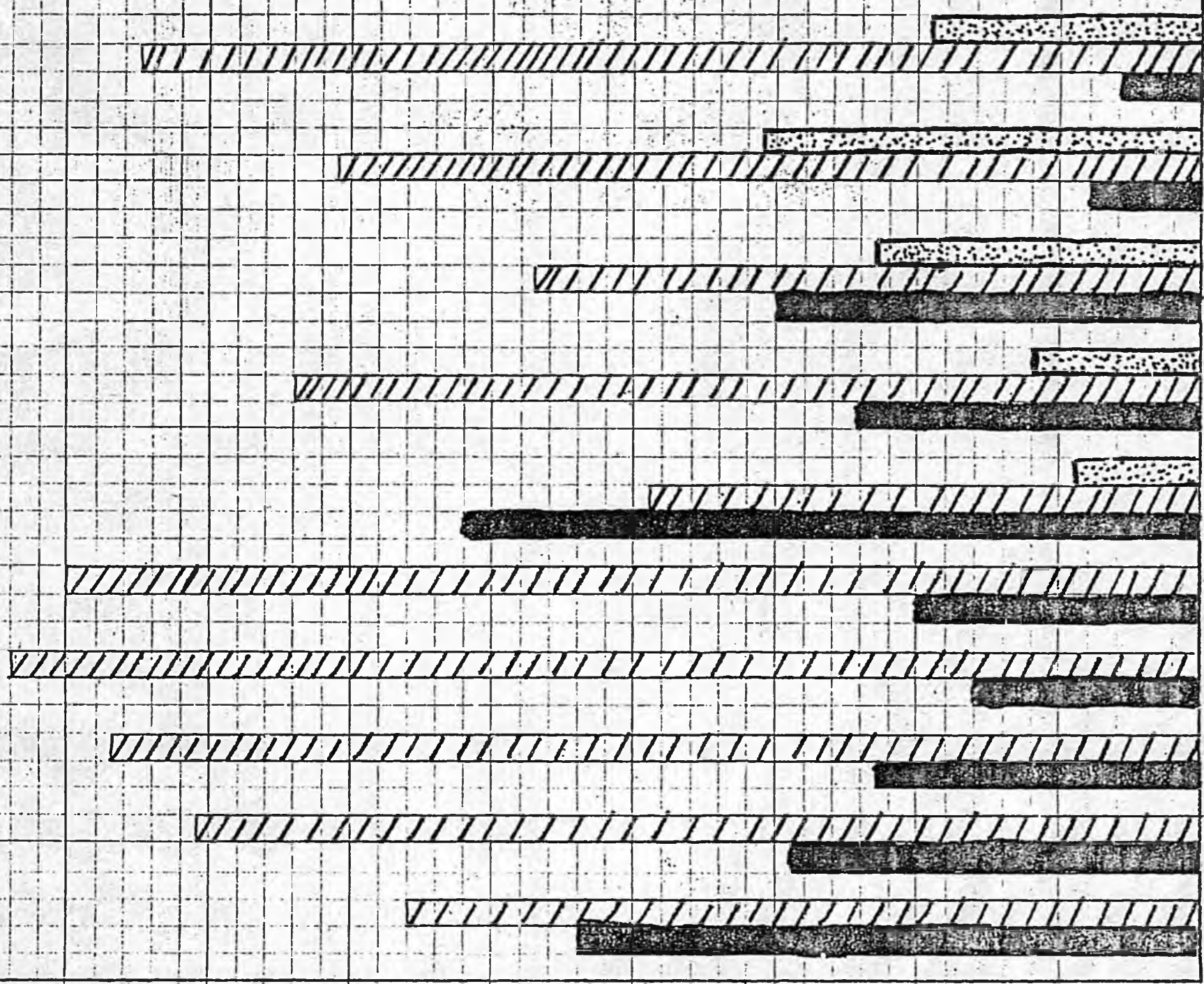
ALL
SOUTHEAST
(+ YAKUTAT)

COHO CATCH PERCENTAGES

(NORTHERN SOUTHEAST)

GILLNET
POWER TROLL
HAND TROLL

90
80
70
60
50
40
30
20
10



'70 '71 '72 '73 '74 '75 '76 '77 '78 '79

March 10, 1980
Box 3077

Ketchikan, AK
99901

Administrative Regulation and Review Committee

Senator Don Bennett

Representative Oral Freeman

26 State Capitol Building

Juneau, Alaska 99801

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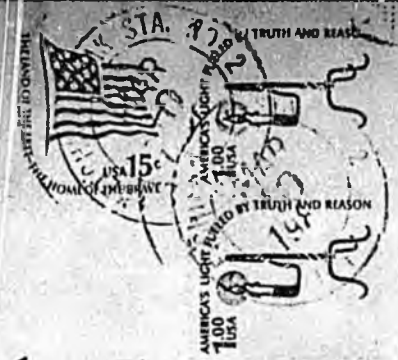
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Sincerely,
The Wells family

Box 3077
Ketchikan, AK
99901

AIR MAIL
SPECIAL DELIVERY



Administrative Regulation and Review Committee
Senator Don Bennett
Representative Oral Freeman
% State Capital Bldg.
Juneau, Ak 99801

AIR MAIL
SPECIAL DELIVERY

Doug Herzert

Box 1616

Wrangell, Alaska

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At least be able to give it to a son or daughter.
 Kids like to fish too.

Gov. ...
 government growth. I agree, but this is
 just another example of it. I do hope you
 reconsider on a few of these things.

I know quite a few fishermen would have
 a lot of faith restored back in the system,
 that is actually good.

Doug Hergert

DEC. 19, 1978

IN THE BOARD'S CONSIDERATION OF THE HAND
TROLL FISHERY, WE, REPRESENTING THE PROFESSIONAL
HANDROLLERS FROM COMMUNITIES THROUGHOUT
SOUTHEAST ALASKA, REQUEST THE BOARD TO GIVE
PRIME CONSIDERATION TO OUR ECONOMIC DEPENDENCE
ON HANDROLLING, SUCH AS RESIDENCE IN A TOWN
OF A SIZE WITH LITTLE OR NO ALTERNATIVE
OPPORTUNITIES FOR INCOME, AND PER CENT OF INCOME
DERIVED FROM HAND TROLLING. WE ALSO ASK ~~THAT~~
THAT YOU CONSIDER SUCH MANAGEMENT AS WILL
PROVIDE FOR A CONTINUING, VIABLE, COMMERCIAL
FISHERY, OPEN TO ENTRY BY OUR CHILDREN, WITH
SOME SYSTEM OF NON-MONETARY TRANSFER OF PERMITS.
WE WILL NOT SUPPORT REGULATION WHICH SPECIFICALLY
DISCRIMINATES AGAINST HANDROLLERS AS OPPOSED
TO POWERROLLERS.

