

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7190 HOUSE RESOURCES

WHAT IS NEEDED

Continue to hold Alyeska responsible.

PROTECTION FOR TESORO

While Tesoro can live with the existing \$1.2 billion dollar bonding requirements, there is no guarantee that the bonding requirements won't change when limited immunity (15 days of gross negligence) sunsets on June 1, 1992. Review of Alyeska's bonding requirements, such as provided in SS SB 270, would address Tesoro's concerns.

CHANGING THE GOOD SAMARITAN LAW

Suggested language in AS 46.03.822:

"The immunity granted under this section shall attach without limitation to the response efforts of persons who are not regularly engaged in the business of responding to oil spills. Persons who are not regularly engaged in the business of responding to oil spills includes, but are not limited to, (A) persons who are primarily dedicated to the preservation and rehabilitation of wildlife and (B) persons who derive their livelihood primarily from fishing."

TO: Cliff Davidson


DATE: APRIL 3, 1992

Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

FROM: EDITH W. LANE
9100 CENTENNIAL DR. D108
ANCHORAGE, AK 99504

SUBJECT: House Bill 540 - Responder Immunity

I support HB 540, which was introduced in February, as a means to solve the issue of responder immunity. I believe the legislation is appropriate and that the responders in the state (such as CISPRI) should be granted immunity similar to that already provided other emergency responders in Alaska. I urge you to work for a scheduled hearing of this bill, if it has not already been scheduled, and for passage of HB 540.



(907) 345-3142
Fax (907) 345-2435
12350 Industry Way, Suite 200
P O Box 196010
Anchorage, Alaska 99519-6010

March 9, 1992

Alaska State Legislature
House Special Committee on Oil & Gas

Re: Position Statement - House Bill 540

Thank you for the opportunity to provide written comments to the House Special Committee on Oil & Gas regarding an Act to limit the liability for oil spill response action contractors. Alaska Clean Seas supports House Bill 540 and believes this legislation is urgently needed to maintain the high level of response capability presently available within Alaska.

A key element for success in any spill action is swift and effective response. It is imperative that the response not be inhibited or delayed by the issue of liability. To ensure that additional manpower and equipment can be brought to bear quickly on a spill response, ACS and CISPRI have implemented a mutual aid agreement for assisting one another in the event of a spill. This agreement incorporates indemnity provisions to transfer all liability arising out of a response to the spilling party, regardless of fault. The agreement was tested during the recent East Forelands spill. Upon receipt of a request for assistance from CISPRI, Alaska Clean Seas had personnel on site within four hours and fourteen responders on site with a complement of equipment within eight hours of notification of the spill. Without an effective indemnity agreement, such immediate mutual aid would not have occurred.

Oil spill cooperatives within the State (ACS, CISPRI and SERVS) represent the bulk of spill equipment available within Alaska. Collectively this is the largest supply of spill equipment in the world. By organization, these cooperatives are not for profit. They have no interest in weighing risk vs reward. If these cooperatives are not provided protection from liability they will not respond to spills outside of their membership or geographic area of coverage. It would be a tragedy to have the resources of the cooperatives made unavailable because of issues of liability. Equally important, this would have implications for the availability of personnel and equipment from other sources both nationally and internationally.

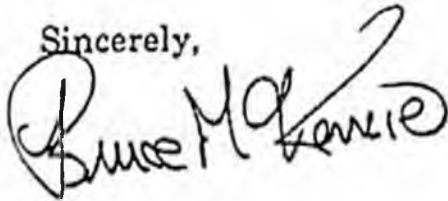
Under OPA 90, liability is clearly placed in the hands of the spiller. The notable exceptions are for the case of gross negligence, willful misconduct or violation of the law. House Bill 540 is consistent with this federal standard. Alaska has the right to differences to the federal standard. However, these differences should be

improvements and not detractions. Alaska Clean Seas views this Bill as making those improvements.

Alaska is presently in the fortunate position to have a cadre of well trained, experienced and professional spill response contractors operating within the State. This capability was obviously increased significantly as a result of the Exxon Valdez response and these organizations are now recognized throughout the United States and the world. They are actively involved in spill response, contingency planning, prevention and training. Without the provision of protection from liability it is questionable if this capability would continue to operate within the State of Alaska

In summary, the largest supply of spill equipment in the world is located in Alaska. Additionally some of the best trained and most experienced responders are located within the State, working either in the oil spill cooperatives or the private response contracting community. Unless House Bill 540 is made law, a significant portion of the personnel and equipment within the cooperatives would be unavailable for response to spills outside their defined jurisdiction. Additionally, a significant percentage of the expertise and equipment presently in existence through the contracting community will be lost from the State. The effort and work that has been expended over the last 3 years by the State of Alaska, the oil industry, citizens groups and the private contractor community to provide the best spill response capability in the world will have been for naught.

Sincerely,



Per Norman Ingram
General Manager

March 9, 1992

The Honorable Bill Hudson
Chairman, House Special Committee on Oil and Gas
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

RE: CSHB 540 Providing for Limited Responder Immunity

Dear Chairman Hudson:

Alyeska Pipeline Service Company ("Alyeska"), strongly supports Good Samaritan immunity for oil spill response in Alaska. Without limited liability, financial risks and liability exposures will deter cleanup contractors and others from prompt, aggressive action when spills occur.

As you know, the federal Oil Pollution Act of 1990 ("OPA '90"), and Alaska's HB 196 last session adopted responder immunity laws to encourage immediate and effective oil spill response action. However, without legislative action this session, HB 196's provision for limited immunity against certain claims under state law will "sunset" in July. To help insure that effective and substantial resources are readily available to contain and cleanup oil spills, the state's response action contractor immunity law should be improved and made permanent.

Although its scope is also limited, the response action immunity provision in OPA '90 [33 USC & 1321 (b) (11) (c) (4)] is the best model. To date, the Virgin Islands and 18 of 24 coastal states (75%) have adopted substantially similar laws.

OPA '90 limits liability under federal law for response action if it is consistent with the National Contingency Plan or directions of federal officials. Responders are still liable for personal injuries and wrongful deaths, or if they are grossly negligent or engage in willful misconduct. Importantly, the responsible vessel owner or operator is liable for any removal costs or damages that response contractors are relieved of. We believe that the federal law draws the right balance between encouraging prompt, aggressive action by all potential response contractors, and

Letter to The Honorable Bill Hudson

March 9, 1992

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providing for recovery of property damages from the spiller if a response contractor has negligently caused them.

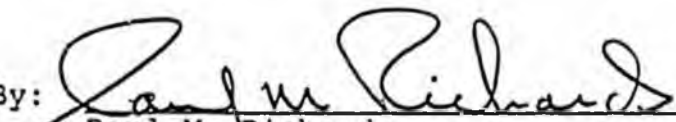
The United States Coast Guard has best described the important contribution limited immunity for response contractors made to the nation's comprehensive scheme for oil spill response and recovery under OPA '90. All response contractors must be encouraged to take action when spills occur, and to stay involved until an oil spill response is completed.

We urge the Committee's consideration of this important proposal to supplement the state's oil spill response laws. Alyeska Pipeline Service Company supports the adoption of Good Samaritan immunity for oil spill response action contractors on a state level, as presently stated in CSHB 540.

Very truly yours,

ALYESKA PIPELINE SERVICE COMPANY

By:


Paul M. Richards
Manager, Government Relations

PMR:ph

March 6, 1992

The Honorable Bill Hudson
Chairman, House Special Committee on Oil and Gas
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

RE: Prince William Sound Oil Spill Response Services

Dear Chairman Hudson:

Alyeska Pipeline Service Company ("Alyeska") is an oil spill response action contractor for spills in Prince William Sound on behalf of companies that own, operate or charter tank vessels in the TAPS trade. We refer to those companies as "Contracting Vessels." The scope of services to be provided by Alyeska to those companies is described in Oil Spill Response Services Agreements between Alyeska and the Contracting Vessels. The Agreements incorporate the Prince William Sound Tanker Spill Prevention and Response Plan to describe Alyeska's response plans. Exhibit A of each Agreement lists the vessels covered by that Agreement.

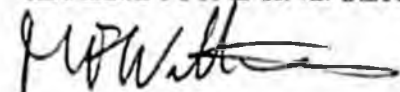
Under these arrangements, for large spills, Alyeska is obligated to respond for up to 72 hours to spills in Prince William Sound, while the Contracting Vessel is mobilizing its resources to take over management of the spill response. The Plan and the Agreements describe how the management transition from Alyeska to the appropriate Contracting Vessel should occur. After the transition, Alyeska's resources, including the on-water-response equipment, will be available for use by the Contracting Vessel for as long as needed and until they can be replaced by other equipment. The Contracting Vessel is contractually obligated to replace Alyeska's core equipment as rapidly as possible so that normal terminal operations may resume as soon as the Coast Guard allows it.

If the Contracting Vessel fails to assume management of the spill response in the 72 hour period, Alyeska anticipates that the Coast Guard will federalize the response, directing and paying for the effort. Alyeska has recently reiterated its verbal understanding with the Valdez Captain of the Port that Alyeska will make its resources available to the Coast Guard under a federalized response. We have written to Admiral Ciancaglini asking for an opportunity to describe this arrangement in writing.

Please contact me if you would like any other information on these matters.

Sincerely yours,

ALYESKA PIPELINE SERVICE COMPANY



M. F. G. Williams
Vice President-Environment & Contingencies

MFGW/RIS/md

March 2, 1992

Letter No. 92-9411-G

David E. Ciancaglino
Rear Admiral
U.S. Coast Guard
P.O. Box 25517
Juneau, Alaska 99802

Re: Coast Guard Directed Oil Spill Responses
in Prince William Sound

Dear Admiral Ciancaglino:

Alyeska Pipeline Service Company ("Alyeska") is an oil spill response action contractor for spills from TAPS trade tankers in Prince William Sound. To provide this service, Alyeska has entered into Oil Spill Response Services Agreements with five companies that either own, charter or operate tank vessels that call at Valdez. Those companies, which we refer to as Contracting Vessels, are ARCO Marine, Inc., BP Oil Shipping Company, U.S.A., Chevron U.S.A., Inc., Exxon Shipping Company, and Tesoro Alaska Petroleum Company. Exhibit A of each Agreement lists the tank vessels covered by the Agreement.

In the Agreements, Alyeska promises to manage the initial response to an oil spill for as long as 72 hours following a spill, in accordance with the Prince William Sound Tanker Spill Prevention and Response Plan. The Contracting Vessels agree to assume management of the spill response within 72 hours after notification by Alyeska. Under this arrangement, Alyeska will continue to assist the Contracting Vessel's on water response until the Alyeska resources are not needed or can be replaced. For small spills, under 1,000 barrels, Alyeska may elect to complete the entire response on behalf of the contracting vessel.

We believe that each of these companies is prepared to respond to a spill from the vessels it utilizes in Prince William Sound. The Alaska Department of Environmental Conservation has arrived at the same conclusion and has approved the contingency plans for the tank vessels covered by these Agreements. Alyeska has held major response drills with ARCO, BP, Exxon Shipping and Chevron and plan a similar exercise with Tesoro. Moreover, the Agreements and the PWS Plan anticipate that if the Contracting Vessel or other acceptable representative of the responsible party does not assume management of the spill

Name
March 2, 1992
Page 2

Letter No. 92-9411-G

response as required, Alyeska will ask the Coast Guard to federalize the response and assist in whatever way is appropriate, at the direction of the Federal On Scene Coordinator.

Based on discussions with Commander Ed Thompson, Captain of the Port in Valdez, there is an understanding between Alyeska and the Coast Guard that Alyeska will assist the Coast Guard if a spill response is federalized. We believe that it would be useful to have a formal procedure in place to guide transition from Alyeska management of spill response to federal control in the event such transition becomes necessary. Preparation for this contingency might be enhanced if there is a contract or Memorandum of Understanding between Alyeska and the Coast Guard describing the Coast Guard's expectations of Alyeska and establishing a management and reimbursement procedure.

It is our understanding that the Oil Pollution Act of 1990 and the National Contingency Plan (NCP) provide the Coast Guard with the authority and mission to direct a spill response when the responsible party does not take proper removal action or is unknown and the spill poses a substantial threat to the public health or welfare. 33 U.S.C. 1321(c) and National Contingency Plan 300.300. Section 300 of the NCP and Subpart H also describe how the Coast Guard can use private resources to fulfill this responsibility.

I would like to meet with you to discuss these issues and if you agree, begin the process of developing a procedure and an agreement tailored to meet the unique circumstances found in Prince William Sound.

There are two other issues we should address. Alyeska will respond to a discovery of crude oil on the waters of Prince William Sound even if the origin is not known. Under those circumstances, if the spiller is not quickly identified, we believe the response should be federalized.

Concerned citizens have asked about Alyeska's role in responding to phantom spills of refined petroleum products in Prince William Sound. In the past, Alyeska has responded voluntarily to such spills at the request of the Coast Guard, without seeking compensation. We will continue to be available to voluntarily assist the Coast Guard under these circumstances, with no actual duty to respond. These limitations are necessary because our resources cannot be dedicated to any effort other than our primary responsibilities to the TAPS trade vessels. We would be willing to discuss Alyeska's role in assisting the Coast

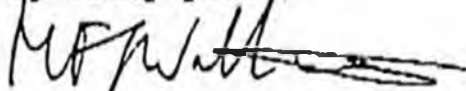
Name
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Guard's response to phantom spills. In the case of potential spills from cruise ships, fishing support vessels or fuel barges, Alyeska should only have a voluntary support role to assist the primary plan of the spiller. The responsible parties and the Coast Guard should enter into binding contracts with other Response Action Contractors to provide response capability for these types of spills.

I will contact you soon to discuss these issues.

Very truly yours,



M.F.G Williams
Vice-President
Environment & Contingencies

cc: Representative Bill Hudson
Senator Sam Costen

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER
410 Willoughby Avenue, Suite 105
Juneau, AK 99801-1795

Telephone: 465-5050
FAX: 465-5070

February 25, 1992

HB 540

Representative Bill Hudson
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Hudson:

Thank you for the copy of the Citizen's Oversight Council's report on Oil Spill Response Liability. We have reviewed the issues raised in your February 18, 1992 letter concerning response action contractor certification and liability limitation in Alaska. We have also completed a preliminary review of HB 540.

I preface my comments at this point by saying that we are currently reviewing the Council's Report and developing our position on this subject and the associated legislation that is being developed. We are very interested in the input that will undoubtedly be provided during future committee hearings. The information and testimony given will assist in the development of our position. With that in mind I would like to offer our preliminary views on the issues you have raised.

The Department supports legislation limiting liability for response action contractors that is carefully crafted. We believe that it is in the state's best interest to ensure there will be a quick and ready response in the event of another catastrophic spill, as well as for those releases that are significantly smaller but just as important to contain and cleanup in the shortest possible time.

Beyond the contractual arrangement, there are no other legal assurances that response action contractors who have a pre-existing agreement with a contingency plan holder will respond and perform when a spill occurs. The Department does not legally review or pass judgement on the validity of these contracts and is not a party to them. However, the Department is developing emergency response contracts to provide the capability for responding to orphan spills (i.e., no responsible party) and spills where it may be necessary to take over or augment cleanup. Additional assurances are appropriate to increase the certainty of response by contractors who have contracted to provide a response with a contingency plan holder. In that regard we would support inclusion of language in Section 1 of HB 540 which would require response action contractors who have previously agreed to comply with the terms of a facility or vessel contingency plan to also comply and act pursuant with the terms of those plans unless otherwise directed by the SOSC or FOSC. This would provide an additional incentive for assuring response.

Certification of response action contractors is, in our view, a separate issue. Certification is currently being debated at the federal level. Some of the elements being considered include verification of equipment and personnel, validation of resources through inspections, certification of response capability, notification of down status and validity of response contracts, among others. The Department performs many of these functions already in the industry contingency plan review process. We participate in numerous spill drills, which are an excellent means for demonstrating response readiness and authenticating the capability of contingency plan holders.

Notwithstanding what might be done at the federal level, the elements of a certification program could be accomplished under existing authority by including appropriate parameters in the Department's oil and hazardous substances (commonly referred to as HB 567) regulations. A certification program in this case would only apply to response action contractors who have a contract with a contingency plan holder and the certification would occur in conjunction with the existing contingency plan review process. A separate certification review process would not be necessary. The program being contemplated at the federal level would likely require a separate review and approval process.

Regarding Recommendation #7 of the Council's report, we defer to the recent opinion from the Department of Law and we offer no further comments at this time.

I believe the "task force" referenced in your letter is the "Negotiated Rulemaking Committee" (REGNEG) that was formed by the Coast Guard to assist in drafting tank vessel regulations to implement the mandate of the Oil Pollution Act of 1990 (OPA 90). The State of Alaska was not selected to formally participate on this advisory committee (see enclosed letter from Admiral Henn). The State of California was selected as a member of the REGNEG Committee and has agreed to informally represent Alaska's and Washington's views as per our agreement under the States/British Columbia Oil Spill Task Force. However, Alaska is not bound in any way to a consensus that may be reached by the REGNEG Committee.

Other states selected for membership on the REGNEG Committee include Louisiana, Maryland and Wisconsin. Both of Alaska's Regional Citizen's Advisory Councils are on the committee. The majority of the committee membership is comprised of oil and shipping industry representatives. There is only one member from the environmental interest groups. The REGNEG Committee has been set up by the Coast Guard under the authority of the "Negotiated Rulemaking Act of 1990".

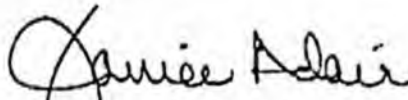
Since January, staff from this Department have attended two of the last three meetings in an observer status. The committee has been attempting to reach consensus on the issues of "adverse weather", "maximum extent practicable", "on board carriage of equipment", "plan contents", "vessel applicability", and "contractor certification". The most difficult issues seem to be defining response standards for "adverse weather" and "maximum extent practicable". These definitions have the potential to become substantially different than the counterpart provisions found in Alaska's laws, specifically the response planning standards given in AS. 48.04.030(k)(3-4).

Discussions at the REGNEG Committee on the subject of "contractor certification" have touched on the issues of type of services, capacity/quantity of service, location, self-assessment, and Coast Guard inspection/certification. Issues still under discussion include exactly how verification is to be achieved, frequency of verification/certification, the possibility of funding verifications, spill drills from the federal Oil Spill Liability Trust Fund, and contract validity. Enclosed is a copy of the Working Group issue paper concerning this matter.

We have a DEC staff member at REGNEG meetings this week. The next committee meeting is scheduled for the week of March 9 through 13 in Washington D.C. The Coast Guard plans to publish the "Notice of Proposed Rulemaking" in the Federal Register on or about May 1. The goal is to have an adopted rule in place, which may include RAC certification, by August, 1992 and in effect by February, 1993.

I hope these comments are responsive to your request and we look forward to working with you in the development of appropriate legislation.

Sincerely,


for John A. Sandor
Commissioner

CJP/MAC/JA/tls

Enclosure: January 7, 1992 letter from A. E. Henn

cc: Janice Adair, Special Assistant, Commissioner's Office
Mike Conway, Director, Division Spill Prevention and Response
Lynn Tomich Kent, Section Chief, SPPM

bcc: Chris Pace
Tracy Sherrer

HB

5411

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 541

Revision Date: 2/18/92

Department Affected: Fish and Game

Title: Management of mixed stock fisheries

BRU: Commercial Fisheries

Component: Commercial Fisheries

Sponsor: Representative Lincoln

Requestor: House Resources

COMPONENT SERIAL NO.

4	5	9
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Geron Bruce G.B.

Phone: 465-4100

Division: Commissioner's Office

Date: 4/28/92

Approved by Commissioner: [Signature]

Agency: Department of Fish and Game

Date: 4/28/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OIG/DBR, Gov. Legis. OSC., & Impacted Agency(ies).

**DEPARTMENT OF FISH AND GAME
POSITION PAPER**

Bill No: HB 541

Sponsor: Representative Lincoln

Division: Commercial Fisheries

Bill Title: Management of Mixed Stock Fisheries by the Board of Fisheries.

Department Position: Oppose

House Bill 541 is similar in content to the Board of Fisheries' Policy Statement on Management of Mixed Stock Salmon Fisheries, which the Department of Fish and Game supports. However, adoption of that policy as statute would place a stringent requirement on the board to follow the guidelines when adopting regulations. Given the dynamic nature of Alaska's fisheries, it might be more advisable for the board, which was created to foster both the conservation and development of our fisheries resources, to adopt a mixed stock fisheries policy as a regulation. This would provide the board with the flexibility needed to change the policy if conditions warrant. The Legislature could provide strong guidance, through the form of a resolution, as to what it thinks the board should consider when adopting such a policy.

Stock specific fisheries management is a laudable goal. It is one which the department strives to attain. However, as is the case with many goals, it is one that can not be fully achieved in a practical sense. I would like to point out a few factors that make it difficult to achieve that goal.

There are few, if any, pure single stock fisheries in the state. From a strictly scientific perspective, a stock is a genetically unique breeding population. Application of that definition could lead one to the conclusion that, ideally, fisheries should only take place on the spawning grounds. One can easily envision how dangerous even a small error in setting the allowable fishing time in such a situation would be to the viability of a stock subjected to that type of fishery.

The department and the board take a more broad, pragmatic approach to the concept of stock; that being a concept of more inclusive breeding populations that are manageable as a unit. For example, in management of the commercial fisheries that take place in the lower Yukon River, chinook and fall chum salmon are generally each considered a single management stock, as opposed to breaking those species down by their spawning tributaries. The point is that one should take the broad management approach to defining a stock when dealing with the guidelines such as those contained in this bill.

Position Paper Continued

HB 541

There are some important biological, economic, and social reasons for having mixed stock fisheries. As mentioned above, there is a danger to single stock management in the form of over fishing. The area where the fishery is to take place should be large enough to accommodate the fleet without undue congestion and to allow reasonable time to prosecute the fishery. In many areas this requires that the fishery take place before the fish stocks become highly separated. The quality of some fish species, such as pink and chum salmon, quickly deteriorate as they approach their natal streams. It is also very expensive to manage the large returns of these species on a stock specific basis. Thus, economics dictates some degree of mixed stock fishing in those types of situations.

Although a reasonable interpretation of the bill's language should not cause management difficulties, the lack of a strong definition for "stock," "mixed stock fishery," and other terms in the act could provide rich fodder for future litigation over controversial decisions of the Board of Fisheries. A very narrow interpretation of the term "stock" could force the board to adopt stock specific management plans that would require the department to initiate costly data gathering and inseason management projects on stream by stream basis. I recommend that the board be allowed to retain the flexibility to address specific situations, particularly as factors change with time. An important factor that will change with time is the ability to distinguish stocks of fish and the department's fiscal and technical capabilities to manage those stocks.

Commissioner's Signature

Bon J. J. J. J.
jr

Date:

4/25/92

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To <i>Lena</i>	From <i>Val Angasan</i>
Co. <i>HOUSE RES</i>	Co.
Dept. <i>Sandra B.</i>	Phone # <i>842-5257</i>
Fax # <i>465-3444</i>	Fax #

VAL'S TESTIMONY

HONORABLE REPRESENTATIVE CLIFF DAVIDSON.

MEMBERS OF THE HOUSE RESOURCES COMMITTEE.

MY NAME IS VAL ANGASAN OF DILLINGHAM, ALASKA.

I AM A BRISTOL BAY DRIFT GILLNETTER AND A FORMER MEMBER OF THE ALASKA BOARD OF FISHERIES FROM NOVEMBER 1982 TO FEBRUARY 1989.

I WOULD LIKE TO ADDRESS MY COMMENTS TO HOUSE BILL 541, "AN ACT RELATING TO THE MANAGEMENT OF MIXED STOCK FISHERIES BY THE BOARD OF FISHERIES."

FIRST OFF I'VE FOUND THAT, LIKE THE LEGISLATURE NEEDING GUIDANCE FROM ALASKA'S CONSTITUTION, THE BOARD OF FISHERIES NEED GUIDANCE IN AT LEAST TWO MAJOR AREAS; ONE, SUBSISTENCE; AND TWO, MIXED STOCK FISHERIES.

SO THAT WE ARE ALL TALKING ABOUT THE SAME ISSUE, "MIXED STOCK FISHERIES: NEED TO BE DEFINED. GENERALLY SPEAKING WHEN THE BOARD OF FISH & GAME FIRST ADOPTED A POLICY ON MIXED STOCK FISHERIES IN 1976, THEY HAVE INTENDED IT TO MEAN ONLY THOSE STOCKS BETWEEN MAJOR FISHING AREAS, I.E., BETWEEN KODIAK AND CHIGNIK; OR BETWEEN THE ALASKA PENINSULA AND BRISTOL BAY OR AYK.

AS GENERAL AS IT WAS, IT SERVED AS GUIDANCE FOR THE BOARD UNTIL

RECENTLY. RECENTLY VARIOUS BOARD MEMBERS HAVE REDEFINED MIXED STOCKS AS THOSE MIXED DISCRETE STOCKS WITHIN A MAJOR FISHING AREA. RESULTANTLY, THE WHOLE CONCEPT OF MIXED STOCKS HAVE CHANGED AND THUS, CLOUDED.

NOW THAT YOU KNOW WHAT THE ORIGINAL INTENT OF THE POLICY WAS, THAT SAME CONCEPT MUST CONTINUE INTO THE SPIRIT OF HOUSE BILL 541.

THERE ARE TWO OR THREE MAJOR REASONS WHY THE BOARD OF FISHERIES NEED GUIDANCE WHEN ADOPTING REGULATION PERTAINING TO MIXED STOCKS:

1) CURPENTLY THE BOARD IS ON A THREE YEAR CYCLE, IN OTHER WORDS, EACH BOARD MEMBER WILL ONLY HEAR AND ADOPT REGULATIONS FOR ANY PARTICULAR AREA, "ONCE" DURING THEIR TENURE. BEING LAWMAKERS YOURSELVES, I'M SURE YOU REALIZE WHAT IT MEANS TO BE A ROOKIE, OR PUT IT MORE PLAINLY, SOMEONE DETERMINING THE FATE OF FISHERMEN AND NOT AT ALL FAMILIAR WITH THE HISTORY OF THAT FISHERY.

2) IT WILL PUT THE PUBLIC ON NOTICE THAT THERE IS SOME STABILITY AND PREDICTABILITY IN THE PUBLIC HEARING PROCESS. PEOPLE WILL NOT HAVE TO WONDER ABOUT THE FATE OF THEIR EXISTENCE EACH TIME A BOARD MEETING IS SCHEDULED FOR THEIR AREA. EACH TIME AREA M (ALASKA PENINSULA) IS UP FOR REVIEW, FISHERMEN SPEND THOUSANDS OF DOLLARS TO, IF FOR NO OTHER REASON, DEFEND THEIR EXISTENCE.

3) THERE WERE TIMES WHEN THE BOARD WOULD SIT FOR DAYS LISTENING TO 150 PLUS TESTIFIERS TALK ABOUT MIXED STOCKS AND

ALLOCATIONS. I THINK THIS IS UNNECESSARY. GIVE THE BOARD SOME GUIDANCE.

SUMMARY:

I THINK THE HOUSE RESOURCES COMMITTEE OUGHT TO SUPPORT A BILL THAT WOULD ENHANCE STABILITY OF ALASKA FISHERIES, SO THAT KODIAK, PRINCE WILLIAM SOUND, ALASKA PENINSULA, SOUTHEAST, BRISTOL BAY, AYK, AND COOK INLET FISHERMEN COULD SIGH IN RELIEF THAT THEIR FISHERIES WOULD NOT BE PUT OUT OF EXISTENCE, AND AT THE SAME TIME, THOSE PARTICULAR FISHERMEN WHO ARE CATCHING FISH BOUND FOR OTHER MAJOR FISHING AREAS, ARE NOT ALLOWED TO EXPAND THEIR FISHERIES AT THE EXPENSE OF OTHER FISHERMEN AND CONSERVATION.

MY TESTIMONY IS SHORT, BUT I HOPE YOU UNDERSTAND MY MESSAGE I WILL BE HAPPY TO ANSWER ANY QUESTIONS.

THANK YOU REPRESENTATIVE DAVIDSON AND COMMITTEE MEMBERS FOR GIVING ME THIS OPPORTUNITY TO TESTIFY.

ALASKA STATE LEGISLATURE

Representative Georgianna Lincoln

HESS Committee, Co-Chair
Resources Committee, Vice-Chair

Budget Subcommittees
Health and Social Services
Revenue

P.O. Box V
Juneau, Alaska 99811

Phone (907) 465-3732
FAX (907) 465-2652

Alatna
Allakaket
Aniak
Anvik
Arctic Village
Beaver
Bettles
Birch Creek
Chalkyitsik
Chuathbaluk
Crooked Creek
Evansville
Fort Yukon
Galena
Grayling
Holy Cross
Hughes
Huslia
Kalskag
Kaltag
Koyukuk
Lake Minchumina
Lime Village
Lower Kalskag
Manley Hot Springs
Marshall
McGrath
Minto
Mountain Village
Nikolai
Nulato
Pilot Station
Pitkas Point
Rampart
Red Devil
Ruby
Russian Mission
Shageluk
Sleetmute
St. Mary's
Stevens Village
Stony River
Takatna
Tanana
Telida
Tuluksak
Tyonek
Venene
Wiseman

HOUSE BILL 541

MANAGEMENT OF MIXED STOCK FISHERIES

SPONSOR STATEMENT

Representative Georgianna Lincoln

The Board of Fisheries has not adopted a mixed stock fishery management policy into regulation. For a number of years, the Board utilized a mixed stock fisheries policy statement as a guideline in their allocation decisions. However, as a result of a 1990 court decision (Gilbert v. State), the Board of Fisheries was advised by the Department of Law the policy must be adopted into regulation under the administrative procedure act in order to be used in their decision making.

The legislature is charged with the development of policy on issues of statewide concern. The management of mixed stock fisheries is of growing concern throughout the state, particularly as the value of various fisheries has increased. There is also a growing concern over the impact of mixed stock fisheries on smaller, weaker stocks.