ANGOON: CHARLIE JIM, SR.
DENNIS EAMES
ANDREA EAMES

CRAIG: ROBERT FULTON

HOONAH: ARCHIE BROWN, SR.
ALBERT DICK

PORT ALEXANDER: JOHN BADER

POINT BAKER: TOM JACOBSON

PORT PROTECTION: HOWARD PENDELL

SITKA: ALFRED PERKINS

YAKUTAT: BOB ANDERSON
HANK PORTER

TLINGET-HAIDA CENTRAL COUNCIL
AND SEALASKA CORP.: GIL GUNDERSON

Point Baker Hand Trollers Assn.
Point Baker, Alaska 99927

Commercial Fisheries
Entry Commission
Pouch KB
Juneau, Alaska 99811

31 January, 1980

Dear Sirs:

The Point Baker Hand Trollers have read your Hand Troll presentation to the Board of Fisheries which you presented in Anchorage last month and offer the following comments and proposal in response.

We are deeply disturbed by your plan to force even more restrictive regulation on Alaskan Hand Trollers instead of reducing the number of permits. As you know, in the seventy some year history of Alaskan Salmon Trolling all trollers have been regulated equally up until eighteen months ago when hand trollers were expelled from the Coastal Fishing Zone. It was in anticipation of this first discriminatory troll closure and the ones that followed that prompted the Point Baker Hand Trollers Association to push for limited entry with the understanding from the Board of Fisheries that these interim closures would then be lifted and the troll fishery would again be managed as one. Instead the Commission has opted for an unrealistically high number of permits and now suggests further regulation to reduce our efficiency. The majority of the testimony at the Commission's public hearings which supported such action came from part-timers and urban recreationalists who do not stand to lose their sole means of income as full-time trollers in Point Baker stand to lose.

The Commission seems to have taken in account the situation of everyone but the true fisherman, that is the full-time professional hand troller. "It is definitely not our intention to purposefully single out those individuals as the culprits of the hand troll fishery." You say concerning the more efficient professional hand trollers. "We would hope that through discussions among the Board, the Commission and other interested parties that a mechanism might be developed to 'Grandfather' those operations that have established themselves as models of the efficient hand troller." Although we disagree entirely with your plan to make hand trolling a relatively inefficient, highly regulated, "entry level" fishery, we feel your proposal to "Grandfather" professional hand troll operations is absolutely essential should your vision of the future hand troll fishery be followed.

To this end we propose that the 600 most economically dependent hand trollers be granted non-transferable "Grandfather Rights" to continue hand trolling as they did prior to June 1978, (on the same basis as power trollers.) The Board of Fisheries has already said that 600 hand trollers could readily be regulated on the same basis as power trollers, even considering potential increases in hand troll

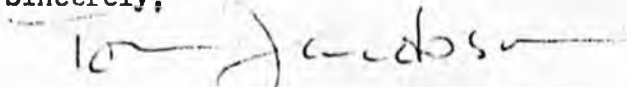
efficiency. Considering that such "Grandfather Rights" would not be transferred with the transfer of the hand troll permit, the relatively efficient operations would steadily decline. Further investment in a dead-end mode of fishing among the "Grandfathered Hand Trollers" would have little incentive, as a well equipped four-line outside hand troller will have no future buyers. Remember, too, that many of these "Grandfathered Hand Trollers" have already achieved the maximum practical level of efficiency manageable with hand-cranked gear. Therefore, overall efficiency and effort of the "Grandfathered Hand Trollers" can be expected to drop steadily as people move out of the fishery, eventually phasing themselves out altogether.

The Point Baker Hand Trollers Association recommends that eligibility for "Grandfather Rights" be weighed on the following criteria:

1. Per cent of income derived from hand trolling in each year, 1975-1979.
2. Availability of alternative employment in place of residence, (size of community.)
3. Current and past participation, 1975-1980.

In rural communities like Point Baker and Port Protection where many families are totally dependent on hand trolling with no alternatives available, poverty, increased public assistance and dislocation of heads of family will be unavoidable if your vision of the future hand troll fishery comes to pass without at least providing the "Grandfather Rights" you suggest to establish full-time trollers.

Sincerely,


Tom Jacobson, Hand Troller
Point Baker Hand Trollers Assn.

OUTSIDE WATERS DATA

USING DISTRICTS 104, 113, 116, 152, 154, 157

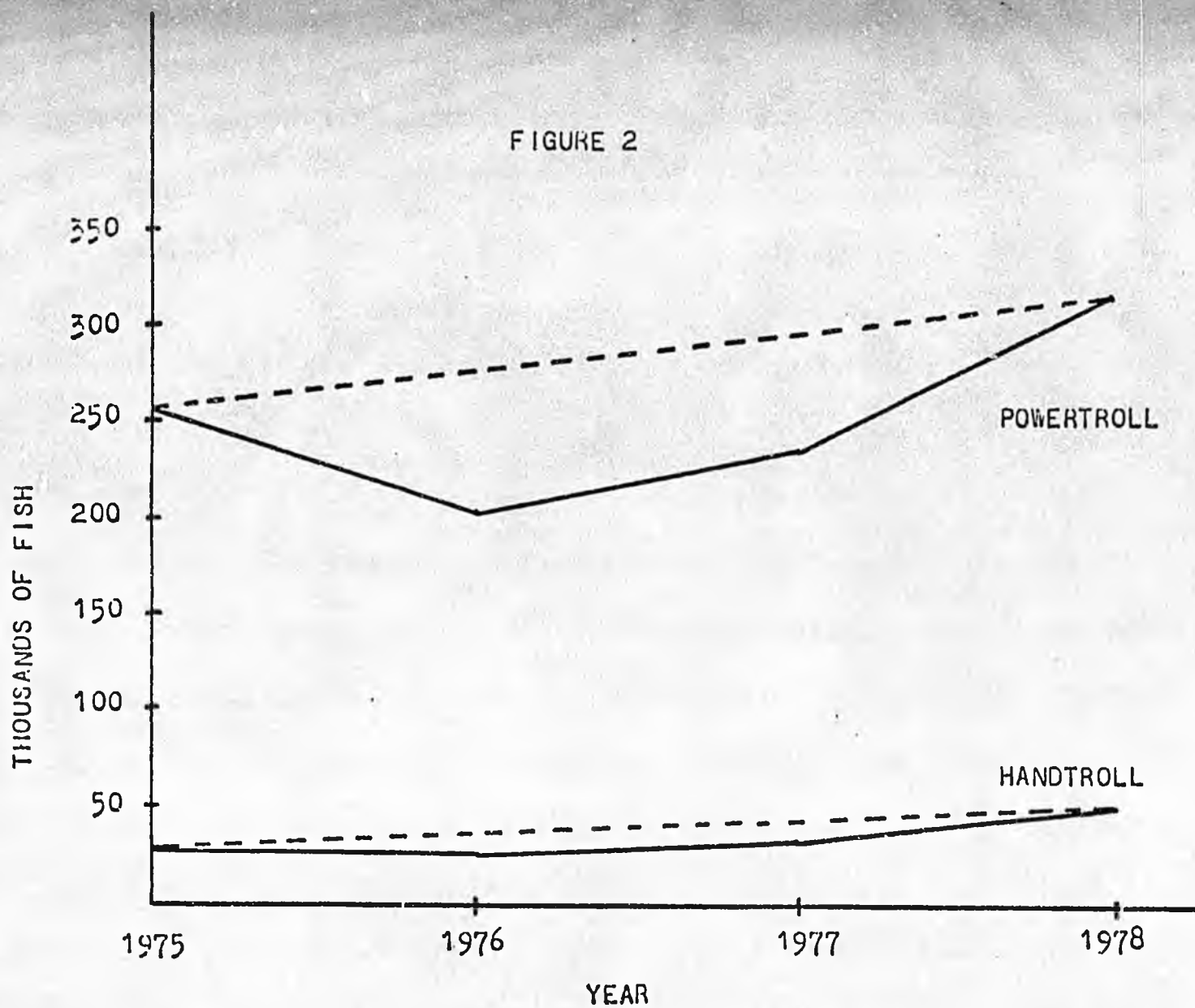
NOTE: THESE FIGURES USE DISTRICT 113 WHICH INCLUDES A SUBSTANTIAL AMOUNT OF INSIDE WATERS SUCH AS SITKA SOUND, SALISBURY SOUND, ETC. THEREFORE THEY WILL TEND TO SHOW A LARGER AMOUNT OF FISH CAUGHT BY HANDTROLLERS IN OUTSIDE WATERS THAN WAS ACTUALLY THE CASE, SO ALL PERCENTAGES MAY BE CONSIDERED TO BE MAXIMUM PERCENTAGES.