House Bill 541 provides the Board of Fisheries with legislative direction and guidance in addressing the management of mixed stock fisheries. The legislation directs the board to adopt such a policy into regulation and provides "guiding principals" to be used in developing that policy. The adoption of a mixed stock fisheries management policy into regulation gives the Board a stronger position when it comes to making allocation decisions. More importantly, this policy would provide consistency in decisions relating to the management of mixed stock fisheries. Right now, decisions vary with the make-up of the board and there is no consistency.

The option existed to pursue the development of a mixed stock fisheries management policy in the form of a resolution which would be advisory in nature. There was concern that this approach would not accomplish what is needed. The Board of Fisheries has had the opportunity to adopt this policy into regulation since December 1990. An attempt was made to do that at the board level but the votes weren't there. We feel this issue is important enough to warrant the attention of the legislature to provide policy direction to the Board of Fisheries in this matter.

House Bill 541 does not propose to do away with mixed stock intercept fisheries. Neither would it allow for the expansion of existing mixed stock fisheries or the opening of new mixed stock fisheries when these same stocks can be harvested as more discrete stocks in another fishery. While the Department of Fish and Game can argue there are few, if any, single stock fisheries in the state, it is also supportive of the management of mixed stocks.

The State of Alaska needs a policy that makes sense and is consistent. HB 541 provides policy direction to the Board of Fisheries and complies with the constitution.



BERING STRAITS NATIVE CORPORATION

April 27, 1992

Honorable Georgianna Lincoln
Alaska State Capitol
PO BOX V
Juneau, AK 99811

Dear Representative Lincoln:

The Bering Straits Native Corporation supports House Bill No. 541.

We feel that this proposed bill is fair to the conservation and user needs and will serve in the State's best interests.

Respectfully,

Guy Martin
Land Manager



KAWERAK, INC.

P.O. BOX 948 • NOME, ALASKA 99762

(907) 443-5231

SERVING THE
VILLAGES OF

BREVIG MISSION

COUNCIL

GIOMEDE

ELM

GAMBELL

GOLOVIN

KING ISLAND

KOVUK

MARY'S IGLOO

NOME

SAVOONGA

SHAKTOOLK

SHISHMAREP

SOLOMON

STEBBINS

ST. MICHAEL

TELLER

UNALAKLET

WALES

WHITE MOUNTAIN

April 27, 1992

Representative Georgianna Lincoln
Alaska State Legislature
PO Box V
Juneau, AK 99811

Dear Representative Lincoln and Members of the House
Resource Committee:

On behalf of Kawerak Incorporated, I would like to express
our support of House Bill 541, "An Act relating to the
management of mixed stock fisheries by the Board of
Fisheries."

This bill is definitely a step in the right direction.
Personally I would like to see the bill language drafted
even more strongly - to prohibit the development of new
mixed stock fisheries and the expansion of existing mixed
stock fisheries.

We need this legislation. If this statute had been in
place previously, it could have prevented the massive
increase in the number of commercial fishermen fishing
False Pass. (In 1976, there were only 122 boats fishing
False Pass. Last year, 390 boats fished.) With the newer
boats and equipment, today's fishermen are much more
efficient at catching fish.

Mixed stock fisheries generally target fish bound for
other areas. Because mixed stock fisheries are comprised
of varying fish stocks, there is the potential that
discrete stocks within the mixed stock fisheries can be
overharvested. We firmly believe this is what happened to
the Norton Sound Chum run.

Mixed stock intercept fisheries should not be allowed to
grow and prosper at the expense of other fishermen further
up the coast (or up the river). If a large run is
projected for any particular year, the increase should be
proportionately allocated among existing users of the
stock, rather than creating new fisheries to fish the same

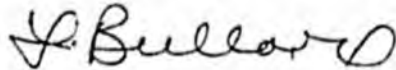
stocks. Once a new fishery is created, it would be difficult to do away with the fishery should the stocks decline.

In correspondence sent to both the Governor and the Board of Fisheries, we advocated very strongly that fishing of stocks should take place close to the river of origin. How else can the State Department of Fish and Game knowledgeably manage fish stocks?

For years, the State of Alaska fought against high seas interception of salmon. It is inconsistent to fight against high seas mixed stock interception and allow the practice to continue, even expand under state management. I applaud you in your efforts to resolve this inconsistency and sincerely hope this legislation gets passed.

Sincerely,

KAWERAK INCORPORATED



Loretta Bullard
President

February 20, 1992

Honorable Senator Lyman Hoffman
Juneau, Alaska 99801

Subject: Senate Bill No. 406

This letter is to support Senate Bill No. 406. "AN ACT RELATING TO THE MANAGEMENT OF MIXED STOCK FISHERIES BY THE BOARD OF FISHERIES".

The board of fisheries does not have a policy nor regulation concerning the management of mixed stock fisheries. The board of fisheries has had in the past used such a policy statement to manage the mixed stock fisheries. This policy has been in the regulation books as a policy statement for a good number of years. In 1989 the board of fish worked over the present mixed fish policy statement. This policy statement is also contained in the 1990-1991 Bristol Bay and westward commercial fishing regulation book. Currently the board of fisheries cannot even mention its mixed fish policy statement because of a judge's ruling. The judge stated, "If the board of fish does not adopt the mixed fish policy statement into a regulation than the board should not use it".


As a past board of fish member I strongly feel that such a policy is vital to the management of our mixed stock fisheries. I have while on the board moved to adopt the mixed fish policy statement into a regulation but to no avail.

The A.G.s office has also urged the board of fish to adopt the mixed stock policy statement into a regulation. The A.G.s office has sent several memos to the board stating if the mixed fish policy statement is not put into regulation then according to the judge's decision and the interpretation of the A.G.s office, the board should refrain from even mentioning it in their deliberations on proposals dealing with mixed stocks of fish.

Senate Bill No. 406 will contain the existing mixed stock fisheries. These fisheries will not be able to expand at the expense of other fisheries that have harvested these stocks in a more terminal fisheries or by fishermen that have traditionally fished for these stocks. A few examples come to mind, presently the Area M fisheries are allocated 8.3% of the forecasted catch of Area T sockeye salmon. This was done by the board of fish. This bill, if passed will not effect that allocation. However, if the Area M fisherman start

harvesting 12.5% of the Area T sockeye, the board of fish will have the tools necessary to curtail that new expansion of that fishery. Another example is the Kodiak-Cook Inlet fisheries. In the last Kodiak fish board cycle the board curtailed the expansion of the Kodiak fisherman on the sockeye stocks bound for Cook Inlet. At the time the board could use its mixed fish policy statement and did. Without this tool no telling what will happen the next time the board of fish takes up Kodiak proposals or other fisheries that are allowed to expand at the expense of other fisheries and fishermen. One thing this bill is not is a discrete stock bill, if it was I would not be supporting it. We have fisheries that are of mixed stocks throughout our state. These are long standing and accepted fisheries by fisherman as well as the board of fish. I again urge the passage of Senate Bill No. 406. This bill will not only help the board of fish to manage mixed stock fisheries but also help the public understand the rules the board of fish plays by and hopefully will elevate some of the turmoil surrounding our fisheries.

Thank You



H. Robin Samuelsen Jr.

Box 412

Dillingham, Alaska 99576

MEMORANDUM

State of Alaska
Department of Law

TO Laird Jones
Director, Division of Boards
Department of Fish & Game

DATE December 19, 1990

FILE NO 223-89-0078

TEL NO 465-3600

SUBJECT Mixed stock policy after
Gilbert

FROM Larri Irene Jones
Assistant Attorney General
Natural Resources Section

You requested more explicit guidance on the Board of Fisheries' mixed stock policy in light of Gilbert v. State ___ P.2d ___, Op. No. 3649 (Alaska December 7, 1990). That case declared that the mixed stock policy was in effect a regulation, because it "makes more specific the law enforced or administered" by the board and "affects the public," as outlined in the definition of "regulation" under AS 44.62.640(a)(3). However, the mixed stock policy was never adopted under the administrative procedure act, with notice, comment, codification, etc. Thus, the court ruled that the policy could not be relied upon by the board in any way as a basis for making regulations. This ruling applies not only to the Stepovak commercial allocation at issue in Gilbert, but to any regulations. (This does not mean, however, that any regulations already adopted by the board are necessarily invalid if the board referred to the mixed stock policy in adopting them. In the Gilbert case, for example, although the mixed stock policy had been referred to, the court found ample grounds in the record for the board's action, even if the mixed stock policy was subtracted out.)

This decision leaves the board two options with regard to the mixed stock policy. The first is adopting it as a regulation, in which case the board could rely on it and refer to it in adopting or rejecting proposals in the regulation-making process. In order to accomplish this option, the subject should be properly noticed, and the board might want to publish the existing policy as a proposal for public comment under the appropriate legal notice.

The alternative course of action would be not to adopt the policy as a regulation, and to simply stop referring to it. If the board chooses this course of action, the policy should be removed from the regulation handy dandy book, where I believe it is still reprinted, and should not be referred to in the deliberation process. The board could, however, use the content of the now invalid mixed stock policy in discussing reasons for or against various proposals. For example, the board members could express their concern that historic mixed stock fisheries not be allowed to grow, because of possible conservation concerns, and concern that those who rely on those fisheries should not suddenly have one of

their sources of livelihood closed down. The key to remember, if this course is chosen, is that the mixed stock policy is invalid procedurally, not substantively, and there is nothing wrong with the board discussing the kinds of concerns and goals expressed in the mixed stock policy in deliberating.

One advantage to not adopting the mixed stock policy as a regulation, and rather simply referring to the goals and concerns in discussions, is that it would remove one possible cause of action for law suits. In other words, if the mixed stock policy is adopted as a regulation, then on any given regulatory action affecting mixed stocks, people could allege inconsistency with the policy, whether the action is to increase the level of mixed stock harvest, decrease it, or leave it the same. Prevailing on those allegations would be another matter, but if the policy has not been adopted as regulation and is not referred to by the board, that cause of action will not be available to potential plaintiffs. However, if the board believes there are worthwhile purposes in converting the mixed stock policy into a regulation, the concerns over a potential additional cause of action should not be determinative.

If you have any questions, please let me know.

cc: Don Collinsworth
Commissioner of Fish & Game

Denby Lloyd
Director of Commercial Fisheries Division
Department of Fish and Game

Tom Koester
Steve White
Bonnie Harris
Department of Law

LIS:nl

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 310
DILLINGHAM, ALASKA 99576
PHONE (907) 843-5237

MAR - 6 REC'D

March 3, 1992

Representative Georganna Lincoln
Room 112, Capitol
P.O. Box V
Juneau, AK 99811

Dear Representative Lincoln:

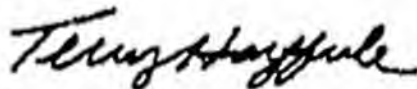
I am writing about House Bill 541 "... Relating to the management of mixed stock fisheries by the Board of Fisheries" To begin, thank you for introducing this legislation, it is a most important bill for all terminal river fishermen.

Attached please find a brief fact sheet about mixed stock fishery management, HB 541, and a 3/1/92 Anchorage Daily News "Compass" article by fellow constituent Jay Hammond, that we have prepared for our legislators.

Mr. Nels A. Anderson will be working on behalf of BBNA to effect passage of this legislation. I ask that you work with him toward passage of this bill. On behalf of the BBNA Board of Directors I thank you for taking up this issue.

If we can assist in providing my information or testimony on this issue please call me or Mr. Anderson.

Sincerely
BRISTOL BAY NATIVE ASSOCIATION



Terry Hoeflerle
Executive Director

TH/mc

FACT SHEET HB 541

In 1976 the Board of Fish and Game had adopted a general policy against mixed stock interception fisheries. Under this policy, spawning escapement would be ensured by allowing stocks to return to their natal streams to spawn. Nevertheless some mixed stock intercept fisheries have been allowed because of historical, economic, and social factors.

Since that time, in an effort to conserve and develop fishery resources, the Board of Fish implemented, at different times, regulations limiting the mixed stock intercept fisheries in their total percentage of salmon harvest.

The policy of the Board of Fish, as expressed in 1976 delineated the Board's principals and goals regulating mixed stock fisheries. That policy provided as follows:

"A basic principle of salmon fishing management is that fishing of any salmon stock should not occur until the spawning escapement for that stock is ensured. Run strength and resultant optimum harvest and escapement levels cannot be estimated until discrete stocks have separated themselves from mixed stocks and have arrived in areas near their natal streams. This type of single stock management allows optimum harvest rates on all stocks based on the productivity of individual stocks."

"When developing fisheries management policies, factors other than geological data must be considered. Alaska has historically allowed fishing on certain mixed salmon stocks with the result that fishing fleets and related support activities have developed to harvest those mixed stocks. Thus management policies should also address social and economic factors and weight them accordingly."

The Board then delineated four statements to guide management of mixed stock fisheries to accomplish these principle and goals. They are elaborated in the Board's written policy so I will not repeat them here.

This policy set forth several basic principles of salmon fishery management. It indicated that fishing of salmon stocks should not occur before escapement goals have been met. In order to determine escapement levels, the fishery must be discrete or separated from other mixed stocks. Thus intercept fisheries are discouraged - the board's policy balanced the principles of salmon fishery management with historical, social and economic fishery patterns.

In 1990 the Board adopted a regulation based on this policy. It was addressing Igvak and Stepovak interception of Chignik salmon - this regulation was

challenged in court on the grounds that its adoption was based on an invalid Board policy. (Not formally adopted.)

The Board of Fish voted on whether to enact this policy in regulation and the vote failed.

For 14 years the mixed stock fisheries policy served the Board and the people of Alaska well - it provided guidance to the Boards decision making process. Observers of the Board will agree that even with this policy in place, the Board had many controversial issues of salmon fishery management to engage its attention.

The Board of Fish need guidance from the Legislature on this matter. The proposed legislation establishes in law the essence of the Boards old mixed stock fisheries policy. It is a status quo bill, as you can see but is desperately needed.

Fish board should put fish and Alaska fishermen first

Some commend, others curse me for legislation creating boards of fish and game and education in the early 1960s.

It was the ardent desire of Gov. Bill Egan to eliminate boards. Having somewhat more clout than a freshman House member with no party affiliation (I was one of two independents), Gov. Bill squashed my first bills before they came out of committee so I re-introduced them again ... and again ... and again. Such a pest, did I make of myself, watered down versions were finally permitted to pass.

My hope was to shelter fish and game and education from political manipulation. To do so, respective commissioners would serve at the board's instead of the governor's pleasure. While education was so insulated, fish and game was left exposed.

Nonetheless, as governor I treated both departments alike. Instead of replacing



JAY HAMMOND

Fish and Game Commissioner Brooks with a "politically correct" appointee. I retained a competent professional. Moreover, I refused to pressure the board even when I disputed its actions. That I'd not politically orchestrate fish and game management was applauded by all ... save the faction whose "politics" did not prevail.

While I still believe fish and game boards should be sheltered from politics, shelter should be from within as well as without. Absent state policy guidelines on such things as intercept fisheries and harvest allocations, too often the board's politics fills the policy vacuum.

Even when not the case, if board members have financial interests in management, the public will charge "conflict." Areas and interests not represented will feel shortchanged.

As resource competition increased, so did public dissatisfaction. To alleviate that, I proposed local advisory boards. Later, I toyed with regional boards. Cost and complexity compelled me to shelve them.

Board decisions regarding intercept fisheries (i.e., the False Pass "chum cap"), and allocations seemingly favor-

ing non-resident Alaskans, have prompted Rep. Jerry Mackie of Craig to resurrect the idea of regional boards. However, until policy guidelines are imposed, any board system will be defective.

Who should establish these guidelines? Certainly not the board. For example, would drifters like a fish board on which setnetters to be free to allocate salmon as they saw fit?

State policy should be made by the legislature. By this, I don't mean mucking around with specifics. That's for the board and department. What I do mean is a broad policy directing the board to place "paramount" two considerations when evaluating all regulatory proposals:

1. What's in the best interests of the fish?
2. What's in the best interests of Alaska fishermen? (In other words, does the proposal, if adopted, reduce

Alaska residents' share of the harvest?)

Proposals which would expand interception of intermingled fish stocks and reduce the total share of harvest going to Alaska residents should be thrown out.

Similarly, proposals real-locating harvests between gear types which reduce Alaskans' comparative share should be dumped. Instead the board of fish recently wasted time and incurred outrage by voting on elimination of almost 60 set nets.

That proposal met neither policy objective: More salmon would be caught, which otherwise would escape into their natural streams; if setnetters (who fish only part time) vacated locations into which flooded drifters fishing full time, and;

2. Alaska residents' collective comparative payday would be reduced, since over 90 percent of the bay's setnet-

harvest goes to residents, compared to less than 50 percent for the drift fleet.

Why was this proposal even considered? Politics. Absent state policy better protecting fish and Alaska fishermen, it will ever be so ... or so presumed.

Recently, encouraged by Rep. Georgianna Lincoln of Rampart, I urged the governor to demand his agencies provide data comparing resident vs. non-resident harvest in all fishing districts. Happily, he demanded they do so.

I believe he'll be enlightened, perhaps even shocked. At the least, I hope it will induce him to direct both the board and the department, to place first the best interests of the fish and Alaska fishermen ... no matter whose ox may be gored.

□ Jay Hammond was governor of Alaska from 1974 to 1982.

SELECTED POLICIES OF THE BOARD OF FISHERIES

POLICY STATEMENT ON MANAGEMENT OF MIXED STOCK SALMON FISHERIES

A basic principle of salmon fishery management is that fishing of any salmon stock should not occur until the spawning escapement for that stock is ensured. Run strength and resultant optimum harvest and escapement levels cannot be estimated until discrete stocks have separated themselves from mixed stocks and have arrived in areas near their natal streams. This type of single stock management allows optimum harvest rates on all stocks based on the productivity of individual stocks.

When developing fisheries management policies, factors other than biological data must be considered. Alaska has historically allowed fishing on certain mixed salmon stocks with the result that fishing fleets and related support activities have developed to harvest those stocks. Thus management policies should also address social and economic factors and weigh them accordingly.

In view of the above stated principles, it is the policy of the Board of Fisheries that:

1. In the case of long standing fisheries which fish mixed stocks and for which it may not be feasible for participating fishermen to relocate to fisheries taking more discrete stocks, such fisheries may continue provided that fishing effort on the mixed stocks does not increase and that the harvest rate is not detrimental to the individual stocks.
2. In the case of long standing fisheries which fish mixed stocks and for which it may be feasible for participating fishermen to relocate to fisheries taking more discrete stocks, preference should be given to the fishery that best serves the state's interests.
3. The development or expansion of mixed stock fisheries should be discouraged when the fish that comprise those stocks can be harvested after they have separated into more discrete stocks.
4. This policy does not prevent the board or the department from allowing mixed stock fisheries, particularly when large returns are expected and the allowance of such fisheries would result in a fuller utilization of the harvestable surplus.

In all decisions relating to the regulation and management of mixed stock fisheries, it is the express intent of the board that the conservation of affected salmon stocks be given first priority over economic and social considerations.

The Alaska Board
of Fisheries

Canadian policy was characteri
complex regulations aimed at
providing any unifying overall

Fisheries Management
Alternatives

Most interviewees², including p
believed that the pressure of
the overwhelming mass of propos
for approaching seasons consp
devoting much time to such

Senate Advisory Committee
October 1987

including present and past members, believed that long term
issues are addressed during the normal course of business.
No formal long term management directives exist either in the
form of board regulations or ADFG directives. The
department's area management plans provide a framework by
which -pecific fisheries are managed on present season basis,
but no long term strategy for fisheries exists (Clasby, pers.
com., 1987). The exception to this is the existence, in
regulation, of about 20 district management plans. They
exist only in those districts in which some sort of
allocation problem has been encountered. Some plans, such as
the South Unimak and Shumagin Islands June Salmon Management
Plan are relatively detailed and others are no more than a
single sentence in length. No consistency in purpose or
content is apparent; the plans are merely the formalizing of
board policies responding to specific, discrete cases.

From 1975, when relatively complete records began to be kept
and the Board of Fish and Game split into separate boards, up

²Our field of interviewees was chosen on the basis of
two considerations. The primary goals were to include a
cross-section of industry groups (aiming at a relatively
complete region and gear representation), present and
former board members, and a variety of legal, regulatory,
and scientific professionals. That our research was
conducted during the summer fishing season resulted in
difficulties in contacting everyone we desired to
interview.

to, but not including, the April 1987 meeting, the Board of Fisheries had adopted 125 policies and resolutions with policy implications. Making exception for policy statements that basically update earlier pronouncements, only about ten of these policies (in our judgement) could be considered long term management directives affecting a fishery in general, such as the mixed stock salmon management policy. About a quarter of them address long term issues specific to a particular fishery, for example, affirmations of the portions of Southeast chinook salmon to be allocated to different gear types, but the coverage of such policies is not nearly comprehensive, their sum is not greater than the whole of the parts (some of policies have been formally adopted as district management plans). The remainder are season specific or board procedural statements.

The most important policy developed by the Board of Fisheries is that on the management of mixed stock salmon fisheries. It is the only policy regularly printed in the annual commercial finfish regulations. It states that in terms of conservation of salmon stocks, the best harvest policy is one that allows for adequate spawning escapement. The only way to determine run strength and thus appropriate harvest and escapement levels is on a specific stock level, after mixed stocks have separated and draw near to their natal streams. Despite this, the policy goes on to state, the fact that there are historic mixed stock fisheries, with fleets and support services in place, must also be considered. Social and economic factors, as well as biological, need to be addressed. Thus, the policy specifically allows for the continuance of such fisheries under certain conditions. Most outside fisheries and interception fisheries are targeted on mixed stocks and it is the application of this policy that has given rise to some of the more bitter long term disputes over allocation, such as the False Pass and Southeast net fisheries conflicts. There have been charges that the mixed

FISHERIES MANAGEMENT: COMPLEXITY, SCOPE, AND EXPECTATIONS

stock policy, which has never been adopted as a regulation and thus is not legally enforceable, is applied in a manner that preserves the status quo, simply because the Board wishes to avoid controversy. It obviously has not succeeded in so doing. Does the board follow its own policy? The last sentence of the policy reads:

In all decisions relating to the regulation and management of mixed stock fisheries, it is the express intent of the board that the conservation of affected salmon stocks be given first priority over economic and social considerations.

Those words would seem to indicate that the board should not allow fishing of mixed stocks, despite the wording of the rest of the policy statement. History has proven that while many in the fishing industry may agree that a comprehensive long term policy guiding, with a certain degree of specificity, the development of Alaska's fisheries is necessary, agreement on the direction of that policy may not be achievable if the means of constructing that policy is by an attempt to reach an industry consensus. Too many interests are competing for too few resources.

D) The Evolution of the Industry

The fishing industry, like all other industries, evolves continually in response to competitive and other pressures. In particular, change in the commercial fisheries, in terms of harvest technology and capabilities and species focus is seemingly constant. In some cases, management response time can be critical as the efficiency of the harvest effort improves and its focus is redirected to different stocks or species. Some feel that management capabilities and processes must evolve to keep pace with rapid changes in the

AVCP

Association of Village Council Presidents
P.O. Box 219 • Bethel, Alaska 99559 • Phone 543-3521

FROM AVCP 9075433596

04.29.1992 16102

P. 1

STATEMENT TO THE ALASKA STATE LEGISLATURE REGARDING PASSAGE
OF HOUSE BILL 541, AN ACT RELATING TO THE MANAGEMENT OF MIXED
STOCK FISHERIES BY THE BOARD OF FISHERIES.

SUBMITTED BY: NICHOLAS CHARLES - ECONOMIC DEVELOPMENT PROGRAM

In their November 1991 meeting the Alaska Board of Fisheries increased the chum cap in the June Area M fishery from 600,000 to 900,000. Then after reconsideration during the March 1992 meeting Juneau, the board voted to reduce the chum cap to 700,000 with the provision that measures to cut back and restrict the fishery be imposed on the fishery after 400,000 chum salmon are caught. In spite of this innovation, it is still an increase from 600,000. In 1991 the Area M June fishery over-harvested chums by well over 170,000. The catch of over 700,000 chums in that fishery resulted in severe restrictions and closures on commercial and subsistence fisheries on the Kuskokwim, Yukon, Norton Sound and Kotzebue Sound. The stocks in the Norton Sound area are crashing and commercial and subsistence closures for conservation reasons are expected. In spite of these concerns for conservation and subsistence the board decided to allow the mixed stock fishery at Area M to harvest chums headed to these depressed areas.

AVCP presented information to the board in March that clearly demonstrates a link between the June Area M fishery and the fisheries of AYK. Over the last twenty years, according to commercial catch data, every time the Area M fishery begins to catch over 100,000 chum salmon, one of the AYK fishery catches of chums begin to drop drastically.

On the Kuskokwim the anticipated annual loss to fishermen can range from \$961,200 to \$1,911,500; and \$5,478,800 to \$10,895,800 loss to the local economy. On the lower Yukon the potential loss to fishermen ranges from \$1,741,400 to \$2,239,400; and \$4,353,600 to \$5,598,600 loss to the local economy. To the individual fisherman the potential loss can range from \$1,200 to \$2,400. The average cost of living for a fisherman from the Yukon-Kuskokwim is about \$23,773. The anticipated loss of \$1,200 to \$2,400 to a fisherman on the Kuskokwim and Yukon is drastic. Many of the AYK fishermen depend upon the small cash income they earn from fishing to help support their subsistence hunting and fishing activities for the rest of the year.

For our depressed rural economy, the potential losses are severe, particularly for the fishermen and their families who have limited access to other sources of income. The impact is even greater for the depressed chum salmon stocks in AYK. Without a proper mixed stock policy that provides and protects these resources, the salmon stocks of AYK are highly vulnerable to a stock crash. AVCP urges the legislature to adopt this bill.

AVCP

Association of Village Council Presidents
P.O. Box 219 • Bethel, Alaska 99559 • Phone 543-3521

FROM AVCP 9873433596

04.29.1992 10:02

P. 1

Statement of the Association of Village Council Presidents on
H.B. 451 Presented by Vice President Gloria Simeon

The Association of Village Council Presidents is in support of H.B. 451, Representative Lincoln's legislation to finally put into state law limitations on the growth of mixed stock fisheries in state waters.

Without the statutory protection of H.B. 451, AVCP believes that the State's fish allocation system will provoke appeals for Federal management. This year alone, AVCP has witnessed the State's Board of Fish allow two mixed stock intercept fisheries to expand. Both fisheries are detrimental to the conservation of local stocks. The Board has refused to date to put its former mixed stock policy statement into regulation.

Since the Board allowed its mixed-stock policy to lapse two years ago, intercept fisheries throughout the state have been allowed to grow and continue in spite of conservation problems in terminal streams and spawning areas. The Board's conservation problems are directly linked to its own inability to effectively limit mixed-stock intercept fisheries. Even today, the Board is without a regulation governing its action.

In practice, the burden of proof before the Board to curb mixed-stock fisheries is now placed on the *Least capable* class of user: subsistence, small time, commercial, sport; to present the biological evidence to change the status-quo. The burden is never placed on the mixed stock interception fisheries to prove that it is not causing a conservation problem.

At this time, the entire state is focused on the conflicts of allocations that prevents Bush subsistence users a reasonable opportunity to participate in this activity. Yet, the Board of Fish, without a rudder, is pushing through Western Alaska's fisheries exacerbating the problem. The Board sustained the Dutch Harbor food and bait fishery that intercepts herring bound for subsistence harvesters in the Nelson Island area, making it more difficult to increase conservation of herring in Federal waters. The Board also expanded the False Pass salmon intercept fishery in June even though northern Norton Sound residents do not have a reasonable opportunity to subsistence harvest those same fish.

Without force of State law suggested by Representative Lincoln in H.B. 541, we do not believe that the politicized atmosphere and vested interests represented by big time commercial and sports fisheries on the Board will allow the resource and "little guys" to have a reasonable chance to participate in State fisheries.



UCIDA

UNITED COOK INLET DRIFT ASSOCIATION

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

(907) 283-3600 • FAX (907) 283-3306

April 29, 1992

Sent by telefax-hardcopy to follow

Rep. Cliff Davidson
Chair, House Resources Committee

Subject: HB 541

Dear Rep. Davidson,

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

I would like to express UCIDA's opposition to HB 541 regarding management of mixed stock fisheries. I would appreciate it if you would distribute our comments to the other members of the Resources Committee.

At face value this legislation appears to be yet another attempt by those dissatisfied with past decisions by the Board of Fisheries to supply themselves with a legal "tool" to further their ends. We would like to stress that this legislation would pose a threat to all existing mixed stock fisheries statewide.

As participants in a mixed stock fishery, Cook Inlet drift fishermen are well aware of the management complexities and allocative issues that mixed stock fisheries present. However, UCIDA contends that such problems are properly dealt with within the present allocative authority of the Board of Fisheries.

Due to the press of time I will cut short our present comments and send further comments as soon as possible. I appreciate this opportunity to address your committee.

Sincerely,

A handwritten signature in cursive script that reads 'Theo Matthews'.

Theo Matthews
Administrative Assistant

SELECTED POLICIES OF THE BOARD OF FISHERIES

POLICY STATEMENT ON MANAGEMENT OF MIXED STOCK SALMON FISHERIES

A basic principle of salmon fishery management is that fishing of any salmon stock should not occur until the spawning escapement for that stock is ensured. Run strength and resultant optimum harvest and escapement levels cannot be estimated until discrete stocks have separated themselves from mixed stocks and have arrived in areas near their natal streams. This type of single stock management allows optimum harvest rates on all stocks based on the productivity of individual stocks.

When developing fisheries management policies, factors other than biological data must be considered. Alaska has historically allowed fishing on certain mixed salmon stocks with the result that fishing fleets and related support activities have developed to harvest those stocks. Thus management policies should also address social and economic factors and weigh them accordingly.

In view of the above stated principles, it is the policy of the Board of Fisheries that:

1. In the case of long standing fisheries which fish mixed stocks and for which it may not be feasible for participating fishermen to relocate to fisheries taking more discrete stocks, such fisheries may continue provided that fishing effort on the mixed stocks does not increase and that the harvest rate is not detrimental to the individual stocks.
2. In the case of long standing fisheries which fish mixed stocks and for which it may be feasible for participating fishermen to relocate to fisheries taking more discrete stocks, preference should be given to the fishery that best serves the state's interests.
3. The development or expansion of mixed stock fisheries should be discouraged when the fish that comprise those stocks can be harvested after they have separated into more discrete stocks.
4. This policy does not prevent the board or the department from allowing mixed stock fisheries, particularly when large returns are expected and the allowance of such fisheries would result in a fuller utilization of the harvestable surplus.