<u>COHOS:</u>	1975	1976	1977	1978
NUMBER FISH TAKEN BY:				
POWERTROLLERS	51,693	234,330	156,689	414,257
HANDTROLLERS	<u>2,332</u>	<u>17,442</u>	<u>21,946</u>	<u>47,530</u>
TOTAL TROLL	54,025	251,772	178,635	461,837
% OUTSIDE TROLL FISH TAKEN BY HANDTROLLERS AVERAGE OVER FOUR YEARS	4.3%	6.9% 8%	12.3%	10.3%
TOTAL TROLL CATCH OF COHOS FOR SOUTHEAST	214,160	524,721	506,808	1,087,187

% SOUTHEAST TROLL COHOS TAKEN BY HANDTROLLERS IN OUTSIDE WATERS	1.1%	3.3%	4.3%	4.4%
AVERAGE OVER FOUR YEARS		3.3% !!		

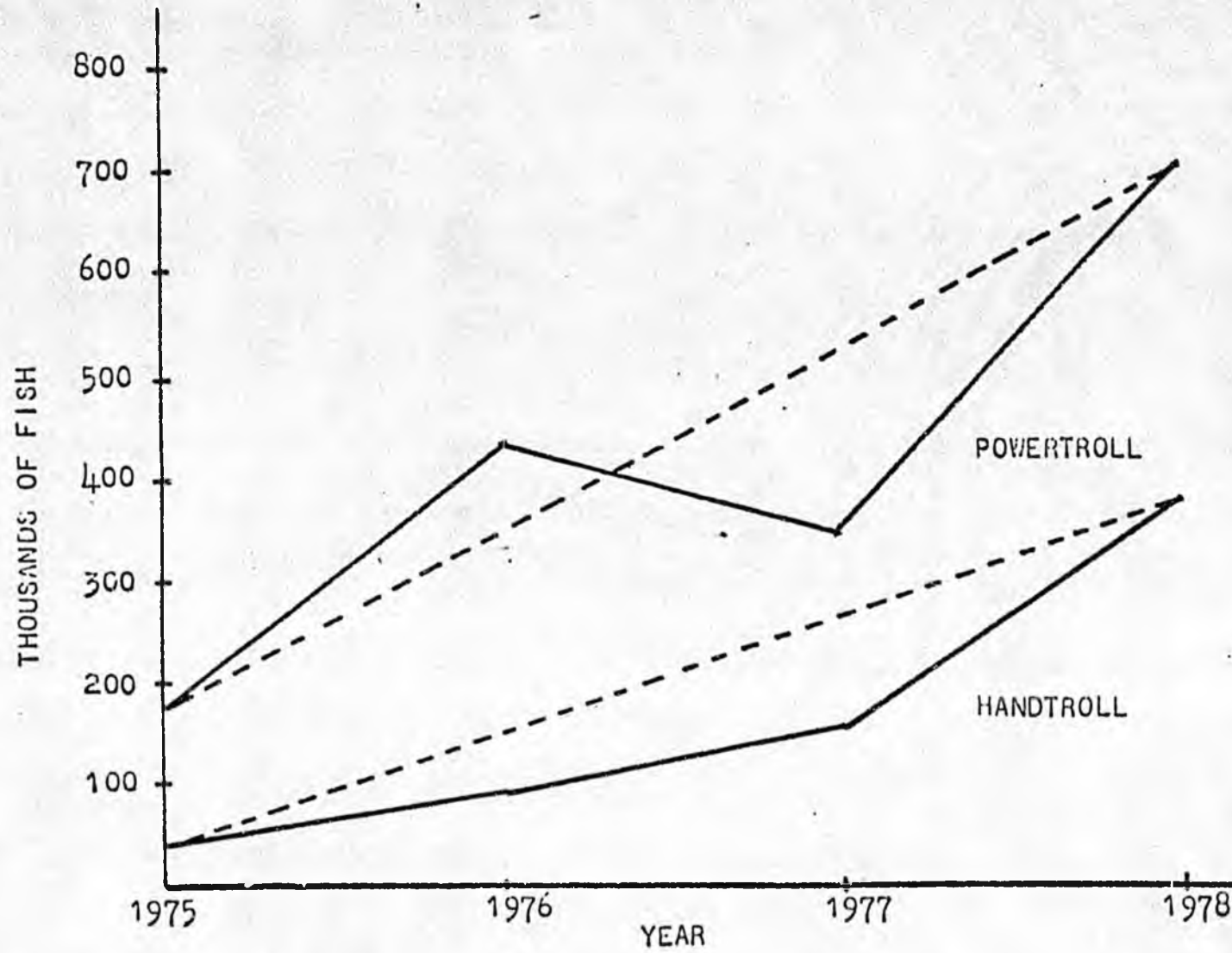
<u>KINGS:</u>	1975	1976	1977	1978
NUMBER FISH TAKEN BY:				
POWERTROLLERS	154,331	100,741	157,237	236,863
HANDTROLLERS	<u>5,769</u>	<u>4,563</u>	<u>10,098</u>	<u>16,274</u>
TOTAL TROLL	160,100	105,304	167,335	253,137
% OUTSIDE TROLL FISH TAKEN BY HANDTROLLERS	3.6%	4.3%	6.0%	6.4%
TOTAL TROLL CATCH OF KINGS FOR SOUTHEAST	287,337	231,188	271,758	371,328
% SOUTHEAST TROLL KINGS TAKEN BY HANDTROLLERS IN OUTSIDE WATERS	2.0%	2.0%	3.7%	4.4%
AVERAGE OVER FOUR YEARS		3.0% !!		