In all decisions relating to the regulation and management of mixed stock fisheries, it is the express intent of the board that the conservation of affected salmon stocks be given first priority over economic and social considerations.

(Revised #70-14-FB)

BOARD OF FISHERIES

POLICY STATEMENT ON MANAGEMENT OF MIXED STOCK SALMON FISHERIES

A basic principle of salmon fishery management is that fishing of any salmon stock should not occur until the spawning escapement for that stock is insured. Run strength and resultant optimum harvest and escapement levels can not be estimated until discrete stocks have separated themselves from mixed stocks and have arrived in areas near their natal streams. This type of single stock management allows optimum harvest rates on all stocks based on the productivity of individual stocks.

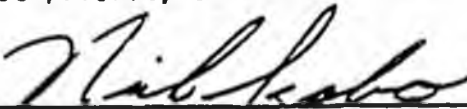
When developing fisheries management policies, factors other than biological data must be considered. Alaska has historically allowed fishing on certain mixed salmon stocks with the result that fishing fleets and related support activities have developed to harvest those stocks. Thus management policies should also address social and economic factors and weight them accordingly.

In view of the above stated principles, it is the policy of the Board of Fisheries that:

1. In the case of long standing fisheries which fish mixed stocks and for which it may not be feasible for participating fishermen to relocate to fisheries taking more discrete stocks, such fisheries may continue provided that fishing effort on the mixed stocks does not increase and that the harvest rate is not detrimental to the individual stocks.
2. In the case of long standing fisheries which fish mixed stocks and for which it may be feasible for participating fishermen to relocate to fisheries taking more discrete stocks, preference should be given to the fishery that best serves the state's interests.
3. The development or expansion of mixed stock fisheries should be discouraged when the fish that comprise those stocks can be harvested after they have separated into more discrete stocks.
4. This policy does not prevent the board or the department from allowing mixed stock fisheries, particularly when large returns are expected and the allowance of such fisheries would result in a fuller utilization of the harvestable surplus.

In all decisions relating to the regulation and management of mixed stock fisheries, it is the express intent of the board that the conservation of affected salmon stocks be given first priority over economic and social considerations.

DATE: January 12, 1980
Anchorage, Alaska


Mick Szabo, Chairman
Alaska Board of Fisheries

VOTE: 7/0

Guiding principle

#76-14-FB
Page 1 of 2

See 80-69

PROVISIONAL
BOARD OF FISH AND GAME
POLICY STATEMENT ON MANAGEMENT OF MIXED STOCK FISHERIES OF
ALASKAN SALMON

An important principle of salmon fishery management is that, insofar as possible, any harvestable surplus produced by a stock of salmon should be taken insofar as is practical after the returning fish of that stock have separated from other stocks with which it may migrate. Mixed stocks may be salmon-bound for various spawning areas, or salmon of different species, or salmon that arrive at the same spawning area at different times.

The preferability of single stock management as compared with mixed stock or multiple stock management stems from the fact that in single stock management optimum harvest rates are more likely to be achieved if they are based on the productivity of each individual stock. The cumulative harvests from individual stocks harvested separately at rates optimum for each stock are greater than the harvest obtained by exposing a number of mixed stocks to some average harvest rate.

Management of certain mixed stock fisheries in Alaska is complicated by the relatively long time that may elapse before salmon passing through these fisheries arrive at their parent stream. This may be due to the distance between the mixed stock fisheries and the parent streams and/or the fact that salmon may mill in the vicinity of the mixed stock fishery prior to resuming migration to parent streams.

Optimal regulation of harvest and escapement requires that the magnitude of the total number of fish returning to a river or stream be estimated prior to the time all of the fish pass through a fishery and become unavailable for harvesting. In most cases the first reliable estimates of run strength are obtained when returning salmon reach areas in or adjacent to their parent river or stream and school in a manner that allows an estimate of run strength.

The inability to assess run strength while salmon are moving through mixed stock fisheries, especially those distant from parent rivers or streams, makes optimum regulation of harvest and escapement of these salmon extremely difficult.

Submission of
Mixed Stock Policy
Ethics

In view of the above stated principles it shall be the policy of the Board of Fish and Game that:

(1) In the case of long standing, historic fisheries which operate to a large degree on mixed stocks and for which it is not feasible for participating fishermen to relocate in more inshore fisheries operating on more discrete stocks, such fisheries may be continued provided that the harvest rate and/or fishing effort on stocks passing through such fisheries does not, on the average, increase and provided that this harvest by these fisheries is not detrimental to the conservation of these stocks.

(2) In the case of long standing, historic fisheries which operate to a large degree on mixed stocks but for which fishermen participating in these fisheries can feasibly participate in the harvest of these same and other stocks in more inshore fisheries operating to a greater degree on discrete stocks, preference shall be given to the fishery that serves the State's best interests.

(3) Development of new fisheries will be discouraged when such fisheries would operate to a great extent on mixed stocks subsequently passing through more inshore fisheries operating to a greater extent on discrete stocks and capable of full utilization of such stocks.

(4) This policy shall not prevent the modification of any fisheries deemed necessary by the Board and the Department of Fish and Game for the full utilization of Alaska's salmon runs, particularly in years when unusually large returns of salmon are expected.

In all decisions relating to the regulation and management of mixed stock fisheries, it is the express intent of the Board that over-riding consideration be given to the conservation of affected salmon stocks when the impact of possible regulations on the conservation of such stocks is in doubt.

HB

542

Alaska State Legislature
House of Representatives

INTERIM

3111 C Street
Anchorage, Alaska 99503
(907) 561-2032



SESSION

P.O. Box V
Juneau, Alaska 99811
(907) 465-2995

Representative Dave Choquette

To: House Resources Committee

From: Representative Dave Choquette

Date: March 25, 1992

Re: HB 542, relating to fishing vessel fish hold inspections
HB 543, relating to fish grading standards

As a former commercial fisherman and processor, I have long realized and fought for quality control standards within the fishing industry in Alaska. Given the fine seafood we have in our waters, I have been and remain convinced that if we set minimum standards for quality control on boats, tenders, and processors, we will consistently see quality fish at the market level. As fish brokers and the public begin to realize that Alaskan fish and seafood are premium quality, we will receive better prices and consistent markets, two major concerns of the industry.

In recent months, several articles, including the Consumer Reports article, have raised concerns about the safety of our seafood products. As a result of this national interest in seafood safety, it is likely federal legislation will be introduced which will institute a seafood inspection program. My bills lay the groundwork for the state to step in and implement a quality control program.

House Bill 542 would have the Alaska Department of Environmental Conservation (ADEC) inspect vessels to ensure that fish quality problems don't arise. They would only inspect vessels at the fishermen's request, and can issue either a one, two, or three year certificate. Inspections would be mandatory, and fishermen would be required to submit a certificate to the Commercial Fisheries Entry Commission (CFEC) with their vessel license renewal paperwork. The bill is modeled after the Canadian program which has been in effect since the 70s.



ADEC currently inspects processors and tenders. They conduct some inspections in Seattle, and would develop schedules and inspection sites to ensure that fishermen would not lose fishing time.

As with any comprehensive program, there would be enough lead time for the agency to inform fishermen what requirements they would need to meet, and how much time they had to meet them.

Provisional certificates could be issued, and if a vessel failed the inspection, an appeal process would ensure a timely, unbiased reinspection.

Right now, I plan on adding an amendment to charge a nominal fee to fishermen, based on a sliding fee schedule to cover the costs of the program. ADEC has included the fee schedule in their fiscal note preparation. I also intend to remove the University program. While education remains an important aspect of fish quality, ASMI and ADEC will continue to provide fishing groups with educational information. CFEC is also willing to send notices with their renewal packets to fishermen.

The second bill, HB 543, would establish grading standards for salmon, modeled after the federal standards. I have since found out there are problems with the federal standards, but the Alaska Seafood Marketing Association's "Premium Quality Standards," could be used as a starting point. I envision separate standards for net fisheries and troll fisheries.

Both bills will take into consideration regional differences and needs. These bills represent a starting point.

**STATE OF ALASKA
1992 LEGISLATIVE SESSION**

BILL NO. HB542

Introduced: 2/18/92
 Title: Fish Vessel Hold Standards/
 Fish Quality
 Sponsor: Rep Choquette
 Requestor:

Department Affected: UNIVERSITY OF ALASKA
 BRU: Public Service
 Component: School of Fisheries

Component Serial No: 1588

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES	104.2	41.6	41.6	41.6	41.6	41.6
TRAVEL	32.0	32.0	32.0	32.0	32.0	32.0
CONTRACTUAL	40.0	14.0	14.0	14.0	14.0	14.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	177.2	88.6	88.6	88.6	88.6	88.6
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FD SOURCE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	177.2	88.6	88.6	88.6	88.6	88.6
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL	177.2	88.6	88.6	88.6	88.6	88.6

POSITIONS:

FULL-TIME						
PART-TIME	2	2	2	2	2	2
TEMPORARY	8	8	8	8	8	8

Estimate of current year impact: -0-

ANALYSIS (Attach additional pages as necessary)

See Pages 2 and 3

Prepared by: Marsha Hubbard, Director
 Division: Statewide Budget Office

Phone: 474-7593
 Date: 3/2/92

Approved by: Brian Rogers, Vice President for Finance
 Agency: University of Alaska

Date: 3/2/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies)

FISCAL NOTE
HB542 - Fish Vessel Hold Standards/Fish Quality

FY93 Object Code Expenditure descriptions:

PERSONAL SERVICES

- 32,500 - Education Specialist for first six months of project
- 15,000 - Temporary secretarial support for project duration
- 52,900 - Eight instructors for eight weeks each. First four weeks would be devoted to classroom/laboratory instruction while the second four weeks would be used for local on-site instruction within the following regions:
 - Prince William Sound
 - Southeast Alaska
 - Kuskokwim
 - Cook Inlet
 - Bristol Bay
 - Northwest Alaska
 - Aleutian Chain
 - Interior Yukon

- 3,800 - Media Specialist to assist with the production of publications, slides, and a training video.

104,200 - Total FY93 Personal Services

TRAVEL

- 32,000 - Travel costs associated with training at a central location as well as to regional sites.

CONTRACTUAL

- 16,000 - Production and distribution of publications and slides
- 18,000 - Production and distribution of a training video
- 6,000 - Communications, postage, etc.

SUPPLIES AND MATERIALS

- 1,000 - Supplies and materials

FISCAL NOTE
HB542 - Fish Vessel Hold Standards/Fish Quality

FY94-FY98 Object Code Expenditures Descriptions

PERSONAL SERVICES

15,000 - Temporary secretarial support for project duration
26,600 - Eight instructors for four weeks each which would be used for local on-site continuing education instruction within the regions previously mentioned:

41,600 - Total Personal Services

TRAVEL

32,000 - Travel costs associated with training at a central location as well as to regional sites.

CONTRACTUAL

8,000 - Production and distribution of publications and slides

6,000 - Communications, postage, etc.

14,000 - Total Contractual

SUPPLIES AND MATERIALS

1,000 - Supplies and materials

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 542

Revision Date: 3/25/92

Department Affected: Fish and Game

Title: Fishing vessel hold inspection and fisheries product quality control

BRU: Commercial Fisheries

Component: Commercial Fisheries

Sponsor: Representative Choquette

Requestor: House Resources
Expenditures/Revenues: (Thousands of Dollars)

COMPONENT SERIAL NO.

4	5	9
---	---	---

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars) *

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Geron Bruce G.B.

Phone: 465-4100

Division: Commissioner's Office

Date: 3/24/92

Approved by Commissioner: [Signature]

Agency: Department of Fish and Game

Date: 3/25/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. OSC., & Impacted Agency(ies).

H 235

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB542

Revision Date: March 25, 1992
Title: Fish Vessel Hold Standards/Fish Quality

Department Affected: University of Alaska
BRU: Public Service
Component: School of Fisheries

Sponsor: Rop Choquette
Requestor:

Component Serial No. 1566

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	40.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	40.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)	FY93	FY94	FY95	FY96	FY97	FY98
GENERAL FUND	40.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	40.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:	FY93	FY94	FY95	FY96	FY97	FY98
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)	
Creation of Video Program	18.0 Production & Distribution of publications and slides
	18.0 Production and distribution of a training video
	8.0 Communications, postage
	40.0

Prepared by: Marsha Hubbard, Director
Division: Statewide Budget Office

Phone: 474-7593
Date: 3/25/92

Approved by: Wendy Redman, Vice President for University Relations
Agency: University of Alaska

Date: 3/25/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 542(Res)

Revision Date: April 22, 1992 Department Affected: Environmental Conservation
 Title: Fishing Vessel Hold Inspection. BRU: Environmental Health
 Component: Seafood Industry

Sponsor: Representative Choquette

Requestor: (H) Resources

COMPONENT SERIAL NO.

0	6	4	9
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	51.4	102.8	154.2	154.2	154.2	154.2
TRAVEL	7.0	14.0	21.0	21.0	21.0	21.0
CONTRACTUAL	4.5	9.0	13.5	13.5	13.5	13.5
SUPPLIES	1.3	3.0	4.5	4.5	4.5	4.5
EQUIPMENT	2.5	2.5	2.5	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	66.9	131.3	195.7	193.2	193.2	193.2

CAPITAL						
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REVENUE						
FUND SOURCE:	66.9	131.3	195.7	193.2	193.2	193.2

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE: Receipts	66.9	131.3	195.7	193.2	193.2	193.2
TOTAL	66.9	131.3	195.7	193.2	193.2	193.2

POSITIONS:

FULL-TIME	1	2	3	3	3	3
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Kit Ballentine, Acting Director Phone: 465-5280

Division: Environmental Health Date: _____

Approved by Commissioner: [Signature]

Agency: Environmental Conservation Date: 4/22/92

PACKETS FOR HB 542

Fiscal Note from Alaska Dept. of Environmental Conservation (ADEC)
based on fee for service

Fiscal Note from Commercial Fisheries Entry Commission (CFEC)
FY 93 53.6

ADEC Fishing Vessel Inspection and Permit Program

Canadian regulations for Fishing Vessel Inspection Program

Alaska Seafood Marketing Institute (ASMI) , Alaska Salmon Survey
Executive Summary, Summer 1991

ASMI Recommended Salmon Quality Guidelines, For Fishing Tendering
and Processing Operations, 1986.

Marine Advisory Program, Index, Care and Handling of Salmon,
The Key to Quality, by John Doyle, Professor of Fisheries,
University of Alaska, Fairbanks, March 1992.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 542

Revision Date: _____ Department Affected: Environmental Conservation
 Title: Vessel Inspection BRU: Environmental Health
 Component: Seafood Industry
 Sponsor: Representative Choquette
 Requestor: (H) Resources COMPONENT SERIAL NO.

6	4	9
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	154.2	154.2	154.2	154.2	154.2	
TRAVEL	21.0	21.0	21.0	21.0	21.0	
CONTRACTUAL	13.5	13.5	13.5	13.5	13.5	
SUPPLIES	4.5	4.5	4.5	4.5	4.5	
EQUIPMENT	7.5	0.0	0.0	0.0	0.0	
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	200.7	193.2	193.2	193.2	193.2	

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

REVENUE						
FUND SOURCE: Program	200.7	193.2	193.2	193.2	193.2	

Receipts
FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE: Program Receipts	200.7	193.2	193.2	193.2	193.2	
TOTAL	200.7	193.2	193.2	193.2	193.2	

POSITIONS:

FULL-TIME	3	3	3	3	3	
PART-TIME	0	0	0	0	0	
TEMPORARY	0	0	0	0	0	

Estimate of current year impact: NONE

ANALYSIS: (Attach a separate page if necessary.)
ATTACHED

Prepared By: Kir Ballentine, Acting Director Phone: 465-5280

Division: Environmental Health

Date: _____

Approved by Commissioner: [Signature]

Agency: Environmental Health

Date: 3/23/92

ANALYSIS OF BILL/PROGRAM EFFECTS
HB542
FISHING VESSEL FISH HOLD INSPECTION

Seafood quality has become a significant enough national issue that Congress is considering a mandatory federal inspection program. One component of the proposed legislation is evaluation of fishing vessels. It is the Department's goal to enhance the existing State of Alaska seafood inspection program to ensure attainment of a level equivalent to any federal inspection program which may be adopted. A vessel inspection program is the key element which is absent in the Alaskan inspection program. For these reasons, the Department supports a vessel inspection program designed to identify construction and handling practices which will maximize fish quality.

If the proposed legislation is adopted, DEC would develop a vessel inspection program patterned on the Canadian model, already in place. Vessels would be inspected annually, biannually or triannually depending upon vessel construction (i.e. fiberglass, aluminum, wood, etc.) and condition of the vessel. DEC inspectional staff would be available on a scheduled basis at designated ports to conduct vessel inspections. The inspection would include evaluation of fish, fish handling equipment and ice storage areas for sources of product contamination, sanitation and fish handling practices including cooling practices. Although all fishermen would be encouraged to ice fish, vessels which lacked the ability to chill the catch would not be prohibited but rather would be required to deliver fish within a set time limit to tenders or processors.

Following completion of an inspection, vessels meeting the requirements would be issued an unconditional certificate for either one, two or three years depending on the vessel construction and age. Provisional certificates would also be available for vessels which could not meet all the requirements but met minimum standards. Information and training would be developed by DEC to explain requirements and provide technical assistance how to comply with regulations.

Three additional Environmental Health Officers, and associated support costs, would be required to implement a statewide vessel inspection program. A fiscal note is attached detailing these costs. The Department proposes to fund the total cost of the inspection program through a sliding scale user fee collection system. The highest fee assessed would be \$25.00 to vessels exceeding 64' in length. An analysis of revenue projections is attached. This analysis supports the supposition that the

program could be self supporting while assessing fees which would not create an economic burden on the fisherman.

Legislation would be implemented in two phases: Phase one would consist of formation of a vessel inspection task force, chaired by DEC, and composed of representatives from various fishing groups, industry and governmental agencies. The purpose of the task force would be to define key elements of a vessel inspection program. DEC would then develop regulations to implement the inspection program which would commence no sooner than January 1, 1993.

PROPOSED VESSEL INSPECTION - PROJECTED REVENUES

Vessels by Hull Type	Number of Annual Inspections	Fee	Annual Projected Revenue	Number of Inspections Every 2 Years	Fee	Annual Projected Revenue	Number of Inspections Every 3 Years	Fee	Annual Projected Revenue
VESSELS < 19'									
Aluminum/liberglass	0	\$10.00	\$0.00	29	\$10.00	\$145.00	4	\$10.00	\$13.20
Steel	227	\$10.00	\$2,270.00	333	\$10.00	\$1,665.00	33	\$10.00	\$108.90
Wood/cement	199	\$10.00	\$1,990.00	0	\$10.00	\$0.00	0	\$10.00	\$0.00
SUBTOTAL	426		\$4,260.00	362		\$1,810.00	37		\$122.10
VESSELS 19 - 64'									
Aluminum/liberglass	0	\$20.00	\$0.00	8188	\$20.00	\$81,880.00	360	\$20.00	\$2,376.00
Steel	433	\$20.00	\$8,660.00	328	\$20.00	\$3,280.00	404	\$20.00	\$2,666.40
Wood/cement	2990	\$20.00	\$59,800.00	0	\$20.00	\$0.00	0	\$20.00	\$0.00
SUBTOTAL	3423		\$68,460.00	8516		\$85,160.00	764		\$5,042.40
VESSELS > 64'									
Aluminum/liberglass	0	\$25.00	\$0.00	2568	\$25.00	\$32,100.00	222	\$25.00	\$1,831.50
Steel	89	\$25.00	\$2,225.00	98	\$25.00	\$1,225.00	3	\$25.00	\$24.75
Wood/cement	228	\$25.00	\$5,700.00	0	\$25.00	\$0.00	0	\$25.00	\$0.00
SUBTOTAL	317		\$7,925.00	2666		\$33,325.00	225		\$1,856.25
TOTAL	4166		\$80,645.00	11544		\$120,295.00	1026		\$7,020.75

**TOTAL
PROJECTED
ANNUAL
REVENUES** **\$207,960.75**

NOTE: Total projected fees for biannual and triannual inspections were divided by 1/2 & 1/3, respectively.

PROPOSED FISHING VESSEL AND TENDER INSPECTION
AND CERTIFICATION PROGRAM

VESSEL REQUIREMENTS:

* Protection of fisheries products and ice:

- * Provide protection from sun, weather, heat and physical damage.
- * Product and ice is protected from possible contaminants, including fuels, hydraulics, cleaners, animals, etc. during catch and delivery.

* Construction of fish and ice storage areas and equipment:

- * Vessel are constructed of smooth and easily cleanable materials, such as fiberglass or aluminum. Steel or wood is properly sealed to provide an easily cleanable surface which will not serve as a source of contamination or adulteration to the product.
- * Fish handling equipment, such as chutes, conveyors, and tables are constructed of smooth, non-absorbent, noncorrosive, and easily cleanable materials which are free from cracks and crevices.
- * Provide hydraulic line hose fittings with catch basins to collect any leakage.
- * Single wall fuel lines do not run through fish holds.

* Fish chilling equipment and insulation:

- * A reliable source of product chilling, capable of maintaining product at 34° F or below, such as icing, refrigerated salt water, etc., is available onboard the vessel or tender.
- * Vessel, without chilling capacity, delivers unrefrigerated product is within specified time to tender or processing facility.
- * Storage areas are separated from engine compartments and other heated areas by watertight, insulated bulkhead and wall surfaces.

* Operating procedures:

- * A schedule is established for proper cleaning and sanitizing of equipment and storage areas.
- * Only approved cleaners and sanitizers are used.

CERTIFICATION AND INSPECTION PROGRAM

- * Vessels and tenders are inspections^{et} prior to issuance of a certificate.
- * Provisional certificates will be issued to vessels which are not in full compliance to allow for upgrade of vessel.
- * Reinspection and certificate renewal based upon the type and condition of vessels.
- * Reinspection and certificate renewal schedule is as follows:
 - * ANNUAL: Wooden vessels/tenders and other vessels/tenders in poor condition.
 - * EVERY TWO YEARS: Fiberglass and aluminum boats in fair to good condition.
 - * EVERY THREE YEARS: New fiberglass and aluminum boats.

More frequent inspections would result from lack of compliance or for vessels holding provisional certificates.

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 542

Revision Date: _____ Department Affected: Department of Fish and Game
 Title: Fishing vessel hold inspection and fisheries product control BRU: Commercial Fisheries (Limited) Entry Commis:
 Component: Limited Entry Program
 Sponsor: Representative Choquette Administration _____
 Requestor: Representative Choquette COMPONENT SERIAL NO.

	4	7	1
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
PERSONAL SERVICES	42.6	21.3	21.3			
TRAVEL						
CONTRACTUAL	5.3	2.8	2.8			
SUPPLIES	.7	.7	.7			
EQUIPMENT	5.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	53.6	24.8	24.8			

CAPITAL						
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REVENUE FUND SOURCE:	GF 1004	GF 1004	GF 1004			
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FUNDING: (Thousands of Dollars)

GENERAL FUND	53.6	24.8	24.8			
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME	2	1	1			
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Roger Kolden Phone: 789-6160
 Division: Commercial Fisheries (Limited) Entry Commission Date: 03/24/92
 Approved by Commissioner: Frank McLellan
 Agency: CFC Date: 4/25/92

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

WALTER J. HICKEL, GOVERNOR

5800 GLACIER HIGHWAY, #100
JUNEAU, ALASKA 99801
(907) 789-6150 Licensing Co's
(907) 789-6160 Other C/FEC Co's
(907) 789-6170 FAX

FAX TRANSMITTAL SHEET

TO: NANCY HEMENWAY

DATE: March 25, 1992

Representative Dave Choquette

FAX#: 465-3242

PAGES: 3
(following this page)

FROM: Frank Homan

Commissioner

MESSAGE:

For your information. This will be presented at the House Resources Committee Hearing on HB 542 at 3:00 p.m. on Thursday, March 26, 1992. Please let me know if you have any comments.

Thank you.

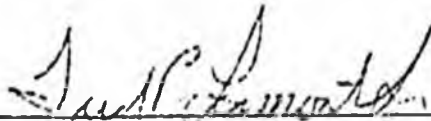



CITY OF PILOT STATION

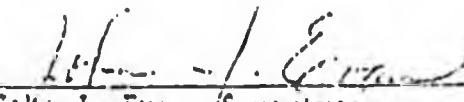
P.O. Box 5040 • Pilot Station, Alaska 99650 • (907) 549-3211


March 25, 1992

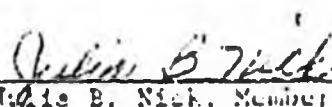
We, the City Council of Pilot Station support Governor Hickel's veto of SB 16 and support of the alternative Bill to allow non-retention of tenured teachers for fiscal emergencies.

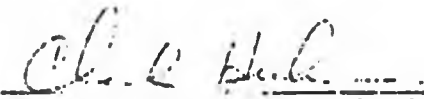

Fred Lamont, Sr., Mayor

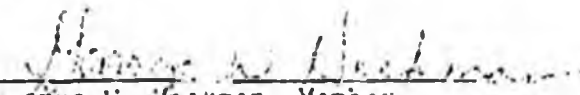

Cynthia Fancyboy, Vice-Mayor


John J. Evan, Secretary


Anita M. Myers, Member


Julie B. Nick, Member


Charles Heckman, Sr., Member


George W. Heckman, Member

Analysis of Program Effects:

Sec. 3 of HB 542 requires the CFEC to withhold a fishing vessel license until proof of a DEC certificate of compliance is presented. This presents the following problems for the agency:

1) In cases where the vessel license cannot be issued correspondence will be required, and in most cases, refunds will have to be issued through the State AKSAS system since all fees received must be deposited immediately upon receipt. Payments and applications cannot simply be returned without explanation. Furthermore, many payments received by CFEC are to cover several vessel licenses and/or permits, often for different individuals.

2) CFEC regulation 20 AAC 05.425(d) requires that the vessel designated on the permit application must be licensed in order for the permit card to be issued. If vessel licenses must be withheld due to lack of proof of compliance, it will also mean withholding permits, requiring additional correspondence and refunding of fees.

3) AS 16.05.530 provides that vessel licenses may be renewed for one year or two years at a time; approximately 11% of vessel owners take advantage of 2 yr renewal to minimize paperwork, which also improves agency efficiency. HB 542 would impede this process since the second year license could not be issued without proof of compliance from DEC.

4) Experience with fishermen and regulatory requirements (regulatory changes in particular) has demonstrated a very high percentage of problems due to confusion, ignorance and omission. HB 542 will definitely require a significant amount of CFEC staff time to deal with telephone calls and correspondence explaining the program, refunding of fees and last minute attempts to verify proof of compliance and get vessel licenses issued prior to imminent fisheries. Given the fact that permit and vessel license issuance is handled by only four full-time employees, the impact on the licensing section is considerable.

Amendments Proposed:

Sec. 3 could be eliminated as well as and the fiscal note if a visible sign of compliance (such as a sticker affixed to the vessel, or a certificate to be presented upon request) was required instead. This would allow enforcement to be carried out during the course of routine boardings and license checks by the Division of Fish and Wildlife Protection.

Position Title Commercial Fisheries Permit Clerk II		No. of Positions 2	Range / Step 10A	Bay Unit X
Time Status S	Staff Months 14	Location Jureau		Election District
TYPE OF EXPENDITURE		Amount		Justification These positions are required to process the additional correspondence necessary to prove compliance with IM 542. It is estimated 50% of the 17,580 (FY91) of vessels licensed would fail to submit the required proof of inspection. At 15 minutes correspondence for each application this totals over 14 months of correspondence.
Salary	14.5	29.0		
Benefits	6.8	13.6		
Premium Pay				
Other				
Total Personal Services		21.3 42.6		
Travel				
Contractual		5.3		
Commodities		.7		
Equipment		5.0		
Other				
Total Cost		53.6		
FUNDING SOURCE FOR TOTAL COST				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	53.6		
LA Receipts	1007			
CIP Receipts	1061			
Other				
				Support Costs Contractual Services costs include telephone (.3/month), postage (.1/month) for seven months and advertising costs of 2.5 for newspaper and radio spots. Additionally, \$50/staff month in commodities (.7) and two personal computers at 2.5 each in equipment would be needed for correspondence work. It is estimated after the first year the correspondence work would be 25% and no further advertising or equipment costs would be incurred. Since the bill sunsets after three years continuing costs no longer exist beyond that time.

**Request For
New Position**

AGENCY Department of Fish and Game

BRU Commercial Fisheries (Limited) Entry
Commission

COMPONENT Limited Entry Program Administration

FY 93

Page 1 of 1

Revised Date: _____

Fishing Vessel Inspection and Permit Program

A regulatory fishing vessel permit and inspection program is one of the key elements in improved product quality and minimized product adulteration.

Minimum requirements:

Fishing vessels

1. The vessel must be constructed of cleanable materials, such as fiberglass or aluminum. Steel and wood must be properly sealed so as to be adequately cleanable and must not pose as a source of contamination or adulteration of the product.
2. Fish handling equipment, such as chutes, conveyors, tables, must be constructed of smooth, non-absorbent, non-corrodible, easily cleanable materials, and must be free from cracks and crevices.
3. Hydraulic line hose fittings must be provided with catch basins to collect any potential leakage, and any leaking lines must be promptly repaired or replaced.
4. The vessel must provide a reliable source of refrigeration on board, such as ice, refrigerated salt water, etc., or deliver its catch within a specified period of time to a tender or processing facility.
5. The vessel must have a set schedule for cleanup and sanitizing fish holds and decks, and must use approved cleaning and sanitizing compounds.
6. Product must be protected from possible contaminants, including fuel, hydraulics, cleaners, etc., during catch and delivery.
7. Single wall fuel lines not allowed to run through fish holds.