FIGURE 2



SOUTHEASTERN TROLL CATCH OF KING SALMON BY GEAR TYPE
EXPRESSED IN TOTAL CATCH

FIGURE 1



SOUTHEASTERN CATCH OF COHO SALMON BY GEAR TYPE
EXPRESSED IN TOTAL CATCH

The Point Baker Hand Trollers Association has examined the draft of the 1980 troll plan. We present here a review of the plan's text, particularly in its relation to hand trolling, comments on the plan's methodology, and finally, specific recommendations as to changes in text.

INTRODUCTION

The Point Baker Hand Trollers Association believes that the troll fishery should be managed as one fishery. The notion that trollers who are permitted to retrieve their gear with power deserve preferential regulatory treatment over trollers who retrieve their gear by hand was championed by the power troll lobby. The first discriminatory troll regulation, the closure of coastal waters to hand trollers only, was enacted in June, 1978. Never before in the long history of the troll fishery had such regulatory discrimination been made. Prior to June, 1978, regulations on trolling have always been born equally by all trollers, regardless of the manner in which they retrieve the gear. Further troll closures were made in 1979 for certain inside areas and the FCZ, and again power trollers received special exemption. Forcing those trollers who have had the least impact on the resource to accept closures, in the name of conservation, while allowing those trollers who have had the greatest impact on the resource to fish unrestricted, is plain nonsense and totally baffling to any non-bureaucratic mind.

POWER AND HAND TROLL: SIMILARITIES AND DIFFERENCES

The notion, as stated in the plan, that "hand trollers and power trollers are two groups of fishermen who do not use essentially the same type of gear," is false. The gear is exactly the same, from hook to gaff hook. The only difference is the kind of power used to retrieve the gear, muscle or mechanical. Even the gurdies themselves are often identical, the only difference being either a handcrank or mechanical coupling on the end of the gurdy shaft. Hooks, spoons, plugs, leader, wire line, poles, rigging, blocks, and all the miscellaneous hardware commonly known as troll gear is exactly the same identical gear, regardless of the source of power used to retrieve it. Many former power troll boats are today hand troll boats with the simple addition of a crank to the gurdies. The extreme difficulty of telling one boat from another was demonstrated by this year's new regulation requiring identifying markings on all trollers so that law enforcement personnel could tell the hand trollers from the power trollers. Both hand and power trollers are found fishing side by side, fishing in the same method, following the same strategies, and fishing for the same fish. Distinctions between these two groups of trollers are completely insignificant compared to differences between other gear types such as purse seine, gillnet, longline, trawl, etc., where the actual gear and hardware, fishing methods, strategies, vessel design, and target species are unique to each fishery. To attempt to regulate and allocate among trollers is not the same thing as to

regulate and allocate between, say, seiners and gillnetters. On the other hand, this is not to say that power trolling and hand trolling are equally effective. Although the gear itself is identical, the use of mechanical power allows the gear to be "run" faster, deeper, and more frequently than the average set of muscles generally allows. This can make the use of the same gear much more effective. An analogy may be made to the use of the power block in purse seining, making the use of the same gear (in this case a net) more effective than without a power block. But the seiner who uses a power block does not become a different gear type by virtue of such use.

The arguments presented as justification for treating trollers as two distinct gear types on page 21 of the draft plan are embarrassingly contrived. We respond to them in the order presented:

- A. The fact that the Commercial Fisheries Entry Commission chose not to include hand trolling under a limited entry program at the same time as power trolling does not necessarily make it a separate gear type. The CFEC is now, in fact, in the process of including the hand powered portion of the troll fishery under limited entry as well.
- B. The definitions used by the state to describe hand trolling and power trolling are only several years old and have been changed a number of times. Still, the line of distinction remains drawn strictly on the type of power used to retrieve the gear, muscle vs. mechanical.
- C. Sport rods are rarely used by handtrollers, but being hand powered, remain legal. They can also be used by power trollers, though rarely are. They form no basis of distinction between commercial trollers.
- D. The fact that recent regulations have been made which, in their application, discriminate between trollers, does not make the two groups essentially different gear types. Laws that prohibited persons with black skin from sitting in the front of the bus did not make them essentially different types of persons, in spite of what was claimed at the time by those state law makers who made such distinctions.
- E. Regulations of jigging machines are the same for power trollers, hand trollers and non-trollers. No distinction in gear types is made, as implied in the draft plan. The statement that "distinct and differential treatment between these two user groups is and will continue to be a significant aspect of managing the resource," is highly presumptuous. Hand trolling has been conducted in Southeast Alaska for nearly 75 years. Power trolling, as we now call it, has been around some 50 years. Preferential regulatory treatment for power trollers is 18 months old. These recent closures on hand trollers only were primarily adopted to "control expansion of an unrestricted fishery" in lieu of any existing limited entry program. Now, with the advent of limited entry for hand trolling, it can be expected that these interim closures will be re-evaluated. Furthermore, the impact of these closures on the social environment as well as the resource has yet to be examined. Such examination may lead to the discontinuance of differential treat-

ment among trollers, regardless of limited entry. It is unlikely that the Board of Fisheries will wish to remain locked in to an unsuccessful management strategy, as is suggested by the statement in the draft plan.

On page 23 of the draft plan appears the statement, "A detailed analysis of each fleet's effort--expressed by criteria such as vessel characteristics(seaworthiness, hold capacity, range, electronics, etc.) ...should show that a 'typical' hand troller is significantly different from a 'typical' power troller." Saying that the "typical hand troller" is significantly different from the "typical power troller" is no justification for treating trollers as though they were two different gear types, but rather is a crude generalization of the difference in socio-economic status of the two groupings of trollers. Historically, hand trollers have mainly been those trollers not able to afford the cost of powered gurdies. Today, with power troll permits selling in excess of \$30,000, the socio-economic distinction between trollers continues. Hand trollers are now those trollers who can not afford \$30,000 for the luxury of powered gurdies. Likewise, the "typical hand troller" cannot afford a boat of the size and capability of the "typical power troller." However, these socio-economic differences in no way justify regulatory discrimination against the relatively economically disadvantaged group of trollers. The "typical hand troller," in spite of his sesser capability of effort, should have just as much right of access to the fishing grounds as the "typical power troller." The notion that the right to fish of hand trollers is somehow more expendible than that of a power troller is one hand trollers, as Americans, can not accept. Hand trollers have a right to equal treatment under the law. As has been shown, differential regulatory treatment of trollers derives from distinctions that have no reasonable basis and are largely arbitrary in application.