Tender Vessels

1. The vessel must be constructed of cleanable materials, such as fiberglass or aluminum. Steel and wood must be properly sealed so as to be adequately cleanable and must not pose as a source of contamination or adulteration to the product.

2. Hydraulic line hose fittings must be provided with catch basins to collect any potential leakage, and any leaking lines must be promptly repaired or replaced.
3. The vessel must provide a reliable source of refrigeration on board, such as ice, refrigerated salt water, etc.
4. The vessel must have a set schedule for cleanup and sanitizing fish holds and decks, and must use approved cleaning and sanitizing compounds.
5. Product must be protected from possible contaminants, including fuel, hydraulics, cleaners, etc., during catch and delivery.
6. Single wall fuel lines not allowed to run through fish holds.

Permit and Inspection Program

1. All vessels must be inspected before being issued a permit.
2. After receiving a permit, inspections would be conducted according to the following schedule:
 - a. Wooden vessels, or vessels in poor condition would be inspected annually,
 - b. fiberglass or aluminum vessels in fair to good condition would be inspected once every two years, and
 - c. new vessels of fiberglass or aluminum construction would be inspected once every three years.
3. Lack of compliance would result in more frequent inspections, and provisional permits.
4. Permits would be issued at inspection frequency.

Set Net Site Requirements

1. Totes used for transporting product must be constructed of smooth, non-absorbent, non-corrodible material, free from cracks and crevices, and constructed to be easily cleanable
2. Fish must not be allowed to lay on the beach for long periods of time (> 30 min), subject to sunlight and contamination from bird activity, etc.
3. Totes and fish handling equipment must be cleaned and sanitized before and after use, using approved chemicals.
4. Covers must be provided for totes, to protect product from contamination, fly activity, etc.
5. A reliable source of refrigeration (most commonly ice) must be available at the site, for the fish as they are being picked, or time must be limited between picking fish from the net delivery to the processor.
6. Care must be taken in product handling at the set net site, to prevent contamination or damage of the product by walking on it, excessive bruising due to throwing of fish, and use of pughs.
7. Animals must be restrained from the net picking sites and totes of fish.
8. Product inspected at the site for contamination.

Processing facilities and tender vessels are currently required to meet all requirements listed for product handling, temperature control, sanitation, and equipment construction of the fishing vessels and at set net sites, in accordance with 18 AAC 34.

50. Protective hand coverings worn by employees in the dressing, filleting and packaging areas shall be disinfected at each break during the work shift.

51. Employees engaged in a fish processing operation, shall wear clean outer garments and headgear of a type approved by the Minister.

52. All floors shall be kept clean and floors in wet working areas shall be thoroughly washed at intervals of 2 hours or at such shorter intervals as may be deemed necessary by an inspector.

53. (1) Utensils that come in contact with fish that is being processed, other than packaged fish, shall be cleaned and disinfected at least once during and at the end of each work shift by a method approved by the Minister.

(2) At the end of each working day, the utensils referred to in subsection (1) shall be air-dried and stored in a sanitary manner.

54. Equipment, including filleting machines, conveyor belts and tables, that comes in contact with fish that is being processed, other than packaged fish, shall be cleaned and disinfected at intervals of 2 hours or at such shorter intervals as may be deemed necessary by an inspector.

55. Pickled, spiced and marinated fish establishments and all equipment and utensils used in the operations of such establishments shall be kept in good repair and in a clean and sanitary condition.

50. Les gants protecteurs que portent les employés dans les aires d'habillage, de filetage et d'emballage du poisson doivent être désinfectés à chaque interruption au cours du poste.

51. Les employés affectés aux opérations de traitement du poisson doivent porter des vêtements de dessus propres, ainsi qu'une coiffure d'un type approuvé par le Ministre.

52. Tous les planchers doivent être tenus propres et ceux des aires humides de travail doivent être lavés à fond toutes les 2 heures ou plus souvent si un inspecteur le juge nécessaire.

53. (1) Les ustensiles qui, au cours du traitement, entrent en contact avec le poisson, sauf le poisson emballé, doivent être nettoyés et désinfectés au moins une fois au cours de chaque poste, ainsi qu'à la fin de chaque poste, selon une méthode approuvée par le Ministre.

(2) A la fin de chaque jour de travail, les ustensiles mentionnés au paragraphe (1) doivent être séchés à l'air et rangés de façon hygiénique.

54. Le matériel, y compris les machines à fileter, les courroies transporteuses et les tables, qui, au cours du traitement, entrent en contact avec le poisson, sauf le poisson emballé, doit être nettoyé et désinfecté toutes les 2 heures ou plus souvent si l'inspecteur le juge nécessaire.

55. Les établissements de traitement du poisson saumuré, épicé et mariné, ainsi que tout le matériel et les ustensiles servant à leur exploitation doivent toujours être bien entretenus, propres et dans un état hygiénique.

SCHEDULE III

(s. 18)

REQUIREMENTS FOR VESSELS USED FOR FISHING OR TRANSPORTING FISH FOR PROCESSING

1. Areas where fish and ice are stored shall

(a) (c) have covers to protect the fish and ice from the sun and weather;

(b) be provided with drainage to effectively remove ice melt water and ensure that fish and ice do not come into contact with bilge water or other contamination; and

(c) where it is necessary to prevent physical damage to the fish, be divided into pens, which shall be shelved vertically at intervals of 90 cm or less.

2. Subject to item 3, fish and ice storage areas shall be of non-absorbent, non-corrodible materials, other than wood, and so constructed as to preclude physical damage to the fish and facilitate cleaning and any surfaces that contact fish shall be smooth and free from cracks and crevices.

ANNEXE III

(art. 18)

EXIGENCES APPLICABLES AUX BATEAUX UTILISES POUR LA PÊCHE OU LE TRANSPORT DU POISSON À TRAITER

1. Les aires d'entreposage du poisson et de la glace doivent:

a) être couvertes afin que le poisson et la glace soient protégés contre le soleil et les intempéries;

b) être dotées d'un système d'écoulement visant à évacuer efficacement l'eau de fonte de la glace et à garantir que le poisson et la glace n'entrent pas en contact avec les eaux de cale ou d'autres sources de contamination; et

c) au besoin, être divisées en compartiments munis d'étagères distantes de 90 cm ou moins, afin d'éviter la détérioration du poisson.

2. Sous réserve de l'article 3, les aires d'entreposage du poisson et de la glace doivent être faites de matériaux autres que le bois, qui sont non absorbants et résistants à la corrosion, et doivent être aménagées de façon à en permettre le nettoyage et à empêcher la détérioration du poisson, et les surfaces entrant en contact avec le poisson doivent être lisses et exemptes de fissures ou de crevasses.

3. In the case of vessels built prior to September 15, 1982 and vessels having no below deck storage areas, built-in fish and ice storage areas shall be so constructed as to preclude physical damage to the fish and may be of wood, if the surfaces are smooth, free from cracks and crevices and coated with a durable, light coloured paint or coating of a type approved by the Minister.

4. Boxes for fish other than live shellfish shall be of smooth, non-absorbent, non-corrodible material, other than wood, free from cracks and crevices, and so constructed as to provide drainage and protect the fish from damage by crushing when the boxes are stacked.

5. Fresh fish storage areas shall be separated from engine compartments and other heated areas of a vessel by watertight, insulated bulkheads and wall surfaces, bulkheads and deckheads in frozen storage areas of a vessel shall be well insulated.

6. Fish handling equipment, such as chutes, conveyors, fish washers, tables and utensils, shall be of smooth, non-absorbent, non-corrodible material, other than wood, free from cracks and crevices and so constructed as to facilitate cleaning.

7. Forks, pumps, tools or other equipment and practices that pierce, tear, or otherwise damage or contaminate the edible portion of fish shall not be used.

8. Fish, while on board a vessel used for fishing or transporting fish, shall be

(a) preserved by the use of finely divided ice sufficient to reduce and hold the temperature at 4°C or lower, and such ice shall be made from water from a source approved by a fish inspection laboratory; or

(b) preserved by such other methods as the Minister may approve.

9. Where chilled water systems are installed on a vessel, such systems shall be of materials approved by the Minister, be constructed to facilitate proper cleaning and be capable of holding fish at -1°C.

10. Freezing facilities on a vessel shall be capable of freezing the daily catch of fish at a rate equivalent to at least the freezing rate of a 25 mm thick block of fish when the temperature of the thermal centre is reduced from 0°C to -20°C in two hours or less.

11. (1) Fish on board a vessel shall be frozen at a freezing rate not less than the rate prescribed by item 10.

(2) In the case of a packaged fish product on board a vessel, the time required to reduce the thermal centre of the packaged product to -20°C shall not exceed 36 hours.

3. Dans le cas des bateaux construits avant le 15 septembre 1982 et des bateaux non munis d'une cale d'entreposage, les aires aménagées pour l'entreposage du poisson et de la glace doivent être construites de manière à empêcher la détérioration du poisson, et peuvent être faites de bois, à la condition que leurs surfaces soient lisses, exemptes de fissures ou de crevasses et recouvertes d'une peinture durable et de couleur claire ou d'un autre revêtement approuvé par le Ministre.

4. Les caisses destinées au poisson, sauf les frigos de mer vivants, doivent être faites d'un matériau autre que le bois, qui est non absorbant, résistant à la corrosion, lisse et exempt de fissures ou de crevasses, et être aménagées de manière à permettre l'écoulement de l'eau et à protéger le poisson contre tout risque d'écrasement lorsqu'elles sont empilées.

5. Les aires d'entreposage du poisson frais doivent être séparées de la salle des machines et de tout autre secteur chauffé du bateau, par des cloisons étanches et isolées et les surfaces des murs, les cloisons et le plafond des aires de congélation doivent être bien isolés.

6. Le matériel de manutention du poisson, notamment les glissières, les convoyeurs, les machines à laver, les tables et les ustensiles, doit être fait d'un matériau autre que le bois, qui est non absorbant, résistant à la corrosion, lisse et exempt de fissures ou de crevasses, et doit être construit de manière à en permettre le nettoyage.

7. Les méthodes et les instruments tels les fourches et les pompes, qui risquent de percer, de déchirer, d'endommager ou de contaminer la partie comestible du poisson ne doivent pas être utilisés.

8. Le poisson qui est à bord d'un bateau servant à la pêche ou au transport du poisson doit

(a) être conservé dans de la glace finement concassée faite d'eau provenant d'une source approuvée par un laboratoire d'inspection du poisson, qui permet de maintenir la température à un maximum de 4°C; ou

(b) être conservé par une autre méthode approuvée par le Ministre.

9. Lorsqu'un bateau est doté d'un dispositif à eau réfrigérée, ce dispositif doit être fait de matériaux approuvés par le Ministre, être construit de façon à en permettre le nettoyage et être capable de maintenir le poisson à une température de -1°C.

10. Les installations de congélation d'un bateau doivent être capables de congeler les prises quotidiennes de poisson à une vitesse au moins égale à celle requise pour abaisser la température du centre thermique d'un bloc de poisson de 25 mm d'épaisseur, de 0°C à -20°C en deux heures ou moins.

11. (1) Le poisson à bord d'un bateau doit être congelé à une vitesse au moins égale à celle prescrite à l'article 10.

(2) Dans le cas des produits de poisson emballés qui se trouvent à bord d'un bateau, le temps requis pour abaisser à -20°C la température du centre thermique d'un produit emballé ne doit pas dépasser 36 heures.

12. (1) Except for brine frozen fish, the thermal centre of the fish on board a vessel shall be reduced to a temperature of -20°C or lower before the fish can be removed from the freezer to the cold storage area.

(2) In the case of brine frozen fish on board a vessel, the thermal centre of the fish shall be reduced to -12°C before the fish can be removed from the freezer to the cold storage area.

13. After freezing, fish on board a vessel shall be glazed or packaged to protect it against dehydration and oxidation.

14. Storage areas in which frozen fish is held on board a vessel shall be maintained at a temperature of -26°C or lower.

(b) 15. At least once daily, fish receiving areas and all equipment, containers and utensils used in the handling of fish on board a vessel shall be thoroughly cleaned with water from a source approved by a fish inspection laboratory and disinfected.

16. Following the discharge of fish from a vessel, all equipment and utensils used in the handling of fish and the storage areas, chilled water system, fish containers, penboards and shelfboards shall be forthwith thoroughly cleaned with water from a source approved by a fish inspection laboratory and disinfected.

17. A storage record of the fish catch shall be kept on all fishing vessels and the identity of each day's catch shall be maintained.

18. Handwashing and marine type toilet facilities shall be provided on vessels 13.7 m or more in overall length that have sleeping accommodation and shall be maintained in a clean and sanitary condition.

SCHEDULE IV

(s. 19)

REQUIREMENTS FOR ESTABLISHMENTS STORING FROZEN FISH

(a) 1. Rooms in which frozen fish is stored shall be maintained at a temperature of -26°C or colder.

2. (1) Each storage room shall be equipped with an accurate thermometer or other temperature measuring device that is located in such a place that it indicates the average air temperature of the room.

(2) Temperatures in a storage room shall be read, recorded and dated at least once each day and a record of such temperatures shall be maintained for a period of not less than 12 months.

3. Frozen fish shall be protected to minimize rises in the temperature of the fish when it is outside a refrigerated area.

4. No odoriferous substance shall be stored with fish in holding or storage rooms.

12. (1) La température du centre thermique de tout poisson sauf le poisson congelé en saumure, doit être abaissée au moins à -20°C avant que le poisson soit retiré du congélateur et placé dans l'aire d'entreposage frigorifique.

(2) Dans le cas du poisson congelé en saumure, la température du centre thermique du poisson doit être abaissée à -12°C avant que le poisson soit retiré du congélateur et placé dans l'aire d'entreposage frigorifique.

13. Le poisson doit une fois congelé, être givré ou emballé pour éviter sa déshydratation et son oxydation.

14. Les aires d'entreposage du poisson congelé à bord d'un bateau doivent être maintenues à une température d'au moins -26°C .

b) 15. Les aires de réception du poisson et le matériel, les conteneurs et les ustensiles utilisés pour la manutention du poisson doivent, au moins une fois par jour, être nettoyés à fond avec de l'eau provenant d'une source approuvée par un laboratoire d'inspection du poisson et être désinfectés.

16. Après le déchargement du poisson du bateau, les appareils et les ustensiles de manutention du poisson, les aires d'entreposage, le système d'eau réfrigérée, les conteneurs à poisson, les cloisons et les étagères des compartiments doivent être immédiatement nettoyés à fond avec de l'eau provenant d'une source approuvée par un laboratoire d'inspection du poisson et être désinfectés.

17. Un registre sur l'entreposage du poisson capturé doit être tenu par chaque bateau de pêche et l'identification des prises de poisson doit être fait tous les jours.

18. Sur les bateaux d'une longueur hors tout de 13,7 m ou plus qui sont munis de cabines, des lavabos et des toilettes de bateau doivent être installés et tenus dans un état propre et hygiénique.

ANNEXE IV

(art. 19)

CONDITIONS APPLICABLES AUX ENTREPÔTS DE POISSON CONGELÉ

1. La température des salles d'entreposage du poisson congelé doit toujours être de -26°C ou plus froide.

2. (1) Chaque salle d'entreposage doit être munie d'un thermomètre précis ou d'un autre instrument de mesure de la température, placé de façon à indiquer la température moyenne de l'air ambiant.