HAND TROLL CLOSURES, THE FCZ, AND LIMITED ENTRY

As stated before, the Point Baker Hand Trollers Association believes trolling must be regulated as one fishery. Therefore, hand trolling in the FCZ should be allowed on the same basis as power trolling. Beginning on page 23 of the draft plan, possible consequences of continuation of the present policy are listed, to which the following comments are addressed:

1. Leaving the FCZ open to hand trollers will in no way obstruct the state's efforts to control expansion of the troll fishery, as claimed in the draft plan. All the traditional management tools(limitation of vessel days, quotas, gear restriction, etc.)will remain as options for controlling effort in the troll fishery. Closing the area to hand trollers only merely deprives a small number of people of a portion of their traditional livelihood, forcing their efforts into the more biologically sensitive inside areas. Their impact on the FCZ fishery, as pointed out in the draft plan, is insignificant. As the state is now including the hand powered portion of the troll fishery under limited entry, reducing the fleet to near 1975 levels, the potential for unrestricted growth in this portion of the fishery is no longer possible. Furthermore, federal

- limited entry for hand trollers in the FCZ remains a viable option.
2. Significant expansion of the power troll effort, in the past five years, has occurred in the FCZ, while hand troll effort has remained insignificant in the FCZ, as is stated in the draft plan. Allowing this admittedly insignificant participation to continue in the FCZ, in the face of the expanding power troll effort in the FCZ, should therefore have no effect on West Coast U.S.-Canada negotiations in regard to the issue of not allowing significant expansion of the intercepting fisheries. The statement in the draft plan that "The efforts of Alaska to limit the potential expansion of the hand troll effort in its coastal and offshore intercepting fishery have been favorably received by representatives of all parties involved," is insulting to hand trollers, as they are the only party directly affected, and very detrimentally, and whose opinion was never even considered.
 3. The "difficult enforcement situation" that now exists will be eliminated when trollers are treated equally under the law. Specifically, these enforcement difficulties offshore will be eliminated when the recent ban on hand trollers in coastal waters is eliminated. With the advent of limited entry for hand trolling, the future of this and other discriminatory closures is in doubt. In Appendix F, "Power Troll--Hand Troll Interactions," it is stated that "present regulations concerning power troll-hand troll interactions should be viewed as interim measures. Restrictions on the further expansion of the number of hand troll units and reduction of that number through an acceptable limited entry system should receive priority." The closure, by the Board of Fisheries of the coastal waters to hand trollers was based on the absence of a limited entry program at that time. The CFEC now intends to limit 1980 permits to those who fished in 1978 or earlier, and by 1981 permanently limit permits to near 1975 levels. Therefore, future enforcement problems would likely increase if hand trollers are banned from the FCZ.
 4. As stated here in the draft plan "The small number of operators that did occasionally fish offshore caught an insignificant portion of the total troll fishery harvest." There is no evidence to indicate any significant increase in effort by hand trollers in the FCZ. The threat of "a major increase in offshore troll effort...within a few years" if hand trollers are not banned, is pure speculation and is not born out by any statistics. On the other hand, a substantial increase in power troll effort has been documented and it is logical to assume that increased effort in the future will continue to come largely from this group, not from trollers using hand power. To ignore the real source of increased FCZ harvest, namely increased power troll effort, and use the admittedly insignificant harvest by hand trollers as a scapegoat, is disgraceful not only to efforts to save the resource, but on the basis of ordinary fairness.

5. The Point Baker Hand Trollers Association is well aware of the plight of many salmon stocks and encourages whatever limitation on effort that is required to protect and rebuild runs, so long as such restrictions are born equally by all trollers and not exclusively by those who use hand power. To exclude hand trollers from participating in the FCZ while allowing power trollers, also negates National Standards of the FCMA, namely, "to allocate fairly" and "to allow for variations in fishery."
6. Hand trollers should be allowed to fish in the FCZ in the same manner as power trollers have been allowed--currently meaning, under a system of limited entry, be it state or federal. As state limited entry for hand trolling is now being formulated, continuing the current system, for the interim, may be the most practical course. Still, a federal limited entry system would be preferable to denying individuals access to their traditional fishing grounds. In fact, on page 42 of the draft plan it plainly states that "...limited entry is less socially and economically disruptive than alternative management measures designed to restrict trolling in the FCZ."

The draft plan goes on to state that "each change in the fishing pattern of an Alaskan salmon fishing fleet necessitated by new restrictions has secondary impacts on numerous rural communities. The Alaska Board of Fisheries tries to minimize these secondary impacts, but to allow further increases of trolling effort offshore will only speed the closure of more inside areas and could force a major disruption of existing fisheries and the communities which they support." The facts have proven that just the opposite happens. Forcing hand trollers to abandon outside waters has hastened, not minimized, impacts on rural communities. To take one example from the 1979 season, the closure of outside waters to hand trollers had the following impact on our community, Point Baker, located inside Area 6:

1. Local hand trollers who normally rely heavily on outside areas for their livelihood were forced to concentrate efforts on the less profitable and more biologically sensitive inside areas. This resulted in substantial loss of potential personal income and increased pressure on depleted local salmon stocks.
2. This fleet (displaced by the outside closures) plus a large Ketchikan fleet (displaced by Area 1 closures on hand trollers only) plus the usual Point Baker "homeguard" concentrated to create an unusually intense and competitive effort in our area. Boats and litter clogged our harbor. Local fuel and other supplies were exhausted. Local fishermen caught a smaller proportion of an already small catch.
3. Due to the scarcity of fish and unusually high levels of effort, Area 6 was finally closed to trolling altogether.

Forcing hand troll effort from outside to inside waters has negative impacts on individual fishermen, rural communities, and most certainly on the resource.

Closure of the coastal fishing zone to hand trollers was implemented before the CFEC had begun action on limited entry for hand trollers. Not being under limited entry, the increase in the number of hand troll

permits annually issued was given as the primary reason for closures to hand trollers only. Under the CFEC's timetable, a moratorium on new permits will be in effect for the 1980 season, limiting participation to those who fished prior to 1979. By 1981, the number of permits should be permanently reduced to near 1975 levels, the year limited entry was enacted on power trolling. Therefore, entry into the hand troll fishery is no longer unrestricted and the basic premise, on which closures to hand trollers were enacted, is no longer valid. Thus, with the advent of limited entry for hand trolling, the coastal waters as well as the FCZ and other areas should be open or closed to all trollers on an equal basis.

It should also be remembered that the increase in numbers of hand troll permits that occurred during the years 1975-1978 was due primarily to urban recreational fishing and permit speculation, not trollers who customarily fish the outside waters. For example, here in Point Baker, the number of hand troll permits fished in 1975 was 48. In 1978 there were 49. In Juneau in 1975 there were 205 hand troll permits and in 1978, 784 permits were fished (CFEC records). In effect, Point Baker hand trollers, who rely entirely on fishing for a living and have not increased in number, were excluded from their usual outside grounds as a result of an increase in the purchase of permits by predominately urban non-fishermen who do not rely on these waters for a living. In the proposed draft of the plan which preceded this one, one of the policies stated for directing management objectives was to "Stabilize the hand troll portion of the troll harvest with preference to rural and economically dependent trollers." We feel the deletion of this policy from the present draft of the plan is a very serious mistake. Regulations effecting hand trollers have enormous impact on rural communities like Point Baker, far beyond that felt by urban recreationalists. Management policy must be shaped with this greater socio-economic impact on rural and economically dependent trollers in mind. We would like to see this policy reinstated in the final plan.

METHODOLOGY AND ENVIRONMENTAL IMPACT

The Point Baker Hand Trollers Association agrees with Sea Grant Advisory Specialist, Zach Lea, when he wrote in an article in the 1977 Yearbook Issue of National Fisherman, entitled "Successful Fisheries Management Needs 'People Input,'" that "...too much of current fishery management science is aimed at finding the best allocation package for a resource rather than showing the effects of alternative packages on the resource and the people using it. Scientists are going too far beyond their proper bounds when they dictate the best solution to resource allocation problems." These words should be kept in mind when drafting a troll plan, particularly in regard to hand trolling. Clearly, eliminating trollers who use hand power from their accustomed fishing grounds will have effects on these users of the resource. In the 230+ pages of this draft plan, no study or even mention of such effects is made. In fact, no impacts on the social environment at any level have really been examined in this draft plan. The only alternative management packages presented in the draft plan are in relation to limited entry for power trollers in the FCZ, and here the stated advantages and disadvantages of the various alternatives relate only to the relative ease

of administration and enforcement rather than social impacts or resource impact. In relation to hand trollers, no alternatives are presented and no studies of social impacts have been considered.

Although at the bottom of the list of research recommendations mention in the draft plan is made that "Information is also needed on the potential consequences of alternative management strategies, particularly from a socio-economic perspective," it would seem that such information is absolutely prerequisite to the drafting of any plan that has such broad and dramatic social effects. Anthropologists and sociologists are certainly needed to provide the social science research to put the already extensive biological science research into the proper perspective to form sound management policy. Particularly with regard to the dependence on hand trolling in rural Alaska, many questions need to be asked which go beyond the realm of the biological sciences. For example, what is the actual monetary cost to individual communities of hand troll closures? What is the cultural cost, particularly in Native communities? How does hand troll catch relate to public assistance roles, food stamp requests, unemployment, and other costs to society? What are the cultural costs to our society when "the big guys squeeze out the little guys," when small independent businessmen must leave their home communities to become wage earners or become welfare recipients? We wonder if fishery managers realize the gravity their decisions have on the lives of many rural Alaskans. There is nothing in this draft plan to indicate so.

Clearly, the loss of our salmon resource would have the most far reaching social impact of all. The Point Baker Hand Trollers Association is totally supportive of all meaningful regulations and laws to conserve the resource. All we ask for is equal treatment under such laws. Regulations to limit troll effort must be applied equally to all trollers.

SPECIFIC RECOMMENDATIONS FOR TEXT REVISION

Pages 20-26

Eliminate Regulatory Recommendation 1 and associated discussion.
Substitute:

1. The troll fishery shall be regulated as one fishery. Existing regulations which apply only to the hand troll portion of the fishery shall be eliminated. This will:
 1. Provide equal treatment under the law. Trollers use the same type of gear regardless of whether it is retrieved manually or mechanically. To regulate differently is to give preferential treatment under the law to one group, where the distinction between groups is largely arbitrary and has no reasonable basis.
 2. Provide for fair allocation. The National Standards of the FCMA require management "to allocate fairly." Regulating trollers equally will ensure that conservation measures are born equally by all trollers, rather than effectively allocating fish to one group exclusively.
 3. Allow for variations in fishery. The National

Standards of the FCMA require management "to allow for variations in fishery." Eliminating only hand or power trollers from an area would not be allowing for variations in fishery.

4. Simplify management. Developing one set of regulations for the troll fishery instead of two inter-dependent and often conflicting sets of regulations will greatly simplify management.
5. Simplify enforcement. Conflicting and controversial regulation will be eliminated. The same rules will apply to all trollers. The need for identification of vessels as to gear retrieval method will be eliminated.
6. Minimize costs. Simplification of enforcement and management will minimize costs, one of the requirements of the National Standards of the FCMA.
7. Prevent disruption of established social, economic, and family structures. Regulation aimed exclusively at hand trollers has far reaching social impact, particularly in rural Alaska, where dependency on this mode of trolling is often total. Depriving individuals significant portions of their income when their income is already relatively meager and when no alternatives for income are available will be avoided. Dislocation of heads of family to find work unavailable at home will be avoided. The continuation of small-time capitalism will be allowed; the continuation of cultural values associated with fishing will be allowed.
8. Provide for conservation. The application of all management tools will continue to be possible. The options of quota, vessel day limitation, area closures, etc., will remain viable. However, all trollers will be equally effected by any such limitation: not just one class of trollers.
9. Be consistent with historical regulation of the troll fishery. In the 75 year history of Alaska trolling, no regulatory preference has ever been given to trollers who use power to retrieve their gear over trollers who use their muscles, the past 18 months excepted.
10. Recognize the fact that hand trolling is no longer an "open fishery." The recent hand troll closures were based on the fact that hand trolling was unrestricted in potential growth because it was not yet included under limited entry. This is no longer the situation. The CFEC intends to have a moratorium in effect for the 1980 season, limiting entry to those who fished prior to 1979, and by the 1981 season, to have permanently reduced the number of permits to near 1975 levels, the year limited entry was applied to power trolling.

Page 10. Paragraph 2:

Line 6: Change "efficient" to "effective."