(2) Au moins une fois par jour, la température d'une salle d'entreposage doit être relevée et inscrite dans un registre ainsi que la date, et le relevé de cette température doit être conservé au moins 12 mois.

3. Le poisson congelé doit être protégé de manière à éviter le plus possible les hausses de température du poisson lorsqu'il se trouve en dehors d'une aire réfrigérée.

4. Aucune substance odorante ne doit être entreposée avec le poisson dans les salles de détention ou d'entreposage.

SCHEDULE V

(ss. 20 and 21)

REQUIREMENTS FOR VEHICLES AND EQUIPMENT USED FOR UNLOADING, HANDLING, HOLDING AND TRANSPORTING FRESH FISH FOR PROCESSING

1. Forks, pumps, tools or other equipment and practices that pierce, tear or otherwise damage or contaminate the edible portion of fish shall not be used.

2. Fish handling equipment, such as chutes, conveyors, fish washers, tables and utensils, shall be of smooth, non-absorbent, non-corrodible material, other than wood, free from cracks and crevices and so constructed as to facilitate cleaning.

3. (1) Fish shall be transported in covered containers approved by the Minister or enclosed vehicle bodies.

(a)

(2) The contact surfaces of fish storage areas in vehicles and of containers used for transporting fish shall be smooth, free from cracks and crevices and made of non-corrodible material.

4. (1) The containers and vehicle bodies used to hold or transport fish shall be filled to a level no higher than 90 cm of its depth.

(2) The body of a vehicle used for transporting fish in bulk shall be divided at intervals of 1 m along its length.

5. (1) Fish held prior to being transported shall be iced or chilled after unloading from a vessel and be protected from the sun and weather and from contamination.

(2) Fish shall be iced or chilled while being transported.

6. Water used for unloading, washing or transporting fish shall be clean and obtained from a source approved by a fish inspection laboratory.

7. Offal and other refuse shall be disposed of in a manner satisfactory to an inspector.

8. Areas where fish is landed or handled and all surfaces that come into contact with fish during unloading, handling, holding and transportation shall be maintained in a clean and sanitary condition.

ANNEXE V

(art. 20 et 21)

CONDITIONS APPLICABLES AUX VEHICULES ET A L'EQUIPEMENT SERVANT AU DECHARGEMENT, A LA MANUTENTION, A L'ENTREPOSAGE ET AU TRANSPORT DU POISSON FRAIS A TRAITER

1. Les méthodes et les instruments, tels les fourches et les pompes, qui risquent de percer, de déchirer, d'endommager ou de contaminer la partie comestible du poisson ne doivent pas être utilisés.

2. Le matériel de manutention du poisson notamment les glissières, les convoyeurs, les machines à laver, les tables et les ustensiles, doit être fait d'un matériau autre que le bois, qui est non absorbent, résistant à la corrosion, lisse et exempt de fissures ou de crevasses, et doit être construit de manière à en permettre le nettoyage.

3. (1) Le poisson doit être transporté dans des conteneurs fermés approuvés par le Ministre ou dans des caisses de véhicules fermées.

a)

(2) Les surfaces des aires d'entreposage du poisson dans les véhicules et celles des conteneurs utilisés pour le transport du poisson doivent être lisses, exemptes de fissures ou de crevasses et faites d'un matériau résistant à la corrosion.

4. (1) Les conteneurs ou les caisses de véhicule utilisés pour le transport ou l'entreposage du poisson doivent être remplis à une capacité ne dépassant pas 90 cm de la hauteur du conteneur ou de la caisse.

(2) La caisse d'un véhicule utilisé pour le transport du poisson en vrac doit être divisée à intervalles de 1 m sur la longueur.

5. (1) Le poisson débarqué d'un bateau doit, avant d'être transporté, être gardé dans la glace ou réfrigéré, et être protégé du soleil, des intempéries et des sources de contamination.

(2) Le poisson doit être gardé dans la glace ou réfrigéré pendant le transport.

6. L'eau utilisée pour décharger, laver ou transporter le poisson doit être propre et provenir d'une source approuvée par un laboratoire d'inspection du poisson.

7. Les viscères et autres déchets doivent être jetés d'une façon satisfaisant l'inspection.

8. Les aires où le poisson est débarqué et manipulé et toutes les surfaces qui entrent en contact avec le poisson durant le déchargement, la manutention, l'entreposage et le transport doivent être propres et hygiéniques.

EXECUTIVE SUMMARY

The 1991 Alaskan Salmon Quality Survey was conducted in two phases by The Dittman Research Corporation of Alaska and GRAYSTAR Pacific Seafood, Ltd.

The first phase included three individually designed questionnaires, mailed to 2,000 commercial salmon fishing permit holders, approximately 600 salmon tender operators, and over 200 on-shore salmon freezer-processors, during the spring of 1991. A total of 982 questionnaires were completed and returned and the high overall response rate (36%) should be considered strongly indicative of current fish handling procedures in the Alaska salmon industry.* An additional research component was initiated in November 1991 and surveys were mailed to 107 floating processors. By January 1992, 36 floater surveys were received and the data was tabulated and incorporated into the final report for analysis.

The second phase of the survey was a program of on-site fieldwork, performed in the summer of 1991. In-person interviews were conducted, with salmon fishermen, salmon tender operators, and on-shore salmon processing plants, in Bristol Bay, Kodiak, Cook Inlet, Southeast, and Prince William Sound. General observations of quality handling practices were also made during the fieldwork.

*NOTE: Response rate for self-administered surveys vary widely from approximately 1/2 of 1% up to 50% in some exceptional cases. Normally, a response rate of 10-25% may be expected, while 30-40% is very good and usually indicates an important topic, a high degree of interest, up-to-date lists and an attractive incentive.

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ALASKA SALMON SURVEY
SUMMER 1991

The survey respondents were categorized according to the geographic area they fish, tender or process in. The following geographic areas were used in the crosstabulations for regional analysis and comparisons:

Fishermen: Cook Inlet
 Kodiak
 Western Alaska
 Southeast Alaska
 Bristol Bay
 Prince William Sound
 Yakutat
 Chignik
 Alaska Peninsula

On-Shore
Processors: Cook Inlet
 Kodiak
 Western Alaska
 Southeast Alaska
 Bristol Bay
 Prince William Sound
 Alaska Peninsula

Floating
Processors: Western Alaska
 Southeast Alaska
 Bristol Bay
 Gulf of Alaska
 Combination

*NOTE: Several floating processors indicated two or more geographic areas where they locate during the fishing season. These combinations included: Cook Inlet & Kodiak, Bristol Bay & Prince William Sound, and Bristol Bay and Kodiak. Tenders were not categorized by location due to the nature of their business.

Some highlights of the mail-out survey are --

Notes

Fishermen

- ◆ Approximately three-out-of-four fishermen (78%) deliver their catch at least daily.
- ◆ Most (67%-88%) salmon fishing vessels have hatch covers, in-hold sumps, hatch combings, a watertight bulkhead on their hold, and bin boards or dividers in the hold; about half of the vessels have insulation in their holds.
- ◆ Well over half (61%) of the fish holds are lined with fiberglass.
- ◆ Nearly nine-out-of-ten fishermen (86%) said that their fish are never exposed to fuel, hydraulic fluid, bilge water, or exhaust fumes.
- ◆ Two-out-of-three fishermen (65%) said that their fish are not exposed to heat sources, such as from the engine, exhaust or living quarters; but 29% said that the fish are exposed to the sun.
- ◆ Approximately two-thirds of the fishermen (64%) remove the fish from the net or hook by hand; and 85% said that they handle the fish by the head.
- ◆ Almost half (45%) of the fishermen use brailers to hold fish in the hold; and 74% of those fishermen load the brailers to 500 - 1,200 pounds.
- ◆ Over half (57%) said that they do not chill their fish.
- ◆ Of the fishermen who do chill their fish, 53% use ice; and most get the ice from the processing plant.

ALASKA SALMON SURVEY
SUMMER 1991

Fishermen - continued

- ◆ Fewer than one-out-of-five (17%) of the fishermen who do not chill the fish said that they plan to install a chilling system in the future; of those, 37% plan to install Refrigerated Sea Water, and 36% plan to use ice.
- ◆ Four-out-of-five (81%) said that they clean their holds after each delivery; most rinse (73%) and scrub (68%) the holds; half use a detergent (Joy brand dishwashing soap most frequently); and 41% use a sanitizing agent.
- ◆ One percent of the fishermen report using phenol-based cleaners on their fish-contact surfaces.

Tenders

- ◆ Approximately two-thirds (64%) of the tenders report using brailers to unload fish from fishing boats, either alone (33%), or in combination with pumps (24%) or by hand (7%).
- ◆ The most common weight of the tenders' brailers is between 800 - 1,200 pounds.
- ◆ When off-loading from the tenders to the processing plants, two-thirds (68%) of the tenders use pumps, either alone (60%) or in combination with brailers (8%).
- ◆ Half of the tenders (49%) report handling the fish individually.

Tenders - continued

- ◆ Nearly three-out-of-five (59%) of the tenders do not take the temperature of the fish on board the fishing boat.
- ◆ Two-thirds (68%) of the tenders use RSW chilling systems, while 6% do not chill the fish.
- ◆ Over half of the RSW tenders (55%) pre-chill their tanks to 31-32 degrees F.
- ◆ Almost three-out-of-five (58%) of all tenders monitor the temperature of the fish in their hold continuously; 28% check the temperature every two hours.
- ◆ Tenders allow RSW-equipped fishermen to hold fish longer than fishermen who do not chill fish.
- ◆ About half of the tenders (48%) said that they are required to deliver to the plant every 2 - 3 days.
- ◆ Most tender vessels have quality-related accessories: hatch covers (93%), sumps in the hold (91%), watertight bulkhead (84%), hatch combings (83%), and divided holds (67%).
- ◆ After each delivery to the plant, most tenders flush with clean water (87%) and sanitize (76%) their fish holds.
- ◆ The most frequently-named cleaning solution is Jov (23%); the most frequently-named sanitizing solution is Clorox (14%).
- ◆ Three percent of the tender operators report using phenol-based cleaners on their fish-contact surfaces.

ALASKA SALMON SURVEY
SUMMER 1991

Tenders - continued

- ◆ More than half of the tenders obtain the cleaning solutions (54%) and sanitizing agents (58%) from processors.

On-Shore Processors

- ◆ Overall, on-shore processors said that nine-out-of-ten trollers (91%) are likely to chill their fish, compared to seiners (59%), driftnetters (16%), and setnetters (15%).
- ◆ One-out-of-five (20%) of the plants require deliveries twice each day; while 44% require daily deliveries.
- ◆ Most on-shore processors provide fish handling instructions (83%) and ice (72%) to their fishermen; while slightly less than half (48%) provide cleaners and sanitizers.
- ◆ The most common device used to off-load fish from tenders is the fish pump (84%), though other methods were used, as well: including totes (27%), by hand (24%), and brailer bags (24%).
- ◆ Two-out-of-five plants (41%) allow two days to elapse between the time that the fish are captured to the time they arrive at the plant; and another 39% allow three or more days to elapse.
- ◆ Almost all on-shore processors provide fish handling instructions (100%) and cleaners and sanitizers (97%) to their tenders.

On-Shore Processors - continued

- ◆ Most plants require the tenders to keep records of fish history: time of delivery to the tender (84%), and tender hold temperature (81%).
- ◆ About two-thirds of the plants require tenders to inspect the fishermen's holds (68%), or to record the time of capture (62%).
- ◆ The vast majority (94%) of the plants evaluate the quality of the fish as it arrives at the plant; with 85% evaluating fish quality all the time.
- ◆ The evaluation of fish quality is usually performed by personnel who are familiar with regulatory requirements (89%); who are trained in-house (43%) or on-the-job (29%).
- ◆ Regarding incentives for better quality -- one-third (33%) of the processors suggest buying only chilled fish, while others prefer paying more money for better quality (28%), or less money for poorer quality (28%).
- ◆ Over two-thirds of the plants (68%) report they have a regular quality education program for their employees; of those, 62% conduct the training on-site at the plant.
- ◆ Three-quarters of the plants (77%) have a written cleaning program; of these, 81% had updated the program within the past year.

ALASKA SALMON SURVEY
SUMMER 1991

On-Shore Processors - continued

- ◆ Roughly half (56%) of the on-shore processors desire the fish to be frozen in less than 12 hours from the time it arrives at the dock; but some will allow one day (44%) or two days (22%) to pass before they require the fish to be frozen.
- ◆ Almost three-fourths (73%) of the plants report monitoring the core temperature of the fish; of these, almost all (83%) maintain -5 degrees F or colder.
- ◆ More than half of the on-shore processors (56%) monitor the temperature of their freezers every hour; and most (81%) use a remote temperature probe.
- ◆ When the freezers are filled to capacity, 59% of the plants said that the fish took eight hours or less to freeze, 20% between 9 and 16 hours, and another 8% reported freezing took longer than 21 hours.
- ◆ On-shore processors are evenly split (48% to 48%) on the question of whether mandatory seafood quality inspection would improve the quality of salmon.

Floating Processors

- ◆ Overall, approximately half of the floaters surveyed (56%) reported being a catcher-processor.
- ◆ Floating processors are evenly split regarding when fish must be delivered to them -- half (50%) require fishermen to deliver twice each day, while the other half (50%) require a daily delivery.
- ◆ Nearly nine-out-of-ten floaters (88%) provide their fishermen with instructions on proper fish handling techniques and two-out-of-three (69%) provide cleaners and sanitizers. One-out-of-four (25%) said they also provide ice.
- ◆ Two-out-of-five floaters (42%) reported using tenders. Of those that do, 60% said the maximum amount of time they will allow to pass between when fish are captured and when they arrive "on-board" is one day or less.
- ◆ The most common device used to off-load fish from tenders is fish pumps (60%), followed by totes (20%) and brailer bags (20%). Seven percent reported they off-load by hand.
- ◆ Almost all floating processors provide fish handling instructions (93%) and cleaners and sanitizers (87%) to the tender operators.

ALASKA SALMON SURVEY
SUMMER 1991

Floating Processors - continued

- ◆ Most floaters (86%) check the fish history when they arrive "on-board" and nine-out-of-ten (93%) require tenders to keep records of hold temperatures. However, less than half require records of time of capture (47%) and expect tenders to inspect fishermen's fish holds (47%).
- ◆ Almost all the floating processors surveyed (89%) evaluate fish quality as the fish are received, which occurs continuously (91%). Four-out-of-five (81%) go further to say fish are evaluated by personnel familiar with regulatory requirements, who receive their training on the job (38%), by a Quality Assurance Manager (15%) or by industry literature (15%).
- ◆ On the subject of providing incentive for delivering high quality fish, two-out-of-five (44%) suggested increasing the price paid for higher quality fish and 31% recommended buying only iced or refrigerated fish.
- ◆ One-out-of-two floaters hold regular seafood quality education programs for employees; of those, seven-out-of-ten (70%) instruct employees on the floor.
- ◆ More than half (58%) have a written cleaning program, which was updated within the past year in most cases (86%).