Line 7: Sentence beginning "However..," change to: Hand troll vessels usually operate at less expense than power troll vessels and, because of lesser vessel capabilities, less need to recapture capital investments in permits and large vessels, or closure of more profitable areas to hand trolling, may fish in areas that power trollers cannot profitably fish.
(This more realistically describes the actual situation.)

Line 9: Delete the word "further."

Line 11: Delete the word "therefore."

Page 13, Item 2: Change to: Management strategies that lead to disruptions of established social and economic structures are undesirable.
(In keeping with the previous draft.)

Page 14, Item 4: Change to: The existing CFEC power troll limited entry system is well established and stabilization of the hand troll portion of the troll harvest has begun by CFEC, with preference to rural and economically dependent trollers.
(In keeping with previous draft.)

Page 18, Line 5: Delete: "And, if necessary, regulations."
(An effective program is one which precludes need for separate regulation. Redundant.)

Submitted by:

Tom Jacobson, hand troller
Point Baker Hand Trollers Association

October 17, 1979.

Point Baker Hand Trollers Assn.
Point Baker, Alaska 99927

October 10, 1979

Commercial Fisheries Entry Commission
Pouch KB
Juneau, Alaska 99811

Dear Sirs:

The Point Baker Hand Trollers Association would like the following comments considered as part of your public hearing concerning the inclusion of Hand Trollers under limited entry. We limit our remarks at this time to the appropriateness of limited entry for the hand troll fishery, the proposed number of Permits, and potential inequities under a limited system.

For nearly two years the Point Baker Hand Trollers have publicly supported limited entry for the hand troll portion of the troll fishery. On January 22, 1978, we sent the Commercial Fisheries Entry Commission, the Board of Fisheries, and the Department of Fish and Game, a petition, signed by over 95% of all residents of Point Baker and Port Protection, in support of limited entry for hand trollers. In the letter accompanying the petition and proposal for limited entry we said:

"The following proposal [for limited entry] is being made by full-time Hand Trollers living in Point Baker, Port Protection, and other small fishing villages. We are not recreational fishermen, but a diverse group of commercial trollers ranging from skiff-fishermen, content with near subsistence incomes, to former power trollers who were denied permits under limited entry. What we have in common is our overall dependence on commercial hand trolling for our livelihood, there being no alternative sources of income, practically available, where we live. Therefore, proposed changes in the hand troll fishery have total bearing on our futures, that of our families, and our communities."

Since then, our fears for the future of our fishery have proven justified. Later that year the Coastal Fishing Zone,

Commercial Fisheries Entry Commission

Page 2

October 10, 1979

our most productive troll area, was closed to hand trollers, while remaining open to power gear and purse seines. The following year all of districts 1 and 14, and portions of districts 11, 12, and 15 were closed to hand trollers only, for 43% of the time. Every year recreational users of hand troll permits in the urban areas propose gear limitations that would destroy economically dependent hand trollers. Power troll and gillnet organizations then support the restrictions as a way to thwart what they perceive as a potential threat to "their" salmon resource by an "unlimited fishery."

Since 1978, the Board of Fisheries has repeatedly taken the stance that unless the growth potential of the hand troll portion of the troll fishery is limited, more and more restrictive regulations can be expected. For those of us completely dependent on trolling for our livelihood, with no alternatives available where we live, further restrictions applied exclusively to hand troll gear are totally unacceptable. Compared to others, our incomes are already meager. In Southeast Alaska's rural communities more public assistance and dislocation of families can be the only result if the hand powered portion of the troll fishery is not given the same protection of limited entry as every other commercial salmon fishery.

Our criteria for determination of the number of permits would be as follows:

1. That the number of permits be large enough so that all fishermen economically dependent on hand trolling can receive permits.
2. That the number of permits be small enough so that the Board of Fisheries cannot justify regulating the hand powered portion of the troll fishery more restrictively than those trollers allowed to use power.

One thousand one hundred (1,100) permits appears to be a very reasonable number, realizing, of course, that we do not have access to statistics on income dependence, location of residence, etc.

The Point Baker Hand Trollers Association has certain reservations concerning potential inequities under limited entry. While we emphasize that we would not want these concerns to

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in any way threaten the inclusion of hand trolling under limited entry as soon as possible, they need to be addressed at some point in the future. They are:

1. Any point system developed must give much more consideration to economic dependence than has been given other fisheries. Specifically, percentage of income derived from hand trolling and residence in a locale with little or no alternatives for income, must be the primary determinants.
2. As we understand current proposals, those who fished for the first time in 1979 would not be eligible for a permit. Remembering that those who first power trolled in 1973 and 1974 were eventually allowed to apply for a power permit, (though not gain any extra points for that participation) we feel it only fair that first time hand trollers in 1979 at least be allowed to apply.
3. With the institution of limited entry some additional criteria for the issuance of restricted gear interim-use permits might be considered. Perhaps only "small commercial operations" as currently defined by the Department of Fish and Game, or perhaps those over 65 years of age, students, those eligible for public assistance, urban sportsmen on a lottery basis could be allowed to fish with one line on an interim-use basis. This might provide for a limited use of the resource by those non-dependent users who would likely be excluded under limited entry. The sale of sport-caught fish might be an alternative option.
4. Some method of future entry into the fishery, in addition to buying one's way in, needs to be developed. Somehow a way has to be found for new fishermen, particularly children growing up in rural areas, to obtain permits without having to buy them at prohibitive prices.

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We applaud the Commission's efforts to finally include hand trollers under limited entry and hope these comments prove useful to that end.

Sincerely,

POINT BAKER HAND
TROLLERS ASSOCIATION

Tom Jacobson

TJ/es

Ketchikan Handtrollers' Association
P. O. Box 6237
Ketchikan, Alaska 99901

The Honorable Jay Hammond
Governor
State of Alaska
Juneau, Alaska 99801

February 14th, 1980

Dear Governor Hammond:

In the enclosed material we, the Ketchikan Handtrollers' Association, have clearly outlined our case and our position. Handtrollers are old people, young people, pioneers, students, businessmen, professional fishermen and Alaskans. There is just no moral or legal way the Board of Fisheries can be allowed to systematically force us out of business. We are a part of Alaska's past, present, and future and we are just simply not going to fade away.

We ask you at this time to instruct the Board of Fisheries to repeal all time and area closures applicable only to handtrollers and also the four line-two line gear restriction. Furthermore, we ask that in the future the Board of Fisheries adopt policies which will manage and protect our fisheries resources in an equal and unbiased manner. After all, it is the responsibility of the Board of Fisheries to protect and manage the resource for the highest sustained yield, not to decide who lives or dies in the commercial fishing business.

Sincerely,

John Trout, President
Ketchikan Handtrollers' Association

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A professional handtroller's view

To the Editor:

I am concerned as to the impact of many existing and proposed regulations on those of us who are 'professional' handtrollers. In my own case, I am an independent Alaskan businessman with a substantial gear and vessel investment, a family of four and a 100% income dependency on the handtroll fishery. Having sold our home and fished for 3 seasons we have afforded ourselves a suitable trolling vessel. If we are allowed to earn a reasonable living in the next two seasons we will have saved enough money to buy a permit and enter the power troll fishery. Of what practical use is an 'entry level fishery' if the income opportunities do not provide a means for this type of advancement?

The proposed two-line limit will have a negligible impact on the smaller boats, weekenders, etc., while the larger boats, and again, those with the largest investments, putting forth the greater effort will suffer the greatest hardship.

If you must limit the units of gear, then do it, but at least let some of us continue to fish at our present

income producing capabilities. Reducing several hundreds of self-supportive businessmen to welfare by cutting their income potential in half (again) is not my idea of an acceptable solution.

Handtrollers get business support

Individuals representing at least 24 businesses and the city mayor in Ketchikan have signed a petition endorsing the efforts of the Ketchikan Handtrollers Assn. in its legal challenge to fisheries management orders by the State Board of Fisheries.

The petition cites the Ketchikan group's "significant contribution" to Ketchikan's economy, and states that "protecting the viability of all fishery groups is a matter of public concern."

John Trout, president of the Ketchikan Handtrollers Association, in a recent letter to the American Civil Liberties Union, asked its help in determining the legality of the State Board of Fisheries' allocation of resources and its proposed gear restrictions for handtrollers.

The association is asking whether it has a basis for a legal challenge under restraint of trade and discrimination provisions of laws and the state and federal constitutions.

The handtroller letter states that there are about 2,100 active handtrollers and about 900 active power trollers, yet power trollers are allocated 80 percent of the total troll catch.

Handtrollers may challenge state fishery policies

KETCHIKAN (AP) — The Ketchikan Handtrollers Association is considering a legal challenge to fisheries management orders by the state Board of Fisheries, a member said Thursday.

Mark Wells of the association said the group, with about 20 active members, will contact the American Civil Liberties Union about a possible legal challenge.

"We want legal help from the ACLU regarding questions such as can the state protect and favor (one group of fishermen) by the allocation of the resource at the expense of another," he said. Also questioned by the handtrollers are proposed gear line limits.

Wells said the association wants to find out whether it may have a basis for a legal challenge under restraint of trade and equal protection provisions of laws and the state and federal constitutions.

Handtrollers asking A.C.L.U. for legal aid

EDITOR, The Daily News:

"We've got to hang on to all the rights we can!"

Ketchikan handtrollers report they are in contact with the American Civil Liberties Union seeking legal help in their fight for survival. Among questions being asked by the handtrollers are:

—Is it legal for the State of Alaska to protect and favor, by enforcing allocation of a resource, one group of fishermen at the expense of another?

—No other gear type under the limited entry system is allocated a portion of another gear type's catch. Is this restraint of trade?

—Is it legal for the State of Alaska to inhibit the productivity of, and thereby suppress the incomes of, several thousand handtrollers in order to affect allocation of 80 percent of a fishery resource to 900 power trollers? Is this discriminatory?

In the communication being prepared for the ACLU, handtrollers also state: "Handtrolling means different things to different people. A profession, a livelihood, a way of life, a student's summer job, the local economies of several small communities, etc. We feel that earning a living in this traditional fishery is a civil right, and that the practices of the Board of Fisheries which violate that right are not in accordance with the concepts of existing discrimination and trade laws."

John Trout, President
Ketchikan Handtrollers Association

Letters from Readers Handtrollers protest

EDITOR, Daily News:
American Civil Liberties Union
630 W. 4th Ave.
Anchorage, AK 99501
Gentlemen:

We have been referred to you by the ACLU office in New York regarding some problems southeast Alaskan handtrollers are having with the Board of Fisheries and the Limited Entry Commission.

There are 2,100 or so active handtrollers and some 900 active power trollers. The power trollers are being allocated 80 percent of the total troll catch and the following are four steps taken by the Board of Fisheries to enforce that allocation.

1. Expulsion of the handtroll fleet from the "prime" coastal fishing zone. (1978)
 2. Initiate eight-day-on, six-day-off closures applicable only to handtrollers in many areas. (1979)
 3. Reduce the number of lines a handtroller may fish, from four to two.
 4. Bring the handtroll fishery under limited entry.
- Is it legal for the state to protect and favor by allocation of

a resource one group of fishermen at the expense of another?
No other gear type under the limited entry system is allocated a portion of another gear type's fish catch. Is this restraint of trade?

Is it legal for the State of Alaska to inhibit the productivity of, and thereby suppress the incomes of, several thousand handtrollers in order to effect allocation of 80 percent of a fishery resource to 900 power trollers? Is this discrimination?

The Board of Fisheries contends that the 80 to 20 percent allocation must be maintained, justifying this with dubious references to a "historical" and "traditional" status quo. To quote a newsletter dated Dec. 19, 1979, from the Board of Fisheries, "The policy on which the management plan is based calls for maintaining the historical 80-20 percent harvest ratios within the total coho harvest." The catch records for handtrollers only go back to 1974. The professional handtroll fishery goes back 60 years.

Handtrolling means different things to different people—a profession, a way of life, a student's summer job, the local economies of several communities. We feel that earning a living in this fishery is a civil right and that the practices of

the Board of Fisheries which violate that right are not in accordance with the concepts of existing discrimination and trade laws.

We at this time feel an urgent need to challenge the legality of discriminatory allocation of resources by the state and set legal precedents ensuring the protection of all fisheries and all fishermen from this unjust and dangerous practice.

A timely injunction lifting the four-line to two-line handtroll regulation for the 1980 season would be of enormous help. We have neither the organizational strength nor the funds to bring this matter to court. Indeed, the cost of pursuing justice in our court systems exceeds our means. Any assistance or advice you can offer on this matter will be greatly appreciated.

Sincerely,
JOHN TROUPE

President,
Ketchikan Handtrollers Assn.

3, 4, 80

Problem: To the thousand or more hand trollers who make their principle living by fishing, the 2-guardie law is the last straw. To these people this law is not just a restriction, but a force that is breaking their way of life that historically is thousands of years old. To them it threatens their life itself.

Reasoning: Because it is a law does not make a law right nor good nor just; It only makes it legal. To have a Democracy every citizen has not only the right but the duty to question and contest any law he thinks unjust. For this reason some of us hand trollers have come to this meeting.

The various injustices of limited entry have been rehashed many times and most have been accepted as the lesser of 2 evils. However the restrictive law prohibiting a livelihood within the hand troll fishery is intolerable if a person qualifies otherwise for a limited entry permit.

The cost of fuel and other expenses are the same for 2-guardie fishing as for 4, but that expense must be taken from